

SECOND JUDICIAL DISTRICT - OGDEN DISTRICT COURT  
WEBER COUNTY, STATE OF UTAH

STATE OF UTAH vs. BRANDON SCOTT COURTNEY

CASE NUMBER 201901817 State Felony

CHARGES

Charge 1 - 76-6-408 - THEFT BY RECEIVING STOLEN PROPERTY - 2nd Degree Felony

Offense Date: July 17, 2020

Location: Weber County

Plea: January 20, 2021 Guilty

Disposition: January 20, 2021 Guilty

Charge 2 - 41-6A-210 - FAIL TO STOP OR RESPOND AT COMMAND OF POLICE - 3rd Degree Felony

Offense Date: July 17, 2020

Location: Weber County

Disposition: January 20, 2021 Dismissed (w/o prej)

Charge Subject To Minimum Mandatory Sentence

Case Subject To Minimum Mandatory Sentence

CURRENT ASSIGNED JUDGE

JENNIFER VALENCIA

PARTIES

Plaintiff - STATE OF UTAH

Represented by: LETITIA TOOMBS

Defendant - BRANDON SCOTT COURTNEY

Represented by: STATE PUBLIC DEFENDER

Represented by:

Other Party - STATE DEBT COLLECTION

Represented by: JONATHAN JENSEN

DEFENDANT INFORMATION

Defendant Name: BRANDON SCOTT COURTNEY

Offense Tracking Number: 61030243

Date of Birth: May 11, 1993

Law Enforcement Agency: WEBER COUNTY SHERIFF

LEA Case Number: 20WC12712

Prosecuting Agency: WEBER COUNTY

Agency Case Number: 20-7717

Violation Date: 07-17-2020

ACCOUNT SUMMARY

TRUST DETAIL

Trust Description: Restitution

Recipient: MICHAEL NELSON

Amount Due: 0.00

Paid In: 0.00

Paid Out:	0.00
Account Adjustments Sum To Date	Amount Reason
2021-12-10	-2,500.00 Adjusted to zero and sent to State Debt Collection

## CASE NOTE

IN USP (COMMITMENT)

## PROCEEDINGS

08-20-2020 Filed: INFORMATION/INDICTMENT INFORMATION  
08-20-2020 Case filed by efiler  
08-20-2020 Filed: From an Information  
08-20-2020 Judge REUBEN J RENSTROM assigned.  
08-20-2020 Judge JENNIFER VALENCIA assigned.  
08-20-2020 ADD ON INITIAL APPEARANCE scheduled on August 24, 2020 at 01:00 PM in 2nd Floor Northwest with Judge CAMILLE NEIDER  
08-20-2020 Filed: Affidavit of Probable Cause  
08-20-2020 Filed order: Order to Hold With Bail  
    Judge MICHAEL D DIREDA  
    Signed August 19, 2020  
08-20-2020 Filed: Return of Electronic Notification  
08-24-2020 Minute Entry - INITIAL APPEARANCE  
    Judge: CAMILLE NEIDER

## PRESENT

Clerk: dianemw  
Prosecutor: TAN, PATRICK  
Defendant Present  
The defendant is in the custody of the Weber County Jail  
Defendant's Attorney(s): GRAVIS, MARTIN  
Audio  
Tape Number: 2A082420 Tape Count: 129-132

## INITIAL APPEARANCE

The Information is read.  
Advised of charges and penalties.

## HEARING

WebEx Event ID: 146 755 2641 Digit: 02:10 - 04:01

Defendant qualifies for the public defender. Decision to preliminary hearing set 09/02/20 at 9:00 am before Judge Valencia. Defendant is on parole and felony on felony.

## APPOINTMENT OF COUNSEL

Court finds the defendant indigent and appoints SHAWN SMITH to represent the defendant.

Appointed Counsel:

Name: SHAWN SMITH  
Address: 50 W 300 S STE 905  
City: SALT LAKE CITY UT 84101  
Phone: 8016600226

## DECISION TO PRELIM is scheduled.

Date: 09/02/2020  
Time: 09:00 a.m.  
Location: 3rd Floor Southwest  
Before Judge: JENNIFER VALENCIA

SECOND DISTRICT COURT  
2525 GRANT AVENUE  
OGDEN, UT 84401

CUSTODY

The defendant is remanded to the custody of the Weber County Jail.

08-24-2020 Minute Entry - ORDER TO SHERIFF

Judge: CAMILLE NEIDER

PRESENT

Clerk: dianemw

Defendant Present

HEARING

To the Sheriff of WEBER County, you are hereby ORDERED to:

(X) Defendant is felony on felony.

(X) Bring defendant before the Court on 09/02/20 at 9:00 am for decision to preliminary hearing before Judge Valencia.

08-24-2020 Filed order: ORDER TO SHERIFF

Judge CAMILLE NEIDER

Signed August 24, 2020

08-24-2020 Filed: Return of Electronic Notification

08-25-2020 Cancelled: DECISION TO PRELIM scheduled on September 02, 2020 at 09:00 AM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

08-26-2020 Filed: Return of Electronic Notification

08-31-2020 NOTICE for Case 201901817 ID 21138863

08-31-2020 NOTICE for Case 201901817 ID 21138864

Date:

The reason for the change is Correct calendar

08-31-2020 Rescheduled: DECISION TO PRELIM rescheduled to September 02, 2020 at 09:01 AM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

09-02-2020 Minute Entry - CONTINUANCE

Judge: JENNIFER VALENCIA

PRESENT

Clerk: meganrm

Prosecutor: CAINE, NICHOLAS

Defendant Present

The defendant is in the custody of the Weber County Jail

Defendant's Attorney(s): SMITH, SHAWN

Audio

Tape Number: 3D 090220 Tape Count: 11:15-11:17

CONTINUANCE

Whose Motion:

The Defendant's counsel SHAWN SMITH.

Reason for continuance:

Request of counsel

The matter is continued to 09/16/20 at 9:00 a.m. for discovery.

The motion is granted.

DECISION TO PRELIM is scheduled.

Date: 09/16/2020

Time: 09:01 a.m.

Location: 3rd Floor Southwest

Before Judge: JENNIFER VALENCIA

SECOND DISTRICT COURT  
2525 GRANT AVENUE  
OGDEN, UT 84401

09-04-2020 Cancelled: DECISION TO PRELIM scheduled on September 16, 2020  
at 09:01 AM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

09-04-2020 Filed: Return of Electronic Notification

09-16-2020 Minute Entry - CONTINUANCE

Judge: JENNIFER VALENCIA

PRESENT

Clerk: meganrm

Prosecutor: TOOMBS, LETITIA

The defendant is in the custody of the Department of  
Corrections Utah State Prison - Draper

Defendant not present

Defendant's Attorney(s): SMITH, SHAWN

Audio

Tape Number: 3D 091620 Tape Count: 2:01-2:02

CONTINUANCE

Whose Motion:

The Court VALENCIA, JENNIFER.

Reason for continuance:

Court Ordered

Defendant was not transported. The matter is continued to  
09/30/20 at 9:00 a.m. for the defendant to be present.

The motion is granted.

DECISION TO PRELIM is scheduled.

Date: 09/30/2020

Time: 09:01 a.m.

Location: 3rd Floor Southwest

Before Judge: JENNIFER VALENCIA

SECOND DISTRICT COURT

2525 GRANT AVENUE

OGDEN, UT 84401

09-22-2020 Continued: DECISION TO PRELIM scheduled on September 30, 2020  
at 09:01 AM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

09-29-2020 Filed: Appearance of Counsel/Notice of Limited Appearance

09-29-2020 Filed: Request for Discovery

09-29-2020 Filed: Return of Electronic Notification

09-30-2020 Filed: Response to Discovery Request

09-30-2020 Filed: Return of Electronic Notification

09-30-2020 Minute Entry - CONTINUANCE

Judge: JENNIFER VALENCIA

PRESENT

Clerk: bayliec

Prosecutor: TOOMBS, LETITIA

Defendant Present

The defendant is in the custody of the Department of  
Corrections Utah State Prison - Draper

Defendant's Attorney(s): CROWTHER, GAGE

Audio

Tape Number: 3D 093020 Tape Count: 9:09-9:12

CONTINUANCE

Whose Motion:

The Defendant's counsel SHAWN SMITH.

Reason for continuance:

Request of counsel

Matter is continued to 10/14/20 at 9:00 a.m. for decision to prelim.

The motion is granted.

DECISION TO PRELIM is scheduled.

Date: 10/14/2020

Time: 09:01 a.m.

Location: 3rd Floor Southwest

Before Judge: JENNIFER VALENCIA

SECOND DISTRICT COURT

2525 GRANT AVENUE

OGDEN, UT 84401

10-01-2020 Continued: DECISION TO PRELIM scheduled on October 14, 2020 at 09:01 AM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

10-14-2020 Minute Entry - DECISION TO PRELIM

Judge: JENNIFER VALENCIA

PRESENT

Clerk: bayliec

Prosecutor: TOOMBS, LETITIA

Defendant Present

The defendant is in the custody of the Department of Corrections Utah State Prison - Draper

Defendant's Attorney(s): SMITH, SHAWN

Audio

Tape Number: 3D 101420 Tape Count: 11:33-11:35

HEARING

Preliminary hearing is requested and set for 11/18/20 at 11:00 a.m.

PRELIMINARY HEARING is scheduled.

Date: 11/18/2020

Time: 11:00 a.m.

Location: 3rd Floor Southwest

Before Judge: JENNIFER VALENCIA

SECOND DISTRICT COURT

2525 GRANT AVENUE

OGDEN, UT 84401

10-19-2020 Cancelled: PRELIMINARY HEARING scheduled on November 18, 2020 at 11:00 AM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

10-19-2020 Filed: Return of Electronic Notification

11-03-2020 NOTICE for Case 201901817 ID 21309667

11-03-2020 NOTICE for Case 201901817 ID 21309668

Date:

The reason for the change is Counsel's request.

11-03-2020 Rescheduled: PRELIMINARY HEARING rescheduled to November 20, 2020 at 01:30 PM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

11-20-2020 Minute Entry - CONTINUANCE

Judge: JENNIFER VALENCIA

PRESENT

Clerk: bayliec

Prosecutor: TOOMBS, LETITIA

The defendant is in the custody of the Department of Corrections Utah State Prison - Draper

Defendant not present

Defendant's Attorney(s): SMITH, SHAWN

Audio

Tape Number: 3D 112020 Tape Count: 1:59-2:00

CONTINUANCE

Whose Motion:

The Defendant's counsel SHAWN SMITH.

Reason for continuance:

Request of counsel

Matter is continued to 12/09/20 at 8:30 a.m. for decision to prelim as the defendant is currently in quarantine at the Utah State Prison.

The motion is granted.

DECISION TO PRELIM is scheduled.

Date: 12/09/2020

Time: 08:30 a.m.

Before Judge: JENNIFER VALENCIA

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

11-24-2020 Continued: DECISION TO PRELIM scheduled on December 09, 2020 at 08:30 AM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

12-09-2020 Minute Entry - DECISION TO PRELIMINARY HEARING

Judge: JENNIFER VALENCIA

PRESENT

Clerk: bayliec

Prosecutor: TOOMBS, LETITIA

Defendant Present

The defendant is in the custody of the Department of Corrections Utah State Prison - Draper

Defendant's Attorney(s): SMITH, SHAWN

Audio

Tape Number: 3D 120920 Tape Count: 9:11-9:13

HEARING

This is time set for decision to preliminary hearing.

This matter was previously set for a preliminary hearing on 11/20/20 but had to be stricken as the defendant was in quarantine at the Utah State Prison.

Mr. Smith states there has not been any decision as to the preliminary hearing at this time.

Matter is set for further disposition on 12/30/20 at 8:30 a.m.

DISPOSITION is scheduled.

Date: 12/30/2020

Time: 08:30 a.m.

Before Judge: JENNIFER VALENCIA

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

12-10-2020 Cancelled: DISPOSITION scheduled on December 30, 2020 at 08:30 AM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

12-10-2020 Filed: Return of Electronic Notification

12-30-2020 NOTICE for Case 201901817 ID 21447708

12-30-2020 NOTICE for Case 201901817 ID 21447709

Date:

The reason for the change is Correct calendar

12-30-2020 Rescheduled: DISPOSITION rescheduled to January 20, 2021 at 08:30 AM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

01-20-2021 Charge 1 Disposition is Guilty

01-20-2021 Charge 2 Disposition is Dismissed (w/o

01-20-2021 Minute Entry - WAIVER OF PRELIMINARY HEARING

Judge: JENNIFER VALENCIA

PRESENT

Clerk: bayliec

Prosecutor: TOOMBS, LETITIA

Defendant Present

The defendant is in the custody of the Department of Corrections Utah State Prison - Draper

Defendant's Attorney(s): SMITH, SHAWN

Audio

Tape Number: 3D 012021 Tape Count: 10:27-10:36

HEARING

This is time set for decision to preliminary hearing. The defendant waives his/her preliminary hearing, and the court accepts the waiver as knowingly and voluntarily.

The parties have reached a resolution. The court relies on the Statement of Defendant in Support of Guilty Plea and Certificate of Counsel to supplement a full rule 11 colloquy. The state presents the factual basis. The plea agreement is executed. The defendant enters a plea of guilty to count 1 as charged. Count 2 is dismissed.

Matter is set for sentencing on 02/10/21 at 8:30 a.m.

SENTENCING is scheduled.

Date: 02/10/2021

Time: 08:30 a.m.

Before Judge: JENNIFER VALENCIA

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

01-22-2021 SENTENCING scheduled on February 10, 2021 at 08:30 AM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

01-22-2021 Filed order: WAIVER OF PRELIMINARY HEARING

Judge JENNIFER VALENCIA

Signed January 22, 2021

01-22-2021 Filed: Return of Electronic Notification

02-10-2021 Minute Entry - SENTENCE, JUDGMENT, COMMITMENT

Judge: JENNIFER VALENCIA

PRESENT

Clerk: bayliec

Prosecutor: TOOMBS, LETITIA

Defendant Present

The defendant is in the custody of the Department of Corrections Utah State Prison - Gunnison

Defendant's Attorney(s): SMITH, SHAWN

Audio

Tape Number: 3D 021021 Tape Count: 9:59-10:05

HEARING

Court finds no legal basis why sentence should not be imposed. Respective parties address the court. Court makes prefacing comments and proceeds with sentencing.

SENTENCE PRISON

Based on the defendant's conviction of THEFT BY RECEIVING STOLEN PROPERTY a 2nd Degree Felony, the defendant is sentenced to an indeterminate term of not less than one year nor more than fifteen years in the Utah State Prison.

COMMITMENT is to begin immediately. The court will accept payment tendered on the date of sentencing for any amount the defendant owes arising from this order. The court hereby transfers responsibility for collection of any remaining balance of the criminal accounts receivable to the Office of State Debt Collection.

To the WEBER County Sheriff: The defendant is remanded to your custody for transportation to the Utah State Prison where the defendant will be confined.

SENTENCE PRISON CONCURRENT/CONSECUTIVE NOTE

Penalties shall run concurrent with cases 201901638 and 201901723.

SENTENCE RECOMMENDATION NOTE

Court recommends credit for all time served.

02-11-2021

Filed order: SENTENCE, JUDGMENT, COMMITMENT

Judge JENNIFER VALENCIA

Signed February 11, 2021

02-11-2021

Case Closed

Disposition Judge is JENNIFER VALENCIA

02-11-2021

Filed: Return of Electronic Notification

10-05-2021

Cancelled: REVIEW OF RESTITUTION scheduled on November 10, 2021 at 08:30 AM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

10-06-2021

Filed: Return of Electronic Notification

11-10-2021

Minute Entry - CONTINUANCE

Judge: JENNIFER VALENCIA

PRESENT

Clerk: bayliec

Prosecutor: TOOMBS, LETITIA

Defendant Present

The defendant is in the custody of the Department of Corrections Utah State Prison - Draper

Defendant's Attorney(s): ADAMS, ROGER

Audio

Tape Number: 3D Tape Count: 8:52-8:56

CONTINUANCE

Whose Motion:

The Defendant's counsel ROGER ADAMS.

Reason for continuance:

Request of counsel

There is no stipulation as to restitution. Matter is continued to allow counsel to speak with defendant.

The motion is granted.

REVIEW OF RESTITUTION is scheduled.

Date: 12/08/2021

Time: 08:30 a.m.

Before Judge: JENNIFER VALENCIA

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

11-12-2021 REVIEW OF RESTITUTION scheduled on December 08, 2021 at 08:30 AM in 3rd Floor Southwest with Judge JENNIFER VALENCIA

11-13-2021 Filed: Return of Electronic Notification

12-08-2021 Minute Entry - REVIEW OF RESTITUTION

Judge: JENNIFER VALENCIA

PRESENT

Clerk: bayliec

Prosecutor: TOOMBS, LETITIA

Defendant Present

The defendant is in the custody of the Department of Corrections Utah State Prison - Draper

Defendant's Attorney(s): ADAMS, ROGER

Audio

Tape Number: 3D Tape Count: 8:44-8:46

HEARING

This is time set for review of restitution.

Counsel have stipulated on a restitution amount of \$2,500. The court orders restitution to enter in the amount of \$2,500.

Financial obligations shall be sent to the Office of State Debt Collection.

Restitution Amount: \$2500.00 Plus Interest

Pay in behalf of: MICHAEL NELSON

12-10-2021 Trust Account created Total Due: 2,500.00

12-10-2021 Judgment # 1 Entered 2,500.00

bayliec

Creditor : STATE DEBT COLLECTION

Creditor : STATE OF UTAH

Creditor : MICHAEL NELSON

Debtor : BRANDON SCOTT COURTNEY

2,500.00 Restitution

2,500.00 Judgment Grand Total

12-10-2021 Note: The balance of 2,500.00 for Restitution on this case has been transferred to the Utah Office of State Debt Collection (OSDC) for collection purposes. Any payment made must be made to OSDC.

12-11-2021 Filed order: REVIEW OF RESTITUTION

Judge JENNIFER VALENCIA

Signed December 11, 2021

12-14-2021 Filed: Return of Electronic Notification

02-20-2025 Note: Attorney JACOB FRANKLIN Bar Number 12094 Bar State UT Auto Withdraw