

**TETON COUNTY
DISTRICT COURT MINUTES – HELD IN OPEN COURT
Tuesday – June 11, 2019**

Court convened at 10:03 a.m. in the Teton County Court Room with the Honorable Judge Robert G. Olson presiding. Other officers of the Court present in the Teton County Court Room were Joe Coble, Teton County Attorney; Clint Ellsworth, Deputy Teton County Sheriff; and Lisa Sinton, Clerk of Court. Kelsey McAlpine, Court Reporter, appeared via JVN from the Glacier County Courtroom.

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| IN RE THE MARRIAGE OF: |) | |
| JUSTIN HARRELL, |) | CAUSE NO. DR-19-008 |
| Petitioner, |) | MINUTE ENTRY: |
| -vs- |) | Entry of Decree of Dissolution |
| TIFFANY COSTANZO, |) | |
| Respondent. |) | |

This is the date and time set by the Court for the entry of the Decree of Dissolution. The Honorable Robert G. Olson presided over this hearing and it was held in open court in the Teton County Courtroom. The Petitioner was present in the courtroom and appeared without the benefit of an attorney. The Respondent was not present.

The Court summarized the documents on file and indicated a default was entered with respect to the Respondent.

The Petitioner was duly sworn and testified to the direct examination of the Court.

Based on the testimony and the documents filed, the Court granted the dissolution of marriage. Judge Olson will review the proposed Decree later today and certified copies will be mailed to the Petitioner for his distribution to the Respondent.

DATED this 11th day of June 2019.

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| IN RE THE MATTER OF: |) | |
| |) | CAUSE NO. DJ-18-003 |
| KYLEE RAPP, |) | |
| |) | MINUTE ENTRY: |
| A Delinquent Youth. |) | Status Hearing |

This is the date and time set by the Court for a status hearing. The State was represented by Mr. Joe Coble, who appeared on behalf of Jennifer Stutz, Deputy Teton County Attorney. The youth was not present but was represented by her court-appointed attorney, Ms. Amanda Marvin, who appeared via telephone. Ms. Tavie Hitchcock, Deputy Juvenile Probation Officer, was also present in the courtroom.

The Court reminded the parties that the jury trial has been vacated.

Ms. Marvin stated additional time was needed to speak with the mother regarding the youth's acceptance of the offer provided by the State. She requested the Court to reset the two-day jury trial. The State did not object.

The Court reset the two-day jury trial to August 15, 2019, at 9:00 a.m.

A status hearing was set for July 23, 2019, at 10:00 a.m.

The Court required the mother and the youth to be present at the next hearing.

DATED this 11th day of June 2019.

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| STATE OF MONTANA, |) | |
| Plaintiff, |) | CAUSE NO. DC-18-024 |
| -vs- |) | |
| TROY LEON JACKSON, |) | MINUTE ENTRY: |
| Defendant. |) | Status Hearing |

This is the date and time the Court set for a status hearing with the Honorable Robert G. Olson presiding. This hearing was held in open court in the Teton County Courtroom. Appearing on behalf of the State was Mr. Joe Coble, who stood in for Ms. Jennifer Stutz, Deputy Teton County Attorney. The Defendant was present with his attorney, Mr. Carl Jensen.

The Court stated a two-day jury trial is set for July 15, 2019, and it is a second setting.

Mr. Jensen stated that negotiations are on-going and additional time is needed to discuss the State's offer with his client.

The jury trial will remain on the calendar for the 15th of July.

If the parties reach an agreement, they are to contact the Clerk of Court as soon as possible. The clerk notes that jurors will be drawn on June 28, 2019.

DATED this 11th day of June 2019.

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| STATE OF MONTANA, |) | |
| Plaintiff, |) | CAUSE NO. DC-18-021 |
| -vs- |) | MINUTE ENTRY: |
| DALLAS DUANE HELTON, |) | Change of Plea Entered/ |
| Defendant. |) | Sentencing Held |

This is the date and time set by the Court for the Defendant to enter a change of plea. The Honorable Robert G. Olson presided over this hearing that was held in open court in the Teton County Courtroom. Mr. Joe Coble appeared on behalf of the Plaintiff. The Defendant was present in the court room while his appointed attorney, Mr. Todd Glazier, appeared via telephone.

A Motion to Amend the Information was filed yesterday by the State. The Defense does not object to the filing of an Amended Information. The Court granted the Motion. An executed

Plea Agreement was presented to the Court that reflects the charges in the Amended Information.

The Court summarized the Plea Agreement.

The Defendant stated his full name was Dallas Duane Helton, he is not under the influence of alcohol, and he has not taken any medication that would affect his judgment or understanding of these proceedings.

The Court explained the procedures of this hearing.

The Defendant stated he understood the Plea Agreement and the Acknowledgment and Waiver of Rights; he has discussed this agreement with his attorney; his attorney has answered his questions and he is satisfied with Mr. Glazier's representation. No one has promised the Defendant anything in exchange for changing his plea other than what is contained within the Plea Agreement. He is changing his plea under his own free will as it is in his best interests to do so. The Court explained the Plea Agreement is not binding on the Court.

The Court advised the Defendant of his rights and the rights he is giving up by changing his plea. The Defendant understood.

With respect to Count I of the Amended Information, Criminal Distribution of Dangerous Drugs, a felony, the Defendant changed his plea to guilty.

With respect to Count II of the Amended Information, Burglary, the Defendant entered a plea of "no contest".

Mr. Coble provided an offer of proof. The Court finds the State has enough evidence to prove the facts and accepted the Defendant's pleas. The Defendant now stands convicted of these charges.

The Defendant waived the time between change of plea and sentencing; and he also waived his right to have his attorney present during sentencing.

The State and the Defendant did not present any witnesses.

Mr. Glazier requested the Defendant be recommended for acceptance in a treatment facility in Utah. Ms. Gold stated she could not be able to tell if the facility would accept him.

The Defendant was offered his right of allocution. He stated he was sorry and he has learned from this experience. He wants to get back his life and to be with his children.

The Defendant was recently sentenced in Cascade County; Mr. Coble requested this sentence is to run concurrent to the sentence he received in Cascade County. Ms. Gold will provide the State with the Cascade County cause number for the sentencing document.

With respect to Count II of the Amended Information, Burglary, a felony, it is the judgment of the Court that the Defendant receive a six (6)-year sentence to the Montana Department of Corrections with four (4) years suspended. The Court will impose a \$2,000 fine but suspended that amount. The Court ordered the Defendant to pay the \$80 surcharge fee.

With respect to Count I of the Amended Information, Criminal Possession of Dangerous Drugs, a felony, it is the judgment of the Court that the Defendant be sentenced to five (5) years to the Montana Department of Corrections with four (4) years suspended. Count I is to run concurrent to Count II and also run concurrent to the Cascade County sentence. The Court imposed a \$2,000 fine but suspended that amount. The Court ordered the Defendant to pay the \$80 surcharge fee.

The conditions for the Defendant's suspended portion of his sentence are the standard conditions of probation and parole. He is to receive credit for time served, which will be determined by the State.

The reasons of this sentence are as follows: the nature of the offense; his prior criminal record; the Plea Agreement; and the sentence is just under the circumstances.

The Defendant was remanded to the custody of the Montana Department of Corrections.
DATED this 11th day of June 2019.

Court adjourned at 10:35 a.m.

Lisa J. Sinton, Clerk of Court