

**TETON COUNTY**  
**DISTRICT COURT MINUTES – HELD IN OPEN COURT**  
**Tuesday – July 9, 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; Jennifer Stutz, Deputy Teton County Attorney; Keith VanSetten, Teton County Sheriff; Kelsey McAlpine, Court Reporter; and Lisa Sinton, Clerk of Court.

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<b>STATE OF MONTANA,</b>	)	
<b>Plaintiff,</b>	)	<b>CAUSE NO. DC-18-020</b>
<b>-vs-</b>	)	
<b>JOHN FRANK PASAK, JR.</b>	)	<b>MINUTE ENTRY:</b>
<b>Defendant.</b>	)	<b>Sentencing</b>

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This is the time and place the Court set for the sentencing of the Defendant, John Frank Pasak, Jr. The Honorable Robert G. Olson presided over this hearing and it was held in open court in the Teton County Courtroom. Appearing on behalf of the State was Ms. Jennifer Stutz, Deputy Teton County Attorney. The Defendant was present and appeared with Ms. Roberta Cross Guns, Public Defender.

The parties are prepared to proceed to sentencing.

No witnesses were called on behalf of either party.

The Court summarized the joint recommendation of two years suspended to Counts I and II to run concurrently to each other.

The Defendant was given his right of allocution; the Defendant chose not to make a statement to the Court prior to sentencing.

The Court has reviewed the Pre-Sentence Investigation and the Plea Agreement and believes the Plea Agreement is a fair resolution of this matter.

Sentencing was held at this time.

It is the judgment of the Court that with respect to Count I, Theft, a felony, the Defendant will receive a two-year suspended sentence to the Montana Department of Corrections. The Defendant is to receive credit for time served. No fines are ordered, but the Defendant is required to pay the surcharges and the monthly supervision fees.

With respect to Count II of the Information, Tampering With or Fabricating Physical Evidence, a felony, it is the judgment of the Court that the Defendant receive a two-year suspended sentence to the Montana Department of Corrections. Count II is to run concurrently to Count I. The Defendant is to pay the court surcharges for this second felony charge. The total surcharges are \$200 with a monthly supervision fee of \$21. The surcharges of \$200 includes the preparation of the Pre-Sentence Investigation which is a fee of \$50 to be paid to the Department of Corrections.

The conditions of his supervision are the standard conditions listed in the Pre-Sentence Investigation. Conditions 1 through 31 are hereby incorporated into the Judgment.

The reasons for the sentence are as follows: The Defendant's prior criminal record; the nature of the offense; the joint recommendation of counsel; and the Pre-Sentence Investigation. Ms. Stutz moved to dismiss Counts III and IV; no objection; motion granted.  
DATED this 9<sup>th</sup> day of July 2019.

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<b>STATE OF MONTANA,</b>	)	
<b>Plaintiff,</b>	)	<b>CAUSE NO. DC-16-019</b>
<b>-vs-</b>	)	
<b>CHRISTOPHER JAMES CLAY, JR.,</b>	)	<b>MINUTE ENTRY:</b>
<b>Defendant.</b>	)	<b>Status Hearing</b>

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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 Ms. Jennifer Stutz, Deputy Teton County Attorney. The Defendant was present and appeared with Ms. Roberta Cross Guns, Public Defender.

The Court's calendar indicates a trial date of October 17<sup>th</sup> and 18<sup>th</sup>, 2019.

Ms. Stutz stated the parties are talking regarding a resolution prior to trial. She requested the Court set another status hearing. Ms. Cross Guns requested the Court waive the Defendant's presence at this hearing as he travels a long distance to attend the hearings.

The Court set another status hearing for August 20, 2019, at 10:00 a.m. and waived the Defendant's presence at this hearing.

Ms. Cross Guns requested the Court remove the condition that he wear a GPS monitor and stated he has been present at all the hearings; Ms. Stutz did not object; the Court will modify the conditions of his release to eliminate the requirement that he continue with the GPS monitor. The Court reminded the Defendant to stay in touch with his attorney.

DATED this 9<sup>th</sup> day of July 2019.

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<b>STATE OF MONTANA,</b>	)	
<b>Plaintiff,</b>	)	<b>CAUSE NO.: DC-19-001</b>
<b>-vs-</b>	)	
<b>GERALD DANNER FREEMAN,</b>	)	<b>MINUTE ENTRY:</b>
<b>Defendant.</b>	)	<b>Status Hearing</b>

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This is the date and time the Court set for a status hearing. This hearing was presided over by the Honorable Robert G. Olson and was held in open court in the Teton County Courtroom. Appearing on behalf of the State was Ms. Jennifer Stutz, Deputy Teton County Attorney. The Defendant was not present but was represented by his attorney, Ms. Roberta Cross Guns, Public Defender.

Ms. Cross Guns stated she was recently able to talk to the Defendant and he could not be present because of work obligations and it was too late when she contacted him to get off work.

She provided the Defendant with the steps he needed to complete for him to retain counsel. She requested the trial date of August 1, 2019, remain on the Court's calendar but believes there is a fair chance that this will be resolved prior to the trial date.

The Court vacated the August 1, 2019, trial date and set another status hearing for July 23, 2019, at 10:00 a.m. The State did not object. The Court will reset the trial date at that time, if needed.

The Court ordered the Defendant to be present at this hearing and if he is not present, the Court will issue a Warrant.

DATED this 9th day of July 2019.

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STATE OF MONTANA,	)	
Plaintiff,	)	CAUSE NO. DC-02-008
-vs-	)	
BRYAN KLINKER,	)	MINUTE ENTRY:
Defendant.	)	Initial Appearance on Petition

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This is the time and place set for an initial appearance on the Petition for Revocation filed by the State of Montana. This hearing was presided over by the Honorable Robert G. Olson and was held in open court in the Teton County Courtroom. Appearing on behalf of the State was Ms. Jennifer Stutz on behalf of Mr. Joe Coble, Teton County Attorney. The Defendant was present and appeared with his attorney, Mr. Kenneth Olson.

The Defendant stated his full name was Bryan Klinker.

The Court explained the procedures of this hearing.

The Court advised the Defendant of his rights; the Defendant understood his rights.

With respect to the allegation of violating Condition #8 of the conditions of his release, compliance with all laws and ordinance, the Defendant denied the allegation.

With respect to the allegation of violating Condition #2, travel, the Defendant denied the allegation.

With respect to the allegation of violating Condition #8, no alcohol, the Defendant denied the allegation.

The Defendant's denials were noted by the Court.

The Court set an Evidentiary Hearing for October 8, 2019, at 11:00 a.m.

The Defendant stated he is under conditions for his release ordered in Powell County and also has a SCRAM bracelet on. The Court continued the same probation conditions.

DATED this 9th day of July 2019.

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STATE OF MONTANA,	)	
Plaintiff,	)	CAUSE NO. DC-18-017
-vs-	)	MINUTE ENTRY:
TROY LEON JACKSON,	)	Status Hearing
Defendant.	)	

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This is the time and place set for a status hearing. The Honorable Robert G. Olson presided over this hearing that was held in open court in the Teton County Courtroom. Ms. Jennifer Stutz, Deputy Teton County Attorney, appeared on behalf of the Plaintiff. The Defendant was present in the courtroom with his attorney, Mr. Carl Jensen.

Ms. Stutz presented a signed Plea Agreement for the Court's consideration.

The Court summarized the Plea Agreement to include placement in the Ninth Judicial Drug Court. Mr. Jensen stated his client has not been screened for placement into the program. The Court provided the contact information to Mr. Jensen.

Mr. Jensen stated his client would prefer to enter a no contest plea instead of a plea of guilty. The State did not object but for drug court, the Court has asked that the responsibility be taken with a guilty plea. The Court prefers a guilty plea but will accept a no contest plea.

The Defendant stated his name was Troy Leon Jackson. He is not under the influence of alcohol, and he has not taken any medication or drugs that would affect his understanding of these proceedings.

The Defendant understands the agreement, he has discussed it with Mr. Jensen, Mr. Jensen has answered his questions and he is satisfied with his representation. Mr. Jensen stated his client has used marijuana to treat glaucoma and for pain. Mr. Jackson was advised that he is unlikely to be able to use it because of the statutes. As part of this agreement, there is a charge in another case of Tampering with the Witness, which he disputes. These topics will be brought up during sentencing. Discussion was held that his previous DUI charges were 30 years old and Mr. Jensen stated that this matter has been thoroughly discussed with his client.

The Defendant is entering a no contest plea to the charges, he is changing his plea under his own free will and no one has promised him anything to change his plea.

The Court advised the Defendant that the Plea Agreement is not binding.

With respect to Count I, Driving Under the Influence of Alcohol, 4<sup>th</sup> or Subsequent Offense, a felony, the Defendant entered a plea of no contest.

The State presented an offer of proof.

The Court accepted his change of plea to no contest.

The Court ordered a Pre-Sentence Investigation to be completed and set sentencing for September 10, 2019, at 10:00 a.m.

DATED this 9<sup>th</sup> day of July 2019.

Court adjourned at 10:50 a.m. with the remaining portion consisting of a closed-court matter.

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Lisa J. Sinton, Clerk of Court