

**TETON COUNTY
DISTRICT COURT MINUTES – HELD IN OPEN COURT
Tuesday, October 9, 2018**

Court convened at 10:10 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; Kelsey McAlpine, Court Reporter; and Lisa J. Sinton, Clerk of Court.

STATE OF MONTANA,)	
Plaintiff,	)	CAUSE NO. DC-18-009
-vs-	)	MINUTE ENTRY:
LUKE DANIEL STYREN,	)	Change of Plea
Defendant.)	

This is the time and place set for the Defendant to change of plea from not guilty to guilty. This hearing was held in open court in the Teton County Courtroom with the Honorable Robert G. Olson presiding. Ms. Jennifer Stutz, Deputy Teton County Attorney, was present on behalf of the State of Montana. The Defendant was present in the courtroom with his court-appointed attorney, Mr. Samuel Harris.

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

The Defendant stated his full name was Luke Daniel Styren. The Defendant stated he has not consumed any alcohol and has not taken any medication that would affect his understanding of these proceedings.

The Court summarized the Plea Agreement and stated this agreement is not binding on the Court.

The Defendant signed the agreement and waiver of rights under the advice of counsel, he is satisfied with Mr. Harris's representation, and his counsel has answered all of his questions. No one promised him anything if he signed the agreement, and he believes it was in his best interests to do so.

The Court advised the Defendant of his rights and the rights he is giving up by signing the agreement.

With respect to Count I, Criminal Possession of Dangerous Drugs, a felony, the Defendant changed his plea to "guilty".

With respect to Count II, Possession of Explosives, a felony, the Defendant changed his plea to "guilty".

The Defendant was duly sworn.

Mr. Harris provided a factual basis that satisfied the Court and the State. Ms. Stutz clarified that the action took place in Teton County.

The Court accepted the factual basis and the change of plea to guilty to the two felony charges. The Defendant now stands convicted of the two charges.

The Court ordered the Defendant to complete a pre-sentence investigation with the Adult Probation and Parole Officer, Cody Shaw.

Sentencing was set for December 18, 2018, at 10:00 a.m.

The Defendant was advised that he is still under the rules of probation and parole.

DATED this 9th day of October 2018.

STATE OF MONTANA,)	
Plaintiff,	)	CAUSE NO. DC-18-010
-vs-	)	MINUTE ENTRY:
ABBY LEIGH JACOBS,	)	Change of Plea
Defendant.)	

This is the time and place set for a change of plea hearing. This hearing was held in open court in the Teton County Courtroom with the Honorable Robert G. Olson presiding. Mr. Joe Coble, Teton County Attorney, appeared on behalf of the Plaintiff. The Defendant was present in the courtroom with her court-appointed attorney, Ms. Shari Lennon.

Mr. Coble presented a signed Plea Agreement for the Court's consideration. Mr. Coble and Ms. Lennon summarized the changes that were initialized on to the Plea Agreement.

The Defendant stated her name was Abby Jacobs and she is not under the influence of alcohol. She has not taken any drugs or medication that would affect her understanding of this hearing. She has read the Plea Agreement and has received advice from her attorney. Ms. Lennon has answered all of her questions and she is satisfied with her representation. She has not been promised anything by signing the agreement, she has done so under her own free will as she believes the Plea Agreement to be in her best interests.

The Court advised the Defendant of her rights and the rights she is giving up by signing the Plea Agreement. The Court advised the Defendant that it is not a binding agreement.

With respect to Count I, Issuing a Bad check, felony, the Defendant changed her plea to guilty.

With respect to Count II, Issuing a Bad Check, a misdemeanor, the Defendant changed her plea to guilty.

The Defendant was duly sworn.

Ms. Lennon provided a factual for the underlying charges that satisfied the State and the Court.

The Court ordered a pre-sentence investigation to be completed and requested the Defendant meet with the Adult Probation and Parole Officer, Cody Show, r immediately following this hearing.

The Court set sentencing for December 18, 2018, at 10:00 a.m.

The Defendant understands that the conditions of her release remain in full effect.

DATED this 9th day of October 2018.

STATE OF MONTANA,)	
Plaintiff,	)	CAUSE NO. DC-18-015
-vs-	)	MINUTE ENTRY:
RICHARD KEITH STRAWN,	)	Omnibus Hearing
Defendant.)	

This is the time and place set for an Omnibus Hearing of the Defendant. This hearing was to be held in open court in the Teton County Courtroom with the Honorable Robert G. Olson presiding. Mr. Joe Coble, Teton County Attorney, appeared on behalf of the State of Montana. The Defendant was not present but was represented by his court-appointed attorney, Ms. Shari Lennon.

The Court set a two-day jury trial for February 14, 2019, at 9:00 a.m.

A Status Hearing was set for January 8, 2019, at 10:00 a.m.

The State moved for the crime lab to appear via JVN during the trial; the Defense did not object; motion was granted.

The Omnibus Form was signed, will be filed, and a copy will be provided to counsel.

DATED this 9th day of October 2018.

Court recessed between 10:35 a.m. to 11:00 a.m.

STATE OF MONTANA,)	
Plaintiff,	)	CAUSE NO. DC-16-002
-vs-	)	MINUTE ENTRY:
KAYLA ROSE RODUNER,	)	Disposition Hearing
Defendant.)	

This is the date and time set for a disposition hearing regarding the Defendant, Kayla Rose Roduner. Ms. Jennifer Stutz appeared for the State of Montana. The Defendant was present with her court-appointed attorney, Ms. Shari Lennon. This hearing was held in open court in the Teton County Courtroom with the Honorable Robert G. Olson presiding.

Both parties were prepared to proceed.

The State did not call any witnesses.

The Defense called their first witness as Ms. Emily Shelton, Mental Health and Addictions Counselor for the State of Montana. Ms. Shelton was duly sworn and testified to the direct examination of Ms. Lennon. Ms. Stutz cross-examined the witness. Ms. Lennon re-directed the witness's testimony. There were no further questions and the witness was excused.

The Defense called their second witness as Kayla Roduner, Defendant. Ms. Roduner was duly sworn and testified to the direct examination of her counsel.

The Defense presented one exhibit marked as Defendant 1 as proof of employment. The State did not object and Defense's Exhibit 1 was admitted into evidence and hereto attached to these minutes.

The State did not cross-examine the witness and Ms. Roduner was excused.

The Defense rests.

The State did not present rebuttal witnesses.

The State recommends a five-year commitment to the Montana Department of Corrections with a recommendation to be placed at the Missoula Pre-Release Center where she can be screened for mental health and chemical dependency addictions. According to her probation officer, Danny Williams, there is an immediate opening in Missoula.

Ms. Lennon requested the Court to impose a five-year suspended sentence to allow the Defendant to remain in the community and continue with her treatment with ENS Recovery. The Defendant has stable employment and has established a residence in Fort Shaw.

The Court stated for the Defendant to receive treatment for her issues, she needs to be placed in a pre-release center. When she is released, she will hopefully be more successful on probation. Until recently, she has not completed the mental health and evaluation component of her release. She has been abusive to her probation supervisor, and there has to be consequences for her actions.

Judge Olson sentenced the Defendant to a five-year commitment to the Montana Department of Corrections with a recommendation for immediate placement in the Missoula Pre-

Release Center. Upon successfully completing the term in the pre-release center, she is to be released and hopefully serve the remainder of the sentence under intensive supervision.

The Defendant was remanded to the custody of the Teton County Sheriff's Office for immediate transport to the Missoula Pre-Release Center.

DATED this 9th day of October 2018.

Court recessed from 11:20 p.m. to 1:30 p.m.

IN RE THE MARRIAGE OF:)	
TERESA L. FORSETH,	)	CAUSE NO. DR-17-007
f/k/a/ TERESA WAGNER-)	
PITTMAN,	)	MINUTE ENTRY:
Petitioner,)	
-and-	)	Hearing on all Pending Issues
HOWARD DEWITT PITTMAN,)	
Respondent.)	

This is the date and time set for a hearing on the Motion to Amend the Parenting Plan filed by the Respondent, Howard Pittman. The Petitioner was present with her attorney, Mr. Jeffery Ferguson. The Respondent was present with his attorney, Mr. Trevor Carlson. This hearing was held in open court in the Teton County Courtroom with the Honorable Robert G. Olson presiding. This hearing began at 1:33 p.m.

All witnesses were excluded from the courtroom.

The Respondent is the moving party; therefore, Mr. Carlson called their first witness as Howard Pittman, Respondent. Mr. Pittman was duly sworn and testified to the direct examination of his counsel.

Exhibits A through C were marked, offered, identified and admitted into evidence without objection. The exhibits are as follows: Exhibit A – text messages between the parties; Exhibit B- copy of check from Respondent to Petitioner for \$500; and Exhibit C – four pages of texts between the parties.

Mr. Ferguson cross-examined the witness, Mr. Carlson re-directed the examination, there were no further questions; therefore, the witness was excused.

The next witness called to testify on behalf of the Respondent was Emilie Welch, substitute teacher for Fairfield and Dutton Schools. Ms. Welch was duly sworn and testified to the direct examination of Mr. Carlson. Mr. Ferguson cross-examined the witness. There were no further questions, and this witness was excused.

The third witness called on behalf of the Respondent was Sherry Britt, mother-in-law of the Respondent. Mrs. Britt was duly sworn and testified to the direct examination of Mr. Carlson. Mr. Ferguson did not cross-examine the witness and the witness was excused.

The Respondent's fourth witness, James Watkins, was duly sworn and testified to the direct examination Mr. Carlson. Mr. Watkins testified as the previous spouse of Jessie Pittman, current wife of the Respondent. Exhibit D was admitted into evidence without objection as text messages between Ms. Forseth and Mr. Watkins. Mr. Ferguson cross-examined the witness and Mr. Carlson re-directed the witness's testimony. The witness was excused.

The fifth witness called on behalf of Mr. Pittman was Jessie Norene Pittman, current wife of Howard Pittman. Mrs. Pittman was duly sworn and testified to the direct examination of Mr. Carlson. Mr. Ferguson did not cross-examine the witness and the witness was excused.

There were no further witnesses called on behalf of the Respondent.

The Court recessed from 2:45 p.m. to 3:00 p.m.

Upon reconvening, the first witness called on behalf of the Petitioner was Fauneil Purcell, friend of the Petitioner. Ms. Purcell was duly sworn and testified to the direct examination of Mr. Ferguson. Mr. Carlson cross-examined the witness. The witness was excused.

The Petitioner's second witness was Laura Toeckes, friend of Teresa through the Catholic Church. Mrs. Toeckes was duly sworn and testified to the direct examination of Mr. Ferguson. Mr. Carlson did not present cross examination and the witness was excused.

The Petitioner's third witness was Katie Lohman, friend and hairdresser of the Petitioner and the two minor girls. Mrs. Lohman was duly sworn and testified to the direct examination of Mr. Ferguson. Mr. Carlson cross-examined the witness. There were no further questions and the witness was excused.

The fourth witness called on behalf of the Petitioner was Caroline Rogers, friend and her second daughter's prior day care provider. Mrs. Rogers was duly sworn and testified to the direct examination of Mr. Ferguson. Mr. Carlson did not cross-examine the witness and the witness was excused.

The fifth and final witness called was Teresa Forseth, the Petitioner. Ms. Forseth was duly sworn and testified to the direct examination. Petitioner's Exhibits 1 through 10 were identified by the witness as various pictures. The pictures were moved to be admitted into evidence; Mr. Carlson did not object and Petitioner's Exhibits 1 through 10 were admitted into evidence.

Petitioner's Exhibits 11 and 12 were offered, identified as the Fairfield School's report cards. Petitioner's Exhibits 11 and 12 were admitted into evidence without objection.

A series of pictures labeled Petitioner's Exhibits 13 through 37 were identified and moved to be admitted. Mr. Carlson did not object and Petitioner's Exhibits 13 through 37 were admitted into evidence.

Mr. Carlson cross-examined the witness. Petitioner's Exhibits E, F and G were offered, identified and moved to be admitted as text messages between the parties. Petitioner's Exhibits E., F and G were admitted without objection.

Mr. Carlson presented Exhibit H which is a copy of ticket 15179 dated November 9, 2017; Court Minutes dated November 9, 2017, Complaint filed in City of Choteau Municipal Court Cause No. CR-18-002 on March 26, 2018, whereby Teresa Lucille Forseth is listed as the Defendant with Count I, Assault and Count II, Criminal Trespass to Property. The Court will take judicial notice of Exhibit H. Mr. Ferguson re-directed his client's testimony. Mr. Carlson did not re-cross. The witness was excused.

There were no further witnesses.

The Court stated the mother has been primary parent for the girls after the dissolution. The Court spoke to the mother and told her she must find a way to get over her anger issues. The girls have the right to live with their father and they also have the right to like and live with their step-mother. The girls will not primarily reside with the mother if she cannot get over her issues with their stepmother and their father. The mother's actions are inappropriate and damaging. The testimony provided indicated the mother is a phenomenal parent to the girls but all the good she does with them can be overridden by the hate.

Mr. Carlson requested the Court set a time for an in-chambers interview with the two minor girls. The Court will allow both girls to be present together in the same in-chambers interview. The Court set this in-chambers consultation at 12:00 noon on Friday, October 26, 2018.

The Court will take the matter under advisement.

The current Parenting Plan remains in place.

This hearing adjourned at approximately 4:45 p.m.

DATED this 9th day of October 2018.

Lisa J. Sinton, Clerk of Court