

3RD DISTRICT COURT - SALT LAKE
SALT LAKE COUNTY, STATE OF UTAH

STATE OF UTAH vs. JOHN CLAYTON LEPORE

CASE NUMBER 091908302 State Felony

CHARGES

Charge 1 - 76-8-512 - IMPERSONATION OF OFFICER Class B
Misdemeanor
Offense Date: October 31, 2008
Plea: April 16, 2010 No Contest
Disposition: April 16, 2010 No Contest

Charge 2 - 76-10-1313 - SEXUAL SOLICITATION Class B Misdemeanor
Offense Date: October 31, 2008
Plea: April 16, 2010 Guilty
Disposition: April 16, 2010 Guilty

CURRENT ASSIGNED JUDGE
VERNICE TREASE

PARTIES

Defendant - JOHN CLAYTON LEPORE
Represented by: SCOTT C WILLIAMS

Plaintiff - STATE OF UTAH

DEFENDANT INFORMATION

Defendant Name: JOHN CLAYTON LEPORE
Offense tracking number: 33637992
Date of Birth: August 25, 1957
Jail Booking Number: 0929584
Law Enforcement Agency: SALT LAKE POLICE
LEA Case Number: 09-181996
Prosecuting Agency: SALT LAKE COUNTY
Agency Case Number: 09038791
Sheriff Office Number: 0146822

ACCOUNT SUMMARY

TOTAL REVENUE	Amount Due:	421.00
	Amount Paid:	421.00
	Credit:	0.00
	Balance:	0.00

REVENUE DETAIL - TYPE: FINE

Amount Due: 400.00
Amount Paid: 400.00
Amount Credit: 0.00
Balance: 0.00

REVENUE DETAIL - TYPE: COPY FEE

Amount Due: 1.00
Amount Paid: 1.00
Amount Credit: 0.00
Balance: 0.00

REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Amount Due: 10.00
Amount Paid: 10.00
Amount Credit: 0.00
Balance: 0.00

REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Amount Due: 10.00
Amount Paid: 10.00
Amount Credit: 0.00
Balance: 0.00

CASE NOTE

DAO 09038791

PROCEEDINGS

10-20-09 Case filed

10-20-09 Filed: From an Information

10-20-09 Judge JUDITH S. ATHERTON assigned.

10-20-09 Filed: Information

10-20-09 Notice - WARRANT for Case 091908302 ID 12495880

10-20-09 Warrant ordered on: October 20, 2009 Warrant Num: 985176246

Bail Allowed

Bail amount: 150000.00

10-20-09 Warrant issued on: October 20, 2009 Warrant Num: 985176246 Bail

Allowed

Bail amount: 150000.00

Judge: JOSEPH C FRATTO

Issue reason: Based on the probable cause statement.

10-20-09 Note: CASE FILED BY DET. GORDON OF SLC PD - WARRANT ACTIVE

10-21-09 Fee Account created Total Due: 1.00

10-21-09 COPY FEE Payment Received: 1.00

10-22-09 INITIAL APPEARANCE/JAIL scheduled on October 23, 2009 at 09:00

AM in Arraignment Jail with Judge ARRAIGNMENT.

10-22-09 Note: BAIL \$150,000

10-22-09 Warrant recalled on: October 22, 2009 Warrant num: 985176246

Recall reason: Warrant recalled because defendant was booked.

10-23-09 Minute Entry - Minutes for Initial Appearance

Judge: JOSEPH C. FRATTO

PRESENT

Clerk: nicolelb

Prosecutor: PLATT, CHAD L

Defendant

Defendant's Attorney(s): WILLIAMS, SCOTT C

Video

Tape Number: S31 Tape Count: 9:34

INITIAL APPEARANCE

A copy of the Information is given to the defendant.

Defendant waives reading of Information.

ROLL CALL is scheduled.

Date: 11/05/2009

Time: 02:00 p.m.

Location: To Be Determined

Third District Court

450 South State

Salt Lake City, UT 84111

Before Judge: WILLIAM W. BARRETT

10-23-09 ROLL CALL scheduled on November 05, 2009 at 02:00 PM in To Be

Determined with Judge BARRETT.

10-23-09 Note: BAIL REMAINS THE SAME

10-23-09 Filed: Formal Request for Discovery Pursuant to Rule 16 of the

Rules of Criminal Procedure

10-23-09 Filed: Appearance of Counsel

10-23-09 Filed: Request for Jury Trial

10-28-09 Filed: Response to Request for Discovery

10-30-09 Filed: First Supplemental Response to Request for Discovery

11-05-09 Minute Entry - Minutes for INCOURT NOTE

Judge: WILLIAM W. BARRETT

PRESENT

Clerk: terryb

Prosecutor: ORTEGA, CRISTINA P

Defendant

Defendant's Attorney(s): WILLIAMS, SCOTT C

Video

Tape Number: W 39 Tape Count: 2.49

HEARING

Case to be set for Scheduling Conference. Parties will be requesting a Special Setting for a Preliminary Hearing.

SCHEDULING CONF is scheduled.

Date: 11/10/2009

Time: 02:00 p.m.

Location: Third Floor - W37

THIRD DISTRICT COURT

450 SOUTH STATE STREET

SLC, UT 84114-1860

Before Judge: PAUL G. MAUGHAN

11-05-09 SCHEDULING CONF scheduled on November 10, 2009 at 02:00 PM in

Third Floor - W37 with Judge MAUGHAN.

11-05-09 Note: INCOURT NOTE minutes modified.

11-10-09 Minute Entry - Minutes for Preliminary Hearing

Judge: PAUL G. MAUGHAN

PRESENT

Clerk: cheril

Prosecutor: ORTEGA, CRISTINA P

Defendant

Defendant's Attorney(s): H HARRIS FOR S WILLIAMS

Video

Tape Number: DVR W37 Tape Count: 2:51

HEARING

TAPE: DVR W37 COUNT: 2:51

Counsel present requesting the court set this for a Special Set Preliminary Hearing.

Preliminary Hearing scheduled.

SPECIAL SET PRELIM is scheduled.

Date: 11/16/2009

Time: 02:30 p.m.

Location: Third Floor - W37

THIRD DISTRICT COURT

450 SOUTH STATE STREET

SLC, UT 84114-1860

Before Judge: PAUL G. MAUGHAN

11-10-09 SPECIAL SET PRELIM scheduled on November 16, 2009 at 02:30 PM

in Third Floor - W37 with Judge MAUGHAN.

11-10-09 Note: PRELIMINARY HEARING minutes modified.

11-10-09 SPECIAL SET PRELIM rescheduled on November 16, 2009 at 09:00 AM

Reason:.

11-13-09 SPECIAL SET PRELIM Modified.

11-13-09 SPECIAL SET PRELIM/SCHED CONF scheduled on November 16, 2009 at

09:00 AM in Third Floor - W37 with Judge MAUGHAN.

11-16-09 Minute Entry - Minutes for PRELIM/SCHED CONF

Judge: PAUL G. MAUGHAN

PRESENT

Clerk: cheril

Prosecutor: ORTEGA, CRISTINA P

Defendant
Defendant's Attorney(s): WILLIAMS, SCOTT C

Video
Tape Number: DVR W37 Tape Count: 11:34

HEARING

TAPE: DVR W37 COUNT: 11:34

State moves the court to continue the Preliminary Hearing based on one of their witnesses just having surgery and being unavailable.

Defendant does not stipulate to the continuance, but will not object if the defendant is released pending next Preliminary Hearing date.

Preliminary Hearing is continued.

Court grants defendant's release to pretrial service on the condition that he has NO contact with the victim and stays away from 700 West North Temple and 1500 South State Street.

Defense counsel to prepare order.

SPECIAL SET PRELIM is scheduled.

Date: 01/21/2010

Time: 09:00 a.m.

Location: Third Floor - W37

THIRD DISTRICT COURT

450 SOUTH STATE STREET

SLC, UT 84114-1860

Before Judge: PAUL G. MAUGHAN

11-16-09 SPECIAL SET PRELIM scheduled on January 21, 2010 at 09:00 AM in Third Floor - W37 with Judge MAUGHAN.

11-16-09 SPECIAL SET PRELIM rescheduled on January 21, 2010 at 09:00 AM

Reason:.

11-16-09 Note: PRELIM/SCHED CONF minutes modified.

11-16-09 Filed order: Order of Release

Judge PAUL G MAUGHAN

Signed November 16, 2009

11-16-09 Note: Clerk faxed Order of Release to the ADC

11-24-09 Filed: Supervised Release Agreement

12-29-09 Filed: Supplemental Request for Discovery

01-08-10 Filed: Second Supplemental Response to Request for Discovery

01-21-10 PRELIMINARY HEARING scheduled on January 28, 2010 at 09:00 AM in Fourth Floor - N41 with Judge FAUST.

01-21-10 Minute Entry - Minutes for Preliminary Hearing

Judge: ROBERT FAUST

PRESENT

Clerk: suzannet

Prosecutor: ORTEGA, CRISTINA P

Defendant

Defendant's Attorney(s): HEATHER E HARRIS

Video

Tape Number: N41 Tape Count: 9.17

HEARING

TAPE: N41 COUNT: 9.17

This case is before the court for a preliminary hearing.
Counsel for defendant motions for exclusionary rule. Court grants the motion.

COUNT: 9.26

Jennifer Blackwell is sworn and examined on behalf of the State.

COUNT: 9.42

Witness identifies defendant.

COUNT: 10.38

Recess break.

COUNT: 10.46

Continued examination of witness.

COUNT: 11.28

Jennifer Morales is sworn and examined on behalf of the State.

COUNT: 11.45

Witness identifies defendant.

COUNT: 12.36

Officer Scott Mourtges is sworn and examined on behalf of the State.

COUNT: 12.40

Witness identifies defendant.

COUNT: 12.58

Recess break.

COUNT: 1.06

Counsel for State informs the court that witness is 15 minutes away. Court in recess until witness arrives.

COUNT: 1.40

Counsel states that there are recordings of an interview of the next witness that he has not reviewed and cannot continue without reviewing the tape, and motions to continue this hearing.

The court grants the motion and continues this hearing to Jan. 28, 2010 at 9am.

COUNT: 1.45

Court is in recess.

PRELIMINARY HEARING.

Date: 01/28/2010

Time: 09:00 a.m.

Location: Fourth Floor - N41

THIRD DISTRICT COURT

450 SOUTH STATE

SLC, UT 84114-1860

Before Judge: ROBERT FAUST

01-22-10 Fee Account created Total Due: 10.00

01-22-10 AUDIO TAPE COPY Payment Received: 10.00

01-28-10 Charge 1 Disposition is Dismissed
01-28-10 Charge 2 Disposition is Dismissed
01-28-10 Charge 3 Disposition is Dismissed
01-28-10 Charge 6 Disposition is Dismissed
01-28-10 Charge 7 Disposition is Dismissed
01-28-10 Minute Entry - Minutes for Preliminary Hearing
Judge: ROBERT FAUST
PRESENT
Clerk: suzannet
Prosecutor: ORTEGA, CRISTINA P
Defendant
Defendant's Attorney(s): WILLIAMS, SCOTT C

Video
Tape Number: N41

HEARING

TAPE: N41 Based on evidentiary issues, State's motion to dismiss counts 1,2,3,6,7 granted.

Court is in recess to allow time for witnesses to arrive.

COUNT: 9.40

Hillary Gordon is sworn and examined on behalf of the defendant.

Exhibit D-1 is offered and admitted.

Exhibit D-1 is offered.

Exhibit D-4 offered and admitted.

Exhibit D-5 audio CD recording of Blackwell interview is offered and admitted.

COUNT: 10.27

Cross examination of witness.

Defense rests.

COUNT: 10.31

Counsel for State closing argument.

COUNT: 10.42

Counsel for defendant closing argument.

COUNT: 10.59

Court is in recess to allow time to review CD.

The court will give its decision in writing.

01-28-10 Filed: Exhibit List

01-28-10 Fee Account created Total Due: 10.00

01-28-10 AUDIO TAPE COPY Payment Received: 10.00

01-29-10 Minute Entry - MINUTE ENTRY

Judge: ROBERT FAUST

The Court finds probable cause that the crime was committed and that the defendant committed the crime. The court orders this case bound over on charges 4,5,8 and 9 for arraignment before Judge Atherton.

Date: _____
Judge ROBERT FAUST

01-29-10 Minute Entry - Minutes for Preliminary Hearing

Judge: ROBERT FAUST
Clerk: saraj
Video
Tape Number: NO RECORD

HEARING

TAPE: NO RECORD Based on the Court's ruling this case is bound over. Clerk contacted Scott Williams office and scheduled the date with Laura. Clerk could not reach someone who does scheduling for Christina Ortega.
CASE BOUNDOVER

This case is bound over. An Arraignment hearing has been set on 2/19/2010 at 9:00 AM in courtroom S45 before Judge JUDITH S. ATHERTON.

01-29-10 ARRAIGNMENT scheduled on February 19, 2010 at 09:00 AM in Fourth Floor - S45 with Judge ATHERTON.

01-29-10 Note: Case Bound Over

01-29-10 Note: PRELIMINARY HEARING minutes modified.

02-19-10 Minute Entry - ARRAIGNMENT continued

Judge: ROBERT K HILDER
PRESENT
Clerk: shantec
Prosecutor: SANCHEZ, CORAL
Defendant
Defendant's Attorney(s): WILLIAMS, SCOTT C

Video

Tape Number: S45-11.10 Tape Count: 11.11

CONTINUANCE

Whose Motion:

The Stipulation of counsel.

Case continued to the following date:

The motion is granted.

02-19-10 ARRAIGNMENT Continued.

02-19-10 ARRAIGNMENT/STATUS scheduled on March 26, 2010 at 09:00 AM in Fourth Floor - S45 with Judge ATHERTON.

03-26-10 SCHEDULING CONF scheduled on April 16, 2010 at 09:00 AM in Fourth Floor - S45 with Judge ATHERTON.

03-26-10 Minute Entry - Minutes for Arraignment

Judge: JUDITH S. ATHERTON
PRESENT
Clerk: shantec
Prosecutor: VALENCIA, JENNIFER L
Defendant
Defendant's Attorney(s): WILLIAMS, SCOTT C

Video
Tape Number: S45-9.03 Tape Count: 9.06

ARRAIGNMENT

Defendant is arraigned.
Case continued to the following date:
SCHEDULING CONF is scheduled.

Date: 04/16/2010
Time: 09:00 a.m.
Location: Fourth Floor - S45
Third District Court
450 South State
SLC, UT 84114-1860

Before Judge: JUDITH S. ATHERTON

04-16-10 Filed: Amended information

04-16-10 Filed order: Statement of defendant in support of guilty plea
and certificate of counsel

Judge JUDITH S. ATHERTON
Signed April 16, 2010

04-16-10 Minute Entry - Minutes for INCOURT NOTE

Judge: JUDITH S. ATHERTON
PRESENT
Clerk: jennifaj
Prosecutor: ORTEGA, CRISTINA P
Defendant
Defendant's Attorney(s): WILLIAMS, SCOTT C

Video
Tape Number: S45 Tape Count: 10:38-10:51

The Information is read.
Court advises defendant of rights and penalties.
Defendant waives time for sentence.
Change of Plea Note
Defendant pleas no contest to count one and guilty to count two as
charged in the amended information

SENTENCE JAIL

Based on the defendant's conviction of IMPERSONATION OF OFFICER a
Class B Misdemeanor, the defendant is sentenced to a term of 180
day(s) The total time suspended for this charge is 154 day(s).
Based on the defendant's conviction of SEXUAL SOLICITATION a Class

B Misdemeanor, the defendant is sentenced to a term of 180 day(s)
The total time suspended for this charge is 180 day(s).
SENTENCE JAIL CONCURRENT/CONSECUTIVE NOTE

Count two to run consecutive to count two
SENTENCE FINE

Charge # 1 Fine: \$400.00
 Suspended: \$0.00
 Surcharge: \$197.30
 Due: \$400.00

Charge # 2
 Total Fine: \$400.00
 Total Suspended: \$0
 Total Surcharge: \$197.30
 Total Principal Due: \$400.00
 Plus Interest

The fine is to be paid in full by 10/16/2010.
ORDER OF PROBATION

The defendant is placed on probation for 6 month(s).
Probation is to be supervised by GOOD BEHAVIOR PROBATION.
Defendant to serve 26 day(s) jail.

Defendant is to pay a fine of 400.00 which includes the surcharge.
Interest may increase the final amount due.
Pay fine on or before October 16, 2010.
Pay fine to The Court.

PROBATION CONDITIONS

Violate no laws.
Complete Johns class, and provide proof to the court with in 60
days

04-16-10 Charge 76-5-302 Sev F1 was amended to 76-8-512 Sev MB
04-16-10 Charge 1 Disposition is No Contest
04-16-10 Charge 2 Disposition is No Contest
04-16-10 Charge 76-5-302 Sev F1 was amended to 76-10-1313 Sev MB
04-16-10 Charge 76-5-302 Sev F1 was removed.
04-16-10 Charge 76-5-302 Sev F1 was removed.
04-16-10 Charge 76-5-302 Sev F1 was removed.
04-16-10 Charge 76-5-403(2) Sev F1 was removed.
04-16-10 Charge 76-5-403(2) Sev F1 was removed.
04-16-10 Charge 76-5-403(2) Sev F1 was removed.
04-16-10 Charge 76-5-403(2) Sev F1 was removed.
04-16-10 Charge 2 Disposition is Guilty
04-16-10 Note: INCOURT NOTE minutes modified.
04-16-10 Fine Account created Total Due: 400.00
04-16-10 Fine Payment Received: 400.00

04-16-10 Filed: Proof of HIV test

05-19-10 Filed: Defendants Motion to Extend Deadline to Provide Proof of
Completion of Class

Filed by: LEPORE, JOHN CLAYTON

05-26-10 Filed order: Order Extending Deadline to Provide Proof of
Completion of Class - Extended to July 1, 2010

Judge JUDITH S. ATHERTON

Signed May 26, 2010

06-29-10 Filed: Certificate of Completion - Johns Offender Program

11-09-10 Case Closed

Disposition Judge is JUDITH S. ATHERTON

05-17-12 Filed: CERTIFICATE OF DESTRUCTION OF EVIDENCE

05-17-12 Note: EVIDENCE In accordance to Rule 4-206(4)(b) The retention
has been met. All remaining evidence has been destroyed.

Nothing remains.

08-02-13 Judge VERNICE TREASE assigned.