

Fourth Circuit Court, State of Utah

Layton Department

FILED IN CLERK'S OFFICE
DAVIS COUNTY, UTAH

1986 OCT -8 PM 2:51

MICHAEL G. ALLPIN, CLERK
2ND DISTRICT COURT

BY DAVID O. DICK

THE STATE OF UTAH,

Plaintiff

Vs.

THOMAS RICHARD JACKSON

DOB 10-09-47

36 South Angel

Layton, Utah

Defendant

BIND-OVER ORDER

(Preliminary Examination Waived)

Case No. 86 CR 430

CR 5415

INFORMATION FILED ON

August 20, 1986

FIRST APPEARANCE HEARING HELD ON

August 22, 1986

PRELIMINARY EXAMINATION WAIVED ON

October 2, 1986

Appearing for State of Utah:

Carvel Harward

Appearing for Defendant:

Steve Vanderlinden

CRIME CHARGED: SEXUAL ABUSE OF A CHILD:(76-5-404 UCA) a felony of the second

Defendant appeared and requested that the Preliminary Examination be waived. The court again advised defendant of the purpose of the preliminary examination. After consulting with counsel, defendant in open court requested that preliminary examination be waived and that he/she be bound over to the District Court to answer the crime charged. The prosecuting attorney thereupon consented to the waiver. Accordingly, it is ORDERED that the defendant be bound over to answer said charge in the Second Judicial District Court in and for Davis County, State of Utah.

BAIL: Released O.R.

Date: October 2, 1986

K. Roger Bean
Circuit Judge

This order and all pleadings in and records made of the proceedings in this case (except tapes number 4185 which have been retained subject to the order of the District Court) transmitted to the Clerk of the District Court October 2 1986 by the undersigned.

Case File



CD19501979

861705415

JACKSON, THOMAS RICHARD

D

Lawrence L. Green
Chief Clerk/Deputy Clerk

STATE OF UTAH ()
LAYTON CITY ()
vs.

TAPE NO. 414
START DIGIT NO. 1525
END DIGIT NO.

A R R A I G N M E N T

CASE NO. 86 CR 430

Judge K. Roger Bean

Richard Jackson
Defendant

Defendant's Address _____ Phone _____ DOB _____

- () Defendant appeared before the Court (under arrest) with/without an attorney _____
- () Defendant was given a copy of the Information (or citation).
- () Defendant () requested () waived formal Information.
- () Information (or citation) was read to the defendant.
- () The maximum penalty under the law that could be imposed for this offense.
- () Defendant was given an information sheet containing his rights.
- () Defendant was advised of the following legal rights, to-wit:
- () The right against self-incrimination.
 - () The right to be represented by an attorney.
 - () The right to request a court appointed attorney if you are unable to pay for your own attorney.
 - () The right to enter a plea of guilty, not guilty or no contest.
 - () The right to a jury trial.
 - () The right to subpoena witnesses.
 - () The right to confront and cross-examine prosecution witnesses.
 - () The right to appeal to the District Court.

() Defendant requested a continuance to consult an attorney.

() Defendant waived his right to an attorney.

() Defendant requested a court appointed attorney.*

() Court appointed counsel () Denied. () Granted _____ () Advised

() Arraignment is continued to _____

() The Court explained the defendant's waiver of rights on a guilty plea.

() CHARGE Sexual Abuse of Child () Guilty () Not Guilty

() CHARGE _____ () Guilty () Not Guilty

() CHARGE _____ () Guilty () Not Guilty

() CHARGE _____ () Guilty () Not Guilty

() CHARGE _____ () Guilty () Not Guilty

() The Court verified that defendant's plea was free of coercion.

() Defendant was referred to AP&P. Sentence continued to _____

() Trial set 9-5-86 2:00 P.M. () Defendant is ordered to Appear. () Bond Cont.

() Bail is set at \$ C.R. Cash/Property _____

() Cash/Bail Bond is posted in the amount of \$ _____ Trust No. _____

() See attachment for sentence.

DATE 8-22-86

CLERK Sm

Conditional upon
surrender of prop
non est
from execution
I will try to
retain
an attorney

FILED IN CLERK'S OFFICE
DAVIS COUNTY, UTAH

1986 OCT -8 PM 2:51

MICHAEL G. ALPHIN, CLERK
2ND DISTRICT COURT

BY _____
DEPUTY CLERK

LOREN D. MARTIN
Davis County Attorney
Memorial Courthouse Building
Farmington, Utah 84025

IN THE CIRCUIT COURT OF DAVIS COUNTY, STATE OF UTAH
LAYTON DEPARTMENT
IN THE DISTRICT COURT OF DAVIS COUNTY, STATE OF UTAH

THE STATE OF UTAH,	:	Bail _____
Plaintiff,	:	
v.	:	INFORMATION
THOMAS RICHARD JACKSON,	:	No. <u>CR 5415</u>
Defendant.	:	

The undersigned affiant, Heinz Schuessler, under oath states on information and belief that the defendant, on or about May and June, 1986, at County of Davis, State of Utah, committed the crime of:

SEXUAL ABUSE OF A CHILD (76-5-404.1 UCA), a felony of the second degree, as follows: That at the time and place aforesaid, the defendant did take indecent liberties with his daughters or did cause them to take indecent liberties with him with intent to arouse or gratify his sexual desire.

This Information is based on evidence obtained from the following witnesses: Heinz Schuessler, Heidi Jackson, and Victoria Jackson.

Heinz Schuessler
Affiant

Screened by: Carvel R. Harward
Assigned to: Carvel R. Harward

Authorized for presentment
and filing:

Subscribed and sworn to before me
this 26th day of Aug. 1986.

Carvel R. Harward
Prosecuting Attorney

K. Roger Ben
Judge

This offense carries a possible maximum penalty of one to fifteen years imprisonment and/or up to \$10,000 fine.

FILMED

3/12/86 1:25:13 PM 4111

In the District Court of the Second Judicial District
IN AND FOR THE
County of Davis, State of Utah

STATE OF UTAH
Plaintiff
vs.
THOMAS RICHARD JACKSON
Defendant

MINUTE ENTRY
October 14, 1986
Date _____
Case No. 5415
DOUGLAS L CORNABY, Judge
Nancy Davis, Reporter
Kathy Potts, Clerk

This matter comes before the Court for Arraignment. Carvel Harward is present as counsel for the plaintiff. The defendant is present and represented by Steven Vanderlinden.

The defendant is informed of his rights by the court.

The defendant is given a copy of the information and it is read aloud by the clerk.

The charge is sexual abuse of a child, second degree.

The defendant enters a plea of guilty.

This matter is set for sentence on November 10, 1986. Adult Probation and Parole will provide the court with a pre-sentence report.

FILMED

IN THE DISTRICT COURT OF DAVIS COUNTY 1986 NOV 14 PM 3:01

STATE OF UTAH

MICHAEL G. ALLPHIN, CLERK
2ND DISTRICT COURT

BY ND
DEPUTY CLERK

STATE OF UTAH,

Plaintiff,

SENTENCE

vs.

Case No. 5415

Thomas Richard Jackson

Defendant.

Charge: Sexual abuse of a child, a felony of the 2nd degree.

11-10-86 1. (Prison) Sentence: The Defendant is sentenced to the Utah State Prison for an indeterminate term of 0-5 years, fined \$ 1,500, plus surcharge of \$ as and ordered to pay restitution in the amount of \$ to required for counseling for victims.
The following special conditions are ordered:

*Consider
40% at
end of
probation*

- ☒ a. The prison term is stayed on satisfactory completion of probation. (Formal) (~~Informal~~)
- ☐ b. The defendant is ordered to spend _____ (days) (months) in the Davis County Jail.
- ☒ c. \$ 1,500 of the fine is suspended on satisfactory completion of probation.
- ☐ d. The defendant is ordered to spend _____ (days) (months) (as long as required) in _____ halfway house or drug treatment house.

Charge: _____, a class _____ misdemeanor.

2. (Jail) Sentence: The Defendant is sentenced to the Davis County Jail for a term of _____ (days)(months), fined \$ _____, plus surcharge of \$ _____, and ordered to pay restitution in the amount of \$ _____.

- ☐ a. _____ (days) (months) of the jail term is suspended on satisfactory completion of probation. (Formal) (Informal)
- ☐ b. \$ _____ of the fine is suspended on satisfactory completion of probation.

FILMED

3. Evaluation by Division of Corrections: The Defendant is ordered committed to the Division of Corrections for a _____ day evaluation.

4. Evaluation by Utah State Hospital: The defendant is ordered committed to the Utah State Hospital for a _____ day psychiatric evaluation.

5. Contempt of Court Sentence: The Defendant is fined \$ _____ and sentenced to the Davis County Jail for _____ days, with _____ days of the jail term suspended on satisfactory completion of probation.

11-10-86 6. The following special conditions of probation are imposed upon the Defendant:

_____ a. The fine is to be paid through the Clerk of the Court.

_____ b. Restitution is to be paid through the Clerk of the Court.

☒ c. No violations of law.

_____ d. No consumption of alcohol or alcoholic beverages

_____ e. No use or possession of controlled substances

_____ f. Submit to search of person, premises or vehicles and seizure of any evidence without a search warrant at the request of a probation officer or police officer.

_____ g. Take chemical testing upon request.

_____ h. No association with known drug users.

☒ i. Take Davis County Mental Health counseling or other mental health counseling. *Also Parents United*

_____ j. Davis County Alcohol & Drug Program or other alcohol or drug treatment program.

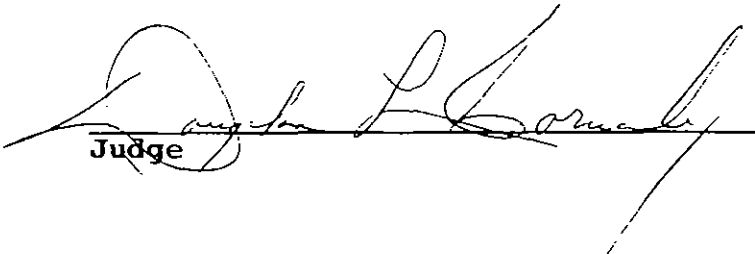
_____ k. Maintain full time employment.

_____ l. Become involved in an educational/vocational training program.

_____ m. No living with a person of the opposite sex without being married.

☒ n. (Other) 200 hours of community service
approved by the court

7. The Defendant is ordered to pay \$ _____ to the Clerk of the Court on or before the first Tuesday of each month beginning in the month of _____ 19____, or appear in court on the first Tuesday of any month at 9:00 A. M. when a payment is due and not paid.


Judge

In the District Court of the Second Judicial District

IN AND FOR THE

County of Davis, State of Utah

STATE OF UTAH

Plaintiff

vs.

THOMAS RICHARD JACKSON

Defendant

MINUTE ENTRY

Date November 10, 1986

Case No. 5415

DOUGLAS L CORNABY, Judge

Nancy Davis, Reporter
Kathy Potts, Clerk

This matter comes before the Court for Sentence. Carvel Harward is present as counsel for the plaintiff. The defendant is present and represented by Steven Vanderlinden.

Mr. Vanderlinden makes statements to the court.

The defendant is sentenced to the Utah State Prison for an indeterminate term of 0 to 5 years, fined \$1,500 and ordered to pay for any counseling costs required for the victims as restitution. The prison term and fine are suspended on satisfactory completion of probation. The following conditions of probation are imposed on the defendant: No violations of law. Take Davis County Mental Health counseling and Parents United. Complete 200 hours of community service. The community service is to be approved by the court.

This matter is continued to February 10, 1987 for further report.

FILMED

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In the District Court of the Second Judicial District
IN AND FOR THE
County of Davis, State of Utah

STATE OF UTAH

Plaintiff

vs.

THOMAS RICHARD JACKSON

Defendant

MINUTE ENTRY

Date February 10, 1987

Case No. 5415

DOUGLAS L CORNABY, Judge

Nancy Davis, Reporter
Kathy Potts, Clerk

This matter comes before the Court for Report. Carvel Harward is present as counsel for the plaintiff.

Susan Wilson, Adult Probation and Parole, represents to the court that the defendant completed 200 hours of community service. The defendant is attending Parent's United and Davis County Mental Health counseling regularly.

This matter is continued to May 12, 1987 for further report.

FILMED

In the District Court of the Second Judicial District
IN AND FOR THE
County of Davis, State of Utah

STATE OF UTAH

Plaintiff

vs.

THOMAS RICHARD JACKSON

Defendant

MINUTE ENTRY

May 12, 1987

Date

Case No. 5415

DOUGLAS L CORNABY, Judge

Nancy Davis, Reporter
Kathy Potts, Clerk

This matter comes before the Court for Report. Carvel Harward is present as counsel for the plaintiff.

Shelley Brophy, Adult Probation and Parole, represents to the court that the defendant is working. The defendant is attending Parents United and is in private therapy. There was not a fine or restitution in this matter.

This matter is continued to November 10, 1987 for further report.

FILMED

In the District Court of the Second Judicial District
IN AND FOR THE
County of Davis, State of Utah

STATE OF UTAH

Plaintiff

vs.

THOMAS RICHARD JACKSON

Defendant

MINUTE ENTRY

November 10, 1987

Date

5415

Case No.

DOUGLAS L CORNABY, Judge

Nancy Davis, Reporter

Kathy Potts, Clerk

This matter comes before the Court for Report. Carvel Harward is present as counsel for the plaintiff.

Shelley Brophy, Adult Probation and Parole, represents to the court that the defendant has completed 200 hours of community service. The defendant is looking for work in Arizona and Adult Probation and Parole may ask for Interstate Compact at a later time. The defendant is attending Parent's United.

This matter is continued to February 16, 1988 for further report.

FILED

In the District Court of the Second Judicial District
IN AND FOR THE
County of Davis, State of Utah

STATE OF UTAH

Plaintiff

vs.

THOMAS RICHARD JACKSON

Defendant

MINUTE ENTRY

Date February 16, 1988

Case No. 5415

DOUGLAS L CORNABY, Judge

Nancy Davis, Reporter
Kathy Potts, Clerk

This matter comes before the Court for Report. Carvel Harward is present as counsel for the plaintiff.

Gary Thompson, Adult Probation and Parole, represents to the court that the defendant has been on probation for approximately 15 months. The defendant is on Interstate Compact with Arizona. The defendant is mailing his monthly reports. The defendant completed counseling with Davis County Mental Health and Family Services and is still involved with Parent's United. The defendant is employed and completed 200 hours of Community Service.

This matter is continued to June 14, 1988 for further report.

FILMED

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In the District Court of the Second Judicial District
IN AND FOR THE
County of Davis, State of Utah

STATE OF UTAH

Plaintiff

vs.

THOMAS RICHARD JACKSON

Defendant

MINUTE ENTRY

June 14, 1988

Date

5415

Case No. _____

DOUGLAS L CORNABY, Judge

Jim Jones, Reporter

Kathy Potts, Clerk

This matter comes before the Court for Report. Carvel Harward is present as counsel for the plaintiff.

Kent Archibald, Adult Probation and Parole, represents to the court that the defendant has been on probation for 19 months. The defendant has completed 200 hours of community service, therapy through Davis County Mental Health and treatment through Family Services and Parent's United. The defendant is living in Arizona. Mr. Archibald would recommend termination of probation.

The court will grant termination of probation.

FILMED