



COCONINO COUNTY ARIZONA
OFFICE OF THE COUNTY ATTORNEY

We serve the public by advocating for justice.

TERENCE C. HANCE
COUNTY ATTORNEY

April 7, 2004

DAVID W. ROZEMA
CHIEF DEPUTY ATTORNEY

Doc Miller, Atty at Law
1026 Lincoln Place
Boulder, CO 80302

MICHAEL J. LESSLER
SENIOR ATTORNEY

RICHARDS S. VIHEL
SENIOR ATTORNEY

RE: STATE V. STEVE GARTIN
CR2003-2806

DEPUTY ATTORNEYS

BRYAN A. ANTOL

BLAINE C. DONOVAN

ROBERT E. KNAPP

PAMELA J. LINNINS

TIMOTHY P. LINNINS

TIMOTHY G. MCNEEL

ROBERTA J. MCVICKERS

CHRISTINE L. NELSON

REBECCA M. PLEVEL

EDWARD E. RUSSO

KENNETH W. SHEFFIELD

SUSAN V. STERMAN

JEAN E. WILCOX

Enclosed find disclosure and the plea offer that has been extended to you in this matter. To accept this plea offer, please sign and return **all three parts** of the plea form to the Flagstaff Justice Court with a check or money order for the appropriate amount.

Once the judge has signed the original documents, copies will be sent back to you. You may xerox the forms if you wish to, but do not keep any originals. **All the originals must go to the court.** All paperwork and the check or money order should be sent before your next court date to:

Flagstaff Justice Court
County Courthouse
200 N. San Francisco St.
Flagstaff, AZ 86001

If you have any questions or concerns, please contact our office at (928) 779-6525.

Sincerely,

for

Blaine Donovan,
Deputy County Attorney

Enclosure



DEPARTMENT OF PUBLIC SAFETY

COURTESY

COPY

ARIZONA TRAFFIC TICKET AND COMPLAINT

2003-097743

COMPLAINT	3027625	SOCIAL SECURITY NUMBER (<input type="checkbox"/> Same as DL #)	MILITARY	<input type="checkbox"/> ACCIDENT	<input type="checkbox"/> COMMERCIAL
DRIVER'S LICENSE NUMBER	92070330	STATE/COUNTRY	CO	<input type="checkbox"/> FATALITY	<input type="checkbox"/> HAZ. MATERIAL
DEFENDANT	NAME: FIRST STEVE	MIDDLE D	LAST GARTIN	ENDORSEMENTS M H N P T X D	
RESIDENTIAL ADDRESS	98 N. WADSWORTH	CITY	LAKEWOOD	STATE/COUNTRY	CO
SEX	WEIGHT	HEIGHT	EYES	HAIR	ORIGIN
M	180	5-8	BL	BR	W
DATE OF BIRTH	3/20/49		RESTRICTIONS		
BUSINESS ADDRESS	-		CITY	STATE/COUNTRY	ZIP CODE
VEHICLE	COLOR	YEAR	MAKE	STYLE	LICENSE PLATE
Red	89	ACURA	4dr	392JBT	CO
REGISTERED OWNER (SAME AS DEFENDANT)	ADDRESS		VEHICLE IDENTIFICATION NUMBER		

THE UNDERSIGNED CERTIFIES THAT:

ON	DATE (MO/DAY/YR)	TIME OF DAY	SPEED	APPROX	POSTED	R&P	SPEED MEASUREMENT DEVICE	DIRECTION OF TRAVEL
	11/17/03	1240		-	-	-	-	E/B
AT	LOCATION		PRECINCT	COUNTY	STATE OF ARIZONA			
	I-40 @ 204		1st	COCONINO				

THE DEFENDANT COMMITTED THE FOLLOWING:

SECTION	ARS VIOLATION	CC	DOMESTIC VIOLENCE CASE
A	13-3405.A.1	Possess Marijuana	<input type="checkbox"/>
DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
CR03-2806			<input checked="" type="checkbox"/> CRIMINAL <input type="checkbox"/> CIVIL TRAFFIC
SECTION	ARS VIOLATION	CC	DOMESTIC VIOLENCE CASE
B	13-3415.A	Possess Drug Paraphernalia	<input type="checkbox"/>
DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
			<input checked="" type="checkbox"/> CRIMINAL <input type="checkbox"/> CIVIL TRAFFIC
SECTION	ARS VIOLATION	CC	DOMESTIC VIOLENCE CASE
C			<input type="checkbox"/>
DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
147			<input type="checkbox"/> CRIMINAL <input type="checkbox"/> CIVIL TRAFFIC
SECTION	ARS VIOLATION	CC	DOMESTIC VIOLENCE CASE
D			<input type="checkbox"/>
DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
8 PM 2			<input type="checkbox"/> CRIMINAL <input type="checkbox"/> CIVIL TRAFFIC
SECTION	ARS VIOLATION	CC	DOMESTIC VIOLENCE CASE
E			<input type="checkbox"/>
DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
2003 NOV 18			<input type="checkbox"/> CRIMINAL <input type="checkbox"/> CIVIL TRAFFIC

YOU MUST APPEAR AT →

JUDGE:	KOLB	COURT NUMBER	03
ADDRESS:	200 N. SAN FRANCISCO	COURT PHONE	928 779 6806
CITY:	FLAGSTAFF	ARIZONA	ZIP CODE: 86001

AT THE DATE AND TIME INDICATED →

DATE:	MONTH: DEC	DAY: 16	YEAR: 2003	TIME OF DAY	09:30	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM
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CRIMINAL: <input checked="" type="checkbox"/> Without admitting guilt, I promise to appear as directed herein.	<input type="checkbox"/> VICTIM?	<input type="checkbox"/> VICTIM NOTIFIED
CIVIL: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.	I certify upon reasonable grounds, I believe the person named above committed the acts described and I have served a copy of this complaint upon the defendant.	
X <i>Steve Gartin</i>	COMPLAINANT	ID NO. 5163 02 05

SUBPOENA LIST

NAME:	ADDRESS:	PHONE:
NAME:	ADDRESS:	PHONE:
NAME:	ADDRESS:	PHONE:

SUBPOENA LIST ON: BACK ATTACHED



ARIZONA DEPARTMENT OF PUBLIC SAFETY
OFFENSE / INCIDENT / ALCOHOL REPORT
 OFFENSE REPORT INCIDENT REPORT ALCOHOL REPORT

DR NUMBER
2003-097743

BATON USED? CHEMICAL SPRAY USED?
 Y N Y N

REPORTED: DATE (MO/DAY/YR) 12/02/2003	REPORTED: TIME 11 41	TYPE OF OFFENSE/INCIDENT Possession of marijuana	ARS CODE 13-3405.A.1	JURISDICTION Flagstaff J.P.
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OCCURRED: DATE (MO/DAY/YR) 11/17/2003	OCCURRED: TIME 12 40	LOCATION OF OCCURRENCE (MILE POST/STREET, ETC.) I-40 at milepost 203	CITATION NUMBER (S) 3027625
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LOCATION OF ARREST (MILE POST/STREET, ETC.) Cite and Release	ARREST: DATE (MO/DAY/YR)	ARREST: TIME	LOCATION BOOKED OR REFERRED TO
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<input type="checkbox"/> VICTIM SOCIAL SECURITY NUMBER	DRIVER'S LICENSE NUMBER & EXP. DATE 97070330	STATE CO	<input checked="" type="checkbox"/> OPERATOR <input type="checkbox"/> COMMERCIAL	ACCIDENT <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
<input checked="" type="checkbox"/> SUSPECT			SUSPENDED/REVOKED <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	FATALITY <input type="checkbox"/>

NAME: LAST Gartin, Steve	FIRST D	MIDDLE	SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F	WEIGHT 180	HEIGHT 68"	EYES Blue	HAIR Brown	ORIGIN White	BIRTH DATE (MM/DD/YY) 03/20/1949	PLACE OF BIRTH
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STREET ADDRESS 98 Wadsworth	CITY Lakewood	ST Co	ZIP 80226-	RESIDENCE PHONE NUMBER
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EMPLOYER NAME Unknown	EMPLOYER ADDRESS	CITY	ST	ZIP CODE
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LICENSE NUMBER & EXP. DATE 392JBT Nov/2004	STATE CO	YEAR & MAKE 89 Acura	MODEL/TYPE 4 Dr. Sedan	COLOR Red	VEHICLE IDENTIFICATION NO. (VIN)	VEHICLE TOWED <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	REGISTERED OWNER <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
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LICENSE NUMBER & EXP. DATE	STATE	YEAR & MAKE	MODEL/TYPE	COLOR	VEHICLE IDENTIFICATION NO. (VIN)	VEHICLE TOWED <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	REGISTERED OWNER <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
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Vehicle Currency Real Property Personal Property Other:
 Victims Rights Notification Completed (forms attached) Victims Rights Not Applicable

V=Victim S=Suspect P=Passenger W=Witness N=Next of Kin PR=Person Reporting IL=Investigative Lead

CODE	NAME	ADDRESS, CITY, STATE, ZIP CODE	PHONE
P	Jose Jimenez (8/2376)	98 Wadsworth, Lakewood, Co 80226	

ADDITIONAL INFORMATION

On 11/17/2003, at about 1240 hours, I was stationary at milepost 203 on I-40. I was monitoring traffic and observed a red sedan approaching my position traveling eastbound that was traveling 72 in the posted 65mph zone. I tracked the vehicle using my doppler radar in stationary mode and the vehicle slowed to 71 as it passed me. I decided to stop the sedan and pulled out from my position in the median.

I caught up to the vehicle at milepost 205 and activated my emergency lights. The sedan stopped on the eastbound emergency lane. I contacted the driver and gathered I.D. from the driver and all passenger's. I indicated to the driver, identified as Steve Gartin, why that I had stopped him and asked him to come back to my patrol vehicle. At my vehicle I gathered basic trip information from Gartin.

I also conducted license/wants checks on the other passengers. The rear seat passenger was found to have a felony warrant out for his arrest in Colorado. At 1250 hours, I arrested the rear seat passenger, Jose Jimenez, for the warrant and placed him into the rear seat of my patrol vehicle.

After placing Jimenez into my vehicle I conducted a search, incident to arrest, of the passenger compartment of the vehicle. I located approximately 1/4oz of marijuana underneath the front of the driver's seat and approximately 1/8oz in the center console. I also found a pipe and rolling papers in the center console of the vehicle.

The contraband items were seized as evidence and sent to the DPS crime lab for testing. Gartin was questioned about the items in depth but denied any knowledge. Gartin was cited and released for possession of marijuana and drug paraphernalia due to his proximity to the items and that he is the registered owner of the vehicle.

Jimenez was released after Colorado authorities declared that they would not extradite him from Arizona.

<input type="checkbox"/> PENDING	Do you understand these rights? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Juvenile was advised that the juvenile may be remanded to Adult court? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
CLOSED BY:	Will you waive these rights? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Parent or juvenile parole/probation officer was contacted at
<input checked="" type="checkbox"/> ARREST	Subject was read warnings at (Hour): <u>13 00</u>	(Hour): _____
<input type="checkbox"/> OTHER	Subject was informed of the offense(s) for which he/she was arrested? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	

OFFICER NAME Stephen Robson	ID. NO. 3763	LOCATION CODE 21020500	REVIEWING SUPERVISOR'S SIGNATURE <i>[Signature]</i>	DATE 12-8-03
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