

Superior Court of Maricopa

Table of content

* Final Release Order and Order Regarding Counsel	A-1
* Supervening indictment	A-2
* Arrest card	A-3
* Direct complaint	A-4

APPENDIX-A



**SUPERIOR COURT OF ARIZONA FOR
Maricopa County
Final Release Order and Order Regarding Counsel**

State of Arizona

1 Cnt CRIMINAL TRESPA M2
2 Cnt Agg Aslt-Office F4

1 Cnt RESIST ARREST-P F6

Case Number: CR2018118554001

Booking#: T494655

VS.

Otis Berry Brascom

It is hereby ordered that Otis Berry Brascom shall be released as indicated and must comply with ALL release conditions.

NEXT HEARINGS

Status Conference

October 08, 2018 at 08:30 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3A Docket: RCCT1

Preliminary Hearing

October 10, 2018 at 08:30 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3A Docket: RCCT1

WARNING: If the defendant appears at the next hearing without a lawyer, the hearing may still proceed as scheduled.

RELEASE TYPE

Bailable As a Matter of Right

The defendant has been found to be bailable as a matter of right. IT IS HEREBY ORDERED that the defendant must comply with all release conditions and shall be released from custody in this Cause Number as follows:

Secured Appearance Bond

The defendant will deposit with the Clerk of the above Court the total sum of \$1,600.00, which includes all applicable surcharges.

FTA Status Conference. Affirmed bond on warrant and reaffirmed prior other release conditions.

RELEASE CONDITIONS

1. You are not to return to the scene of the alleged crime.
2. You are not to initiate contact with the alleged victim or victims.
3. You are not to initiate contact with the alleged complainant or witness.
4. You are not to initiate contact with the arresting officers.
5. You are not to possess any weapons.
6. You are not to possess any drugs without a valid prescription.
7. You are not to possess or consume any alcohol.
8. You are not to drive a motor vehicle without a valid driver's license.
9. You must continue to provide the court with proof of your local address.

You must appear at all court proceedings in this case or your release conditions can be revoked, a warrant will be issued and proceedings may go forward in your absence. You must maintain contact with your attorney. If convicted, you will be required to appear for Sentencing. If you fail to appear, you may lose your right to a direct appeal. In addition, failure to appear at a future court proceeding may result in a waiver of any claim that you were not informed of a plea offer made in your case by the State. a. You will appear to answer and submit to all further orders and processes of the court having jurisdiction of the case. b. You will refrain from committing any criminal offenses. c. You will diligently prosecute any appeal. d. You will not leave the state without permission of the court. If you violate any conditions of this release order, the court may order the bond and any security deposited in connection therewith forfeited to the State of Arizona. In addition, the court may issue a warrant for your arrest upon learning of your violation of any conditions of your release. After a hearing, if the court finds that you have not complied with the conditions of release, it may modify the conditions or revoke your release altogether.

If you are released on a felony charge, and the court finds the proof evident or the presumption great that you committed a felony during the period of release, the court must revoke your release. You may also be subject to an additional criminal charge, and upon conviction you could be punished by imprisonment in addition to the punishment which would otherwise be impossible for the crime committed during the period of release. Upon finding that you violated conditions of release, the court may also find you in contempt of court and sentence you to a term of imprisonment, a fine, or both.



SUPERIOR COURT OF ARIZONA FOR

Maricopa County

Final Release Order and Order Regarding Counsel

Case#: CR2018118554001

Booking#: T494655

ACKNOWLEDGEMENT BY DEFENDANT

I have received a copy of this form. I understand the standard conditions, all other conditions, and the consequences of violating this release order. I agree to comply fully with each of the conditions imposed on my release and to notify the court promptly in the event I change my place of residence.

Date 9/30/2018 5:00:00 AM

Address: HOMELESS

City, State, Zip:

Tracy R Nadzieja

Signature:

Otis Berry Brascom

Tracy R Nadzieja
Judge / Commissioner

Otis Berry Brascom
Defendant

WILLIAM G MONTGOMERY
MARICOPA COUNTY ATTORNEY.

Kimberly S Tirrell
Deputy County Attorney
Bar ID #: 031320
301 West Jefferson, 8th Floor
Phoenix, AZ 85003
Telephone: (602) 506-1145
mcaoctd@mcao.maricopa.gov
MCAO Firm #: 00032000
Attorney for Plaintiff

74946SS
(B)
T21B19

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

THE STATE OF ARIZONA,

Plaintiff,

vs.

OTIS B BRASCOM,
aka OTIS BERRY BRASCOM

Defendant.

CR2018-118554-001

730 GJ 636

NOTICE OF SUPERVENING
INDICTMENT

An indictment having been filed this 16th day of October, 2018, in the Superior Court of Maricopa County, Arizona, charging you, Otis B Brascom, with the crimes of

~~COUNT 1:~~ (13-1204A8A) AGGRAVATED ASSAULT, A CLASS 4 FELONY committed on April 12, 2018,
COUNT 2: (13-1204A8A) AGGRAVATED ASSAULT, A CLASS 4 FELONY committed on April 12, 2018,
COUNT 3: (13-2508A1) RESISTING ARREST, A CLASS 6 FELONY committed on April 12, 2018,
COUNT 4: (13-1503A) CRIMINAL TRESPASS IN THE SECOND DEGREE, A CLASS 2 MISDEMEANOR
committed on April 12, 2018,

and affirming the release conditions previously ordered by this court in Direct Complaint CR2018-118554-001 in the Superior Court, Maricopa County, Arizona, you are

HEREBY NOTIFIED to appear before this court to answer the Indictment in the South Court Tower,
175 West Madison Street, 3rd Floor, Phoenix, Arizona, on October 23, 2018, at the hour of 8:30 a.m.

Requests for reasonable accommodation for persons with disabilities must be made to the division
assigned to the case by parties at least three judicial days in advance of a scheduled court proceeding.

Requests for an interpreter for persons with limited English proficiency must be made to the division
assigned to the case at least ten judicial days in advance of a scheduled court proceeding.

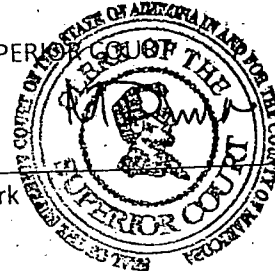
FAILURE TO APPEAR WITHOUT GOOD CAUSE WILL PLACE YOU IN CONTEMPT OF COURT AND A

WARRANT WILL BE ISSUED FOR YOUR ARREST.

GIVEN UNDER MY HAND AND SEAL of the said Court this 16th day of October, 2018, by order of
the Court.

CHRIS DEROSE
CLERK OF THE SUPERIOR COURT

By _____
Deputy Clerk



Copy of the foregoing mailed this 17 day of October, 2018, to:

✓ Otis B Brascom, Defendant
IN CUSTODY T450606
Transient,
Public Defender Office
Ste 4015, 620 W Jackson St
Phoenix, AZ 85003
Defense Attorney
Court Administrator
Jail

EXTRADITE: Arizona Only
KST/rms

M. Rina

WILLIAM G. MONTGOMERY
MARICOPA COUNTY ATTORNEY

Kimberly S. Tirrell
Deputy County Attorney
Bar ID #: 031320
CBPE-East Phoenix/Scottsdale
301 West Jefferson, 8th Floor
Phoenix, AZ 85003
Telephone: (602) 506-1145
mcaocbpeasteastphxsc@mcao.maricopa.gov
MCAO Firm #: 00032000
Attorney for Plaintiff

DR 201800000643331 - Phoenix Police Department
Encanto Justice Court

0131710194

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
COUNTY OF MARICOPA, RCC-DOWNTOWN

THE STATE OF ARIZONA,

Plaintiff,

vs.

OTIS B. BRASCOM,
aka OTIS BERRY BRASCOM

Defendant:

CR2018-118554-001

DIRECT COMPLAINT

**COUNT 1: AGGRAVATED
ASSAULT, A CLASS 4 FELONY
(Otis B. Brascom)**

**COUNT 2: AGGRAVATED
ASSAULT, A CLASS 4 FELONY
(Otis B. Brascom)**

DCO

A-4

1 of 3

2

**COUNT 3: RESISTING ARREST,
A CLASS 6 FELONY
(Otis B. Brascom)**

**COUNT 4: CRIMINAL TRESPASS
IN THE SECOND DEGREE,
A CLASS 2 MISDEMEANOR
(Otis B. Brascom)**

IN CUSTODY

The complainant herein personally appears and, being duly sworn,
complains on information and belief against OTIS B. BRASCOM, charging
that in Maricopa County, Arizona:

COUNT 1:

OTIS B. BRASCOM, on or about April 12, 2018, knowing, or having
reason to know, that Ryan Snider was a peace officer, intentionally,
knowingly or recklessly did cause physical injury to Ryan Snider, a peace
officer, in violation of A.R.S. §§ 13-1203, 13-1204, 13-701, 13-702, and
13-801.

COUNT 2:

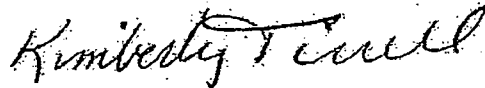
OTIS B. BRASCOM, on or about April 12, 2018, knowing, or having
reason to know, that Taylor Whitlock was a peace officer, intentionally,
knowingly or recklessly did cause physical injury to Taylor Whitlock, a
peace officer, in violation of A.R.S. §§ 13-1203, 13-1204, 13-701, 13-702,
and 13-801.

COUNT 3:

OTIS B. BRASCOM, on or about April 12, 2018, intentionally prevented or attempted to prevent Ryan Snider, a person reasonably known to him to be a peace officer, acting under color of his official authority, from effecting an arrest by using or threatening to use physical force against the peace officer, in violation of A.R.S. §§ 13-2508, 13-701, 13-702, and 13-801.

COUNT 4:

OTIS B. BRASCOM, on or about April 12, 2018, knowingly did enter or remain unlawfully in or on the non-residential structure of CBC Advisors Retail Development, located at 2000 N. 7th Street, in violation of A.R.S. §§ 13-1503, 13-1501, 13-707, and 13-802.



/s/ Kimberly S. Tirrell
Deputy County Attorney

IN CUSTODY

Agency: Phoenix Police Department

Complainant

Subscribed and sworn upon information and belief this ____ day of April,
2018.

KST/rl

3 of 3

Scottsdale City Court

Table of Content

Release Order

B-1

APPENDIX-B



Scottsdale City Court • 3700 N 75th Street Scottsdale, AZ 85251 • (480) 312-2442

Fax: (480) 312-2764 • court@scottsdaleaz.gov • www.ScottsdaleAZ.gov/Court

ORI: AZ007111J • Maricopa County, Arizona

State Of Arizona

VS.

BRASCOM, OTIS BERRY

TRANSIENT

TRANSIENT, AZ TRANS-IENT

Case #:

M-0751-SC-2018022352

Complaint #:

02066347

ORIGINAL



Release Order

If you are released from jail, you must follow all release conditions and appear at court as indicated below.

Charge(s): 13-1602A1 19-13 97XX

- ☐ IT IS ORDERED releasing Defendant from custody. Defendant has no further court dates.
- ☐ IT IS HEREBY ORDERED that the defendant be released as indicated below and comply with the Mandatory standard conditions, Financial, and other conditions checked below during the pendency of this case.
- IF IN-CUSTODY, the Defendant will be transported (by any means necessary) to the in-custody courtroom on the date and time listed below.

MANDATORY AND STANDARD CONDITIONS OF RELEASE

- (1) Appear for PTC on 11/5/18 at 9:30 AM in CR: 2
at SCOTTSDALE CITY COURT, 3700 North 75th Street, Scottsdale, AZ. DEFENDANT WILL BE SEEN AT 10:30 AM IN JAIL COURT IF BOND NOT POSTED. Attend all future court hearings.
- (2) Violate no federal, state or local criminal law.
- (3) Not leave the state of Arizona without written permission from the court.
☐ Defendant may leave the state of Arizona provided defendant returns for court dates.
- (4) Diligently pursue any appeal if released from custody after judgment and sentence have been imposed.

FINANCIAL CONDITIONS OF RELEASE

- ☒ Own Recognizance: The Court finds that it is not necessary to impose monetary conditions to ensure Defendants appearance as required.
- ☐ Bond applies: Defendant will deposit with the Clerk of the Court the total sum of \$ _____.
- ☐ Unsecured ☐ Secured ☐ Deposit ☐ Cash
- ☐ Third-Party Custody: Defendant will be placed in the custody of Name: _____ Telephone: _____
Address: _____
Third party custodian MUST comply with (a) Supervise defendant in accordance with all of the release conditions, (b) Make every effort to assure that the defendant is present for all scheduled court hearings; (c) Notify the court immediately in the event the defendant violates any conditions of release or disappears. As Third Party Custodian appointed by the court, I understand and accept these obligations.
- WARNING: IF YOU WILLFULLY VIOLATE ANY OF THE OBLIGATIONS, THE COURT MAY HOLD YOU IN CONTEMPT AND IMPOSE A JAIL SENTENCE, FINE OR BOTH, AND YOU MAY LOSE YOUR RIGHT TO APPEAL.
- Third-Party Custodian Signature: _____

OTHER CONDITIONS OF RELEASE

- ☐ Maintain contact with your attorney.
- ☐ Provide a current address and phone number to the Court and to your attorney and immediately notify both of any changes.
- ☐ Not threaten or initiate any type of contact with the alleged victim(s) or with any person as specified here: _____
- ☐ Not go to the scene of the alleged crime and/or locations as specified here: _____
☐ unless to pick up personal items, and must be accompanied by a Police Officer.
- ☐ Not drive a motor vehicle without a valid driver license in your possession.
- ☐ Not consume any alcoholic beverages.
- ☐ Not possess weapons as specified here: _____



Scottsdale City Court • 3700 N 75th Street Scottsdale, AZ 85251 • (480) 312-2442

Fax: (480) 312-2764 • court@scottsdaleaz.gov • www.ScottsdaleAZ.gov/Court

ORI: AZ007111J • Maricopa County, Arizona

- ☐ Comply with 3rd party custody release conditions as specified here: _____ (See third-party obligations under release type)
- ☐ Contact Probation or parole officer.
- ☐ Electronic Monitoring, if available.
- ☐ Other : _____

IF YOU VIOLATE THIS ORDER: You have the right to be present at your trial and at all other proceedings in your case. IF YOU FAIL TO APPEAR THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST AND/OR HOLD THE TRIAL OR PROCEEDING IN YOUR ABSENCE. IF CONVICTED, YOU WILL BE REQUIRED TO APPEAR FOR SENTENCING. IF YOU FAIL TO APPEAR, YOU MAY LOSE YOUR RIGHT TO A DIRECT APPEAL.

If you violate any condition of a bond, the court may order the bond and any related security deposit forfeited to the City of Scottsdale. In addition, the court may issue a warrant for your arrest upon learning of any violation of the conditions of release. After a hearing, if the court finds that you have not complied with the release conditions, the court may modify the conditions or revoke the release altogether.

Upon finding that you violated conditions of release, the court may also find you in contempt of court and sentence you to a term of imprisonment, a fine, or both.

ACKNOWLEDGEMENT: I fully understand and will comply with all release conditions indicated above and further understand the consequences should I violate any part of this order.

Current address where you live Apt. No _____

Address where you receive mail if different from current address _____

Phone No. (____) _____ Other No. (____) _____

By providing your phone number you are granting permission to receive texts and other communication regarding court dates, pending payments and other relevant information about your case. Normal text and SMS rates may apply. Please contact the court in which your case is filed should you desire to opt out of this service. / Al proporcionar su número de teléfono, usted consiente a recibir mensajes de texto y otra correspondencia con respecto a las audiencias, pagos pendientes y otra información de su caso. Puede que se apliquen tarifas de mensajería por mensajes de texto estándar y SMS. Si desea optar por no participar en este servicio, comuníquese con el tribunal en el cual se conoce su caso.

Date _____ Defendant Signature _____

Please contact the court if you need special accommodations (such as assistive devices, interpreters, etc.) _____

10/4/2018

Date

kmw
ORIGINAL

**Additional material
from this filing is
available in the
Clerk's Office.**