

No. 20-7622

In the Supreme Court of the United States

MERLE DENEZPI,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**On Writ of Certiorari to
the United States Court of Appeals
for the Tenth Circuit**

JOINT APPENDIX

ELIZABETH B. PRELOGAR
Solicitor General
U.S. Department of Justice
950 Pennsylvania Ave. NW
Washington, Dc 20530
(202) 514-2217

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Washington, DC 20001
(202) 756-8000

Counsel of Record
for Respondent

Counsel of Record
for Petitioner

PETITION FOR WRIT OF CERTIORARI FILED: MARCH 26, 2021
CERTIORARI GRANTED: OCTOBER 18, 2021

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**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT**

Docket No. 19-1213

United States,
Plaintiff-Appellee,

v.

Merle Denezpi,
Defendant-Appellant.

RELEVANT DOCKET ENTRIES

Date	Docket text
06/17/2019	Criminal case docketed. * * *
11/26/2019	Appellant/Petitioner's brief filed by Merle Denezpi * * *
01/29/2020	Appellee/Respondent's brief filed by United States of America * * *
02/19/2020	Appellant/Petitioner's reply brief filed by Merle Denezpi * * *
05/05/2020	Case argued * * *
10/28/2020	Affirmed; Terminated on the merits after oral hearing; Written, signed, published; Judges Holmes, Seymour (authoring) and Phillips. Mandate to issue. * * *
10/28/2020	Judgment for opinion filed * * *
11/19/2020	Mandate issued * * *

**UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO (DENVER)**

Docket No. 1:18-cr-00267-REB-JMC-1

United States of America,
Plaintiff,

v.

Merle Denezpi,
Defendant.

RELEVANT DOCKET ENTRIES

Date	No.	Docket text
06/07/2018	1	INDICTMENT as to Merle Denezpi (1) count(s) * * *
01/06/2019	29	First MOTION to Dismiss by Merle Denezpi * * *
01/23/2019	32	ORDER Denying 29 Motion to Dismiss on Double Jeopardy Grounds as to Merle Denezpi * * *
03/01/2019	52	JURY VERDICT as to Merle Denezpi * * *
06/05/2019	71	JUDGMENT as to defendant Merle Denezpi. Count 1: Imprisonment: 360 months. Supervised release: 10 years. * * *
06/17/2019	73	NOTICE OF APPEAL as to 71 Judgment in a Criminal Case by Merle Denezpi* * *

DENVER, COLORADO

2:41 pm, Jun 07, 2018

JEFFREY P. COLWELL, CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Criminal Case No. 18-cr-00267-DW

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. MERLE DENEZPI,

Defendant.

INDICTMENT

18 U.S.C. §§ 2241(a)(1) and (2), 1153(a)

The Grand Jury charges:

COUNT 1

18 U.S.C. §§ 2241(a)(1) and (2), 1153(a)

On or about July 18, 2017, within the exterior boundaries of the Ute Mountain Ute Indian Reservation, in the State and District of Colorado, the defendant, Merle Denezpi, an Indian, did knowingly cause the victim, V.Y., to engage in a sexual act, to wit, contact between the penis and the vulva, by using force against V.Y and by threatening and placing V.Y. in fear that any person would be subjected to death, seriously bodily injury, and kidnapping.

All in violation of Title 18, United States Code, Sections 2241(a)(1) and (2), 1153(a).

A TRUE BILL

"Ink signature on file in Clerk's Office"
FOREPERSON

ROBERT C. TROYER
UNITED STATES ATTORNEY

s/ Jeffrey K. Graves
JEFFREY K. GRAVES
Assistant United States Attorney
United States Attorney's Office
103 Sheppard Dr., Suite 215
Durango, Colorado 81303
Telephone: (970) 247-1514
Fax: (970) 247-8619
E-mail: jeffrey.graves@usdoj.gov

DEFENDANT: Merle Denezpi

YOB: 1979

COMPLAINT FILED? _____ Yes X No

If Yes, MAGISTRATE CASE NUMBER:

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? _____ Yes X No

OFFENSE(S): COUNT 1: 18 USC §§ 2241(a)(1) and (2), 1153(a) – Aggravated Sexual Abuse in Indian Country.

LOCAT. OF OFFENSE: Montezuma County, Colorado

PENALTY: COUNT 1: Up to life imprisonment, a \$250,000 fine or both, a term of supervised release of NMT five (5) years, and a \$100 special assessment fee.

AGENT: Special Agent Lyle Benally, Bureau of Indian Affairs

AUTH. BY: Jeffrey K. Graves, Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

X five days or less _____ over five days _____ other

THE GOVERNMENT

X will seek detention in this case based on 18 U.S.C. § 3142(f)(2)

_____ will not seek detention

The statutory presumption of detention **is** / is not applicable to this defendant.

OCDEF CASE: ___ Yes X No

AO 442 (Rev. 01/09) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Colorado

United States of America

v.

MERLE DENEZPI

Case No. 18-CR-00 267-DW

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) MERLE DENEZPI
who is accused of an offense or violation based on the following document filed with the court:

- Indictment
- Superseding Indictment
- Information
- Superseding Information
- Complaint
- Probation Violation Petition
- Supervised Release Violation Petition
- Violation Notice
- Order of the Court

This offense is briefly described as follows:

Aggravated Sexual Abuse in Indian Country - 18 USC §§ 2241(a)(1) and (2), 1153(a)

Date: 06/07/2018


Issuing officer's signature

City and state: Durango, Colorado

David L. West, U.S. Magistrate Judge
Printed name and title

Return

This warrant was received on (date) 6/7/2018, and the person was arrested on (date) 7/27/2018
at (city and state) Corona, CO

Date: 7/30/2018

 #95
Arresting officer's signature

Lyle Berny, Special Agent
Printed name and title

CRIMINAL

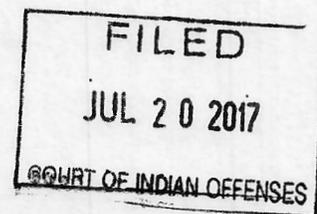
Date		Judge
7/20/2017	Case filed Hearing Held: (Arraignment 07/20/2017 01:30 PM) Hearing result for Arraignment held on 07/20/2017 01:30 PM: Hearing Held ARRAIGNMENT HEARING MINUTE ORDER: NOT GUILTY: Assault & Battery, Terroristic Threats, False Imprisonment Cash Bond \$5,000.00 Pre - Trial Conference: 07/26/2017 at 1:30 p.m. CRIMINAL RESTRAINING ORDER ISSUED ON BEHALF OF VALCITA YELLOWHORSE, VICTIM	Rachel D Muhonen
7/26/2017	Hearing Held: (Pre-Trial Conference 07/26/2017 01:30 PM) Hearing result for Pre-Trial Conference held on 07/26/2017 01:30 PM: Hearing Held CRIMINAL MINUTE ORDER: Defendant demanded a jury trial Pre - Trial Readiness: 09/13/2017 at 9:00 a.m. Jury Trial: 09/20/2017 at 8:00 a.m. Cash Bond \$5,000.00 Status Hearing on August 30, 2017 at 9:00 a.m. Motion to modify bond: denied CASE MANANGEMENT ORDER ISSUED	Rachel D Muhonen
8/30/2017	Hearing Held: (Pre - Trial Readiness 09/13/2017 09:00 AM) Hearing Held: (Jury Trial 09/20/2017 08:00 AM) Hearing Held: (Status Hearing 08/30/2017 09:00 AM)	Rachel D Muhonen
9/13/2017	Hearing result for Status Hearing held on 08/30/2017 09:00 AM: Hearing Held CRIMINAL MINUTE ORDER THE COURT ORDERED, - PTR, 09/13/2017 @ 10AM - JURY TRIAL, 09/20/2017 @ 8AM THE COURT FURTHER ORDERED, - BOND, CASH, \$5000.00	Rachel D Muhonen
11/13/2017	Hearing result for Pre - Trial Readiness held on 09/13/2017 09:00 AM: Hearing Held CRIMINAL MINUTE ORDER THE COURT ORDERED -PTR, 11/08/2017 @ 10AM - JURY TRIAL 11/15/2017 @ 8AM THE COURT FURTHER ORDERED, - CASE MANAGEMENT ORDER SHALL BE CONTINUED WITH CHANGE - BOND, CASH, \$5,000.00 - MOTIONS IN LIMINE & JURY INSTRUCTIONS DEADLINE CONTINUED NOVEMBER 13, 2017 DISCOVERY OBLIGATIONS SHALL REMAIN IN EFFECT DISCOVERY DUE FRIDAY, SEPTEMBER 15TH. WITNESS LIST 10/13/2017	Rachel D Muhonen
	Hearing Held: (Pre - Trial Readiness 11/08/2017 10:00 AM)	Rachel D Muhonen

USA vs. Merle O. DENEZPI Jr.

CRIMINAL

Date		Judge
9/13/2017	Hearing Held: (Jury Trial 11/15/2017 08:00 AM)	Rachel D Muhonen
9/20/2017	Hearing result for Jury Trial held on 09/20/2017 08:00 AM: Hearing Held	Rachel D Muhonen
11/8/2017	Hearing result for Pre - Trial Readiness held on 11/08/2017 10:00 AM: Hearing Held	Rachel D Muhonen
	CRIMINAL MINUTE ORDER - def requested a cont. THE COURT ORDERED, MOTIONS, 12/06/2017 @ 9AM JURY TRIAL, 12/20/2017 @ 8AM THE COURT FURTHER ORDERED, BOND, CASH, \$500.00 Hearing result for Jury Trial held on 11/15/2017 08:00 AM: VACATED	Rachel D Muhonen
11/13/2017	MOTION TO COMPEL PRODUCTION OF DOCUMENTS AND OBJECTS PURUSANT TO F.R.C.P. RULE 16 A)(1)(e) & (f), MOTION TO SUPPRESS STATEMENTS, AND MOTION TO SUPPRESS EVIDENCE., FILED BY MARSHALL	Rachel D Muhonen
12/6/2017	MOTIONS HEARING HELD- 12/06/2017 RULE 11 ADVISEMENT AND PLEA OF GUILTY	Rachel D Muhonen
	CRIMINAL MINUTE ORDER - GUILTY: ASSAULT AND BATTERY DEFENDANT MAINTAINS HIS INNOCENTE - THE FOLLOWING CHARGES ARE DISMISSED WITH PREJUDICE: REMAINING COUNTS. - SENTENCING ORDER WILL BE ENTERED BY SEPARTE ORDER. THE COURT FURTHER ORDERED, - RELEAE FROM CUSTODY: 12/06/2017 THIS CASE ONLY RELEAE 12/08/2017 IN OLDER CASE.	
	SENTENCING ORDER THEREFORE IT IS ORDERED, - 140 DAYS N JAIL - 140 SUSPENDED RELEASE FROM CSUTODY: 12/06/2017 THIS CASE ONLY SEE CRIMNAL MINUTE ORDER.	
	Court disposition: Guilty (6 UMUC 2 ASSAULT AND BATTERY)	Rachel D Muhonen
	Case disposition: Dismissed with Prejudice (25 CFR 11.402 TERRORISTIC THREATS)	Rachel D Muhonen
	Case disposition: Dismissed with Prejudice (25 CFR 11.404 FALSE IMPRISONMENT)	Rachel D Muhonen
2/8/2017	Case closed	Rachel D Muhonen

THE UNITED STATES OF AMERICA
IN THE COURT OF INDIAN OFFENSES
IN INDIAN COUNTRY (Colorado)
UTE MOUNTAIN UTE AGENCY



UNITED STATES OF AMERICA,
Plaintiff,

CR - _____
2017-0703-CR
BO17093704

VS.

Merle Denezpi 09/18/79
Defendant's Name D.O.B.

Indian Village Road #9
Address

Shiprock NM 87420
City State Zip

Navajo Unknown
Tribal Affiliation Census #

CRIMINAL COMPLAINT

THE above named defendant is charged in violation of 25, Code Federal Regulations, Section(s): **[6UMUC 2, Assault and Battery, Code of Federal Regulations 11.402, Terrorist Threats, and Code of Federal Regulations 11.404 False Imprisonment]** contrary to the peace and dignity of the Ute Mountain Ute Tribe; to wit:

The said defendant did, on or about the: **[19th]** day of: **[July, 2017]** at the hour of: **[3:53 A.M.]** at: **[1545 San Juan Turn, Towaoc, CO]** within the exterior boundaries of the Ute Mountain Ute Reservation, United States of America, and the jurisdiction of this Court, commit the following crime:

STATEMENT OF FACT

On July 19, 2017, at 3:53 P.M., Bureau of Indian Affairs (BIA), Ute Mountain Ute Agency (UMUA) – Office of Justice Services, Police Officer (PO), Christopher Cable, was informed by UMUA dispatch of an intoxicated female at the Ute Mountain Ute Casino, 3 Weeminuche Drive, Towaoc, Colorado, 81334. The female was identified as Valcita Yellowhorse (DOB 02/09/1965). After contacting Yellowhorse, she explained to Officer Cable she was sexually assaulted at 1545 San Juan Turn, Towaoc, CO by a male who she later identified as Merle Denezpi (DOB 09/18/1979).

During an interview with Yellowhorse she explained to SA Lyle Benally on July 18th, 2017, she met up with an acquaintance in Teec Nos Pos, AZ who she identified as Merle Denezpi. Yellowhorse and Denezpi travelled to Towaoc, CO together where they eventually ended up at 1545 San Juan Turn. Yellowhorse reported she voluntarily went to the residence with Denezpi. Once inside the residence Denezpi took a 4x4 piece of wood, prying it against the front door of the residence securing himself and Yellowhorse inside the residence. Yellowhorse reported Denezpi threatened her with violence stating "Take off your pants, if you don't do what I tell you I will bury you with my mother." Denezpi then gestured towards the 4x4 indicating he would use the 4x4 to cause her bodily harm if she didn't do what he requested.

Yellowhorse reported she didn't feel she was free to leave and feared if she didn't do what Denezpi demanded she would receive bodily harm. Yellowhorse reported Denezpi was intoxicated at the time of the incident. Yellowhorse reported she told Denezpi she didn't want to take off her clothes or have sex with him, however, she felt she had no alternative. Therefore, she complied with his demands.

STATEMENT OF FACT cont'd

Yellowhorse stated she took off her clothes and Denezpi took off his. Yellowhorse was placed on the floor and Denezpi placed his knees on her breasts holding her down. Denezpi balled his hand into a fist and stated to Yellowhorse he would hurt her if she didn't do what he demanded. Yellowhorse had bruising on both of her breasts and lower back when contacted by law enforcement.

Yellowhorse reported Denezpi had sex with her on the living room floor of 1545 San Juan Turn against her will while threatening the use of force against her if she failed to comply with his demands. Yellowhorse reported Denezpi placed his penis in her vagina during sex.

After the sexual act Yellowhorse waited until Denezpi fell asleep and exited the residence through the front door. Once outside the residence Yellowhorse was contacted by Officer Cable and arrested for a valid warrant. Yellowhorse she disclosed to Officer Cable she was sexually assaulted in the early morning hours of July 19th, 2017 at 1545 San Juan Turn, Towaoc, CO by Merle Denezpi.

Yellowhorse voluntarily participated in a sexual assault examination where she was discovered to have suffered significant trauma to her vaginal area and bruising due to the sexual act.

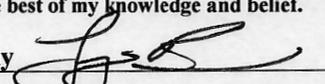
The area was searched for Denezpi, but he was not located. The scene was processed and the area was canvassed by asking all neighbors to contact the Ute Mountain Ute Police Department if Denezpi was seen.

On July 19th, 2017, at approximately 6:00 P.M. Denezpi was located on San Juan Turn. Denezpi was interviewed by SA Benally and Chief Funk. Denezpi admitted during the interview to having sex with Yellowhorse inside the residence of 1545 San Juan Turn and then he fell asleep. When Denezpi woke up Yellowhorse was gone.

Based upon these facts and circumstances Denezpi committed violations of 6UMUC 2, Assault and Battery, Code of Federal Regulations 11.402, Terrorist Threats, and Code of Federal Regulations 11.404 False Imprisonment.

I swear & affirm, under penalty of perjury, that the facts set forth above are true to the best of my knowledge and belief.

Subscribed and sworn to before me in Indian Country, Ute Mountain Ute Agency, Colorado, this 20 day of July, 2017.

Lyle Benally  **Complainant**


U.S. Magistrate or other authorized Official of the CFR Court

DATE: 07/20/2017 **Badge # 93**

THE UNITED STATES OF AMERICA
IN THE COURT OF INDIAN OFFENSES
IN INDIAN COUNTRY (Colorado)
UTE MOUNTAIN UTE AGENCY

Post Office Box KK
Towaoc, CO 81334
(970) 565-8471

FILED
JUL 20 2017
COURT OF INDIAN OFFENSES

ARRAIGNMENT HEARING MINUTE ORDER

THE UNITED STATES OF AMERICA,
Plaintiff,

CASE NO.: 2017-0703-OR
B017093704

Vs.

Merle Denezpi
Defendant.

The above Defendant came before the Court for arraignment on the 20 day of July 2017
Charged with the following offense(s): assault and battery, terrorist
threats + false imprisonment

Parties present Defendant is is not in custody Defendant's Counsel Prosecutor

- Defendant was advised of his/her rights.
 - Defendant was represented by counsel and waived the reading of his rights.
- The Prosecution motioned to dismiss The Court of its own motion
- The Following charges are dismissed (with or without) prejudice _____

The Court found the Defendant understood his/her rights, the charge(s) against him/her and the possible penalties if convicted, and further found that he/she knowingly, voluntarily and intelligently entered the following plea(s):

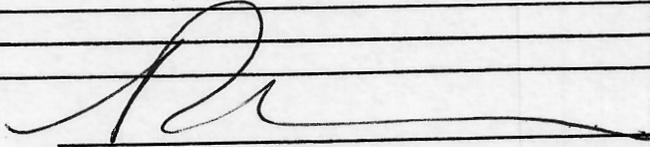
- Not Guilty: all counts
- Guilty: _____
- No Contest: _____
- Defendant did not enter a plea at this time.

- Requested a continuance: Defendant Prosecutor other: _____
- Defendant failed to appear: Bench Warrant shall issue: Cash Bond _____ Order to Show Cause
- Defendant is ORDERED released on his/her own recognizance with conditions set forth in the Personal Recognizance Bond Agreement.

Defendant is ORDERED remanded to the custody of the Chief Ignacio Detention Facility until he/she has posted BOND in the amount of \$5000.00, and when released shall abide by the conditions set forth in the Bond and Promise to Appear.

The Court ordered the Defendant and the Prosecutor to appear before the Court for pre-trial court trial jury trial
 sentencing _____ on the 20 day of July 2017 at 1:30pm
 Sentencing Order will be entered by separate Order.
 Release from custody: _____

Date: 7-20-17

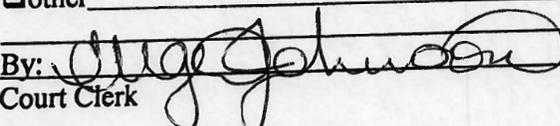

Chief Magistrate

Certificate of Mailing

Defendant
 Industry Hand delivered to
CO in open Ct.
Date: 07-20-17

Certificate of Service Placed in Box

Defense counsel Prosecutor Pretrial Release
 other

BY: 
Court Clerk

THE UNITED STATES OF AMERICA
IN THE COURT OF INDIAN OFFENSES
IN INDIAN COUNTRY (Colorado)
UTE MOUNTAIN UTE AGENCY
CRIMINAL MINUTE ORDER

Post Office Box KK
Towaoc, CO 81334
(970) 565-8471

FILED
DEC - 6 2017
COURT OF INDIAN OFFENSES

THE UNITED STATES OF AMERICA,
Plaintiff,

CASE NO.: 2017-703-CR

Vs. Merle Denezzi
Defendant.

This matter came before the Court for a motion
on the 6 day of December 2017

Parties present Defendant: [is is not in custody] Defendant's Counsel Prosecutor

The Prosecutor advised the Court that the parties have have not reached an agreement

The Court rejected accepted the plea agreement. The plea agreement is incorporated herein by reference.

The Defendant demanded a jury trial waived his right to a speedy trial.

The Defendant entered a plea of guilty no contest to: (Alfred plea) assault battery

The following charges are dismissed with without prejudice: Remaining counts
Defendant maintains his innocence

Requested a continuance: Defendant Prosecutor other: _____

Defendant failed to appear.

THE COURT ORDERED the defendant and the Prosecutor to appear before the Court for:

Pre-Trial Conference Pre-Trial Readiness _____

On the _____ day of _____ at the hour of _____

AND

Jury Trial Court Trial Sentencing Hearing

On the _____ day of _____ at the hour of _____

OR

Sentencing Order will be entered by separate Order.

THE COURT FURTHER ORDERED:

Case Management Order shall issue

A Bench Warrant issued, Bond is set in the amount of \$ _____

Bond [Cash PR] shall be continued released forfeited modified _____

Release from custody: 12-6-17 this case only
Release 12-8-17 in older case

Date: 12-6-17

Chief Magistrate

Certificate of Mailing

Defendant
In custody - Hand delivered
to CO in open Ct

Date: 12-06-2017

Certificate of Service Placed in Box

Defense counsel Prosecutor Probation Pretrial
 other _____

By:
Court Clerk

THE UNITED STATES OF AM. CA
IN THE COURT OF INDIAN OFFENSES
IN INDIAN COUNTRY (Colorado)
UTE MOUNTAIN UTE AGENCY
SENTENCING ORDER

Post Office Box KK
Towaoc, CO 81334
(970) 565-8471

FILED
DEC - 6 2017
COURT OF INDIAN OFFENSES

THE UNITED STATES OF AMERICA,
Plaintiff,

CASE NO.: 2017-703-ER

vs. Merle Denezpi
Defendant.

This matter came before the court on the 6 day of December 2017.
for motion

The Defendant entered a plea of: guilty no contest to: Alfred Plea to assault & battery

The Defendant was found guilty of the following charges at a court jury trial:

The following charges are dismissed with prejudice: remaining charges

THEREFORE IT IS ordered, adjudged, and decreed, that: The Court imposes the following sentence, to wit:

The Defendant shall serve 140 days in the Chief Ignacio Adult Detention Center; _____ days shall be suspended. Defendant shall have credit for 140 days.

The Defendant shall serve _____ weekends, consisting of _____ days each.

The Defendant shall report to jail on the _____ day of _____ no later than _____.

Work release is authorized. Additional notes to detention: _____

Eligibility date for Parole _____

The Defendant shall provide the Court with his/her current mailing address, and shall promptly notify the Court of any changes of his/her mailing address.

The Defendant shall be placed on supervised unsupervised Probation for _____ days, in lieu of jail. The Terms and Conditions of the Defendant's Probation are set forth in the Condition of Supervision (see administrative order dated November 2, 2016) and include the following:

Report to the probation officer on or before _____ and shall maintain periodic contact with the probation officer throughout the term of probation.

Follow all recommendations of evaluation

Substance Abuse Evaluation

Domestic Violence Evaluation, by a certified domestic violence treatment provider

Anger Management Evaluation

Mental Health Evaluation

The Defendant shall comply with the following Additional Conditions: _____

Comply with the Mandatory Protection Order currently in effect in this case, or as may be modified during the term of Defendant's sentence.

Fine \$ _____ Court Cost \$ _____ Fine Suspended \$ _____ Due: _____

Payable by Money Order ONLY payable to the CFR Court

Bond [Cash PR] shall be continued released forfeited modified _____

Release from custody: 12-6-17 this case only / see criminal minute order.

Date: 12-6-17

[Signature]
Chief Magistrate

Certificate of Mailing

Defendant
In custody - Hand delivered to CO Mopen Ct.

Date: 12-06-2017

Certificate of Service Placed in Box

Defense counsel Prosecutor Probation Officer
 other _____

By: [Signature]
Court Clerk

REMOVAL OF NON-MEMBERS

Ute Mountain Tribal Court)
Ute Mountain Tribe)
Ute Mountain Reservation)

Ute Mountain Tribe, Plaintiff

vs.

_____, Defendant

To any Ute Mountain Tribal Police Officer:

Where _____, who is not a member of the Ute Mountain Tribe and not under the jurisdiction of this Court has committed the following _____

and has refused to waive his constitutional rights of trial and consent to the jurisdiction of this Court, it is hereby ordered that he (or she) be removed from the reservation boundaries as provided in Chapter Nine, Section _____, and you _____ are ordered to carry out this order and to warn said offender that if he (or she) returns within the next _____ he (or she) will be subject to the penalty as provided in Section 36, Chapter Six, of the Ute Mountain Tribal Code of Ordinances.

Date _____, 19____.

Judge of the Ute Mountain Tribal Court

(SEAL)

Clerk of the Ute Mountain Tribal Court

I have this _____ day of _____, 19____, removed the person named in this order from the boundaries of the Ute Mountain Reservation as directed.

Officer _____

CHAPTER TEN

LEGAL FORMS

CRIMINAL COMPLAINT

Ute Mountain Tribal Court)
Ute Mountain Tribe)
Ute Mountain Reservation)

UTE MOUNTAIN TRIBE

vs.

_____, Defendant

The above named defendant is charged by this complaint with the offense of _____ in violation of

Section _____ Code of the Ute Mountain Tribe to-wit;

the said defendant did on or about the _____ day of _____, 19____ within the Ute Mountain Reservation.

Contrary to the regulations made and provided and against the peace and dignity of the Ute Mountain Tribe.

Signed _____
Complaining Witness

Witnessed:

Judge or Employee

Title

Dated

WARRANT TO APPREHEND

Ute Mountain Tribal Court)
Ute Mountain Tribe)
Ute Mountain Reservation)

vs. ,

Defendant

To any Police Officer of the Ute Mountain Police:

Whereas a complaint has been filed in the above entitled court, charging that the offense of _____ violation of Section _____ Code of the Ute Mountain Tribal Court, has been committed and accusing the above named defendant thereof, you are commanded to apprehend and bring the said defendant before a Judge of this Court to show cause why he should not be held for trial.

Dated: _____

Judge of the Ute Mountain Tribal Court

Received the within warrant on the ____ day of _____, 19__ and executed the same on the ____ day of _____, 19__ by arresting the within named defendant at _____ and now have him before the Court as commanded.

Officer's signature

FINAL COMMITMENT

Ute Mountain Tribal Court)
Ute Mountain Tribe)
Ute Mountain Reservation)

_____, Plaintiff

vs.

_____, Defendant

To the Keeper of the Jail of the Ute Mountain Police Department:

WHEREAS, the above named Defendant having this day been found guilty of/by committing the offense of Sec. _____, Chapter _____, Violation _____ of the Law and Order Code of the Ute Mountain Tribe.

I have adjudged that he/she serve _____ days in jail and or pay \$ _____, YOU ARE THEREFORE COMMANDED TO RECEIVE Defendant in custody for the period stated unless otherwise ordered by the Court.

DONE IN OPEN COURT THIS _____ day of _____, 19____.

Judge of the Tribal Court

UTE MOUNTAIN POLICE DEPARTMENT

I hereby received said defendant on the _____ day of _____, 19____.

By- _____
Keeper of the Jail