

PA 807709 0

COMPLAINT

NEBRASKA STATE PATROL
UNIFORM CITATION AND COMPLAINT

STATE OF NEBRASKA VS. PA 807709 0 COUNTY NO. 69

LAST NAME h/12 FIRST NAME Timothy M.I. 8

STREET 103 Emerson CITY Allamore STATE NE ZIP 68301

DRIVER'S LICENSE NO. 662003244 CLASS 0 SEX M RACE W EYES B HAIR B BIRTH DATE 11/15/71 BIRTH PLACE NE

VEHICLE MAKE SAFARI YEAR 85 MAKE MAZDA MODEL A VIN 65-B176 STATE NE YEAR 84

BUSINESS ADDRESS:

The undersigned being duly sworn, says the defendant, at the date and time shown, at or near (location) HWY 385 NM 163

In the City of: _____ County of: Dawes State of Nebraska 10/30

Did unlawfully commit the following offense:

A ☒ Speeding 26 MPH in 35 Zone 60-6186

B ☒ D.W.I. 60-6186

C ☐ Careless Driving (39-689)

D ☐ No Valid Registration (80-302)

E ☐ Other _____

V A C R M

☒ Moving ☐ Non-Moving ☐ PD ☐ PI

F ☐ Violated Traffic Control Devices (39-609)

G ☐ Failure to Yield ROW

H ☐ Follow Too Closely

I ☐ Improper Passing

J ☐ No Proof Insurance (80-570)

K ☐ Drive Under Suspension

L ☐ No Operator's License (80-484)

M ☐ On Person (80-489)

Other Offense _____ Statute/Ordinance _____

OFFICER Rasmussen 222 OFFICER'S NO. 11 NO. 11

FILED AND SHOWN BEFORE ME THIS DATE _____

JUDGE/CLOCK _____

COURT DATE BY 8 TIME 1 ☐ A.M. ☐ P.M.

COURT ADDRESS To be Set

This is an appearance only, not a trial date. I promise that I will appear in court at the above time and place.

Your signature is not an admission of guilt, but a promise to appear. Failure to comply with the terms of this citation is punishable by jail or fine or both and may result in suspension of your operator's license.

☐ Waiver Allowed. Waivers 10 You must appear in court.

If the "waiver allowed" box is checked, you are allowed to plead guilty to this offense without appearing in court. You have the right to a trial and may appear in court. If you choose to plead guilty, you may pay a fine of \$ _____ and costs of \$ _____ for a total of \$ _____. See back for payment instructions. If the other box is checked or if you wish to appear in court, you should appear in court as directed above.

REV. 3-80

PA 807709 0

IN THE COUNTY COURT OF DAWES COUNTY, NEBRASKA

THE STATE OF NEBRASKA,)
Plaintiff,)

Case No. CR95-512

vs.)

For)

COMPLAINT
(Amended)

TIMOTHY WALZ,)
Defendant.)

COUNT I : RECKLESS DRIVING

Statute:

Penalty:

COUNT I : 60-6,213

COUNT I : CLASS III MISDEMEANOR

COUNT I

In the name of the State of Nebraska, the undersigned prosecutor says that on or about the 23rd day of September, 1995 in the County of Dawes, the Defendant did then and there drive a motor vehicle in such a manner as to indicate an indifferent and wanton disregard for the safety of persons or property.

STATE OF NEBRASKA)

)ss

County of Dawes)

The undersigned, being just and duly sworn on his Oath, says that he is the County Attorney of Dawes County, Nebraska, and that allegations and charges against the Defendant herein are true as he verily believes.

Rex C. Nowlan
Rex C. Nowlan #18214
Dawes County Attorney
P.O. Box 1346
Chadron, Nebraska 69337
(308)432-3900

Subscribed in my presence and sworn to before me this 15th day of March, 1996.



Chadron, Nebraska
Clerk Magistrate/County Judge

Officers: Rosgorshek

FILED

MAR 15 1996

DAWES COUNTY COURT

IN THE COUNTY COURT OF DAWES COUNTY, NEBRASKA

THE STATE OF NEBRASKA,)

Case No. CR95- 512

Plaintiff,)

COMPLAINT

) For:

vs.)

COUNT I : DRIVING WHILE UNDER THE
INFLUENCE

TIMOTHY J. WALZ,)

COUNT II : SPEEDING

Defendant.)

Statute:

Penalty:

COUNT I : 60-6,196

COUNT I : CLASS W MISDEMEANOR

COUNT II : 60-6,186

COUNT II : INFRACTION

COUNT I

In the name of the State of Nebraska, the undersigned prosecutor says that on or about the 23rd day of September, 1995, in the County of Dawes, the Defendant did then and there operate or have actual physical control of a motor vehicle while under the influence of alcoholic liquor or when he had ten-hundredths of one percent or more by weight of alcohol in his body fluid as shown by chemical analysis of his blood or when he had a concentration of ten-hundredths of one gram or more by weight of alcohol per two hundred ten liters of his breath.

COUNT II

The undersigned prosecutor further says that on or about the 23rd day of September, 1995, in the County of Dawes, the Defendant while in operation of a motor vehicle, did then and there exceed the posted speed limit, driving 96 mph in 55 mph zone, South on Highway 385, Dawes County, Nebraska.

STATE OF NEBRASKA)

County of Dawes)

)ss.

The undersigned, being just and duly sworn on his Oath, says that he is the County Attorney of Dawes County, Nebraska, and that allegations and charges against the Defendant herein are true as he verily believes.

Rex C. Nowlan

Rex C. Nowlan #18214

Dawes County Attorney

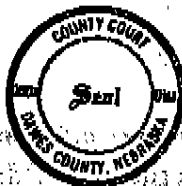
P.O. Box 1346

Chadron, Nebraska 69337

(308)432-3900

Subscribed in my presence and sworn to before me this 28th day of Sept., 1995.

Officer: Rosgorshek



Phillip W. Buck
Clerk Magistrate/County Judge

FILED

SEP 28 1995

DAWES COUNTY COURT

IN THE COUNTY COURT OF DAWES COUNTY, NEBRASKA

STATE OF NEBRASKA, Plaintiff

CASE NO. CR95-512

vs.

JOURNAL AND JUDGMENT
Misdemeanor and Infraction Docket

TIMOTHY J. WALZ

Defendant.

DATE: OCT 4 1995

PRESENT AT INITIAL APPEARANCE:

(☒) Defendant (☒) Counsel: Russ Thompson Prosecutor: RN
Complaint (☐) read (☒) reading waived, Defendant has a copy of Complaint and read it.
(☒) Court explains Penalty(s)
Possibility of (☒) Enhancement (☐) Restitution (☐) Comm. Service per 29-2778; 53-180.05

DEFENDANT ADVISED BY THE COURT AS FOLLOWS:

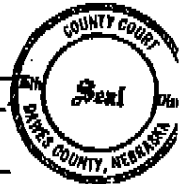
You have the right to be represented by a lawyer. If you want a lawyer, but cannot afford to hire one, a lawyer will be appointed to represent you. You have the right to plead not guilty and have a jury trial. At the trial, you have the right to see, hear and question or have your lawyer question the witnesses against you. You have a right to have witnesses testify for you, and you can compel them by court subpoena to appear and testify. You have a right to testify for yourself, but you cannot be compelled to do so, as you have a right to remain silent. If you do not testify it will not be held against you. If you plead not guilty, the prosecutor must prove the case beyond a reasonable doubt before you will be found guilty. If you plead guilty, you will be convicted of the charge against you the same as if there had been a trial and you had been found guilty; no evidence will be required. (☐) If in custody, you have the right to be released on a reasonable bail.

(☒) Defendant states s/he understands the charge, the possible penalty(s) and the above rights.

Defendant's Age/D.O.B.: 31 (☐) Defendant advised: If under 18 at time of offense, right to seek transfer to juvenile court. Juvenile (☐) requests such transfer (☐) Declines to request such transfer.
(☐) Court finds such declination to be knowing, voluntary and intelligent.

(☐) Defendant expressly waives counsel. (☐) Defendant states s/he will retain counsel.
(☐) Defendant requests appointed counsel. On basis of (☐) inquiry (☒) affidavit, the request is
(☐) denied, (☐) approved and Public Defender appointed. P.D. Notified:
(☐) Set for appearance with counsel on _____ at _____
Conditions of release: _____

John Howard
County Judge

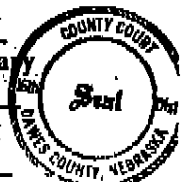


ARRAIGNMENT/PLEA OF NOT GUILTY

DATE: OCT 4 1995

Defendant appeared (☒) personally (☒) by/with counsel Russ Thompson
(☒) Defendant pleads not guilty. (☒) Defendant requests jury trial.
Pretrial Motions by NO 1/1995
Pretrial hearing set for: Nov 22, 1995 at 10:00 AM
Matter set for jury selection on: Dec 1, 1995 at 9:30 AM
(☐) Defendant waives jury trial. (☐) Court finds waiver of jury right to be knowing, voluntary and intelligent. Set for trial to court on _____
Conditions of release: \$2,000.00

John Howard
County Judge



FILED

OCT 4 1995

DAWES COUNTY COURT

Case No. CR95-512

State of Nebraska vs.

Timothy J. Walz

ARRAIGNMENT/PLEA OF GUILTY

DATE MAR 13 1996

Defendant appears (☒) with counsel Russ Harford

() without counsel () Upon inquiry, Court finds waiver of counsel to be intelligently, voluntarily, and understandingly made. Prosecutor _____ present.

Defendant pleads (☒) guilty () no contest to Counts 1

Defendant personally states to the Court:

(☒) Defendant understands the charge and the penalties.

(☒) Defendant has received no promises, threats, or other pressure to plead guilty or n/c.

(☒) Defendant understands that upon a plea of guilty, the following are waived and given up:

(☒) Right to jury trial (☒) Right to see, hear and question witnesses of the prosecution.

(☒) Right to testify and present evidence (☒) Right to remain silent (except on n/c).

(☒) Court finds the plea of guilty or no contest is knowingly, voluntarily and intelligently made.

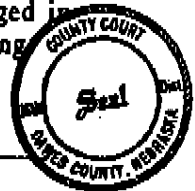
(☒) Court finds the factual basis furnished by Court Attorney is sufficient. BAC

(☒) Court accepts plea of (☒) guilty () no contest and finds the Defendant guilty as charged in the Complaint-Counts 1

() Court proceeds with sentencing

() PSI ordered. () Sentencing continued until _____

James Harford
County Judge



JUDGMENT

Present (☒) Defendant () with counsel Russ Harford

Prosecutor Ray Kunk

Upon the previous finding(s) of guilty, this matter came on for sentencing. The Defendant, following allocution, stated no good and sufficient reason why judgment should not be pronounced. IT IS THEREFORE ORDERED that the Defendant is sentenced as follows:

Count 1: Pay a fine of \$ 200.00 Serve _____ days in the county jail and pay court costs as determined by the Clerk in the amount of 96.00

Count _____ Pay a fine of \$ _____ Serve _____ days in the county jail
Count _____ Pay a fine of \$ _____ Serve _____ days in the county jail
Count _____ Pay a fine of \$ _____ Serve _____ days in the county jail

Counts _____ to be served () concurrent () consecutive with Counts _____

() Credit for time served commencing _____

() Defendant ordered into custody to serve said sentence.

() Jail sentence to begin on _____

Bond continues.

() Pay restitution of \$ _____ to the Clerk for the benefit of _____

() Payment of fine and costs permitted in _____ installments of \$ _____ beginning upon a signed promise to pay. () Execution on fine suspended until _____

() Defendant committed until fine and costs are paid or otherwise discharged.

() Defendant sentenced to probation on Counts _____ for a term of _____ according to the conditions of a separate order herein.

(Fine \$ _____ Jail _____ Costs _____)

IT IS FURTHER ORDERED () the Defendant shall not operate a motor vehicle on any public street, road or highway of this state for a period of _____ and Defendant's driver's license is () revoked () impounded for the same period. Credit given for Administrative License Revocation previously imposed for this incident.

DATE: MAR 13 1996

DC Forms:1/95

James Harford
County Judge

FILED

MAR 13 1996

DAWES COUNTY COURT

