

1 ANDRES HALADAY
Assistant Public Defender
2 Office of the State Public Defender
139 N. Last Chance Gulch
3 Helena, MT 59601
(406) 444-0104
4 Attorney for Defendant

5
6 **IN THE JUSTICE COURT OF RECORD**
CITY OF HELENA, LEWIS AND CLARK COUNTY, MONTANA
7 **Before MICHAEL SWINGLEY, Justice of the Peace**

8 THE STATE OF MONTANA,)
9)
Plaintiff,) Cause No. TK-2011-3762
10)
-vs-)
11)
12 AMY JO WILSON,)
13 Defendant.)

14 ***ACKNOWLEDGMENT OF WAIVER OF RIGHTS***
15 ***BY PLEA OF GUILTY***

16
17 I, Amy Jo Wilson, am prepared to enter a plea of guilty in the above entitled matter.
18 This plea is being made voluntarily and is not the result of force or threats or of promises made.

19 I acknowledge that my attorney has explained to me and advised me of the following
20 and I fully understand that:

21 1. I am charged with two counts of CRUELTY TO ANIMALS, as defined by Section 45-
22 8-211, MCA. A first conviction is punishable by up to 1 year in jail and/or a fine not to exceed
23 \$1,000. A second, or subsequent offense is punishable by up to two (2) years in the custody of
24 the department of corrections and/or a fine not to exceed \$2,500.

1 Additionally, I recognize that I may be required to forfeit any animal affected. I will be
2 required to pay all reasonable costs of necessary care of the affected animal that are incurred by
3 a public or private animal control agency or humane animal treatment shelter. Furthermore, my
4 ownership, possession or custody of animals may be limited or prohibited during the length of
5 my sentence.

6 2. I have the right to plead not guilty or to persist in that plea if already made.

7 3. I have the right to be tried by a judge or a jury, and at trial, I have the following rights:

- 8 (A) The right to the assistance of counsel;
9 (B) The right to have witnesses testify on my behalf;
10 (C) The right to confront and cross-examine witnesses against me;
11 (D) The right not to be compelled to incriminate myself;
12 (E) The right to require my guilt to be proven beyond a reasonable doubt.

13 4. By pleading guilty, I give up the right to a trial by judge or jury, the right to have
14 witnesses testify on my behalf, the right to confront and cross-examine witnesses against me,
15 the right not to be compelled to incriminate myself and the right to appeal any finding of guilt.

16 5. Pursuant to Section 46-12-204, MCA, and conditioned upon the understandings
17 specified herein, I agree to plead guilty to one count of CRUELTY TO ANIMALS, in
18 exchange for dismissal of the second count of CRUELTY TO ANIMALS, and a
19 recommendation by the State for an appropriate sentence in this matter:

20 The State and Defendant have agreed, pursuant to Section 46-12-211(1)(b) and (4),
21 MCA, that for the charge of CRUELTY TO ANIMALS, § 45-8-211, MCA, the State will
22 recommend the following sentence: 1 year ~~imposed~~ ^{suspended} sentence, with no fine. Defendant has
23 already made restitution for the veterinary bills for the injured puppy seized from Defendant's
24 property and treated at Total Dynamic Balance. Furthermore, Defendant will relinquish
25 custody of all dogs, with the option to keep one (1) personal dog. Defendant will not be
permitted to keep the injured puppy as her personal dog. Any personal dog retained by
defendant will remain with Defendant, or at the property where she is physically residing.

1 Defendant will also be responsible for the costs of boarding the relinquished dogs while
2 they are awaiting adoption or placement. Defendant will remain law abiding for the term of her
3 sentence.

4 6. I understand that this plea agreement is an agreement between myself and the
5 prosecutor and that the Court has not and cannot participate in the making of this agreement.

6 7. I understand that on my plea of guilty alone, I could lawfully be sentenced to the
7 maximum punishment authorized for the offense to which I plead guilty.

8 8. I have considered the most severe sentence that could be imposed, and I understand that
9 no lesser included offenses apply to my case.

10 9. I understand that my plea of guilty to this offense may affect any sentence I am
11 currently serving.

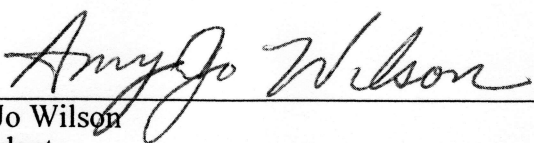
12 10. I acknowledge that I am satisfied with the services of my attorney and that there has
13 been ample time to prepare a defense.

14 11. I am not suffering from any emotional or mental disability from any cause including
15 mental defect or impairment or the taking of drugs, alcohol or prescription medicine and I fully
16 understand what I am doing.

17 12. I am satisfied that my lawyer has been fair to me, has advised me fully of my rights, and
18 has represented me properly.

19 The following facts lead me to believe I am guilty of the above offense: I
20 negligently failed to provide a seriously injured puppy with appropriate medical care.

21
22 DATED this 14th day of March, 2012.

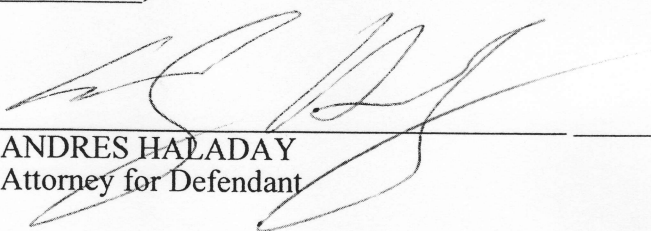
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Amy Jo Wilson
Defendant

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I certify that the defendant has read the above or I have read the above to the defendant and I have advised the defendant of the above and explained it to her and that I am satisfied that she understands all her rights and her plea of guilty is being voluntarily made, and that she understands she is waiving such rights by entry of said plea.

DATED this 14 day of March, 2012.



ANDRES HALADAY
Attorney for Defendant

STATE OF MONTANA)
 COUNTY OF LEWIS & CLARK)vs.
 CITY OF _____)

DEFENDANT (F/M/L)

Amy Jo Wilson

STREET 7317 York Road

VEHICLE LICENSE NO.

CITY Helena ST MT ZIP 59602

LICENSE STATE

SEX F WT 140 HT. 5'5" HAIR Brn EYES Brn DOR

VEHICLE MAKE

THE DEFENDANT IS HEREBY GIVEN NOTICE TO APPEAR IN

JUSTICE CITY YOUTH

COURT OF Singly DEPT. NO.

D/L # D/L STATE MT DOT OR ICC#

VEH. COLOR VEH. YEAR

COUNTY OF LEWIS & CLARK

HOME PHONE 438-2395 BUSINESS NAME UPS BUS. PHONE

VEH. MODEL

LOCATED AT LEWIS & CLARK COUNTY JUSTICE COURT

228 BROADWAY, ROOM 102, HELENA, MONTANA (406) 447-8202

APPEARANCES - MONDAY THROUGH FRIDAY AT 8:30 A.M.

APPEARANCE BEFORE 8:30 AM/PM

THE ABOVE NAMED DEFENDANT IS CHARGED WITH VIOLATING

MONTANA CODE COUNTY ORDINANCE CITY CODE

SECTION NO. 45-8-211(d)(c)(iii)

VEHICLE TYPE

CAR TRK
 M/C TRK/TRL
 PICKUP BUS

ON THE 2 DAY OF December 2011

ON THE 10 DAY OF November, 2011 AT 1700 (MILITARY TIME)

CMV CMV-H
 CDL HOLDER

ANSWER THIS CHARGE.

PRIMARY REASON FOR TRAFFIC STOP:

LC11477

IN THAT SAID DEFENDANT DID KNOWINGLY OR PURPOSELY OR NEGLIGENTLY COMMIT THE FOLLOWING OFFENSE:

Cruelty to animals failing to provide an animal with medical attention

UNIFORM VIOLATION CODE

LOCATED AT (LOCATION) 7317 York Road

LOCATION CODE

IF CHECKED PERSONAL APPEARANCE IN COURT REQUIRED

FAILURE TO APPEAR MAY RESULT IN A SUSPENSION OF YOUR DRIVER'S LICENSE OR PRIVILEGE TO DRIVE.

BA TEST GIVEN
 ACCIDENT

RADAR UNIT NO.

BADGE NO. 5-28

DETACH NO.

Beal Ky SIGNATURE OF OFFICER

RECEIVED

\$ None

AS APPEARANCE BOND

11-5702 DOCKET NUMBER

COURT MINUTES 30
1A/1-30-11 RIGHTS, CHARGES, PENALTY

On this _____ day of _____

NOV _____, 2011

defendant appeared, was advised of their constitutional rights, was arraigned, and entered a plea of

Not guilty

Self & minors

w/Arms Res def.

3/14/12 Dismissed
by State

FINANCIAL RECORD

Amount Collected on Fine \$ _____

No. _____ Date _____

Certified and Approved



STATE OF MONTANA)
 COUNTY OF LEWIS & CLARK) vs.
 CITY OF _____)

DEFENDANT (F/M/L) Amy Jo Wilson

STREET 7317 York Road
 CITY Helena ST MT ZIP 59602
 SEX F WT. 140 HT. 5'5" HAIR Brn EYES Brn DOR _____
 DL # _____ DL STATE MT DOB _____
 HOME PHONE 435-2395 BUSINESS NAME UPS BUS. PHONE _____

VEHICLE LICENSE NO. _____
 LICENSE STATE _____
 VEHICLE MAKE _____
 VEH. COLOR _____ VEH. YEAR _____
 VEH. MODEL _____

THE DEFENDANT IS HEREBY GIVEN NOTICE TO APPEAR IN

JUSTICE CITY YOUTH
 COURT OF Scenic DEPT. NO. _____

COUNTY OF LEWIS & CLARK
 LOCATED AT LEWIS & CLARK COUNTY JUSTICE COURT

226 BROADWAY ROOM 102, HELENA, MONTANA (409) 447-6202
 APPEARANCES - MONDAY THROUGH FRIDAY AT 8:30 A.M.
 HOUR BEFORE 830 AM / PM

ON THE 2 DAY OF December 2011
 ANSWER THIS CHARGE.

THE ABOVE NAMED DEFENDANT IS CHARGED WITH VIOLATING
 MONTANA CODE COUNTY ORDINANCE CITY CODE
 SECTION NO. 45-8-21 (1)(b)

ON THE 26 DAY OF May, 2011 AT 1830 (MILITARY TIME)

IN THAT SAID DEFENDANT DID KNOWINGLY OR PURPOSELY OR NEGLIGENTLY COMMIT THE FOLLOWING OFFENSE:
Cruelty to animals - purposely or knowingly confined animals in a cruel manner.

VEHICLE TYPE
 CAR TRK
 M/C TRK/TRL
 PICKUP BUS
 CMV CMV-H
 CDL HOLDER
 UNIFORM VIOLATION CODE _____

PRIMARY REASON FOR TRAFFIC STOP:
LC11114177

NAMED AT (LOCATION) 7317 York Road
 LOCATION CODE _____

IF CHECKED PERSONAL APPEARANCE IN COURT REQUIRED
 FAILURE TO APPEAR MAY RESULT IN A SUSPENSION OF YOUR DRIVER'S LICENSE OR PRIVILEGE TO DRIVE.
 BA TEST GIVEN
 ACCIDENT

RADAR UNIT NO. _____
 BADGE NO. 5-25
 DETACH NO. _____

RECEIVED
 \$ None
 AS APPEARANCE BOND

Paul Ky
 SIGNATURE OF OFFICER

Pay Citations Online at:
www.citepayusa.com

DOCKET NUMBER 11-3762

COURT MINUTES

On this 1A 11-30-11 ³⁰ day of Nov 2011
RIGHTS, CHARGES, PENALTY

defendant appeared, was advised of their constitutional rights, was arraigned, and entered a plea of

not guilty
Set on probation

WANTS Pub. def.

3/14/12 Guilty

See attached sentence
agreed

30 days all suspended

no fine

no days for 1 year except
for 9000 small family dog.

FINANCIAL RECORD

all other dogs relinquished
Amount Collected on Fine

No. _____ Date _____

Certified and Approved



Justice of the Peace
or City Magistrate