

4TH DISTRICT COURT - PROVO
UTAH COUNTY, STATE OF UTAH

STATE OF UTAH vs. DANIELLE MARIE SMITH

CASE NUMBER 211400056 State Felony

Defendants KELLI DAWN CLARK, DANIELLE MARIE SMITH are linked.

CHARGES

Charge 1 - 58-37-8(1)(A)(II) - ATTEMPTED - DISTRIBUTE/OFFER/ARRANGE
DISTRIBUTION OF CONTROLLED SUBSTANC - 2nd Degree Felony (amended to) - 3rd
Degree Felony

Offense Date: January 06, 2021
Location: EAGLE MOUNTAIN, UT
Attributes: Drug Schedule 1.
Plea: May 06, 2021 Guilty
Disposition: May 06, 2021 Guilty

Charge 2 - 58-37-8(2)(A)(I) - POSSESSION OR USE OF A CONTROLLED SUBSTANCE -
Class A Misdemeanor

Offense Date: January 06, 2021
Location: EAGLE MOUNTAIN, UT
Attributes: Drug Schedule 1.
Plea: May 06, 2021 Guilty
Disposition: May 06, 2021 Guilty

Charge 3 - 58-37-8(2)(A)(I) - POSSESSION OR USE OF A CONTROLLED SUBSTANCE -
Class A Misdemeanor

Offense Date: January 06, 2021
Location: EAGLE MOUNTAIN, UT
Attributes: Drug Schedule 1.
Disposition: May 06, 2021 Dismissed w/ Prejudi

Charge 4 - 58-37-8(2)(A)(I) - POSSESSION OR USE OF A CONTROLLED SUBSTANCE -
Class A Misdemeanor

Offense Date: January 06, 2021
Location: EAGLE MOUNTAIN, UT
Attributes: Drug Schedule 1.
Disposition: May 06, 2021 Dismissed w/ Prejudi

Charge 5 - 58-37-8(2)(A)(I) - POSSESSION OR USE OF A CONTROLLED SUBSTANCE -
Class A Misdemeanor

Offense Date: January 06, 2021
Location: EAGLE MOUNTAIN, UT
Attributes: Drug Schedule 1.
Disposition: May 06, 2021 Dismissed w/ Prejudi

Charge 6 - 58-37-8(2)(A)(I) - POSSESSION OR USE OF A CONTROLLED SUBSTANCE -
Class A Misdemeanor

Offense Date: January 06, 2021
Location: EAGLE MOUNTAIN, UT
Attributes: Drug Schedule 1.
Disposition: May 06, 2021 Dismissed w/ Prejudi

Charge 7 - 58-37A-5(1) - USE OR POSSESSION OF DRUG PARAPHERNALIA - Class B Misdemeanor
Offense Date: January 06, 2021
Location: EAGLE MOUNTAIN, UT
Disposition: May 06, 2021 Dismissed w/ Prejudi

Charge 8 - 76-6-506.3(1) - UNLAW ACQUISITION/POSSESS/TRANSFER FINANCIAL CARD - 3rd Degree Felony
Offense Date: January 06, 2021
Location: EAGLE MOUNTAIN, UT
Plea: May 06, 2021 Guilty
Disposition: May 06, 2021 Guilty

Charge 9 - 76-6-506.3(1) - UNLAW ACQUISITION/POSSESS/TRANSFER FINANCIAL CARD - 3rd Degree Felony
Offense Date: January 06, 2021
Location: EAGLE MOUNTAIN, UT
Disposition: May 06, 2021 Dismissed w/ Prejudi

Charge 10 - 76-6-506.3(1) - UNLAW ACQUISITION/POSSESS/TRANSFER FINANCIAL CARD - 3rd Degree Felony
Offense Date: January 06, 2021
Location: EAGLE MOUNTAIN, UT
Disposition: May 06, 2021 Dismissed w/ Prejudi

CURRENT ASSIGNED JUDGE
ROBERT LUND

PARTIES
Plaintiff - STATE OF UTAH
Represented by: DAVID LEAVITT

Defendant - DANIELLE MARIE SMITH
Represented by: SPENCER THOMAS

Creditor - STATE DEBT COLLECTION

DEFENDANT INFORMATION
Defendant Name: DANIELLE MARIE SMITH
Offense Tracking Number: 60797768
Date of Birth: June 21, 1987
Jail Booking Number: 401143
Law Enforcement Agency: UTAH COUNTY SHERIFF
LEA Case Number: 21UC00196
Officer Name: A EDWARDS
Prosecuting Agency: UTAH COUNTY
Agency Case Number: 21B-30-2
Arrest Date: January 06, 2021
Violation Date: 01-06-2021

ACCOUNT SUMMARY
Paper Bond Totals Posted: 5,000.00

Forfeited: 0.00
Exonerated: 5,000.00
Balance: 0.00

NONMONETARY BOND DETAIL - TYPE: Surety

Posted By: LUCKY BAIL BONDS (#SS7-77330)
Posted: 5,000.00
Forfeited: 0.00
Exonerated: 5,000.00
Balance: 0.00

REVENUE DETAIL - TYPE: FINE

Original Amount Due: 159.00
Amended Amount Due: 0.00
Amount Paid: 0.00
Amount Credit: 0.00
Balance: 0.00

Account Adjustments Sum To Date Amount Reason
2021-05-07 -159.00 Adjusted to zero and sent to State Debt Collection

REVENUE DETAIL - TYPE: UNPAID INTEREST

Amount Paid: 0.00
Amount Credit: 0.00
Balance: 0.00

Account Adjustments Sum To Date Amount Reason
2021-05-07 -0.01 Adjusted to zero and sent to State Debt Collection
2021-05-07 0.01 Criminal post judgment interest

CASE NOTE

PROCEEDINGS

- 01-07-2021 Filed: Promise To Appear (INA 2/9/21 @ 3:00pm)
01-11-2021 Filed: INFORMATION
01-11-2021 Case filed by efiler
01-11-2021 Filed: From an Information
01-11-2021 Judge ROBERT LUND assigned.
01-11-2021 INITIAL APPEARANCE scheduled on February 08, 2021 at 03:00 PM in 8th Fl, Courtroom 8B with Judge DAROLD MCDADE
01-11-2021 Filed: Probable Cause Affidavit
01-11-2021 Filed: Order to Hold With Bail
01-12-2021 Filed: Return of Electronic Notification
02-03-2021 NOTICE for Case 211400056 ID 21540681
02-03-2021 NOTICE for Case 211400056 ID 21540682
Date:
The reason for the change is Clerk error.
02-03-2021 INITIAL APPEARANCE rescheduled on February 09, 2021 at 03:00 PM Reason: Clerk error.
02-03-2021 Filed: LUCKY BAIL BONDS 5000.00
02-03-2021 Bond Account created Total Due: 5,000.00

02-03-2021 Bond Posted Non-Monetary Bond: 5,000.00

02-04-2021 Filed: Return of Electronic Notification

02-09-2021 NOTICE for Case 211400056 ID 21556930

02-09-2021 NOTICE for Case 211400056 ID 21556931

Date:

The reason for the change is Correct calendar

02-09-2021 INITIAL APPEARANCE scheduled on February 09, 2021 at 03:00 PM in 8th Fl, Courtroom 8A with Judge ROBERT C LUNNEN

02-09-2021 WAIVER HEARING scheduled on March 18, 2021 at 01:30 PM in 6th Fl, Courtroom 6B with Judge ROBERT LUND

02-09-2021 Minute Entry - INITIAL APPEARANCE

Judge: ROBERT C LUNNEN

PRESENT

Clerk: treenah

Prosecutor: STONE, JAMES

Defendant Present

The defendant is not in custody

Audio

Tape Number: Webex 8A-21 Tape Count: 3:22-3:32

INITIAL APPEARANCE

A copy of the Information is given to the defendant.

The Information is read.

Advised of charges and penalties.

The defendant is advised of right to counsel.

Defendant seeking private counsel.

WAIVER HEARING is scheduled.

Date: 03/18/2021

Time: 01:30 p.m.

Location: 6th Fl, Courtroom 6B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: ROBERT LUND

CUSTODY

The defendant is not in custody.

02-10-2021 Filed: Return of Electronic Notification

03-18-2021 WAIVER HEARING scheduled on March 25, 2021 at 01:30 PM in 6th Fl, Courtroom 6B with Judge ROBERT LUND

03-18-2021 Minute Entry - CONTINUANCE

Judge: ROBERT LUND

PRESENT

Clerk: nancyg

Prosecutor: DALLEY, JAY

Defendant not present

Audio

Tape Number: 6B Webex Tape Count: 2.06 - 2.07

CONTINUANCE

Whose Motion:

The Court.

Reason for continuance:

Court Ordered

The motion is granted.

WAIVER HEARING is scheduled.

Date: 03/25/2021
Time: 01:30 p.m.
Location: 6th Fl, Courtroom 6B
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601
Before Judge: ROBERT LUND

03-25-2021 Minute Entry - CONTINUANCE
Judge: ROBERT LUND

PRESENT

Clerk: nancyg
Prosecutor: DALLEY, JAY
Defendant Present
The defendant is in the custody of the Department of
Corrections Utah State Prison - Draper
Defendant's Attorney(s): ALDANA, BENJAMIN
Audio
Tape Number: 6A Webex Tape Count: 2.06 - 2.08

CONTINUANCE

Whose Motion:
The Defendant's counsel BENJAMIN ALDANA.

Reason for continuance:

Counsel's request.
The Court orders the bail to be exonerated
The motion is granted.

WAIVER HEARING is scheduled.

Date: 04/08/2021
Time: 01:30 p.m.
Location: 6th Fl, Courtroom 6B
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601
Before Judge: ROBERT LUND

03-29-2021 Filed: Appearance of Counsel/Notice of Limited Appearance

03-29-2021 Filed: Request for Discovery

03-29-2021 Filed: Return of Electronic Notification

03-29-2021 WAIVER HEARING scheduled on April 08, 2021 at 01:30 PM in 6th
Fl, Courtroom 6B with Judge ROBERT LUND

03-29-2021 Bond Exonerated -5,000.00

04-07-2021 Filed: Appearance of Counsel/Notice of Limited Appearance

04-07-2021 Filed: Request for Discovery

04-07-2021 Filed: Return of Electronic Notification

04-07-2021 Filed: Notice of Withdrawal

04-07-2021 Filed: Return of Electronic Notification

04-08-2021 Minute Entry - CONTINUANCE

Judge: ROBERT LUND

PRESENT

Clerk: nancyg
Prosecutor: BIRK, ADAM
Defendant Present
The defendant is in the custody of the Department of
Corrections Utah State Prison - Draper
Defendant's Attorney(s): THOMAS, SPENCER

Audio

Tape Number: 6B FTR Tape Count: 1.46 - 1.47

CONTINUANCE

Whose Motion:

The Defendant's counsel SPENCER THOMAS.

Reason for continuance:

Counsel's request.

The motion is granted.

WAIVER HEARING is scheduled.

Date: 04/15/2021

Time: 01:30 p.m.

Location: 6th Fl, Courtroom 6B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: ROBERT LUND

04-09-2021 WAIVER HEARING scheduled on April 15, 2021 at 01:30 PM in 6th Fl, Courtroom 6B with Judge ROBERT LUND

04-15-2021 Minute Entry - CONTINUANCE

Judge: ROBERT LUND

PRESENT

Clerk: nancyg

Prosecutor: DALLEY, JAY

Defendant Present

The defendant is in the custody of the Department of Corrections Utah State Prison - Draper

Defendant's Attorney(s): THOMAS, SPENCER

Audio

Tape Number: 6B FTR/Webex Tape Count: 2.11 - 2.12

CONTINUANCE

Whose Motion:

The Defendant's counsel SPENCER THOMAS.

Reason for continuance:

Counsel's request.

The motion is granted.

WAIVER HEARING is scheduled.

Date: 04/29/2021

Time: 01:30 p.m.

Location: 6th Fl, Courtroom 6B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: ROBERT LUND

04-19-2021 WAIVER HEARING scheduled on April 29, 2021 at 01:30 PM in 6th Fl, Courtroom 6B with Judge ROBERT LUND

04-29-2021 Minute Entry - CONTINUANCE

Judge: ROBERT LUND

PRESENT

Clerk: nancyg

Prosecutor: BIRK, ADAM

Defendant Present

The defendant is in the custody of the Utah County Jail

Defendant's Attorney(s): THOMAS, SPENCER

Audio

Tape Number: 6A FTR/Webex Tape Count: 1.54 - 1.54

CONTINUANCE

Whose Motion:

The Defendant's counsel SPENCER THOMAS.

Reason for continuance:

Counsel's request.

The motion is granted.

WAIVE PRELIMINARY HEARING is scheduled.

Date: 05/06/2021

Time: 01:30 p.m.

Location: 6th Fl, Courtroom 6B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: ROBERT LUND

04-30-2021 WAIVE PRELIMINARY HEARING scheduled on May 06, 2021 at 01:30 PM in 6th Fl, Courtroom 6B with Judge ROBERT LUND

05-01-2021 Filed: Return of Electronic Notification

05-06-2021 Filed: Amended Information

05-06-2021 Filed: Return of Electronic Notification

05-06-2021 Filed: Order (Proposed) Statement in Advance of Plea

05-06-2021 Filed: Return of Electronic Notification

05-06-2021 Charge 1 Disposition is Guilty

05-06-2021 Charge 1 amended to 3rd Degree Felony

05-06-2021 Charge 2 Disposition is Guilty

05-06-2021 Charge 3 Disposition is Dismissed w/ Pr

05-06-2021 Charge 4 Disposition is Dismissed w/ Pr

05-06-2021 Charge 5 Disposition is Dismissed w/ Pr

05-06-2021 Charge 6 Disposition is Dismissed w/ Pr

05-06-2021 Charge 7 Disposition is Dismissed w/ Pr

05-06-2021 Charge 10 Disposition is Dismissed w/ P

05-06-2021 Charge 8 Disposition is Guilty

05-06-2021 Charge 9 Disposition is Dismissed w/ Pr

05-06-2021 Minute Entry - SENTENCE, JUDGMENT, COMMITMENT

Judge: ROBERT LUND

PRESENT

Clerk: chrislc

Prosecutor: DALLEY, JAY

Defendant Present

The defendant is in the custody of the Department of Corrections Utah State Prison - Draper

Defendant's Attorney(s): THOMAS, SPENCER

Audio

Tape Number: 6B Webex Tape Count: 1:48-1:55

ARRAIGNMENT

Defendant waives his/her right to a Preliminary Hearing. Court orders that defendant be held to answer to the charge(s) listed in the information on file.

The defendant is advised of right to counsel.

Defendant is arraigned.

Defendant waives right to a trial by jury.

Defendant waives time for sentence.

SENTENCE PRISON

Based on the defendant's conviction of ATTEMPTED
DISTRIBUTE/OFFER/ARRANGE DISTRIBUTION OF CONTROLLED
SUBSTANC a 3rd Degree Felony, the defendant is sentenced to
an indeterminate term of not to exceed five years in the
Utah State Prison.

Based on the defendant's conviction of UNLAW
ACQUISITION/POSSESS/TRANSFER FINANCIAL CARD a 3rd Degree
Felony, the defendant is sentenced to an indeterminate term
of not to exceed five years in the Utah State Prison.

To the UTAH County Sheriff: The defendant is remanded to
your custody for transportation to the Utah State Prison
where the defendant will be confined.

SENTENCE PRISON CONCURRENT/CONSECUTIVE NOTE

The commitment on this case is to run concurrent to the
commitment currently being served. The commitment on each
count is to run concurrent to the other counts and to be
served at the prison.

SENTENCE JAIL

Based on the defendant's conviction of POSSESSION OR USE OF
A CONTROLLED SUBSTANCE a Class A Misdemeanor, the defendant
is sentenced to a term of 364 day(s)

SENTENCE FINE

Charge # 1 Fine: \$53.00

Suspended: \$0.00

Surcharge: \$53.00

Due: \$53.00

Charge # 2 Fine: \$53.00

Suspended: \$0.00

Surcharge: \$53.00

Due: \$53.00

Charge # 8 Fine: \$53.00

Suspended: \$0.00

Surcharge: \$53.00

Due: \$53.00

Total Fine: \$159.00

Total Suspended: \$0

Total Surcharge: \$159.00

Total Principal Due: \$159.00

Plus Interest

Defendant is to pay a fine of 159.00 which includes the
surcharge. Interest may increase the final amount due.

Fine payments are to be made to Office State Debt
Collection.

05-06-2021 Filed order: Order Statement in Advance of Plea

Judge ROBERT LUND

Signed May 06, 2021

05-06-2021 Filed: Return of Electronic Notification

05-07-2021 Fine Account created Total Due: 159.00

05-07-2021 Fee Account created Total Due: 0.00

05-07-2021 Judgment # 1 Entered 159.01

chrislc

Creditor : STATE DEBT COLLECTION

Creditor : STATE OF UTAH

Debtor : DANIELLE MARIE SMITH

0.01 Fees

Creditor : STATE DEBT COLLECTION
Creditor : STATE OF UTAH
Debtor : DANIELLE MARIE SMITH
159.00 Fine
159.01 Judgment Grand Total

- 05-07-2021 Note: The balance of 0.01 for UNPAID INTEREST on this case has been transferred to the Utah Office of State Debt Collection (OSDC) for collection purposes. Any payment made must be made to OSDC.
- 05-07-2021 Note: The balance of 159.00 for Fine on this case has been transferred to the Utah Office of State Debt Collection (OSDC) for collection purposes. Any payment made must be made to OSDC.
- 05-10-2021 Filed order: SENTENCE, JUDGMENT, COMMITMENT
Judge ROBERT LUND
Signed May 10, 2021
- 05-11-2021 Filed: Return of Electronic Notification
- 11-22-2021 Filed: State of Utah Board of Pardons and Parole Letter
- 12-01-2021 Filed: Return of Electronic Notification