

Traffic School Completion Certificate

Presented To
Zander Walker Ewell

Date Completed
2022-02-26

Utah County Justice Court
151 South University Avenue, Ste. 3300
Provo, Utah 84601



Authentication Code **RTYY6PDHVGZJPIL**

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IN THE UTAH COUNTY JUSTICE COURT
STATE OF UTAH

UTAH COUNTY,)	PLEA IN ABEYANCE AGREEMENT
)	FOR TRAFFIC SCHOOL
Plaintiff)	
VS.)	Citation Number:
)	U10546270
Zander Walker Ewell)	
)	Defendant D.O.B.:
Defendant)	Nov 21, 2004

I hereby acknowledge and certify that I understand and agree to the following:

I am 17 years of age. I have attended school through the 11th grade. I can read and understand English. I am not presently under the influence of any drug, medication, or intoxicants which might impair my judgment. I am mentally capable of understanding this Plea in Abeyance Agreement (“agreement”).

By signing this agreement I am pleading guilty to the charge(s) listed in the above referenced citation. For my guilty plea the State has agreed to recommend the court hold my guilty plea in abeyance pursuant to the terms and conditions specified in this agreement.

Certification

By signing this agreement I am certifying that I am eligible to attend traffic school because:

1. I have a valid drivers license now;
2. At the time of my citation I had a valid drivers license;
3. Within the past 18 months I have not taken traffic school, a defensive driving course, or entered into an agreement to either reduce or dismiss a traffic citation anywhere in the United States;
4. Within the past 2 years I have not received three (3) or more moving violations, including this citation and any that have been dismissed/modified by any court;
5. I was NOT cited for more than one violation;
6. It has NOT been thirty (30) days or more since I received this citation;
7. The citation I received in this case was NOT for any of the following:
 - a. D.U.I. or Driving with Measurable Controlled Substance offenses
 - b. Boating and off highway vehicle offenses
 - c. Offenses related to a traffic accident or injury
 - d. Offenses related to an ignition interlock device
 - e. Driving on a suspended, revoked, denied, disqualified or conditional license
 - f. Charges of No Insurance or No Proof of Insurance
 - g. Charges of Reckless Driving or Racing
 - h. Charges of Speeding when you are cited for going more than 20 m.p.h. over the speed limit
 - i. Common carrier violations (commercial vehicles)
 - j. Vehicle registration offenses
 - k. Equipment violations
 - l. Careless driving
 - m. Using a handheld device while driving

Potential Penalties

The potential penalties in the event I do not comply with this agreement are a fine, surcharge and jail term up to the maximum amount specified below. I understand that if there is more than one offense involved the penalties may be imposed consecutively or concurrently.

Misdemeanor Class	Maximum Fine	Maximum Surcharge	Maximum Jail Term
B	\$1,000.00	\$850.00	6 months
C	\$750.00	\$637.50	90 days
Infraction	\$750.00	\$637.50	None

I have received a copy of the citation. I have read it, or had it read to me, and I understand the nature and the elements of offense(s) to which I am pleading guilty. I understand that by pleading guilty I am admitting that I committed the offense(s) listed in the citation.

Waiver of Rights

I have the following rights under the constitutions of Utah and the United States and that by pleading guilty and signing this agreement I will give up or waive all of these rights:

Counsel: I have the right to be represented by an attorney and that if I cannot afford one, an attorney may be appointed by the court at no cost to me.

Jury Trial. I have a right to a speedy and public trial by an impartial (unbiased) jury.

Confrontation and cross-examination of witnesses. If I were to have a jury trial I would have the right to see and observe the witnesses who testified against me and to cross-examine all of the witnesses who testified against me.

Right to compel witnesses. If I were to have a jury trial I could call witnesses if I chose to and I would be able to obtain subpoenas requiring the attendance and testimony of those witnesses. If I could not afford to pay for the witnesses to appear, the State would pay those costs.

Right to testify and privilege against self-incrimination. If I were to have a jury trial I would have the right to testify on my own behalf. If I chose not to testify, no one could make me testify or make me give evidence against myself. If I chose not to testify the jury would be told that they could not hold my refusal to testify against me.

Presumption of innocence and burden of proof. If I do not plead guilty I am presumed innocent until the State proves that I am guilty of the charged offense(s). If I choose to fight the charges against me I need only plead “not guilty,” and my case will be set for a trial. At a trial the State would have the burden of proving each element of the charge(s) beyond a reasonable doubt. If the trial is before a jury, the verdict must be unanimous, meaning that each juror would have to find me guilty. If I plead guilty I give up the presumption of innocence and will be admitting that I committed the offense(s) listed in the citation.

Appeal. I know that under the Utah Constitution if I were convicted by a jury or judge I would have the right to appeal my conviction and sentence. If I could not afford the costs of an appeal the State may pay those costs for me.

Speedy sentencing. I have a right to be sentenced not less than two nor more than forty-five days after the Court accepts my guilty plea.

Hearing to revoke this agreement. I have a right to an evidentiary hearing if it is alleged I have violated any term in this agreement. At that hearing the court would determine if in fact I substantially violated the agreement and, if it found I did, it could terminate the agreement, enter a judgment of conviction and impose sentence.

Additional Terms

- I have 30 days from the date of my citation to complete the following:
 - Bring to the court my certificate of completion of the on-line traffic school located at <http://www.utahcountyonline.org/trafficschool>
 - Pay to the court the citation fine amount.
- I agree to comply with the following for nine months (the term of this agreement) from the date this agreement is executed:
 - I will not violate any federal, state, county or municipal laws, or be convicted of violating any of those laws.
 - I will keep the court notified at all times, in writing, of my current address and to send written notice to the court within 72 hours upon my change of residence or mailing address. **My current address and telephone number is:**

3418 South Hawk Drive

Saratoga Springs, Utah 84045

801-787-3830

- I will timely appear for any hearing the Court schedules for my case whether notice be given in person or by mail to the last address I have provided in accordance with above term “b.”

3. The State agrees that if I comply with the above terms "a" and "b," it will move to dismiss my citation at the end of the nine months or within a reasonable time thereafter. The State additionally agrees that if I comply with the above terms "a" and "b," it will not report a conviction for the offense(s) listed on my citation to the Utah Department of Public Safety, Driver License Division.
4. I understand and agree that if I violate any of the terms of this agreement the State will not make a motion to dismiss and, because I have given up my right to an evidentiary hearing for any alleged violations of this agreement, the court would terminate the agreement, enter a judgment of conviction and impose sentence upon me.
5. I understand that if I desire to withdraw my guilty plea I must have good cause and I must do so in writing with the court. I also understand that any motion to withdraw my plea must be filed with the court within 30 days of the date I entered my plea or I will not be able to withdraw my plea.
6. I understand that a criminal history and drivers license history will be checked to verify my eligibility for traffic school.

Dated this 26th day of February, 20 22.

Defendant's Signature

Parent or Legal Guardian's Signature
(Required if Defendant is a Minor)

Dated this _____ day of _____, 20 _____.

DEPUTY UTAH COUNTY ATTORNEY

Order

Based on the foregoing agreement the Court finds that the defendant's guilty plea(s) is/are freely, knowingly, and voluntarily made.
IT IS HEREBY ORDERED that the defendant's or guilty plea(s) to the offenses(s) set forth in the above referenced citation are accepted and entered.

Dated this _____ day of _____, 20 _____.

JUDGE, UTAH COUNTY JUSTICE COURT

Instructions

- ☒ Print out the completion certificate, *Plea in Abeyance* form, and instruction page.
- ☐ Fill out, date and sign the *Plea in Abeyance* form (include your current address).
- ☐ Send your completion certificate and *Plea in Abeyance* form, in the same envelope, to the address below. Note: the envelope must arrive at the court within 30 days from the date you received your ticket.
- ☐ If you have not already sent in your *Plea in Abeyance* Fee (Fine), you must send it in with your completion certificate and signed *Plea in Abeyance* Agreement.

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**Utah County Justice Court
151 South University Avenue, Ste. 3300
Provo, Utah 84601**

or fax to:

DO NOT FAX, SEND BY MAIL

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