

STATE OF SOUTH DAKOTA	)	OFFICE OF THE SECRETARY
	SS:	
COUNTY OF HUGHES	)	SOUTH DAKOTA DEPT. OF EDUCATION
In re: certification application of	)	DSE 2016-12
JOSEPH C. THOMPSON)	
(A.K.A. JOSEPH C. HUTFLES)	)	ORDER DENYING TEACHING
	)	CERTIFICATE
)	

Pursuant to the authority granted to the Secretary by SDCL 13-42-4, 13-42-7, 13-42-9, and ARSD article 24:18, and after review of the record herein, the Secretary issues the following ORDER:

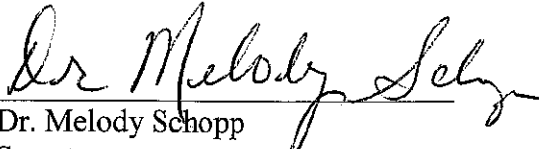
1. The Secretary accepts the allegations of the Amended Notice of Intent to deny Teaching Certificate as true and enters the attached Findings of Fact and Conclusions of Law.

2. The application of Joseph C. Thompson (a.k.a. Joseph C. Hutfles) for a teaching certificate is DENIED for a period of five years from the date of this order. If Thompson reapplies at the end of this denial period, he must meet all certification requirements at the time the application is submitted before a certificate could be issued. ARSD 24:18:04:02.

3. This Order and attached findings and conclusions are a public record pursuant to SDCL 13-42-17.1 and ARSD 24:18:02:05.

This constitutes final agency action and may be appealed to circuit court pursuant to ARSD 24:18:02:06.

Dated this 8th day of February, 2017.


 Dr. Melody Schopp
 Secretary
 South Dakota Department of Education

STATE OF SOUTH DAKOTA	)	OFFICE OF THE SECRETARY
	SS:	
COUNTY OF HUGHES	)	SOUTH DAKOTA DEPT. OF EDUCATION
In re: certification application of	)	DSE 2016-12
JOSEPH C. THOMPSON)	
(A.K.A. JOSEPH C. HUTFLES)	)	FINDINGS OF FACT and
	)	CONCLUSIONS OF LAW
)	

Following receipt of Joseph C. Thompson's (a.k.a. Joseph C. Hutfles) application for teaching certificate and Notice of Intent to Deny Teaching Certificate, and after review of the entire file herein, the Secretary enters the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. On November 3, 2016, the South Dakota Department of Education, Office of Teacher Quality, served a Notice of Intent to Deny Teaching Certificate and attached exhibits on Joseph C. Thompson ("Thompson") via certified mail, first class mail, and e-mail.
2. The Notice of Intent informed Thompson that if he failed to request a hearing within 30 days after service of the notice, the allegations of the Notice would be accepted as true by the Secretary.
3. Thompson submitted a written request for a hearing on or about November 3, 2016. Exhibit A.
4. A hearing was scheduled with hearing officer Robert B. Anderson for January 13, 2017. A Notice of Hearing and Amended Notice of Intent to Deny Teaching Certificate were served upon Thompson on or about December 13, 2016, via first class mail and email. The Amended Notice of Intent to Deny was also served upon Thompson on or about December 14, 2016, via certified mail. Exhibit B

5. On or about December 29, 2016, Thompson withdrew his request for a hearing on the decision of the Department provided in the Notice of Intent to Deny Teaching Certificate. Exhibit C.

6. The Department received no additional request for hearing or other correspondence from Thompson after December 31, 2016.

7. On or about October 5, 2006, in Jefferson County, Colorado, Thompson, as Joseph Clemens Hutfles, was charged with Theft—\$100-\$400 (Colo. Rev. Stat. §18-4-401(1),(2)(b); class 2 misdemeanor). On or about December 6, 2006, Thompson pled guilty to the offense and was sentenced to fines and costs and six months of probation. Exhibit D.

8. On or about March 1, 2007, in Jefferson County, Colorado, Thompson, as Joseph Clemens Hutfles, was charged with Theft—\$500-\$15,000 (Colo. Rev. Stat. § 18-4-401(1),(2)(c); class 4 felony), Forgery of Government-Issued Documentation (Colo. Rev. Stat. § 18-5-102(1)(e); class 5 felony), Computer Crime to Commit Theft—\$500-\$15,000 (Colo. Rev. Stat. §18-5.5-102(1)(d); class 4 felony), and Theft—\$100-\$400 (Colo. Rev. Stat. §18-4-401(1),(2)(b); class 2 misdemeanor). Exhibit E.

9. On or about April 9, 2007, an arrest warrant was issued for Joseph Thompson, as Joseph Clemens Hutfles, by the Jefferson County, Colorado, circuit court. The affidavit in support of the arrest warrant, signed by Patricia Matthews of the Colorado Department of Labor and Employment (CDLE), included the following facts:

a. Hutfles, [REDACTED], knowingly accessed the CDLE computer system between August 14, 2005, and November 20, 2005, to obtain unemployment benefits from the state of Colorado totaling \$5,250.00.

b. At the time Hutfles was drawing unemployment benefits from the state of Colorado, he was employed at Aurora Comprehensive Community Health Care Center, Inc., having started employment at the Aurora Mental Health Center on or about August 12, 2005.

c. The Investigations and Criminal Enforcement Section of the CDLE began an investigation into overpayment of benefits to Hutfles on or about June 26, 2006.

d. Ms. Matthews verified Hutfles' employment at Aurora Mental Health Center by sending a copy of Hutfles' driver license to Barbara Robbins, a payroll department employee at Aurora Mental Health Center. Ms. Robbins identified the man in the driver license photo, Joseph Hutfles, as the same man who worked for the center.

e. The CDLE also verified Hutfles' signatures on CDLE unemployment insurance forms, unemployment insurance benefit warrants, and employment records from Aurora Mental Health Center by retaining Richard B. Lewis, a court-certified Forensic Document Examiner. Lewis examined and compared the known signature of Hutfles from Colorado motor vehicle records to the CDLE unemployment insurance forms, unemployment insurance benefit warrants, and employment records from Aurora Mental Health Center. Lewis determined, via the handwriting samples, that Hutfles was the same person who worked for and received compensation from Aurora Mental Health Center and also executed various unemployment insurance forms and warrants.

10. On or about March 9, 2011, Thompson was arrested in Minnehaha County, South Dakota. On or about March 15, 2011, Thompson was extradited to Colorado following his arrest.

11. On or about May 9, 2011, in Jefferson County, Colorado, Thompson pled guilty to Theft—\$500-\$15,000 (Colo. Rev. Stat. § 18-4-401(1),(2)(c); class 4 felony) and Theft—\$100-\$400 (Colo. Rev. Stat. §18-4-401(1),(2)(b); class 2 misdemeanor) and the remaining charges

were dismissed. On or about May 9, 2011, as part of an order for deferred judgment, Thompson was sentenced to one year of probation, restitution of \$7875, fines, and costs. Exhibit F.

12. On or about February 20, 2013, Thompson was granted an extension to the probation sentence referenced in paragraph 4 as his restitution was not yet paid off. On or about February 6, 2014, Thompson was granted a second extension to his probation in order to continue paying his restitution.

13. On or about November 12, 2014, the District Court of Jefferson County, Colorado, granted a motion and issued an order that Thompson's deferred judgment be entered and his probation be terminated. As a result, the charge of Theft—\$500-\$15,000 (Colo. Rev. Stat. § 18-4-401(1),(2)(c); class 4 felony) was dismissed. The conviction for Theft—\$100-\$400 (Colo. Rev. Stat. §18-4-401(1),(2)(b); class 2 misdemeanor) remains on his record.

14. On or about June 10, 2016, Thompson submitted an application for an initial South Dakota Teaching Certificate. Exhibit G. On the application, Thompson answered yes to question 1 of the conduct review portion of the application, which reads:

Have you ever been arrested or charged with any criminal offense?

The term **criminal offense** includes misdemeanor and felony offenses. It does not include petty offenses such as minor traffic offenses including but not limited to: Speeding tickets, stop sign violations, or careless driving offenses. If you are not sure whether the crime would be a minor offense, please include the offense. All Class 1 misdemeanor offenses and Class II non-traffic misdemeanor offenses must be disclosed.

15. In response to question 1, Thompson answered:

In 2006 I took money from my church without permission and pleaded guilty to it. I paid the restitution for it and placed on 6 months of probation which was completed. Probation was completed and the case was closed.

In 2005 I was a victim of identity theft and never knew about it. Someone using my name and social security number took unemployment benefits from the State of Colorado. When I found out about this I had no way of proving the identity

theft because I never reported it. To close the case I had no choice but to plead guilty and accept the deal that they were offering (the deal was all the felonies would drop off and upon restitution being paid and probation being completed I would just have a misdemeanor on my record). I paid the restitution and after 3 years of probation the case was closed.

16. On his June 10, 2016, application of an initial South Dakota Teaching Certificate, Thompson answered yes to question 2 of the conduct review portion of the application, which reads:

Have you ever been convicted or pleaded guilty to any criminal offense?

The term **conviction** includes a finding of guilty by a judge or jury, or admission of guilt or plea of guilty, or a plea without an admission of guilt. You must include those crimes where the sentence was stayed, suspended, executed, or you received a suspended imposition of sentence.

17. In response to question 2, Thompson repeated the same answer he provided to question 1.

18. Thompson's criminal history includes multiple charges for theft and a charge of forgery of government-issued documentation, as well as two misdemeanor convictions for theft between \$100 and \$400 and a dismissed charge for felony theft between \$500 and \$15,000 resulting from a guilty plea and a deferred sentence agreement. All of the charges against Thompson, and his resulting guilty pleas, stemmed from the theft of money.

19. Any finding of fact more properly designated as a conclusion of law is hereby so designated.

CONCLUSIONS OF LAW

1. Grounds for denial or non-renewal of a teacher's certificate are provided in SDCL Chapter 13-42.

2. The Professional Teachers Practices and Standards Commission has been given the authority and obligation to promulgate rules for a code of professional ethics for the teaching profession in South Dakota. SDCL § 13-43-25. This code of professional ethics is found in ARSD Chapter 24:08:03.

3. The Secretary of the Department of Education has the power and authority to refuse to issue or renew a certificate for violation of the code of professional ethics governing teachers. SDCL §§ 13-42-7 and 13-42-9(2).

4. The code of ethics requires a teacher to “[e]ngage in no act that results in a conviction.” ARSD 24:08:03:02(7).

5. The code of ethics requires a teacher to “[e]xemplify high moral standards by not engaging in or becoming a party to such activities as fraud, embezzlement, theft, deceit, moral turpitude. . . or use of misleading or false statements[.]” ARSD 24:08:03:02(8).

6. Thompson’s criminal convictions referenced in Findings of Fact 8 and 11 violate ARSD 24:08:03:02(7).

7. The conduct underlying Thompson’s criminal convictions and deferred sentence referred to in Findings of Fact 7-11 constitutes theft and violates ARSD 24:08:03:02(8).

8. The conduct underlying Thompson’s criminal convictions and deferred sentence referred to in Findings of Fact 7-11 constitutes deceit and violates ARSD 24:08:03:02(8).

9. The conduct underlying Thompson’s criminal convictions and deferred sentence, and the convictions themselves, referred to in Findings of Fact 7-11 constitute moral turpitude and violates ARSD 24:08:03:02(8).

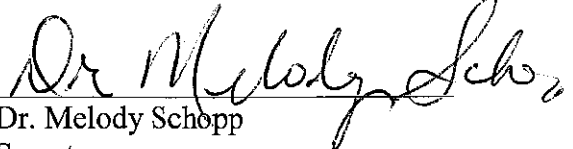
10. Thompson's statement on his June 10, 2016 application that the theft charges referenced in paragraph 2 were the result of his identity being stolen are false and misleading, in violation of ARSD 24:08:03:02(8).

11. In order for a certificate to be issued, applicants must meet the rules and requirements for certificates as determined by the South Dakota Board of Education. SDCL 13-42-3 and 13-42-4.

12. Thompson's application should be denied for violations of the code of ethics. SDCL 13-42-9(2); ARSD 24:08:03:02(7) and (8).

13. Any conclusion of law more properly designated as a finding of fact is hereby so designated.

Dated this 8th day of February, 2017.


Dr. Melody Schopp
Secretary
South Dakota Department of Education
800 Governors Drive
Pierre, SD 57501

NOV 10 2016

Joseph Thompson

November 3, 2016

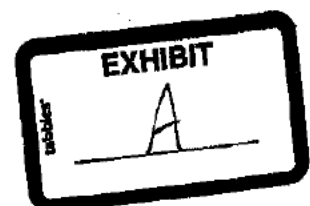
Division of the Secretary
Attn: Ferné Haddock
800 Governors Drive
Pierre, SD 57501

Dear Ms. Haddock,

I am writing this appeal letter in regards to the State of South Dakota's decision to deny me of a teacher's license. I am unsure what SDCL 13-42-7 and 13-42-9 mean when they say "13-42-9. Grounds for refusal to issue or renew certificate or for revocation or suspension. The secretary may refuse to issue or renew, revoke, or suspend any certificate for: (1) Incompetency; (2) Violation of the code of ethics, established pursuant to § 13-43-25 or 13-43-45, as determined by the Professional Teachers Practices and Standards Commission or the Professional Administrators Practices and Standards Commission; (3) Flagrant neglect of duty; (4) Failure to fulfill any requirement for certification imposed pursuant to this chapter or chapter 13-43 and rules promulgated thereto; (5) Moral turpitude; or (6) Any other cause specifically allowed by law. 13-42-7. Refusal to issue or renew certificate. The secretary may refuse to issue or renew a certificate at any time for any of the reasons."

Furthermore, I realize that the stuff in my past is not morally or ethically the best but that should not keep me from being a teacher. I fully admit that in October of 2006 I took money from my church and served my probation and paid the money back. This case was closed and my probation was terminated. In 2005 my identity was in fact stolen and while I never reported it, the reasoning was because I was unaware that my identity had in fact been stolen. I realized that my identity had been stolen in 2007 when 1 credit card company began to garnish my wages. I took this case to court and won and began looking at my credit report and realized what had happened. I was not aware of the 2007 case until Minnehaha County Sheriff's Officers arrived at my job to arrest me on an outstanding warrant in March 2011. I was sent to Colorado to take care of this case and was offered a plea. Now while I could have fought this, I did not have the resources to do so, so I took the plea leaving a misdemeanor charge on my record. I admitted in our August of 2016 phone call to all of this and was very truthful to all of the questions that were asked of me.

I understand that the code of ethics (ARSD 24:08:03:02) states, "24:08:03:02. **Obligations to the public.** In fulfilling their obligations to the public, educators shall act as follows: (1) Take precautions to distinguish between their personal views and those of the local school district or governing body; (2) Not knowingly distort or misrepresent the facts concerning educational matters in direct and indirect public expressions; (3) Not interfere with a colleague's exercise of political and citizenship rights and responsibilities; (4) Not exploit the local school district or governing body for public or personal gain; (5) Not exploit the local school district or governing body to promote political candidates or partisan political activities; (6) Neither accept nor offer any gratuities, gifts, services, or things of value that impair professional judgment, offer special advantage, or provide personal benefit; (7) Engage in no act that results in a conviction; (8) Exemplify high moral standards by not engaging in or becoming a party to such activities as fraud, embezzlement, theft, deceit, moral turpitude, gross immorality, sexual contact with students, illegal drugs, or use of misleading or false statements; and (9) Not misuse or abuse school equipment or property." However, I am unsure why I was not informed of the code of ethics when I applied for a teacher's license and why I am being denied for something that happened of 10 years ago (the 2006 case) and why I am being denied a license for a case I was unaware of until 2011.



I only have 2 misdemeanors "conviction's" on my record. These are convictions that at no time put student's or anyone else in danger. I have never done anything in my life that truly violates any code of ethics or morals.

I also do not understand why it took this long for the State of South Dakota to come back with a letter of denial when I have done everything that you have asked me to do. I have submitted letters from previous teaching experience, transcripts from the colleges I attended and other numerous documents.

I am asking that the State of South Dakota reconsider its decision. This package includes letters of recommendations from previous employers as well as past parents of students I have taught. I am prepared to do whatever it takes for the State of South Dakota to grant me a teacher's license.

I thank you for your patience and look forward to hearing from you.

Best Regards,

A handwritten signature in black ink, appearing to read "Joseph Thompson". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Joseph Thompson

denial may be served on the school at which you were last employed or entered into an employment contract pursuant to ARSD 24:18:02:05. Record of denial will also be placed in your permanent certification file and provided to the National Association of State Directors of Teacher Education and Certification (NASDTEC) clearinghouse.

The reasons for this Notice are as follows:

1. On or about October 5, 2006, in Jefferson County, Colorado, Thompson, as Joseph Clemens Hutfles, was charged with Theft—\$100-\$400 (Colo. Rev. Stat. §18-4-401(1),(2)(b); class 2 misdemeanor). On or about December 6, 2006, Thompson pled guilty to the offense and was sentenced to fines and costs and six months of probation. Exhibits 1, 1A.
2. On or about March 1, 2007, in Jefferson County, Colorado, Thompson, as Joseph Clemens Hutfles, was charged with Theft—\$500-\$15,000 (Colo. Rev. Stat. § 18-4-401(1),(2)(c); class 4 felony), Forgery of Government-Issued Documentation (Colo. Rev. Stat. § 18-5-102(1)(e); class 5 felony), Computer Crime to Commit Theft—\$500-\$15,000 (Colo. Rev. Stat. §18-5.5-102(1)(d); class 4 felony), and Theft—\$100-\$400 (Colo. Rev. Stat. §18-4-401(1),(2)(b); class 2 misdemeanor). Exhibits 3, 3A-3C, and 5.
3. On or about April 9, 2007, an arrest warrant was issued for Joseph Thompson, as Joseph Clemens Hutfles, by the Jefferson County, Colorado, circuit court. The affidavit in support of the arrest warrant, signed by Patricia Matthews of the Colorado Department of Labor and Employment (CDLE), included the following facts:
 - a. Hutfles, [REDACTED] knowingly accessed the CDLE computer system between August 14, 2005, and November 20, 2005, to obtain unemployment benefits from the state of Colorado totaling \$5,250.00.

b. At the time Hutfles was drawing unemployment benefits from the state of Colorado, he was employed at Aurora Comprehensive Community Health Care Center, Inc., having started employment at the Aurora Mental Health Center on or about August 12, 2005.

c. The Investigations and Criminal Enforcement Section of the CDLE began an investigation into overpayment of benefits to Hutfles on or about June 26, 2006.

d. Ms. Matthews verified Hutfles' employment at Aurora Mental Health Center by sending a copy of Hutfles' driver license to Barbara Robbins, a payroll department employee at Aurora Mental Health Center. Ms. Robbins identified the man in the driver license photo, Joseph Hutfles, as the same man who worked for the center.

e. The CDLE also verified Hutfles' signatures on CDLE unemployment insurance forms, unemployment insurance benefit warrants, and employment records from Aurora Mental Health Center by retaining Richard B. Lewis, a court-certified Forensic Document Examiner. Lewis examined and compared the known signature of Hutfles from Colorado motor vehicle records to the CDLE unemployment insurance forms, unemployment insurance benefit warrants, and employment records from Aurora Mental Health Center. Lewis determined, via the handwriting samples, that Hutfles was the same person who worked for and received compensation from Aurora Mental Health Center and also executed various unemployment insurance forms and warrants. Exhibits 3B, 3C, and 5.

4. On or about March 9, 2011, Thompson was arrested in Minnehaha County, South Dakota. On or about March 15, 2011, Thompson was extradited to Colorado following his arrest. Exhibit 2.

5. On or about May 9, 2011, in Jefferson County, Colorado, Thompson pled guilty to Theft—\$500-\$15,000 (Colo. Rev. Stat. § 18-4-401(1),(2)(c); class 4 felony) and Theft—\$100-

\$400 (Colo. Rev. Stat. §18-4-401(1),(2)(b); class 2 misdemeanor) and the remaining charges were dismissed. On or about May 9, 2011, as part of an order for deferred judgment, Thompson was sentenced to one year of probation, restitution of \$7875, fines, and costs. Exhibits 3D-3K.

6. On or about February 20, 2013, Thompson was granted an extension to the probation sentenced referenced in paragraph 4 as his restitution was not yet paid off. On or about February 6, 2014, Thompson was granted a second extension to his probation as his restitution in order to continue paying his restitution. Exhibits 3L-3M.

7. On or about November 12, 2014, the District Court of Jefferson County, Colorado, granted a motion and issued an order that Thompson's deferred judgment be entered and his probation be terminated. As a result, the charge of Theft—\$500-\$15,000 (Colo. Rev. Stat. § 18-4-401(1),(2)(c); class 4 felony) was dismissed. The conviction for Theft—\$100-\$400 (Colo. Rev. Stat. §18-4-401(1),(2)(b); class 2 misdemeanor) remains on his record. Exhibits 3N-3P.

8. On or about June 10, 2016, Thompson submitted an application for an initial South Dakota Teaching Certificate. Exhibit 4. On the application, Thompson answered yes to question 1 of the conduct review portion of the application, which reads:

Have you ever been arrested or charged with any criminal offense?

The term **criminal offense** includes misdemeanor and felony offenses. It does not include petty offenses such as minor traffic offenses including but not limited to: Speeding tickets, stop sign violations, or careless driving offenses. If you are not sure whether the crime would be a minor offense, please include the offense. All Class 1 misdemeanor offenses and Class II non-traffic misdemeanor offenses must be disclosed.

9. In response to question 1, Thompson answered:

In 2006 I took money from my church without permission and pleaded guilty to it. I paid the restitution for it and placed on 6 months of probation which was completed. Probation was completed and the case was closed.

Farris, Holly

From: Farris, Holly
Sent: Tuesday, January 03, 2017 10:27 AM
To: 'joseph.thompson3281'
Cc: 'Robert B. Anderson'
Subject: RE: South Dakota teaching certificate

Mr. Thompson: I have notified the hearing officer of the withdrawal of your appeal request. The hearing on January 13 has been cancelled.

Thank you,
Holly Farris

From: joseph.thompson3281 [mailto:joseph.thompson3281@gmail.com]
Sent: Saturday, December 31, 2016 12:04 AM
To: Farris, Holly
Subject: RE: South Dakota teaching certificate

That is correct.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Farris, Holly" <Holly.Farris@state.sd.us>
Date: 12/30/16 3:33 PM (GMT-06:00)
To: 'Joseph Thompson' <joseph.thompson3281@gmail.com>
Subject: RE: South Dakota teaching certificate

Mr. Thompson: Just to clarify, you would like to withdraw your request to appeal the Department's decision as set forth in the Notice of Intent to Deny? If this is correct, please confirm so that I may contact Mr. Anderson to cancel the hearing scheduled for January 13.

Thank you,
Holly Farris

Holly R. Farris
Assistant General Counsel
South Dakota Department of Education
(605) 773-3553 Phone
(605) 773-2390 Fax
Holly.Farris@state.sd.us

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From: Joseph Thompson [<mailto:joseph.thompson3281@gmail.com>]
Sent: Thursday, December 29, 2016 4:54 PM
To: Farris, Holly
Subject: RE: South Dakota teaching certificate

I feel at this time since the time is now a conflict that I would like to not appeal the decision that was made.

On Dec 29, 2016 7:51 AM, "Farris, Holly" <Holly.Farris@state.sd.us> wrote:

Mr. Thompson: The hearing officer is available during the morning of January 3. I can request to move the time closer to noon, possibly 11 a.m., but I don't believe 12:30 or after 4:00 will be workable for Mr. Anderson. Please plan to make yourself available at 10:00 a.m. or let me know if 11:00 or 11:30 would work better for you and I will check into Mr. Anderson's schedule.

Thanks,

Holly Farris

From: Joseph Thompson [<mailto:joseph.thompson3281@gmail.com>]
Sent: Wednesday, December 28, 2016 9:39 PM
To: Farris, Holly
Subject: Re: South Dakota teaching certificate

I am at work at that time, however I go to lunch at 12:30pm. If this time is unable to work out I can take a phone call anytime after 4pm.

On Wed, Dec 28, 2016 at 8:49 AM, Farris, Holly <Holly.Farris@state.sd.us> wrote:

Mr. Thompson, I have scheduled a phone call with Mr. Anderson for 10 a.m. Central Time on January 3, 2017. Please provide me with the most applicable phone number where you can be reached and I will initiate the call.

Thanks,

Holly Farris

Holly R. Farris

Assistant General Counsel

South Dakota Department of Education

(605) 773-3553 Phone

(605) 773-2390 Fax

Holly.Farris@state.sd.us

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INTEGRATED COLORADO ONLINE NETWORK (ICON)

Status: CLSD County Court, Jefferson County
Case #: 2006 M 006491 Div/Room: D Type: Theft
The People of the State of Colorado vs. HUTFLES, JOSEPH CLEMENS

Case File Date: 10/05/2006 Case Close Date: 12/06/2006 DV STATUS:
Appealed: N
Confidential Intermediary.....

Bar # Name
Judicial Off...: 012962 THOMAS E VANCE
Alt Jud Officer: 000000

Description Stat Date Time Rm/D
Trial.....: 0:00
Next Schd Event: 0:00
Last Schd Event: Arraignment DSPO 12/06/2006 1:15 P
Last Event.....: File Destroyed Per Records R n/a 5/19/2011

Attorney(s).....: N

Agency: Arvada Police Dept Agency Case #: 06-19487
Ticket/Summons Number(s): AT88540 Arrest#:

Warrant.....: Warrant Date: Expired Date:
Party on Warrant:
Change of Venue.: Agency:

Bond(s).....: N

Sentence Date.....: SCRT 12/06/2006
Detention Location.....:
Supervising Agency.....:
Probation Officer.....: AAM Amanda A Mayzes-Intevention-in

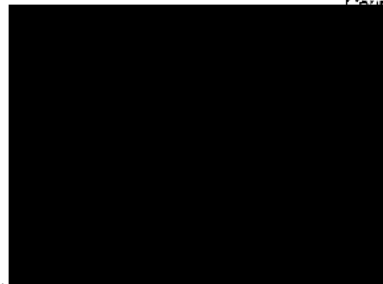
AUG 01 2016



----- PARTIES -----

PARTY ROL STS NAME ATTORNEY ROL
DEF 1 P HUTFLES, JOSEPH CLEMENS

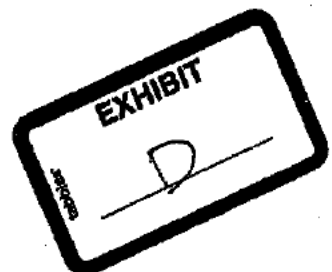
Date of Birth.....
Sex.....
Race.....
Home Phone.....
Height.....
Weight.....
Hair Color.....
Eye Color.....
Home Address.....



COMBINED COURT
County of Jefferson Colorado
be a full, true and correct copy
original in my custody.
of the Combined Court
Deputy Clerk
07/27/16

PPL 1 THE PEOPLE OF THE STATE OF C
CNT STS STATUTE NUMBER CHARGE DESCRIPTION CLASS
1 () 18-4-401(1), (2) (b) Theft-\$100-\$400 M2
Offense Date: From: 9/23/2006 To:
Arrest Date.....: Time:
Plea.....: Plea of Guilty
Disposition.....: Guilty

Time: BAC: .000
Ticket #: AT88540
Date: 12/06/2006
Date: 12/06/2006



8/9/2016

Thompson, J

Search

JUN 14 2016



Back to Search Results



Case Number: 3D06M8491 (County)

Date Filed: 2006-10-03

People Of The State Of Colorado Vs. Huffas, Joseph Clemens

Summary		Judge	Thomas E Vance		
		Court	Jefferson County		
		Division	D		
		EPfiled	Y		
		Appelied			
		Case Closed Date	12/06/2006		
Case Status		Closed			
Judge or Magistrate		Name	MAR Number		
		Thomas E Vance	12962		
Agency		Agency	Agency Case	Tkt/Summons Nbr	Arrest Nbr
		Arvada Police Dept	05-19487	AT88540	
Related Cases		Location	Case Number	Related Reason	Name
Parties		Litigant	Attorney		
		Huffas, Joseph Clemens Defendant 1			
Charges		Count	Date	Details	
		1	09/23/2006	Charge: Theft-\$100-\$400 Status: Main Charge Statute: 18-6-401(1), (2)(b) Class: M2 (Class 2 Misdemeanor) Offense Date From: 09/23/2006 BAC: 0.000 Ticket: 09/23/2006 Plea Date: 11/06/2006 Plea: Plea of Guilty Disposition Date: 12/06/2006 Disposition: Guilty Sentence Date: 12/06/2006 Sentence Description: Sentence by Court Sentence Status: Active Victim Compensation Fund: 60.00 Dollar Amount VAST min for off alter 5/1/03: 78.00 Dollar Amount Court Costs - T, M, CR: 23.00 Dollar Amount Probation Private Vendor: 6.00 Month(s)	
Scheduled Events		Date	Time	Details	
		12/06/2006	115 PM	Status Disposition Reached Judge Thomas E Vance Room 1B Arraignment	
Proceedings		Date	Code	Description	
		10/09/2006	SACP	Summons And Complaint Filed	
		12/06/2006	CLAO	Case Closed	
		06/07/2007	PETN	Petition	
		05/29/2011	DRRG	Destroy Case Per Records Reten	

Thompson J.
6/9/2016

Search

Judgments	#	Date	Details
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Bond Information	ID	Details
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Financial Summary	Accounts Receivable	Assessed	Applied	J/S Recd	Rel Crd	Balance
	Court Costs - T, M, CR	\$21.00	\$21		\$0.00	\$0.00
	Time Payment Fee	\$25.00	\$25		\$0.00	\$0.00
	VAST minimum for offense on/after 5/1/03	\$78.00	\$78		\$0.00	\$0.00
	Victim Compensation Fund	\$60.00	\$60		\$0.00	\$0.00
	Accts Rcv Balance	\$184.00	\$184		\$0.00	\$0.00

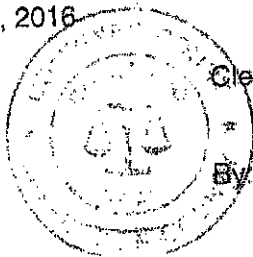


JUN 14 2016

Jefferson County Combined Courts, State of Colorado Court Address: 100 Jefferson County Parkway Golden, CO 80401	▲ COURT USE ONLY ▲
The People of the State of Colorado vs. Joseph Clemens Hutfles	
Case No: 2007CR636 Div: 4	
CERTIFICATION OF COPIES	

I, Shana Kloek, Clerk of the Combined Court, certify that the documents below are full, true and correct copies of the originals in my custody. Every document certified will bear the court seal.

Witnesses this 27th day of July, 2016



Clerk of the Combined Court

By [Signature]
Deputy Clerk



FILED IN THE
COMBINED COURT

MAR 07 2011
JEFFERSON COUNTY,
COLORADO

County Court
Jefferson County, Colorado
Court Address:
100 Jefferson County Parkway
Golden, CO 80401-1070

PEOPLE OF THE STATE OF COLORADO
v.
JOSEPH CLEMENS HUTFLES
Defendant
[REDACTED]

COURT USE ONLY

Scott W. Storey, District Attorney, #13482
500 Jefferson County Parkway
Golden, CO 80401-6002
Phone Number: (303)271-6800
FAX Number: (303)271-6888
E-mail:

Case No.
07SA02939

Div: 07CR
636

Crim: PD APPOINTED
DEMAND

APR 07 2011

COMPLAINT AND INFORMATION

CHARGES:

- COUNT 1: THEFT - Section 18-4-401(1), (2) (c), C.R.S. (F4) [0801P]
- COUNT 2: FORGERY - Section 18-5-102(1) (e), C.R.S. (F5) [1001E]
- COUNT 3: COMPUTER CRIME - Section 18-5.5-102(1) (d), C.R.S. (F4) [1502D]

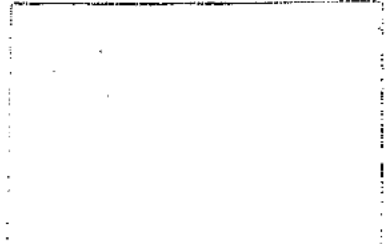
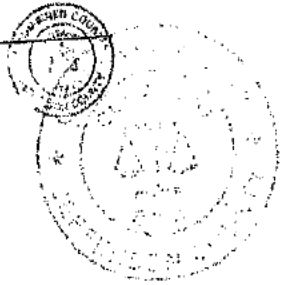
SUMMONS TO APPEAR

To: Joseph Clemens Hutfles

You are required to appear before the Jefferson County Court, 100 Jefferson County Parkway, Golden Colorado on 3/27/07 at 10:00 am in Courtroom 1B to answer this Complaint and Information.

Date issued: 3/1/07 Shirley Williams, Clerk of Court

By: [Signature]
Deputy Clerk



People v. Joseph Clemens Hutfles Case No.: 07SA02939

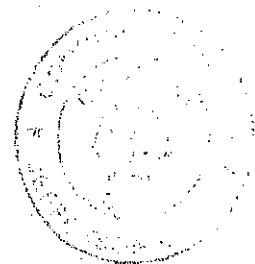
Scott W. Storey, District Attorney for the First Judicial District of the State of Colorado, in the name and by the authority of the People of the State of Colorado, informs the court of the following offenses committed, or triable, in the county of Jefferson:

COUNT 1-THEFT (F4)

On August 18, 2005 through November 23, 2005, JOSEPH CLEMENS HUTFLES, unlawfully and knowingly obtained or exercised control over a thing of value, namely: Unemployment Insurance Benefits Warrants (checks), of Colorado Department of Labor and Employment and the People of the State of Colorado, with the value of five hundred dollars or more but less than fifteen thousand dollars, without authorization, or by threat or deception, and intended to deprive Colorado Department of Labor and Employment and the People of the State of Colorado permanently of its use or benefit; and knowingly used, concealed, or abandoned the thing of value in such manner as to permanently deprive Colorado Department of Labor and Employment and the People of the State of Colorado of its use or benefit in violation of Section 18-4-401(1) (a), (b), (2) (c), C.R.S.

COUNT 2-FORGERY (F5)

On August 18, 2005 through November 23, 2005, JOSEPH CLEMENS HUTFLES, with the intent to defraud Colorado Department of Labor and Employment, unlawfully and falsely made, completed, altered, or uttered a written instrument which was or which purported to be, or which was calculated to become or to represent if completed, a written instrument, namely: Unemployment Insurance Benefits claims, officially issued or created by Colorado Department of Labor and Employment, a public office, public servant, or government agency; in violation of Section 18-5-102(1) (e), C.R.S.



COUNTY COURT, JEFFERSON COUNTY, COLORADO

COURT CASE NUMBER:

DIVISION:

ENDORSEMENT OF WITNESS (ES)

THE PEOPLE OF THE STATE OF COLORADO

vs.

Joseph Clemens Hutfles

Defendant.

CR NUMBER: 217338

CDLE

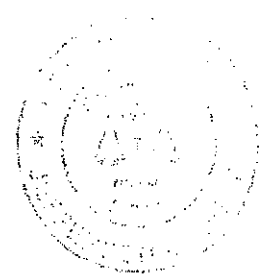
WITNESSES FOR THE PEOPLE:

1. Patricia Matthews
CO Dept of Labor & Employment
633 17TH ST.
SUITE 900
Denver, CO 80202-3660

2. Gordon Singles
BPCU Labor & Employment Spec.
Colorado Dept. of Labor and
Employment Benefits Payment
251 E. 12th Ave. 3rd Floor
Denver, CO 80202-2117

3. Robert Atencio
Colo. Dept. of Labor &
Employment
Benefit Payment Control Unit
251 E. 12th Avenue, 3rd Floor
Denver, CO 80202-2117

4. Michell Halstead
Labor & Employment Specialist
CO. Dept. of Labor & Emp.
UI Operations Customer Contact
251 East 12th Ave.
Denver, CO 80203



COUNTY COURT, JEFFERSON COUNTY, COLORADO

COURT CASE NUMBER:

DIVISION:

ENDORSEMENT OF WITNESS (ES)

5. Angela Pfannenstiel
Custodian of Records
Colo Dept. of Labor & Employ.
UI Staff Services
251 E. 12th Avenue, 3rd Floor
Denver, CO 80203-2272

6. JoAnn Vondracek
Controller, or her designee
Colorado State Treasurer's
Office
State Capitol, Room 140
Denver, CO 80203

7. Joan Vecchi
Traffic Records Administrator
or her designee
Colo Motor Vehicle Division
1881 Pierce Street
Lakewood, CO 80214

8. Richard Lewis
Expert
Forensic Document Examiner
ReBel Documents, LLC
12127 West Berry Ave.
Lakewood, CO 80228-2332

9. Kat Torres
Human Resources Director
Aurora Comprehensive Community
Health Center, Inc.
11059 E. Bethany Dr., Ste. 200
Aurora, CO 80014-2637

10. Barbara Robbins
Payroll Specialist
Aurora Comprehensive Community
Health Center, Inc.
11059 E. Bethany Dr., Ste. 200
Aurora, CO 80014-2637



COUNTY COURT, JEFFERSON COUNTY, COLORADO

COURT CASE NUMBER:

DIVISION:

ENDORSEMENT OF WITNESS (ES)

11. Joy Kennedy
Program Director
Metro Children's Center
Aurora Mental Health Center
10782 E. Alameda Ave.
Aurora, CO 80012-1017

12. Representative
Co Dept. of Labor & Employment
Inv. & Criminal Enforcement
633 17th Street
Denver, CO 80202-3660



COUNTY COURT, JEFFERSON COUNTY, COLORADO

COURT CASE NUMBER DIVISION

NOTICE OF ENDORSEMENT OF ADDITIONAL WITNESSES

THE PEOPLE OF THE STATE OF COLORADO

vs.

Joseph Clemens Hutfles
Defendant.

CR NUMBER: 217338CDLE

Amy Alonzo

Linda Angove

Russell Bohner

Shannon Carbone

Donna Clausen

Nichole Dean

Debbie Farnum

Kimberly Gallerani

Mike Harris

John Lauck

George Mumma

Bruce Norton

Tara Pacheco

Peggy Rowlett

Keith Sorci

Pat Vondenkamp

Carl Blesch

Jim Burkhalter

David Cillessen

Fred Cope

P. J. Doyle

Mike Gallagher

Cassandra Harris

Kim Holmes

David Lynn

Greg Neal

Deb Ohno

Rita Rodriguez Reed

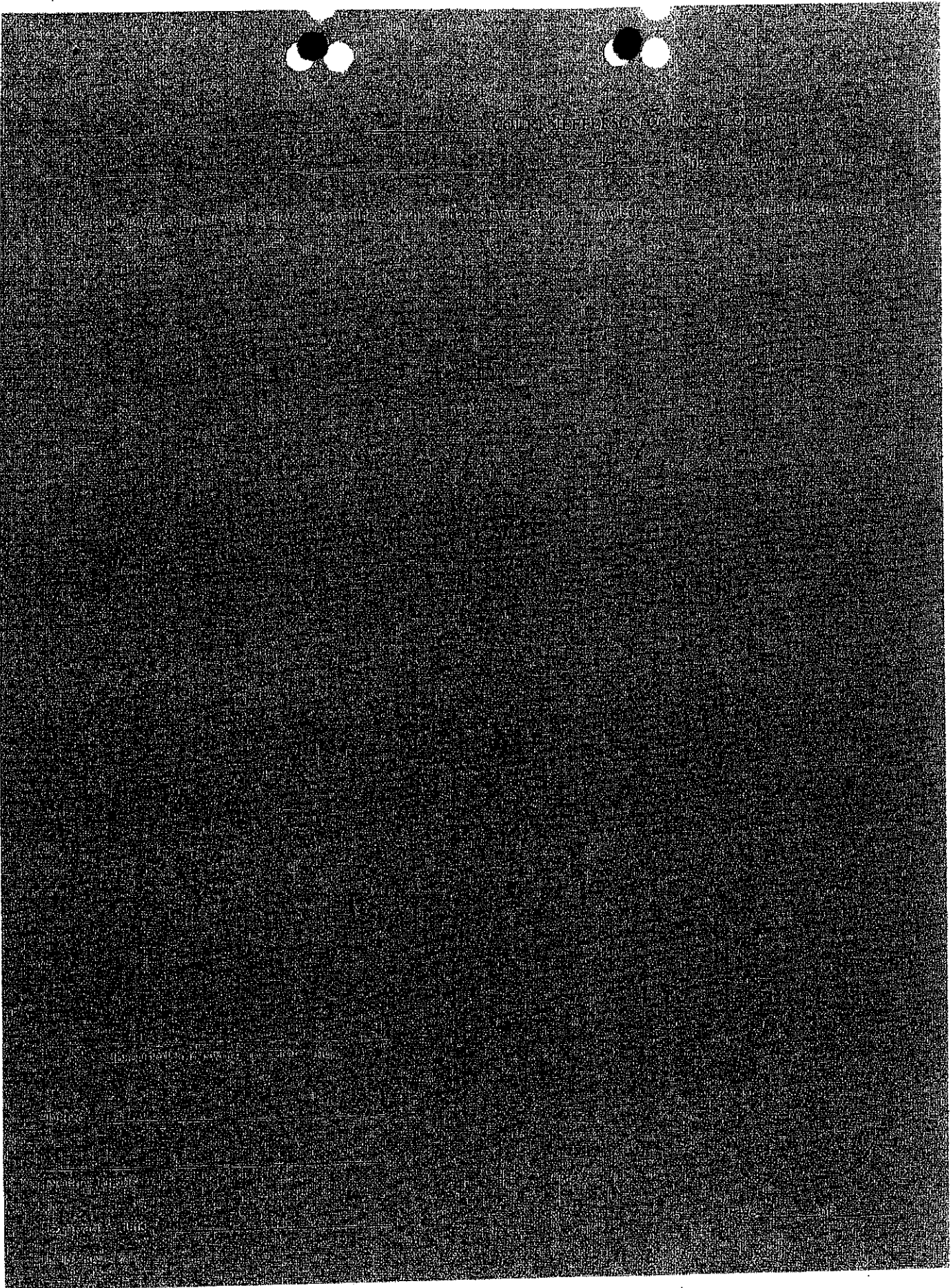
Amy Ruppeck

Susanne Stephens

Cliff Yablon

District Attorney's Office
First Judicial District
500 Jefferson County Parkway
Golden, CO 80401-6020





STATE OF COLORADO)
)SS
COUNTY OF JEFFERSON)

IN THE COUNTY COURT
Jefferson County, Colorado

AFFIDAVIT FOR ARREST WARRANT

I, Patricia T. Matthews, being of lawful age and having been first sworn upon oath, state that I am a Criminal Investigator with the Colorado Department of Labor and Employment (CDLE), Investigations and Criminal Enforcement Section, with twelve years experience in the investigation of Unemployment Insurance fraud.

In support of a request for the issuance of a warrant for the arrest of the defendant:

JOSEPH CLEMENS HUTFLES



who committed the crimes of:

Theft, §18-4-401(2)(c), C.R.S.
Forgery - Government Issued Document, §18-5-102(1)(e), C.R.S.
Computer Crime, §18-5.5-102(1)(b), C.R.S.

I have personal knowledge of the following facts:

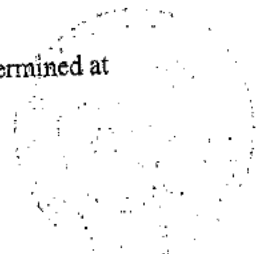
Within the City of Westminster, County of Jefferson, Colorado, Joseph C. Hutfles fraudulently obtained unemployment benefits totaling \$5,250.00.

Between 08/14/05 and 11/20/05, Joseph C. Hutfles knowingly accessed the CDLE computer system and provided false information to conceal his employment and wages.

As a result of this deception, Joseph C. Hutfles knowingly obtained cash in the form of unemployment insurance benefit warrants, which he certified under false pretenses and transacted between 08/18/05 and 11/23/05, with the intent to permanently deprive the CDLE of the monetary value.

BACKGROUND

The eligibility to draw payment from an Unemployment Insurance (UI) claim is determined at the initial claim and the biweekly claim levels as follows:



(1) Initial claims have two major eligibility requirements that, if met, establish a claim for a period of one year from the effective date of filing:

a. Monetary Eligibility: The claimant must have earned sufficient wages in the first four of the last five fiscal quarters prior to the initial claim file date.

b. Qualifying Job Separation: The claimant must not be at fault for the job separation.

(2) Once an initial claim is established, the biweekly claim has four specific eligibility requirements that allow a claimant to receive weekly UI benefits every two weeks, or biweekly, provided the claimant meets all four eligibility criteria during each and every week filed for:

a. Report Earnings: The claimant must be either partially or fully unemployed. If partially employed, the claimant must report gross earnings.

b. Able to Work: The claimant must be physically able to work.

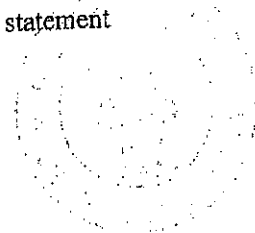
c. Available to Work: The claimant must be available to work.

d. Actively Seek Work: The claimant must be actively looking for employment.

(3) Subsequent separations from employment also affect eligibility for benefits. If a UI claimant returns to work and then separates from that employment during the benefit year, the separation must be reported; one of the questions on the biweekly claim asks if there was a separation from employment. To be eligible for benefits the claimant must not be at fault for the job separation. If the claimant is determined to be at fault, a disqualification of ten weeks is imposed. If the separation is from an employer chargeable on the claim, the disqualification also includes a reduction in benefits by the amount attributable to the employer.

A misrepresentation or falsification of any eligibility factors is a violation of the Colorado Employment Security Act, for which future UI benefits can be denied and/or previously issued UI benefits can be forfeited. Additionally, the claimant can be criminally prosecuted, pursuant to §8-81-101, C.R.S., the Penalties and Enforcement Section of the Colorado Employment Security Act.

All UI claimants are advised in writing of their eligibility rights and responsibilities to report correctly during their UI claims. UI claimants are instructed to maintain logs of job contacts. Furthermore, UI claimants are advised of the possible criminal and administrative penalties for misrepresenting and falsifying information to obtain benefits to which they are not entitled. Additionally, the endorsement portion of each UI warrant contains a certification statement regarding meeting all eligibility factors.



UI claimants file their biweekly claims by telephone or internet, utilizing the Colorado Unemployment Benefits Line (CUBLine). Claimants file biweekly claims by telephone or internet to an automated response computer system. Each claimant is issued a unique Personal Identification Number (PIN) mailed to the claimant's address. The PIN must be entered each time a biweekly claim is filed. Depending on the claimant's individual responses to the computer-generated questions, a warrant for UI benefits for that period is either issued or denied. The fact that the claimant received the UI benefits for the biweekly claims indicates the computer was activated by the claimant's unique PIN, and the questions asked by the computer were answered in a manner to cause benefit warrants to be issued in the claimant's name.

DISCOVERY AND INVESTIGATION

Each calendar quarter, CDLE's Benefit Payment Control Unit (BPCU) conducts automated, routine audits of Unemployment Insurance (UI) claims by comparing employer wage records with benefit payment records. As a result of such an audit, on 04/20/06, CDLE's BPCU mailed a *Request to Employer for Earnings Data* form to Aurora Comprehensive Community Health Center, Inc., located at 11059 East Bethany Drive, Suite 200, Aurora, Colorado, 80014. The employer's response, received 04/28/06, indicated that Joseph C. Hutfles had been employed and was in receipt of earnings during the same period of time he filed for and received UI benefits.

On 05/01/06, the BPCU mailed an *Earnings-Data Request* form to Mr. Hutfles at his address of record: 10752 Moore Way, Westminster, Colorado, 80021. This notice advised Mr. Hutfles of an audit of his UI claim, including the weeks of employment supplied by Aurora Comprehensive Community Health Center, Inc. The form requested a response if the employer's information was incorrect. Mr. Hutfles' response, received by the CDLE on 05/05/06, stated "I have never worked for this company in my life. Who are they and how can they have a P.O. Box as an address." The response was signed and dated 05/02/06.

On 05/22/06, Gordon Singles, a Labor and Employment Specialist with the BPCU, faxed an additional inquiry to the employer. The employer's response was received the same day. Consequently, also on 05/22/06, Mr. Singles determined and established an overpayment of UI benefits based on the information obtained. On 05/25/06, a *Determination of Overpayment of Benefits and Demand for Repayment* was mailed to Mr. Hutfles.

As a result of the audit, on 06/26/06, BPCU Manager Robert Atencio referred this case to the Investigations and Criminal Enforcement (ICE) Section for investigation.

On 10/10/06, I began reviewing the documents related to the allegation that Mr. Hutfles filed for and received UI benefits during the same period in which he was employed and in receipt of earnings. Because of Mr. Hutfles' contention that he had never worked for the employer, I e-mailed Mr. Hutfles' Colorado driver license picture to Barbara Robbins, in the payroll department of Aurora Mental Health Center. Ms. Robbins identified the man in the picture as the same man who had worked for them as Joseph C. Hutfles. I then contacted the employer in writing to request Mr. Hutfles' employment/payroll records.

On 11/21/06, I sent a letter to Mr. Hutfles at 10752 Moore Way, Westminster, Colorado, 80021, advising of this investigation and asking Mr. Hutfles to call the office for an interview appointment. As of the date of this report, Mr. Hutfles has not responded, and the U.S. Postal Service has not returned the letter to the CDLE.

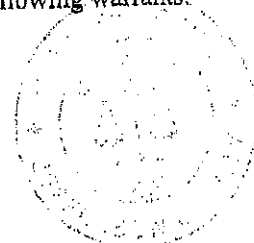
On 12/13/06, a forensic document examination was obtained from Richard B. Lewis, a court-certified Forensic Document Examiner. Documentary evidence submitted for examination and comparison included CDLE UI forms, UI benefit warrants, and employment records from Aurora Mental Health Center.

These documents were examined and compared to the known signature of Mr. Hutfles depicted on Colorado motor vehicle Dossier and Declaration Sheets #96-248-1264. The results of the document examination identified Mr. Hutfles as being the individual who worked for, and received, earnings from Aurora Mental Health Center, and who executed the various UI forms and warrants.

CASE FACTS

Having obtained records of Mr. Hutfles' employment, and having direct access to CDLE records and knowledge of UI law and procedure, I was able to review and compare the records, determining the following:

- On 06/06/05, Mr. Hutfles filed an initial claim for UI benefits by accessing the CDLE Internet site www.coworkforce.com and entering the required information, establishing a computer record of the claim. The claim's effective date was 06/05/05.
- On 06/08/05, Mr. Hutfles signed the form UIB-1, *Claim for Unemployment Insurance*, which warns against false statements and willful misrepresentation in order to obtain or increase benefits, and returned it to the CDLE.
- Mr. Hutfles drew UI benefits for the weeks ending 06/18/05 through 11/19/05.
- On or about 08/12/05, Mr. Hutfles started working at Aurora Comprehensive Community Health Center, Inc., at the Aurora Mental Health Center, 10782 East Alameda Avenue, Aurora, Colorado.
- In his biweekly telephonic claims, Mr. Hutfles represented that he was unemployed and had no income, concealing his employment and earnings from the CDLE. In fact, during the 28 weeks claimed, Mr. Hutfles earned \$14,699.96.
- This misrepresentation of material facts caused the CDLE, which relied on this information, to issue UI warrants in Mr. Hutfles' name, including the following warrants:



<u>Warrant Number</u>	<u>Warrant Issue Date</u>	<u>Warrant Amount</u>
17946785	08/14/05	\$ 480.00
17969962	08/29/05	\$ 480.00
17984284	09/11/05	\$ 480.00
15178115	09/25/05	\$ 240.00
15210969	10/19/05	\$ 720.00
15229602	11/02/05	\$2,950.00
15231739	11/06/05	\$ 740.00
15250594	11/20/05	\$ 740.00

- All of the above UI warrants were mailed to Mr. Hutfles' residence at 10752 Moore Way, Westminster, Colorado (Jefferson County).
- Each warrant contains a certification statement that the endorser of the warrant met all the UI eligibility criteria, made no false statements or misrepresentations, and reported all earnings for any weeks worked. Each warrant bears a signature in the name of "Joseph C. Hutfles," as a transaction endorsement.
- UI warrant #17946785 was the first warrant Mr. Hutfles obtained by providing false information to the CDLE; it was transacted on 08/18/05.
- UI warrant #15250594 was the last warrant Mr. Hutfles obtained by providing false information to the CDLE; it was transacted on 11/23/05.
- On 08/14/05, Mr. Hutfles first utilized the computerized Colorado Unemployment Benefits Line (CUBLine) to enter fraudulent information about his actual hours worked and wages earned.
- On 11/20/05, Mr. Hutfles last utilized CUBLine to enter fraudulent information about his hours and earnings.

ATTACHMENT

To illustrate and summarize these findings, I prepared an overpayment chart detailing the UI benefit weeks, Mr. Hutfles' earnings as reported by his employer, Mr. Hutfles' earnings as he reported them, and the UI benefits paid to Mr. Hutfles on a week-by-week basis. This chart also documents the total amount of overpaid UI benefits and the statutory 50 percent monetary penalty. The chart is presented as an attachment to this affidavit.

Upon review of all the documents secured during this investigation, I determined that Mr. Hutfles obtained UI benefits to which he was not entitled by virtue of his false statements and misrepresentations made both during UI claim procedures and on UI warrants, and that the UI benefits so obtained were in excess of \$500.00.



I therefore respectfully request that this honorable court issue an arrest warrant for the arrest of Joseph Clemens Hutfles, D.O.B. 03/02/1981, for the following charges:

Theft, §18-4-401, C.R.S. (Class 4 Felony)
Forgery - Government Issued Document, §18-5-102(1)(e), C.R.S. (Class 5 Felony)
Computer Crime, §18-5.5-102, C.R.S. (Class 4 Felony)

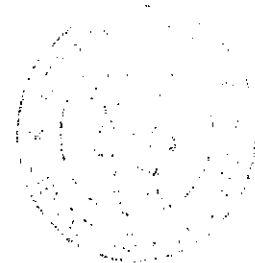
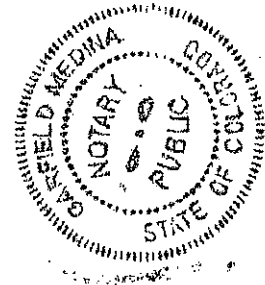
I have read the foregoing statements, and the matters stated therein are true to the best of my knowledge and belief.

Patricia T. Matthews
Patricia T. Matthews

Subscribed and Sworn to before me this 19th day of December, 2006.

Garfield Medina
Notary

My Commission expires 4-10-2007



County Court Jefferson County, Colorado Court Address: 100 Jefferson County Parkway Golden, CO 80401-1070	COURT USE ONLY
PEOPLE OF THE STATE OF COLORADO v. JOSEPH CLEMENS HUTFLES Defendant	
Scott W. Storey, District Attorney Tom Leadabrand, DDA 500 Jefferson County Parkway Golden, CO 80401-6002 Phone Number: (303) 271-6800 FAX Number: (303) 271-6888 E-mail: Attorney Reg. #3638	Case No. 07CR00636 Div: F Ctrm:
MOTION AND ORDER FOR ARREST WARRANT	

SCOTT W. STOREY, District Attorney in and for the First Judicial District, County of Jefferson, State of Colorado, asks this Honorable Court to issue a warrant for the arrest of the above-named Defendant, based on the following grounds that:

(1) A summons was previously issued directing this Defendant to appear before this Court on March 27, 2007.

(2) Despite diligent efforts, the People were unable to perfect service of the summons upon this Defendant.

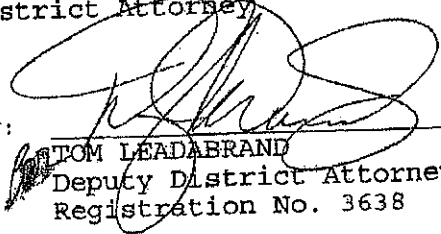
(3) Probable cause exists to believe the crimes alleged in this action were committed and were committed by the Defendant.

(4) The probable cause above mentioned is based upon the facts as set out in the attached affidavit and is incorporated herein as if fully set forth.

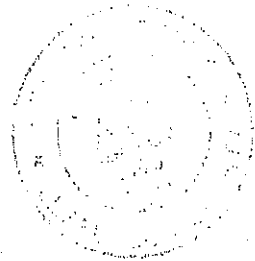
(5) The District Attorney requests that bail be set at \$ 2,000.

SCOTT W. STOREY
District Attorney

By:


TOM LEADABRAND
Deputy District Attorney
Registration No. 3638

8179



Motion
DOCKETED

COUNTY COURT, JEFFERSON COUNTY, COLORADO
COURT CASE NO.: 07CR00636 DIVISION F

ORDER FOR ARREST WARRANT

THIS MATTER was heard on _____
20____ and;
THE COURT has reviewed the motion of the District Attorney
and the attached affidavit;

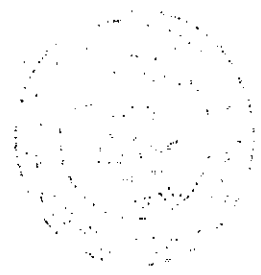
IT IS ORDERED:

(1) The Court finds, after reading the attached
affidavit, that sufficient probable cause exists for the
issuance of an arrest warrant for the above-named Defendant.
(2) That a warrant for the arrest of the Defendant be
issued.

(3) That bail in this matter is set at
\$ 2000.

DATE: 4/2/07, 20____.

Judge



Haddock, Ferne

From: Joseph Thompson <joseph.thompson3281@gmail.com>
Sent: Tuesday, September 27, 2016 7:58 PM
To: Haddock, Ferne
Subject: Re: South Dakota Teacher Certification
Attachments: arrest record.pdf

Mrs. Haddock-

Enclosed in this email you will find court records from my 2011 court case. I am still trying to obtain information on the other case. Hopefully I am still able to get my teacher's license in South Dakota.

On Tue, Sep 20, 2016 at 5:48 PM, Joseph Thompson <joseph.thompson3281@gmail.com> wrote:
Mrs. Haddock-

I finally got a hold of the attorney who represented me back in 2011 and he informed me that the records for my case were destroyed. He did inform me that there is a chance that the judge who presided over my case might still have it and gave me the phone number 720-772-2619.

The attorney who represented me in 2011 was Jeffery Gillio and his phone number is 303-279-7841 ext 1376.

Also if you need any other help my family attorney is Rosemary Zapor and her phone number is 303-886-0990.

Finally since I represented myself in the other court case I am not sure how to get the police report for that.

On Thu, Aug 4, 2016 at 2:10 PM, Haddock, Ferne <Ferne.Haddock@state.sd.us> wrote:

Mr. Thompson,

Your application is still being processed.

I do not have a timeline for you.

Ferne Haddock, Legal Assistant

South Dakota Department of Education

800 Governors Drive

Pierre SD 57501-2294

ferne.haddock@state.sd.us

605-773-3553

From: Joseph Thompson [mailto:joseph.thompson3281@gmail.com]
Sent: Thursday, August 04, 2016 10:18 AM
To: Haddock, Ferne
Subject: Re: South Dakota Teacher Certification

Ferne-

Sending you this email to see if a decision has been reached yet on my background. Still really hoping I am able to get a teacher's license in the state of South Dakota as I enjoy working with kids.

On Mon, Jul 25, 2016 at 4:46 PM, Haddock, Ferne <Ferne.Haddock@state.sd.us> wrote:

The attached letter is being sent via email and U.S. Mail.

Ferne Haddock, Legal Assistant

South Dakota Department of Education

800 Governors Drive

Pierre SD 57501-2294

ferne.haddock@state.sd.us

605-773-3553

Joseph Thompson, B.A., M.A., M.B.A.
Special Education Teacher
Lifescape
Sioux Falls, South Dakota

--
Joseph Thompson, B.A., M.A., M.B.A.
Special Education Teacher
Lifescape
Sioux Falls, South Dakota

--
Joseph Thompson, B.A., M.A., M.B.A.
Special Education Teacher
Lifescape
Sioux Falls, South Dakota

County Court Jefferson County, Colorado Court Address: 100 Jefferson County Parkway Golden, CO 80401-1070	COURT USE ONLY
PEOPLE OF THE STATE OF COLORADO v. JOSEPH CLEMENS HUTELES Defendant	
Scott W. Storey, District Attorney Tom Leadabrand, DDA 500 Jefferson County Parkway Golden, CO 80401-6002 Phone Number: (303)271-6800 FAX Number: (303)271-6888 E-mail: Attorney Reg. #3638	Case No. 07CR00636 Div: F Ctrm:
MOTION AND ORDER FOR ARREST WARRANT	

SCOTT W. STOREY, District Attorney in and for the First Judicial District, County of Jefferson, State of Colorado, asks this Honorable Court to issue a warrant for the arrest of the above-named Defendant, based on the following grounds that:

(1) A summons was previously issued directing this Defendant to appear before this Court on March 27, 2007.

(2) Despite diligent efforts, the People were unable to perfect service of the summons upon this Defendant.

(3) Probable cause exists to believe the crimes alleged in this action were committed and were committed by the Defendant.

(4) The probable cause above mentioned is based upon the facts as set out in the attached affidavit and is incorporated herein as if fully set forth.

(5) The District Attorney requests that bail be set at \$ 2000.

SCOTT W. STOREY
 District Attorney

By:  3179

TOM LEADABRAND
 Deputy District Attorney
 Registration No. 3638

(1) Initial claims have two major eligibility requirements that, if met, establish a claim for a period of one year from the effective date of filing:

a. Monetary Eligibility: The claimant must have earned sufficient wages in the first four of the last five fiscal quarters prior to the initial claim file date.

b. Qualifying Job Separation: The claimant must not be at fault for the job separation.

(2) Once an initial claim is established, the biweekly claim has four specific eligibility requirements that allow a claimant to receive weekly UI benefits every two weeks, or biweekly, provided the claimant meets all four eligibility criteria during each and every week filed for:

a. Report Earnings: The claimant must be either partially or fully unemployed. If partially employed, the claimant must report gross earnings.

b. Able to Work: The claimant must be physically able to work.

c. Available to Work: The claimant must be available to work.

d. Actively Seek Work: The claimant must be actively looking for employment.

(3) Subsequent separations from employment also affect eligibility for benefits. If a UI claimant returns to work and then separates from that employment during the benefit year, the separation must be reported; one of the questions on the biweekly claim asks if there was a separation from employment. To be eligible for benefits the claimant must not be at fault for the job separation. If the claimant is determined to be at fault, a disqualification of ten weeks is imposed. If the separation is from an employer chargeable on the claim, the disqualification also includes a reduction in benefits by the amount attributable to the employer.

A misrepresentation or falsification of any eligibility factors is a violation of the Colorado Employment Security Act, for which future UI benefits can be denied and/or previously issued UI benefits can be forfeited. Additionally, the claimant can be criminally prosecuted, pursuant to §8-81-101, C.R.S., the Penalties and Enforcement Section of the Colorado Employment Security Act.

All UI claimants are advised in writing of their eligibility rights and responsibilities to report correctly during their UI claims. UI claimants are instructed to maintain logs of job contacts. Furthermore, UI claimants are advised of the possible criminal and administrative penalties for misrepresenting and falsifying information to obtain benefits to which they are not entitled. Additionally, the endorsement portion of each UI warrant contains a certification statement regarding meeting all eligibility factors.

UI claimants file their biweekly claims by telephone or internet, utilizing the Colorado Unemployment Benefits Line (CUBLine). Claimants file biweekly claims by telephone or internet to an automated response computer system. Each claimant is issued a unique Personal Identification Number (PIN) mailed to the claimant's address. The PIN must be entered each time a biweekly claim is filed. Depending on the claimant's individual responses to the computer-generated questions, a warrant for UI benefits for that period is either issued or denied. The fact that the claimant received the UI benefits for the biweekly claims indicates the computer was activated by the claimant's unique PIN, and the questions asked by the computer were answered in a manner to cause benefit warrants to be issued in the claimant's name.

DISCOVERY AND INVESTIGATION

Each calendar quarter, CDLE's Benefit Payment Control Unit (BPCU) conducts automated, routine audits of Unemployment Insurance (UI) claims by comparing employer wage records with benefit payment records. As a result of such an audit, on 04/20/06, CDLE's BPCU mailed a *Request to Employer for Earnings Data* form to Aurora Comprehensive Community Health Center, Inc., located at 11059 East Bethany Drive, Suite 200, Aurora, Colorado, 80014. The employer's response, received 04/28/06, indicated that Joseph C. Hutfles had been employed and was in receipt of earnings during the same period of time he filed for and received UI benefits.

On 05/01/06, the BPCU mailed an *Earnings-Data Request* form to Mr. Hutfles at his address of record: 10752 Moore Way, Westminster, Colorado, 80021. This notice advised Mr. Hutfles of an audit of his UI claim, including the weeks of employment supplied by Aurora Comprehensive Community Health Center, Inc. The form requested a response if the employer's information was incorrect. Mr. Hutfles' response, received by the CDLE on 05/05/06, stated "I have never worked for this company in my life. Who are they and how can they have a P.O. Box as an address." The response was signed and dated 05/02/06.

On 05/22/06, Gordon Singles, a Labor and Employment Specialist with the BPCU, faxed an additional inquiry to the employer. The employer's response was received the same day. Consequently, also on 05/22/06, Mr. Singles determined and established an overpayment of UI benefits based on the information obtained. On 05/25/06, a *Determination of Overpayment of Benefits and Demand for Repayment* was mailed to Mr. Hutfles.

As a result of the audit, on 06/26/06, BPCU Manager Robert Atencio referred this case to the Investigations and Criminal Enforcement (ICE) Section for investigation.

On 10/10/06, I began reviewing the documents related to the allegation that Mr. Hutfles filed for and received UI benefits during the same period in which he was employed and in receipt of earnings. Because of Mr. Hutfles' contention that he had never worked for the employer, I e-mailed Mr. Hutfles' Colorado driver license picture to Barbara Robbins, in the payroll department of Aurora Mental Health Center. Ms. Robbins identified the man in the picture as the same man who had worked for them as Joseph C. Hutfles. I then contacted the employer in writing to request Mr. Hutfles' employment/payroll records.

On 11/21/06, I sent a letter to Mr. Hutfles at 10752 Moore Way, Westminster, Colorado, 80021, advising of this investigation and asking Mr. Hutfles to call the office for an interview appointment. As of the date of this report, Mr. Hutfles has not responded, and the U.S. Postal Service has not returned the letter to the CDLE.

On 12/13/06, a forensic document examination was obtained from Richard B. Lewis, a court-certified Forensic Document Examiner. Documentary evidence submitted for examination and comparison included CDLE UI forms, UI benefit warrants, and employment records from Aurora Mental Health Center.

These documents were examined and compared to the known signature of Mr. Hutfles depicted on Colorado motor vehicle Dossier and Declaration Sheets #96-248-1264. The results of the document examination identified Mr. Hutfles as being the individual who worked for, and received, earnings from Aurora Mental Health Center, and who executed the various UI forms and warrants.

CASE FACTS

Having obtained records of Mr. Hutfles' employment, and having direct access to CDLE records and knowledge of UI law and procedure, I was able to review and compare the records, determining the following:

- On 06/06/05, Mr. Hutfles filed an initial claim for UI benefits by accessing the CDLE Internet site www.coworkforce.com and entering the required information, establishing a computer record of the claim. The claim's effective date was 06/05/05.
- On 06/08/05, Mr. Hutfles signed the form UIB-1, *Claim for Unemployment Insurance*, which warns against false statements and willful misrepresentation in order to obtain or increase benefits, and returned it to the CDLE.
- Mr. Hutfles drew UI benefits for the weeks ending 06/18/05 through 11/19/05.
- On or about 08/12/05, Mr. Hutfles started working at Aurora Comprehensive Community Health Center, Inc., at the Aurora Mental Health Center, 10782 East Alameda Avenue, Aurora, Colorado.
- In his biweekly telephonic claims, Mr. Hutfles represented that he was unemployed and had no income, concealing his employment and earnings from the CDLE. In fact, during the 28 weeks claimed, Mr. Hutfles earned \$14,699.96.
- This misrepresentation of material facts caused the CDLE, which relied on this information, to issue UI warrants in Mr. Hutfles' name, including the following warrants:

<u>Warrant Number</u>	<u>Warrant Issue Date</u>	<u>Warrant Amount</u>
17946785	08/14/05	\$ 480.00
17969962	08/29/05	\$ 480.00
17984284	09/11/05	\$ 480.00
15178115	09/25/05	\$ 240.00
15210969	10/19/05	\$ 720.00
15229602	11/02/05	\$2,950.00
15231739	11/06/05	\$ 740.00
15250594	11/20/05	\$ 740.00

- All of the above UI warrants were mailed to Mr. Hutfles' residence at 10752 Moore Way, Westminster, Colorado (Jefferson County).
- Each warrant contains a certification statement that the endorser of the warrant met all the UI eligibility criteria, made no false statements or misrepresentations, and reported all earnings for any weeks worked. Each warrant bears a signature in the name of "Joseph C. Hutfles," as a transaction endorsement.
- UI warrant #17946785 was the first warrant Mr. Hutfles obtained by providing false information to the CDLE; it was transacted on 08/18/05.
- UI warrant #15250594 was the last warrant Mr. Hutfles obtained by providing false information to the CDLE; it was transacted on 11/23/05.
- On 08/14/05, Mr. Hutfles first utilized the computerized Colorado Unemployment Benefits Line (CUBLine) to enter fraudulent information about his actual hours worked and wages earned.
- On 11/20/05, Mr. Hutfles last utilized CUBLine to enter fraudulent information about his hours and earnings.

ATTACHMENT

To illustrate and summarize these findings, I prepared an overpayment chart detailing the UI benefit weeks, Mr. Hutfles' earnings as reported by his employer, Mr. Hutfles' earnings as he reported them, and the UI benefits paid to Mr. Hutfles on a week-by-week basis. This chart also documents the total amount of overpaid UI benefits and the statutory 50 percent monetary penalty. The chart is presented as an attachment to this affidavit.

Upon review of all the documents secured during this investigation, I determined that Mr. Hutfles obtained UI benefits to which he was not entitled by virtue of his false statements and misrepresentations made both during UI claim procedures and on UI warrants, and that the UI benefits so obtained were in excess of \$500.00.

I therefore respectfully request that this honorable court issue an arrest warrant for the arrest of Joseph Clemens Hutfles, D.O.B. 03/02/1981, for the following charges:

- Theft, §18-4-401, C.R.S. (Class 4 Felony)
- Forgery - Government Issued Document, §18-5-102(1)(e), C.R.S. (Class 5 Felony)
- Computer Crime, §18-5.5-102, C.R.S. (Class 4 Felony)

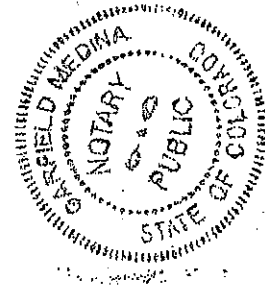
I have read the foregoing statements, and the matters stated therein are true to the best of my knowledge and belief.

Patricia T. Matthews
Patricia T. Matthews

Subscribed and Sworn to before me this 19th day of December, 2006.

Garfield Medina
Notary

My Commission expires 4-10-2007



4-7-11

COUNTY COURT, JEFFERSON COUNTY, COLORADO 100 Jefferson County Parkway, Golden, CO 80401	APR 29 2011 CLERK COUNTY COURT JEFFERSON COUNTY
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. JOSEPH HUTFLES, Defendant	σ COURT USE ONLY σ
DOUGLAS K. WILSON, State Public Defender Jeffrey Gillio, No. 36580 Deputy State Public Defender Golden Regional Office 560 Golden Ridge Road, #100, Golden, CO 80401 Phone: (303) 279-7841 Fax: (303) 279-3082 Email: golden.pubdef@coloradodefenders.us	Case Number: 07CR636 Division F

COMBINED MOTION FOR PRELIMINARY HEARING, FOR DISCOVERY AND TO REDUCE OR MODIFY BOND

Defendant moves for a preliminary hearing, and if in custody, waives appearance at the demand date, pursuant to C.R.Crim.P Rule 5 and C.R.S. §16-5-301. The defendant also moves for an Order under C.R.Crim.P. 16 and under the United States and Colorado Constitutions, directing the prosecuting attorney to immediately produce for examination and copying by defense counsel any of the following material which is in the custody or control of the prosecuting attorney or any person who participated in the investigation and evaluation of this case:

1. All police and investigator reports, including written or recorded statements of all witnesses, the accused, and any co-defendants.
2. All transcripts of any Grand Jury testimony and any tangible evidence presented to the Grand Jury in connection with this case.
3. Any reports or statements of experts made in connection with this case, including, but not limited to, results of physical or mental examinations and of scientific tests, experiments, or comparisons.
4. Any books, papers, documents, photographs, or tangible objects held as evidence in connection with this case.
5. Any record of prior criminal convictions of the accused, any co-defendant, or any person the prosecuting attorney intends to call as a witness in this case.
6. Any relevant material or information provided by an informant, the nature of such material or information, and the compensation made to said informant.

DOCKET

EXHIBIT
F

7. Any promise, benefit, or other inducement made by the government to any witness, prospective witness, or other person in exchange for such person's testimony or aid in this case.

8. All tapes and transcripts of any electronic surveillance (including wiretaps) or conversations involving the accused, any co-defendant, or witness in this case.

9. Any material or information which might tend to negate the guilt of the defendant, be relevant to the credibility or impeachment of prosecution witnesses, or would tend to reduce defendant's punishment.

MOTION AND NOTICE TO REDUCE OR MODIFY BOND

The Defendant, through this motion, gives notice that a bond reduction or modification will be requested at every scheduled hearing in this matter, specifically at preliminary hearing. The Defendant gives this notice pursuant to §16-4-107 C.R.S. and Art. II, Sec. 16(a) of the Colorado Constitution.

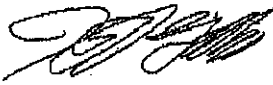
The Defendant hereby requests that this Court grant a personal recognizance bond or a reduction in the amount of the bond previously set, and as grounds states:

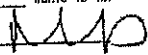
1. Due to Defendant's indigency, Defendant is unable to post the bond previously set.

2. Defendant understands the obligation to appear whenever ordered by the Court, is willing to be supervised, and will adhere to any other reasonable conditions of bond imposed by the Court.

The defendant revokes and rescinds all releases, waivers and authorizations for the release of information which he may have heretofore made, and he hereby asserts all of his rights and privileges under Colorado and Federal rules, statutes and principles.

DOUGLAS K. WILSON
COLORADO STATE PUBLIC DEFENDER


Jeffrey Gillio #36580
Deputy State Public Defender

CERTIFICATE OF SERVICE
I, the undersigned, (that) on
B. Gillio, I served the
forgoing document by delivering
mailing _____ faxing _____ same to all
opposing counsel. 



COMBINED COURT
JEFFERSON COUNTY, COLORADO ADVISEMENT AND PRELIMINARY HEARING PROCEDURES

People of the State of Colorado - VS - Joseph Huffles Case No. 07CR636 Division F

1. You are before the court because a peace officer or the district attorney for this county has charged you with a violation of the law.
2. You have the following rights:
 - a. The right to appear before a judge.
 - b. The right to enter a plea of not guilty and have a trial by a judge or a jury.
 - c. The right to be represented by an attorney at all stages of the proceedings including this one.
 - d. If you do not have the means to hire an attorney, you can ask the court to appoint one for you without cost to you, and one will be appointed. You must apply to the office of the Public Defender and pay a twenty-five dollar fee to the Clerk of the Court.
 - e. You are presumed to be innocent of the charges, and if you plead not guilty, the prosecution must prove your guilt beyond a reasonable doubt.
 - f. At the trial you have the right to be confronted by the witnesses called to testify against you and to cross examine those witnesses.
 - g. You have the right to present evidence in your own defense at the trial and to compel the attendance of witnesses by subpoenas issued by the court.
 - h. You are entitled to a speedy and public trial.
 - i. You have the right to remain silent concerning the charges and the right to refuse to testify at any stage of the proceedings. Your silence does not imply any wrong doing on your part and cannot be used against you.
 - j. Any pleas entered to the charges must be voluntary on your own part and not the result of the undue influence or coercion on the part of someone else.
3. Prior to entry of any plea and prior to trial you are entitled to a preliminary hearing if you are: (1) charged with a class 1, 2, or 3 felony, or (2) charged with a class 4, 5, or 6 felony involving a "mandatory sentence", a "crime of violence", a "sexual offense", or (3) in custody at the time of the scheduled preliminary hearing. A preliminary hearing is to determine whether probable cause exists to believe an offense was committed by you. If you wish a preliminary hearing, you must file a written request within 10 days of this date. The hearing will be held within 30 days of the setting. At the hearing you may cross examine witnesses and introduce evidence on your behalf. If probable cause is found by the judge, your case will be bound over to the appropriate court of record for entry of plea and trial.
4. Prior to the entry of any plea, if you are not entitled to a preliminary hearing, you shall participate in a dispositional hearing for the purposes of case evaluation and potential resolution.
5. I have carefully read and understand the above advisement _____ (date)

Defendant's Signature _____ Address _____ Phone _____

DEMAND FOR PRELIMINARY HEARING

DATE _____ The defendant moves the court to set a preliminary hearing to determine probable cause.

Defendant _____ Attorney for Defendant _____

WAIVER OF THE THIRTY DAY RULE

DATE _____ The defendant hereby waives the requirement that the preliminary hearing be held within thirty days of demand.

Defendant _____ Attorney for Defendant _____

NOTICE OF SETTING

This matter is set for _____ PH _____ Dispo/Waiver _____ DJJ on _____ in Div _____ of the County Court on the 3rd floor of this building. Bond or summons is continued to this date. Attorney for Defendant acknowledges that it is the sole responsibility of Attorney for Defendant to make a timely demand for a preliminary hearing. Attorney for Defendant further acknowledges the responsibility to advise the court and prosecution upon learning that the Defendant is released from custody.

Date _____ Defendant _____ Attorney for Defendant _____ Reg. No. _____ Phone _____

PRELIMINARY HEARING/DISPOSITIONAL HEARING

Date appeared 4/26/11 Pro se: with counsel Gillio Deputy District Attorney Moore Judge O'Hara
 Dispositional Hearing Held _____
 PH HELD: Probable cause has been shown as to charges.
 PH HELD: No probable cause shown. Defendant and bond discharged.
 PH: Deemed Waived. Case bound over to the District Court.
 PH: Waived. The defendant hereby gives up the right to a preliminary hearing and understands that by giving up the right to the hearing the rights set forth in paragraph 3 of the above advisement will also be given up. Case bound over to the District Court.

Arraignment on 5/19/11 @ 8:00 Div. 4 5th Reg. No. _____ Citation vacated _____
 Defendant remanded _____ Bond transferred _____ Summons continued _____
 Defendant in custody _____ Bond reinstated _____ Summons reinstated _____
 Attorney for Defendant [Signature] Reg. No. 36580 Phone _____

COMBINED COURT, JEFFERSON COUNTY, STATE OF COLORADO

Case No. D7CR636 Division F Ctrm 3F

People of the State of Colorado vs. Joseph Huffles

DOB: _____ Court Info Only Defendant on Writ

Remanding Defendant to Custody

CRS _____ Charge _____
 Sentence: mitt to follow DOC Jeffco Jail _____ days
 Jail to cancel Active Warrant Work Release
 Contempt of Court BAC _____

Defendant ordered released as to this case only.

Hold at Jefferson County Jail

Hold Defendant until interviewed by Probation for a PSI Report before transporting.
 Hold Defendant pending new court date.

Bond/Bond Modification

Reinstated No Bond Hold

Amount \$ 2000 Type: CPS Cash PR PRCS

- Conditions:
- Pretrial
 - Random UAs/BAs
 - No Alc, Drugs, Wpns
 - No Contact w/Victim
 - Electronic Monitoring
 - No driving w/o valid lic or ins

Other Conds: wav of extradition

To clerk - upon posting new bond, release previous bond

Return Date _____ Time _____

Trial Sentencing Other

By [Signature] Date 4/26/11
Judge/Magistrate/Clerk

Jail Combo Form 3P Rev. 4/2004 WHITE - Court YELLOW - Pre-Trial PINK - Jail



COMBINED COURT
JEFFERSON COUNTY, COLORADO ADVISEMENT AND PRELIMINARY HEARING PROCEDURES

People of the State of Colorado -VS-
JOSEPH CLEMENS HUTFLES Case No. 07CR636 Division F/4/MOORE

1. You are before the court because a peace officer or the district attorney for this county has charged you with a violation of the law.
2. You have the following rights:
 - a. The right to appear before a judge.
 - b. The right to enter a plea of not guilty and have a trial by a judge or a jury.
 - c. The right to be represented by an attorney at all stages of the proceedings including this one.
 - d. If you do not have the means to hire an attorney, you can ask the court to appoint one for you without cost to you, and one will be appointed. You must apply to the office of the Public Defender and pay a twenty-five dollar fee to the Clerk of the Court.
 - e. You are presumed to be innocent of the charges, and if you plead not guilty, the prosecution must prove your guilt beyond a reasonable doubt.
 - f. At the trial you have the right to be confronted by the witnesses called to testify against you and to cross examine those witnesses.
 - g. You have the right to present evidence in your own defense at the trial and to compel the attendance of witnesses by subpoenas issued by the court.
 - h. You are entitled to a speedy and public trial.
 - i. You have the right to remain silent concerning the charges and the right to refuse to testify at any stage of the proceedings. Your silence does not imply any wrong doing on your part and cannot be used against you.
 - j. Any pleas entered to the charges must be voluntary on your own part and not the result of the undue influence or coercion on the part of someone else.
3. Prior to entry of any plea and prior to trial you are entitled to a preliminary hearing if you are: (1) charged with a class 1, 2, or 3 felony, or (2) charged with a class 4, 5, or 6 felony involving a "mandatory sentence", a "crime of violence", a "sexual offense", or (3) in custody at the time of the scheduled preliminary hearing. A preliminary hearing is to determine whether probable cause exists to believe an offense was committed by you. If you wish a preliminary hearing, you must file a written request within 10 days of this date. The hearing will be held within 30 days of the setting. At the hearing you may cross examine witnesses and introduce evidence on your behalf. If probable cause is found by the judge, your case will be bound over to the appropriate court of record for entry of plea and trial.
4. Prior to the entry of any plea, if you are not entitled to a preliminary hearing, you shall participate in a dispositional hearing for the purposes of case evaluation and potential resolution.
5. I have carefully read and understand the above advisement _____ (date)

Defendant's Signature _____ Address _____ Phone _____

DEMAND FOR PRELIMINARY HEARING

DATE _____ The defendant moves the court to set a preliminary hearing to determine probable cause.

Defendant _____ Attorney for Defendant _____

WAIVER OF THE THIRTY DAY RULE

DATE _____ The defendant hereby waives the requirement that the preliminary hearing be held within thirty days of demand.

Defendant _____ Attorney for Defendant _____

NOTICE OF SETTING

This matter is set for X PH _____ Dispo/Waiver _____ DII on 4-20-11 2pm in Div 3F of the County Court on the 3rd floor of this building. Bond or summons is continued to this date.

Attorney for Defendant acknowledges that it is the sole responsibility of Attorney for Defendant to make a timely demand for a preliminary hearing. Attorney for Defendant further acknowledges the responsibility to advise the court and prosecution upon learning that the Defendant is released from custody.

Date 4/5/11 Defendant D-jail-email Attorney for Defendant Gillio Reg. No. _____ Phone _____

PRELIMINARY HEARING/DISPOSITIONAL HEARING

Date _____ Judge _____
 Date appeared _____ Pro se: _____ with counsel _____ Deputy District Attorney _____
 _____ PH HELD: Probable cause has been shown as to charges. _____ Dispositional Hearing Held _____
 _____ PH HELD: No probable cause shown. Defendant and bond discharged. _____
 _____ PH: Deemed Waived. Case bound over to the District Court. _____
 _____ PH: Waived. The defendant hereby gives up the right to a preliminary hearing and understands that by giving up the right to the hearing the rights set forth in paragraph 3 of the above advisement will also be given up. Case bound over to the District Court.

Arraignment on _____ Div. _____ floor. _____
 _____ Defendant remanded _____ Bond transferred _____ Summons continued _____ Citation vacated _____
 _____ Defendant in custody _____ Bond reinstated _____ Summons reinstated _____

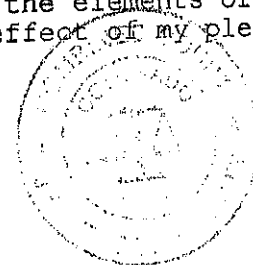
Defendant _____ Attorney for Defendant _____ Reg. No. _____ Phone _____
 DV-6 3P(11/05)

District Court Jefferson County, Colorado Court Address: 100 Jefferson County Parkway Golden, CO 80401-1070	RECEIVED District Court Jefferson County MAY 04 2011 Division 4 _____ Enter _____ File _____ COURT USE ONLY
PEOPLE OF THE STATE OF COLORADO v. JOSEPH CLEMENS HUTFLES Defendant	Case No. 07CR00636 Div: 4 Ctrm:
Scott W. Storey, District Attorney Carolyn M. O'Hara, DDA 500 Jefferson County Parkway Golden, CO 80401-6020 Phone Number: (303)271-6800 FAX Number: (303)271-6888 E-mail: Attorney Reg. #21394	<p style="text-align: center;">PETITION TO ENTER PLEA OF GUILTY</p>

1. My name is Joseph Clemens Hutfles. / *Thompson*
2. I speak, read and understand the English language.
3. I am not under the influence of any alcohol, medication or drugs. My physical and mental health is satisfactory. I am 30 years of age. My date of birth is [REDACTED] I have gone to school up to and including *Masters in Special Ed & an MBA*
4. I have consulted with my lawyer concerning this matter and I am satisfied with the advice given by my lawyer. My lawyer has represented me effectively at all stages of this case.
5. I have been advised and understand that:
 - a. I do not need to make any statement. Any statement I make may be used against me;
 - b. I have a right to a lawyer. If I cannot afford a lawyer the Court will appoint one for me;
 - c. Any plea I make must be voluntary and must not be the result of any undue influence, coercion, or force by anyone;

DECLARED

- d. I have a right to bail if the offense is bailable, and have been told the amount of my bail;
- e. I have been advised of the nature of the charges against me and of my right to a preliminary hearing and a jury trial.
- f. I have the right to plead "Not Guilty" to any offense charged against me. If I choose to plead "Not Guilty" the Constitution guarantees me:
1. the right to a speedy and public jury trial;
 2. the right to representation by a lawyer before trial and at trial;
 3. the right to see, hear and face in open court all witnesses called to testify against me and to cross examine them;
 4. the right to have the prosecution prove each element of each offense charged in this matter beyond a reasonable doubt;
 5. the right to remain silent;
 6. the right not to testify;
 7. the right to testify if I want to;
 8. the right to the presumption of innocence;
 9. the right to subpoena and call witnesses on my behalf;
 10. the right to legal defenses and to an alibi defense if one exists;
 11. the right to appeal any conviction;
 12. I understand that if I tender a plea of guilty I give up all of these rights.
6. I wish to plead guilty to the following: Count One of Tehft, Sectiopn 18-4-401(1), (2)(c), C.R.S. (F4) and Added Count Four of Theft, Section 18-4-401(1), (2)(b), C.R.S. (M2).
7. I understand the nature of the charge(s) and the elements of each offense to which I am pleading and the effect of my plea.



8. The elements of the offense(s) to which I am pleading guilty are:

COUNT ONE OF THEFT (F4):

The elements of the crime of theft are:

1. That the defendant,
2. in the State of Colorado, at or about the date and place charged,
3. knowingly
 - a. obtained or exercised control over
 - b. anything of value
 - c. which was the property of another person,
 - d. without authorization or by threat or deception,and
4. with intent to permanently deprive the other person of the use or benefit of the thing of value, and
5. the value of the thing involved is one thousand dollars or more but less than twenty thousand dollars.

ADDED COUNT FOUR OF THEFT (M2):

The elements of the crime of theft are:

1. That the defendant,
2. in the State of Colorado, at or about the date and place charged,
3. knowingly
 - a. obtained or exercised control over
 - b. anything of value
 - c. which was the property of another person,
 - d. without authorization or by threat or deception,and
4. with intent to permanently deprive the other person of the use or benefit of the thing of value, and
5. the value of the thing involved is one hundred dollars or more but less than five hundred dollars.

A person acts "knowingly" with respect to conduct or to a circumstance described by a statute defining an offense when he is aware that his conduct is of such nature or that such circumstance exists. A person acts "knowingly" with respect to a result of his conduct when he is aware that his conduct is practically certain to cause the result.

A person acts "with intent" when his conscious objective is to cause the specific result proscribed by the statute defining the offense. It is immaterial whether or not the result actually occurred.



Property is that of "ANOTHER" if anyone other than the defendant has a possessory or proprietary interest therein.

"WITHOUT AUTHORIZATION" means that the owner of the property, or a person in possession of the property with the owner's consent, has not given the actor permission to exercise control over the property.

"THING OF VALUE" includes real property, tangible and intangible personal property, contract rights, choses in action, services, confidential information, medical records information, and any rights of use or enjoyment connected therewith.

"BENEFIT" means any gain or advantage to the beneficiary including any gain or advantage to another person pursuant to the desire or consent of the beneficiary.

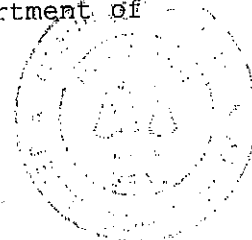
9. My plea is voluntary and is not the result of any promises or representations from anyone, including my lawyer, or of undue influence or coercion or force by anyone. I understand that the District Attorney will move to dismiss the charge(s) in Count(s) Two and Three.

10. I expressly waive my right to trial by jury on all issues.

COUNT ONE OF THEFT (F4):

11. I fully understand that:

- a. If the Court accepts my plea I may be sentenced to the Department of Corrections for a definite term of between 2 and 6 years and a fine from \$2,000 to \$500,000.
- b. I agree to allow the Court to determine whether any extraordinary mitigating or aggravating circumstances are present in my case, and agree to waive my right to have a jury make that determination.
- c. If the Court finds extraordinary aggravating circumstances, other than those listed in paragraphs 11.g. and 11.h., it may sentence me for a term greater than the presumptive range in 11.a. to double the maximum term, making a term as long as 12 years.
- d. If the Court finds extraordinary mitigating circumstances then it may sentence me to a term as short as 1 year.
- e. A mandatory period of parole of 3 years will be added to any sentence I receive, and will begin immediately upon my discharge from imprisonment in the Department of Corrections.



f. At the time of sentencing the District Attorney will (mark one of the following):

Make no sentencing concessions

Other _____

I understand that unless the Court approves a sentence agreed to by the district attorney and my lawyer, the Court may sentence me within the ranges as explained in this petition.

g. If I was on parole or probation for a felony, or if I was in confinement or in any correctional institution for a felony, or was an escapee from any correctional institution for a felony, or if I was on an appeal bond following a conviction for a previous felony, at the time of the commission of the offense(s) in this case, or if I am pleading guilty to a crime of violence under Section 18-1.3-406, C.R.S., the Court must, if it sentences me to the Department of Corrections, sentence me to a term of at least the midpoint in the presumptive range but not more than twice the maximum term authorized in the presumptive range.

h. If at the time of the commission of this felony, I was charged with or was on bond for a felony in a previous case and I was convicted of any felony in the previous case, or if I was on bond for having pled guilty to a lesser offense when the original offense charged was a felony, or if I was under a deferred judgment and sentence for another felony at the time of the commission of the felony, or if I was on parole for having been adjudicated a delinquent child for an offense which would be a felony if committed by an adult, the Court must, if it sentences me to the Department of Corrections, sentence me to at least the minimum in the presumptive range but not more than twice the maximum term authorized in the presumptive range.



- i. I agree to allow the Court to determine whether any of the circumstances set forth in paragraphs 11.g. and 11.h. are present in my case, and agree to waive any right to have a jury make that determination.
- j. If I have previously been convicted of two or more felonies or if I am pleading guilty to a class 1, 2 or 3 felony and have previously been convicted of any felony within 10 years, I am not eligible for probation.
- k. If I am granted probation, I may as a condition of probation be sentenced to the county jail for up to 90 days for a felony, up to 60 days for a misdemeanor, up to 30 days for a petty offense, or up to two years in the work release facility.

ADDED COUNT FOUR OF THEFT (M2):

12. I understand that:

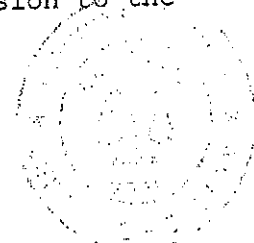
- a. If the Court accepts my plea I may be sentenced to a fine from \$500 to \$5,000, or from 6 months to 18 months imprisonment in the County Jail, or both such fine and imprisonment.
- b. I understand that if I am granted probation that I may be sentenced to the County Jail as a condition of probation for up to 60 days for a misdemeanor.

13. I understand the Court can order any sentence I receive to run concurrent (together with) with or consecutive (in addition to) to any other sentence I have received or may receive in any jurisdiction. I further understand that if I am pleading guilty to more than one count the Court can order the sentence on each count to run concurrent with or consecutive to the other count or counts to which I am pleading guilty.

14. I understand that the Court will not be bound by any representations or promises that may have been made to me by anyone concerning the penalty to be imposed or the granting or the denial of probation.

15. I agree that there is a factual basis for the plea of guilty to the crime charged in this matter and waive the requirement of showing a factual basis for the plea.

16. I am a citizen of the United States, or if I am not a citizen of the United States, I understand that conviction of a crime may result in deportation, exclusion from admission to the United States, or denial of naturalization.



17. I understand that if my guilty plea is accepted by this Court for any of the crimes listed below, no bail is allowed:

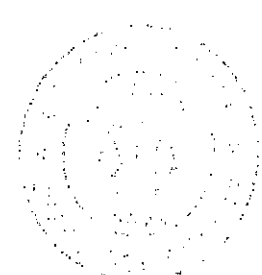
- (a) Murder;
- (b) Felony sexual assault involving the use of a deadly weapon;
- (c) Felony sexual assault committed against a child under 15 years of age;
- (d) A crime of violence;
- (e) A felony involving the use of a firearm.

18. I understand that upon plea of guilty, or plea of no contest, to or the receipt of a deferred judgment and sentence for any charges brought pursuant to Sections 18-3-305, 18-3-402 when the victim is less than 15 years of age; 18-3-403 when the victim is less than 15 years of age; 18-3-404 when the victim is less than 15 years of age; 18-3-405 when the victim is less than 15 years of age; 18-3-306, 18-3-405.3, 18-6-301, 18-6-302, 18-6-401, 18-6-402, 18-6-403, 18-6-701, 18-7-302, 18-7-402, 18-7-403, 18-7-403.5, 18-7-404, 18-7-405, 18-7-405.5, 18-7-406, C.R.S. or any criminal attempt conspiracy or solicitation to commit any of the foregoing crimes against children, the Court shall require that I pay a surcharge of \$ to the clerk of the Court pursuant to Section 18-24-102.

\$ 1,500	for each class 2 felony
1,000	for each class 3 felony
500	for each class 4 felony
375	for each class 5 felony
250	for each class 6 felony
200	for each class 1 misdemeanor
150	for each class 2 misdemeanor
75	for each class 3 misdemeanor

19. I agree to forfeit the following firearms, magazines and ammunition: _____

The firearms, magazines and ammunition shall be disposed of pursuant to C.R.S 16-13-311.



20. I have read and understand this entire document. I have discussed the document and my plea fully with my lawyer.

SIGNED BY ME IN THE PRESENCE OF MY ATTORNEY ON

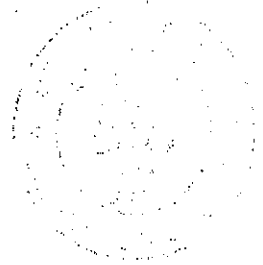
5/9/11

[Handwritten Signature]

Defendant's Signature

Address

City, State, Zip



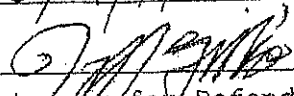
CERTIFICATE OF COUNSEL

The undersigned, as lawyer for the above defendant, hereby certifies:

1. I have read and fully explained to the defendant the allegations contained in the information in this case. To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing Petition are in all respects accurate and true.
2. I have explained the possible penalties to the defendant and consider the defendant competent to understand the charges and the effect of the plea of Guilty.
3. In my opinion the plea of Guilty as offered by the defendant is voluntarily and understandingly made.
4. Having discussed this matter carefully with the defendant, I am satisfied and I hereby certify that the defendant is, in my opinion, mentally and physically competent; there is no mental or physical condition which would affect the defendant's understanding of these proceedings; further, I state that I have no reason to believe that the defendant is presently operating under the influence of drugs, alcohol, or medication.

Signed by me in the presence of the defendant above-named and after full discussion of the contents of this petition to enter a plea of guilty and of this certificate with the defendant on

5/9/11 _____

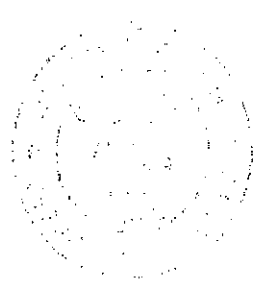


Attorney for Defendant

Reg. No. 36580

Address _____

Phone No. _____



District Court Jefferson County, Colorado Court Address: 100 Jefferson County Parkway Golden, CO 80401-1070	<p style="text-align: center;">RECEIVED District Court Jefferson County MAY 0 2011</p> Division 4 _____ Enter COURT USE ONLY
PEOPLE OF THE STATE OF COLORADO v. JOSEPH CLEMENS HUTFLES Defendant	
Scott W. Storey, District Attorney Carolyn O'Hara, DDA 500 Jefferson County Parkway Golden, CO 80401-6020 Phone Number: (303)271-6800 FAX Number: (303)271-6888 E-mail: Attorney Reg. # 21394	Case No. 07CR00636 Div: 4 Ctrm:
STIPULATION AND ORDER FOR DEFERRED JUDGMENT AND SENTENCE	

SCOTT W. STOREY, District Attorney, in and for the First Judicial District, County of Jefferson, State of Colorado, and the defendant and his attorney, stipulate that the judgment and sentence be deferred for a period of 2 years, as follows:

1. Pursuant to Section 16-7-403, C.R.S. as amended, such procedure is permissible.
2. The defendant and the District Attorney hereby consent to such deferred judgment and sentence for the purpose of permitting the defendant to enter into rehabilitation programs under the supervision of the JEFFERSON COUNTY PROBATION DEPARTMENT, 100 Jefferson County Parkway, Suite 270, Golden, CO 80401; Tel: (303) 271-6334.
3. The Court shall not accept a plea of guilty without first determining the defendant has been advised of all his rights. Along with this stipulation, the Court has received a "Petition to Enter Plea of Guilty" which lists the defendant's rights in this matter.
4. I, JOSEPH CLEMENS HUTFLES the defendant in this action, hereby acknowledge and certify that I have been advised of and that I understand my rights as explained in the "Petition to Enter Plea of Guilty" and in this form and that I have had the opportunity for the assistance of counsel in reviewing, explaining and completing these forms, and I further understand that:
 - a. The elements of the charge against me have been explained. I have had an opportunity to discuss the elements of the charge with my attorney and I understand the nature of the charge and the elements of the offense to which I am pleading. I admit that the prosecution can

prove the elements of the crime to which I am petitioning the court to accept my guilty plea.

- b. I am pleading guilty knowingly and voluntarily without coercion, force, threats, or undue influence on the part of anyone.
- c. I know that the possible penalty provided by law is between three months and twelve months imprisonment in the County Jail, and in addition to, or in lieu of any sentence to imprisonment, a fine of two hundred fifty dollars to one thousand dollars, or both such incarceration and fine, and I know that when more than one count is involved, the sentences may be concurrent or consecutive. I also understand the possible places of incarceration.
- d. I understand that the judge will not be bound by any representations made to the Court by anyone concerning the penalty to be imposed or the granting or denial of probation, unless such representations are included herein, approved by the Court and supported by the findings of the presentence report, if any.
- e. I understand this deferred sentence shall be revoked upon proof by a preponderance of the evidence that I have violated any of the conditions of this deferred judgment and sentence.
- f. My decision to enter this plea was made after full and careful thought, with the advice of counsel, and
- g. I, JOSEPH CLEMENS HUTFLES have read and understand that by entering a plea of guilty I am giving up all of these rights in this case forever.

5/9/11
Dated

Joseph Hutfles
Defendant's Signature

I hereby certify that I have discussed this statement and the "Petition to Enter Plea of Guilty" with the defendant; and I have fully explained his rights to him and have assisted him in completing these forms. I believe that he is knowingly and voluntarily entering a plea with full knowledge of his legal rights and that there is a factual basis for the plea.

5/9/11
Dated

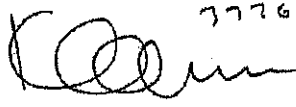
[Signature]
Attorney for Defendant
Registration No. 36580

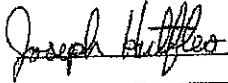
5. The District Attorney and the defendant further stipulate that the defendant shall remain at liberty under the supervision of the JEFFERSON COUNTY PROBATION DEPARTMENT under the following conditions:
- a. the defendant shall not commit any criminal offense against the United States of America, the State of Colorado, or any other jurisdiction;
 - b. the defendant shall work faithfully at suitable employment or faithfully pursue a course of study or vocational training that will equip him for suitable employment;
 - c. the defendant, if so ordered by the JEFFERSON COUNTY PROBATION DEPARTMENT, will undergo available medical or psychiatric treatment and, if necessary, in a specified institution;
 - d. the defendant shall make restitution or reparation to the victim of his conduct for the damage or injury sustained and pay costs of court proceedings and supervision if ordered by the court or the JEFFERSON COUNTY PROBATION DEPARTMENT;
 - e. the defendant shall reside in or attend a facility established for the instruction, recreation, or residence of persons if so ordered by the JEFFERSON COUNTY PROBATION DEPARTMENT;
 - f. the defendant shall support his dependents and meet family responsibilities;
 - g. the defendant shall refrain from possessing a firearm, destructive device, or other dangerous weapon, unless granted permission by the Court or by the JEFFERSON COUNTY PROBATION DEPARTMENT.
 - h. the defendant shall refrain from excessive use of alcohol or unlawful use or possession of controlled substance without a prescription. The defendant will submit to monitored drug and alcohol scans;
 - i. the defendant shall report to a representative of the JEFFERSON COUNTY PROBATION DEPARTMENT at reasonable times as directed by the Court or PROBATION Counselors;
 - j. the defendant shall permit a representative of the JEFFERSON COUNTY PROBATION DEPARTMENT to visit him at his home or elsewhere, and shall be required to submit to a search by Probation of the defendant's residence, auto, person, or other items under the defendant's control;
 - k. the defendant shall be subject to electronic monitoring and/or up to 96 hours of Useful Public Service at the discretion of the JEFFERSON COUNTY PROBATION DEPARTMENT;


- l. if this is a crime involving domestic violence, economic crime or an alcohol-related driving offense, certain additional conditions will be imposed by the JEFFERSON COUNTY PROBATION DEPARTMENT;
 - m. the defendant shall remain within the jurisdiction of the Court, unless granted permission to leave by the Court or the JEFFERSON COUNTY PROBATION DEPARTMENT;
 - n. the defendant shall answer all reasonable inquiries by the JEFFERSON COUNTY PROBATION DEPARTMENT or its representative and promptly notify the JEFFERSON COUNTY PROBATION DEPARTMENT or its representative of any change in address or employment;
 - o. the defendant shall satisfy any other conditions reasonably related to his rehabilitation and the purpose of this supervisory period, as ordered by the Court or the JEFFERSON COUNTY PROBATION DEPARTMENT;
 - p. the defendant shall conform to all rules and regulations imposed by the Court and the JEFFERSON COUNTY PROBATION DEPARTMENT;
 - q. the defendant shall report any contact with police or any law enforcement agency;
 - r. the defendant will not operate a motor vehicle without a valid operator's permit issued by the State of Colorado.
6. The defendant consents to the jurisdiction of the Court and the JEFFERSON COUNTY PROBATION DEPARTMENT over his person for a period of 2 years from this date. The defendant acknowledges that by voluntarily and knowingly entering a plea of guilty to the criminal offense of COUNT ONE, THEFT, (F4), he irrevocably waives his right to trial by jury or the Court on the criminal charges herein, and he further waives any constitutional, statutory or other right he might have to a final disposition of this case at an earlier time than provided herein.
7. The defendant agrees that upon a breach of any condition herein, upon application of the JEFFERSON COUNTY PROBATION DEPARTMENT, or the District Attorney and upon notice of hearing of not less than five (5) days to the defendant or his attorney of record, the Court shall determine whether a breach of condition has occurred. Application for entry of judgment and imposition of sentence may be made by the District Attorney at any time within the term of the deferred judgment or within thirty (30) days thereafter. The burden of proof at such hearing shall be by a preponderance of the evidence, and the procedural safeguards required by a revocation of probation hearing shall apply. Upon proof of a breach by the defendant of any condition regulating his conduct, the Court shall enter judgment and impose sentence upon such guilty plea.

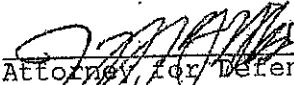
8. Upon full compliance with the conditions by the defendant, the plea of guilty previously entered herein shall be withdrawn and the action against the defendant dismissed with prejudice.
9. The defendant shall be present on dismissal unless previously notified by the Court, or the JEFFERSON COUNTY PROBATION DEPARTMENT.

5/9/11
Dated

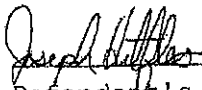
SCOTT W. STOREY
District Attorney  37769


Defendant's Signature

By: CAROLYN O'HARA 
Deputy District Attorney
Registration No. 21394


Attorney for Defendant
Registration No. 36580

I understand and agree if I violate any of the programs and/or conditions, I will be subject to review, possible program termination, probation violation proceedings and final conviction.


Defendant's Signature

JEFFERSON COUNTY PROBATION
DEPARTMENT

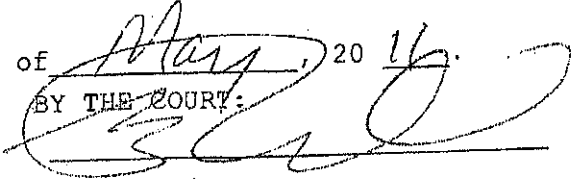
Date: 5/9/11

By: _____
Date: _____

ORDER

STIPULATION FOR DEFERRED JUDGMENT AND SENTENCE granted this 9 day of May, 2011. Deferred judgment and sentence ordered for two years with return date of 9 day of May, 2011, for

1. entry of judgment and sentence, or
2. withdrawal of guilty plea for dismissal.

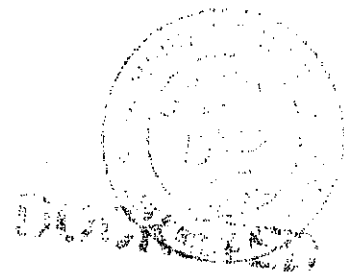
SIGNED This 9 day of May, 2011.
BY THE COURT: 

County Court Jefferson County, Colorado Court Address: 100 Jefferson County Parkway Golden, CO 80401-1070	RECEIVED District Court Jefferson County MAY 09 2011
PEOPLE OF THE STATE OF COLORADO v. JOSEPH CLEMENS HUTFLES Defendant	Division 4 _____ Enter _____ File _____ COURT USE ONLY
Scott W. Storey, District Attorney Carolyn M. O'Hara, DDA 500 Jefferson County Parkway Golden, CO 80401-6020 Phone Number: (303)271-6800 FAX Number: (303)271-6888 E-mail: Attorney Reg. #21394	Case No. 07CR00636 Div: 4 Ctrm:
MOTION AND ORDER TO ADD COUNT FOUR	

SCOTT W. STOREY, District Attorney in and for the First Judicial District, County of Jefferson, State of Colorado, respectfully requests this Honorable Court to Add a Fourth Count to the above-entitled action, to-wit:

COUNT FOUR: THEFT - Section 18-4-401(1), (2) (b), C.R.S. (M2)
[0801Q]

On and between August 18, 2005 and November 23, 2005, Joseph Clemens Hutfles unlawfully and knowingly obtained or exercised control over a thing of value, namely: Unemployment Insurance Benefits Warrants (checks), of Colorado Department of Labor and Employment and the People of the State of Colorado, with the value of one hundred dollars or more but less than five hundred dollars, without authorization, or by threat or deception, and intended to deprive Colorado Department of Labor and Employment and the People of the State of Colorado permanently of its use or benefit; and knowingly used, concealed, or abandoned the thing of value in such manner as to permanently deprive Colorado Department of Labor and Employment and the People of the State of Colorado of its use or benefit; in violation of section 18-4-401(1) (a) (b), (2) (b), C.R.S.




All offenses committed, or triable, in the county of Jefferson
and against the peace and dignity of the People of the State of
Colorado.

Respectfully submitted,

SCOTT W. STOREY
District Attorney

By:

 37767
CAROLYN M. O'HARA
Deputy District Attorney
Registration No. 21394



COUNTY COURT, JEFFERSON COUNTY, COLORADO
COURT CASE NO.: 07CR00636 DIVISION 4

ORDER TO ADD COUNT FOUR

The foregoing Motion to Add Count Four is hereby granted
() denied () this 9 day of May, 2011.

BY THE COURT.


Judge



RECEIVED
District Court
Jefferson County

District Court
Jefferson County, Colorado
Court Address:
100 Jefferson County Parkway
Golden, CO 80401-1070

MAY 1 2011

Division 4 _____
Enter _____
File _____

PEOPLE OF THE STATE OF COLORADO
v.
JOSEPH CLEMENS HUTFLES
Defendant

COURT USE ONLY
District Court
Jefferson County

Scott W. Storey, District Attorney
Carolyn M. O'Hara, DDA
500 Jefferson County Parkway
Golden, CO 80401-6020

Phone Number: (303)271-6800
FAX Number: (303)271-6888
E-mail:
Attorney Reg. #21394

Case No. 07CR00636
MAY 08 2011

Div: 4
Cterm: Division 4 _____
Enter _____
File _____


MOTION AND ORDER TO DISMISS COUNTS TWO AND THREE

SCOTT W. STOREY, District Attorney in and for the First
Judicial District, State of Colorado, respectfully requests this
Honorable Court as follows:

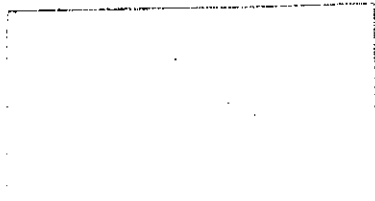
To dismiss Counts Two and Three from the above captioned
case.

On the grounds that the defendant enter a plea of guilty to
Count One of Theft (F4) and Added Count Four of Theft (M2).

SCOTT W. STOREY
District Attorney

By:  32761
CAROLYN M. O'HARA
Deputy District Attorney
Registration No. 21394

DOCKETED



DISTRICT COURT, JEFFERSON COUNTY, COLORADO
COURT CASE NO.: 07CR00636 DIVISION 4

MOTION AND ORDER TO DISMISS COUNTS TWO AND THREE

THIS COURT having read the above Motion of the District
Attorney, hereby grants said Motion.

DONE AND SIGNED on May 9, 2011.

BY THE COURT:


Judge



DISTRICT / COUNTY COURT, JEFFERSON COUNTY, COLORADO

Case Number: 07CR00636

Division: F

MOTION AND ORDER FOR RESTITUTION

THE PEOPLE OF THE STATE OF COLORADO

CR# 217336 CDLE

vs.

Joseph Clemens Hutflas

Defendant.

Co-Def: _____

Case #: _____

Co-Def: _____

Case #: _____

Co-Def: _____

Case #: _____

SCOTT W. STOREY, District Attorney, First Judicial District, State of Colorado, requests that the defendant be ordered to pay restitution in the total amount noted below, payable on or before _____.

Restitution is to be paid in cash, money order or certified check to the Clerk of the Court with the case number clearly indicated.

Schedule of Payments: To be set by Collections Investigator

Victim: Co Dept. of Labor & Employment
Inv. & Criminal Enforcement
633 17th Street
Denver, CO 802023660
Amount Requested: \$5,240.00

SCOTT W. STOREY
District Attorney

By: [Signature]
Deputy District Attorney
Registration No. 37769

[Signature]
Defendant

[Signature]
Attorney for Defendant
Registration No. 36580

ORDER

The Motion is granted and made an Order of Court.

Restitution is ordered in the amount of \$ 5,240

DONE AND SIGNED on 5/9/2011

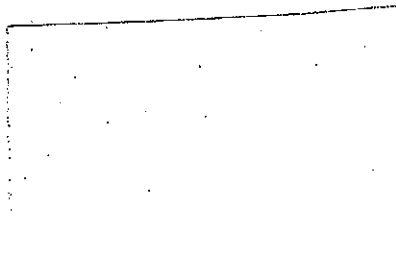
Judge

Copies: Court

D.A.

Defendant

Bookkeeping



COMBINED COURT, JEFFERSON COUNTY, COLORADO

Court Address: 100 Jefferson County Parkway

Golden, CO 80401-6002
Phone Number: 303-271-8215

COURT USE ONLY

Case Number: 2007CR000636

The People of Colorado
vs
HUTFLES, JOSEPH CLEMENS

Division: 4

SENTENCE ORDER

Defendant:	HUTFLES, JOSEPH CLEMENS	Date of Birth:	Class	Plea	Finding
Count					
1	18-4-401(1),(2)(c) - Theft-\$500-\$15,000		F4	Plea of Guilty	Dfrd Sentence
2	18-5-102(1)(a) - FORGERY-GOVERNMENT ISSUED DOCUMENTS		F5		Disrn by DA
3	18-5.5-102(1)(d) - Computer Crime-commit theft-50		F4		Disrn by DA
4	18-4-401(1),(2)(b) - THEFT-\$100-\$500		M2	Plea of Guilty	Guilty

ASSESSED FINES & COSTS

Count # 1	
Victims Assistance Fund	\$182.50
Victim Compensation Fund	\$125.00
Genetic Testing Surcharge	\$2.50
Public Defender Accts Rcvable	\$25.00
Request for Time to Pay	\$25.00
Deferred Sentence: 2 Years	
Probation Supervision Fee	\$1,200.00
Restitution	\$5,240.00
Count # 4	
Probation: 1 Years	
TOTAL	\$6,780.00

Concurrent with count 1 of case number 07CR836 In Combined Court, Jefferson County

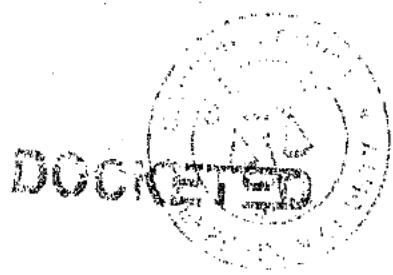
RUSSELL, TAMARA S
Judge/Magistrate

05/09/2011
Date

HUTFLES, JOSEPH CLEMENS
Defendant

05/09/2011
Date

*****NOTICE*****
Following this hearing you are to present this form to the Clerk's Office for payment. Payment is due by the end of business on your Court Date. Pursuant to §16-11-101.6, C.R.S., if the Defendant does not pay all amounts assessed at the time of order, the Defendant shall pay an additional time payment fee. In addition, the Defendant may be assessed a late penalty fee each time payment is not received on or before the due date.



District Court Jefferson County, Colorado Court Address: 100 Jefferson County Parkway Golden, CO 80401-1070	<div style="text-align: center;"> <p>5/18/11</p> <p>GRANTED</p> <p>2011 MAY 17 PM 3:39</p> <p>TAMARA S. RUSSELL</p> <p>JUDGE FILED DC</p> <p>CLSD</p> </div>
PEOPLE OF THE STATE OF COLORADO v. JOSEPH CLEMENS HUTFLES Defendant	DISTRICT COURT JEFFERSON COUNTY, CO COURT USE ONLY
Scott W. Storey, District Attorney Carolyn M. O'Hara, DDA 500 Jefferson County Parkway Golden, CO 80401-6020 Phone Number: (303)271-6800 FAX Number: (303)271-6888 E-mail: Attorney Reg. #21394	Case No. RECEIVED 07CR00636 District Court Jefferson County Div: 4 MAY 18 2011 Ctirm Division 4 _____ Enter _____ File _____
MOTION TO AMEND RESTITUTION	

SCOTT W. STOREY, District Attorney in and for the First Judicial District, County of Jefferson, State of Colorado, respectfully requests this Honorable Court amend the amount of restitution owed in this matter and in support thereof, states as follows:

1. The Defendant plead and was sentenced in this matter on May 9, 2011. At that time, the Court ordered restitution in the amount of \$5250.00 payable to the State of Colorado Department of Labor. In this case, the Defendant plead guilty to receiving unemployment benefits to which he was not entitled.
2. Pursuant to §8-81-101(4)(a)(II), C.R.S. if a person receives an overpayment of unemployment benefits because of false representation, he shall be required to pay the amount of the overpayment plus a penalty of fifty percent of the overpayment.
3. Defense counsel and the deputy district attorney had discussed the amount of restitution prior to plea and agreed that the restitution would be the amount of the overpayment (\$5250.00) plus the fifty percent penalty (\$2625.00) for a total of \$7875.00.
4. Counsel for the defendant does not object to the amount of restitution being amended.
5. The People respectfully request the Court amend the amount of restitution owed in this matter to \$7875.00.



DOCKETED

Respectfully submitted,

SCOTT W. STOREY
District Attorney

By: 

CAROLYN M. O'HARA
Deputy District Attorney
Registration No. 21394



DISTRICT COURT, JEFFERSON COUNTY, COLORADO
COURT CASE NO.: 07CR00636 DIVISION 4

ORDER

The foregoing Motion is hereby (granted) (denied) this 18 day of May, 2011.

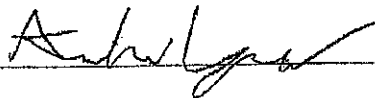
BY THE COURT:

Judge

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing MOTION TO AMEND RESTITUTION was mailed on May 17, 2011 by depositing same in the U.S. Mail, postage prepaid, and addressed as follows:

Jeffrey Gillio
Deputy State Public Defender







south dakota
DEPARTMENT OF EDUCATION
Learning. Leadership. Service.

June 15, 2016

Name: Thompson, Joseph Clemens
(Show Details)

DOE Desktop

Applicant Summary (Application History)

Application Status

Joseph Thompson

General Information

Status: Submitted to DOE
Application Type: Initial Application
Application Number: TH0057302201616155451
Initiated Date: 6/9/2016 4:39 PM
Activation Date: 6/10/2016 11:41 AM
Payment Type: Credit Card

Demographic Information

Social Security Number: [REDACTED]
First Name: Joseph
Middle Name: Clemens
Last Name: Thompson
Previous Last Name(s): Nuttles
Date of Birth: [REDACTED]
Gender: M
Hispanic / Latino: No
Race(s): White

Address: [REDACTED]

City: Sioux Falls
State: SD
Zip or Postal Code: 57104
Country: United States

Daytime Phone: [REDACTED]
Evening Phone: [REDACTED]

Email Address: [REDACTED]

Is your spouse a member of the armed forces of the United States and recently the subject of a military transfer to South Dakota? No

Did you leave employment in another state or the District of Columbia to accompany your spouse to South Dakota? No

Professional Preparations Section (Initial Applications)

Teacher High School

Majors

University	Attainment Level	Degree	Major / Specialization	Minor	Attainment Date	Attended	Transcript Coming	UCO Action	Alt Program
Metropolitan State University of Denver	Degree Completed	Bachelors	History	Secondary Education	12/14/2003	8/1/2001 to 12/14/2003	Y		



University of Colorado at Denver	Degree Completed	Masters	Special Education	12/15/2007	3/1/2006 to 12/15/2007	Y
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Have you signed a contract to be employed as a teacher or administrator in South Dakota during the current or upcoming school year? **Yes**
 If Yes, for which school or school district? LifeScape

Other Certificates

Do you currently hold a valid certificate or license from another state or District of Columbia to teach or otherwise work in a school? **No**

State or Country

Endorsements Section (Initial Applications)

- 6010 7-12 Social Science Education - History
- 6020 7-12 Social Science Education - Political Science
- 6030 7-12 Social Science Education - Geography
- 6040 7-12 Social Science Education - Economics
- 6050 7-12 Social Science Education - Sociology
- 6060 7-12 Social Science Education - Psychology

Praxis Tests

Test Code Test Name Score Date Taken

Conduct Review

Hide

Applicant Conduct Review Statement

Failure to answer any of these questions in a truthful and complete manner or failure to provide truthful information or documentation requested could lead to denial of a certificate to teach or hold an administrative position in South Dakota or could lead to disciplinary action being taken against any teaching or school administrative certification that you possess.

Respond to **EVERY** item. If an arrow (→) follows your response, follow the instructions given. If you do not follow the instructions or the required documents are not sent to the Department of Education, your application **may be significantly delayed**.

1. Have you ever been arrested or charged with any criminal offense?

The term **criminal offense** includes misdemeanor and felony offenses. It does not include petty offenses such as minor traffic offenses including but not limited to: Speeding tickets, stop sign violations, or careless driving offenses. If you are not sure whether the crime would be a minor offense, please include the offense. All Class I misdemeanor offenses and Class II non-traffic misdemeanor offenses must be disclosed.

Yes No

→ Please explain briefly by listing the offense and the date/year, it occurred. Please attach all certified court documents relating to the criminal matter/offense to your application and mail to: Teacher Certification, Department of Education, 800 Governors Drive, Pierre, South Dakota 57501. For questions call 605-773-3553.

In 2006 I took money from my church without permission and pleaded guilty to it. I paid the restitution for it and placed on 6 months of probation which was completed. Probation was completed and the case was closed.

In 2005 I was a victim of identity theft and never knew about it. Someone using my name and social security number took unemployment benefits from the State of Colorado. When I found out about this I had no way of proving the identity theft because I never reported it. To

2. Have you ever been convicted or pleaded guilty to any criminal offense?

The term **conviction** includes a finding of guilt by a judge or jury, or admission of guilt or plea of guilty, or a plea without an admission of guilt. You must include those crimes where the sentence was stayed, suspended, executed or you received a suspended imposition of sentence.

All persons hired by a school district (either directly or by contract/agreement) shall submit to a criminal background check investigation by means of fingerprint checks by the Division of Criminal Investigation and Federal Bureau of

Investigation. SDCL 13-10-12. Criminal convictions may be considered in hiring decisions. SDCL 13-10-13 Suspension or resignation of Employee for criminal conviction shall be reported to the Department of Education, SDCL 13-10-15.

Yes No

➔ Please explain briefly. Please attach certified court documents indicating the crime for which you were convicted, the dates of your conviction or plea of guilty, and the dates you were sentenced, and the sentence imposed. If you have been discharged from probation, include information regarding your discharge from probation. If you are currently on probation, provide the name and telephone number of your probation officer. Please attach all court documents to your application form and mail to: Teacher Certification, Department of Education, 800 Governors Drive, Pierre, South Dakota, 57501 For questions call 605-773-3553.

In 2006 I took money from my church without permission and pleaded guilty to it. I paid the restitution for it and placed on 6 months of probation which was completed. Probation was completed and the case was closed. ^

In 2005 I was a victim of identity theft and never knew about it. Someone using my name and social security number took unemployment benefits from the State of Colorado. When I found out about this I had no way of proving the identity theft because I never reported it. To v

3. Has it ever been determined by a judge or jury in South Dakota or elsewhere that a child or minor adult was abused or neglected through your actions or omissions?

Yes No

4. Have you ever been in arrears or failed to pay child support in this state or elsewhere?

Certificates will not be issued to anyone in child support arrears according to SDCL 25-7A-56.

Yes No

5. Have you ever had any credential, certificate or license authorizing school teaching or educational service suspended, revoked, voided, cancelled, denied, rescinded, rejected for cause and/or otherwise taken away in South Dakota or in any other state, commonwealth, territory or possession of the United States or elsewhere?

Yes No

6. Is there any type of adverse action pending against any credential, license or certificate that you now hold or have ever held that authorizes school teaching or educational service?

Yes No

7. Have you ever left employment, been discharged, terminated or resigned to avoid dismissal or disciplinary action?

Yes No

8. Have you ever held a license, certificate or credential, other than as a teacher or administrator, which has been revoked, cancelled, rescinded, suspended or taken away in South Dakota or elsewhere?

Yes No

9. Is there any information not disclosed by your answers concerning your background, history, experience, education or activities which may have some bearing on your character, moral fitness or eligibility to teach or hold an administrative position in South Dakota and which should be placed at the disposal or brought to the attention of the South Dakota Department of Education.

Yes No

*The Secretary may, deny, revoke or suspend a certificate for any cause which would prevented its issue, plain violation of contract, gross immorality, incompetency, violation of the Code of Ethics effective on July 1, 2001, flagrant neglect of duty or conviction of a crime involving moral turpitude. SDCL 13-42-7, 13-42-9 and 13-42-10. The Secretary may suspend a certificate for one year for jumping or breaking contract. SDCL 13-42-9.

Authorization

I hereby authorize the Department of Education to review and inspect and all records maintained by the State of South Dakota, Tribal entities and/or the Federal Government for the purpose of verifying the answers submitted above.

I further agree to provide any additional documentation or records requested by the Department of Education that pertains to information submitted as a part of this application.

I specifically waive any privacy right or personal right to prior notice that may attach to the records.

I declare and affirm under penalties of perjury pursuant to SDCL 22-29-9.1 that this application has been examined by me,

and to the best of my knowledge and belief, is in all things true, accurate, complete and correct. I understand that any intentional falsification, misrepresentation or omission of facts or falsification of statements on accompanying documents may result in criminal charges and/or the denial of certification, and could affect the status of my teaching or school administrative certificate.

Signature:

Citizenship and Oath

Country of Citizenship: United States
Oath of Allegiance Signed: Yes
Statement of Truth Signed: Yes

(AppID: 55451)

Exit