

<p>COURT OF APPEALS, STATE OF COLORADO</p> <p>2 East 14<sup>th</sup> Avenue Denver, Colorado 80203</p>	<p>DATE FILED: December 11, 2014 10:14 AM</p>
<p>Adams District Court Honorable Thomas R. Ensor Case Number 14CR862</p>	
<p>THE PEOPLE OF THE STATE OF COLORADO</p> <p>Plaintiff-Appellee</p> <p>v.</p> <p>JAHMAL ALI PRICE</p> <p>Defendant-Appellant</p>	
<p>Douglas K. Wilson, Colorado State Public Defender Karen N. Taylor, Chief Appellate Deputy 1300 Broadway, Suite 300 Denver, Colorado 80203</p> <p>(303) 764-1400 (Telephone) (303)-764-1479 (Fax) <a href="mailto:PDApp.Service@coloradodefenders.us">PDApp.Service@coloradodefenders.us</a> Registration Number: 24810</p>	<p>σ COURT USE ONLY σ</p> <p>Case Number:</p>
<p align="center"><b>APPELLANT'S NOTICE OF APPEAL</b></p>	

**I. DESCRIPTION OF NATURE OF CASE AND DISPOSITION IN TRIAL COURT**

**NATURE OF CASE:** This case is a criminal defendant's appeal of the judgment of conviction and sentence imposed by the court. The appeal is taken pursuant to C.A.R. 3.

**CHARGES FOR WHICH DEFENDANT WAS TRIED:** Second Degree Assault on a Peace Office, Second Degree Assault-In Custody/Peace Officer, Criminal Impersonation-Gain a Benefit, Possession of Weapon by Previous Offender-Any Prior Felony, Carrying a Concealed Weapon-Knife/Gun, Second Degree Trespass-Enclosed/Fenced Property, Resisting Arrest, False Reporting-False Identification

CHARGES FOR WHICH DEFENDANT WAS CONVICTED: Second Degree Assault-In Custody/Peace Officer, Criminal Impersonation-Gain a Benefit, Possession of Weapon by Previous Offender-Any Prior Felony, Carrying a Concealed Weapon-Knife/Gun, Second Degree Trespass-Enclosed/Fenced Property, Resisting Arrest, False Reporting-False Identification

DATE JUDGMENT OF CONVICTION ENTERED: November 4, 2014

DATE SENTENCE IMPOSED: November 6, 2014

SENTENCE: 18 Months Department of Corrections plus 1 Year Mandatory Parole

## II. APPEAL BOND INFORMATION

WHETHER APPEAL BOND GRANTED, AMOUNT OF BOND: N/A

## III. ISSUES PROPOSED TO BE RAISED ON APPEAL

Issues on appeal may include, but are not limited to: All issues preserved by objection at trial, sufficiency of the evidence; sentencing; and, any other issues Appellant chooses to raise as plain error.

## IV. TRANSCRIPT INFORMATION

A transcript of all evidence taken at trial is necessary to resolve the issues on appeal and will exceed twenty-five pages. The court reporters are Deb Luse, Amanda Maze, Sandy Embry, Carolyn Leathers, Julie Hart, and Shela Marchus.

## V. ATTORNEY INFORMATION

Defendant-Appellant Attorney:  
DOUGLAS K. WILSON  
Colorado State Public Defender  
1300 Broadway, Suite 400  
Denver, Colorado 80203  
(303) 764-1400

Plaintiff-Appellee Attorney:  
JOHN W. SUTHERS  
Attorney General  
1300 Broadway, 9<sup>th</sup> Floor  
Denver, Colorado 80203  
(720) 508-6000

## VI. APPENDICES TO THIS NOTICE OF APPEAL

Attached to this Notice of Appeal are copies of the following:

1. Mittimus
2. Designation of Record
3. Findings of the Trial Court

DOUGLAS K. WILSON  
Colorado State Public Defender



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KAREN N. TAYLOR, #24810  
Chief Appellate Deputy  
1300 Broadway, Suite 300  
Denver, Colorado 80203  
(303) 764-1400

### **CERTIFICATE OF SERVICE**

I certify that on December 11, 2014, a copy of this Notice of Appeal with attachments was served by mail delivery on the Office of the District Attorney, and on the District Court and the Office of the Attorney General via the Integrated Colorado Courts E-filing System (ICCES).



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District Court, Adams County, State of Colorado

Case#:D0012014CR000862 Div/Room: F

JUDGMENT OF CONVICTION, SENTENCE Original

The People of the State of Colorado vs PRICE, JAHMAL ALI

DOB 5/19/1989

AKA: PRICE, JAHMAL

The Defendant was sentenced on: 11/06/2014

People represented by...: KONECNY, KATELYN LOUISE

Defendant represented by: ROBINSON, BROOKS THOMAS

UPON DEFENDANT'S CONVICTION this date of: 11/04/2014

The defendant pled guilty to:

Count # 3 Charge: CRIMINAL IMPERSONATION-GAIN A BENEFIT

C.R.S # 18-5-113(1)(b)(II) Class: F6

Date of offense(s): 3/23/2014 to 3/23/2014 Date of finding(s):11/04/2014

Count # 4 Charge: WEAPON-POSS/PREVIOUS OFFEND-ANY PRIOR FE

C.R.S # 18-12-108(1) Class: F6

Date of offense(s): 3/23/2014 to 3/23/2014 Date of finding(s):11/04/2014

Count # 5 Charge: CARRYING A CONCEALED WEAPON-KNIFE/GUN

C.R.S # 18-12-105(1)(a),(b) Class: M2

Date of offense(s): 3/23/2014 to 3/23/2014 Date of finding(s):11/04/2014

Count # 6 Charge: TRESPASS 2-ENCLOSED/FENCED PROPERTY

C.R.S # 18-4-503(1)(a) Class: M3

Date of offense(s): 3/23/2014 to 3/23/2014 Date of finding(s):11/04/2014

Count # 7 Charge: RESISTING ARREST

C.R.S # 18-8-103 Class: M2

Date of offense(s): 3/23/2014 to 3/23/2014 Date of finding(s):11/04/2014

Count # 8 Charge: FALSE REPORTING-FALSE IDENTIFICATION

ADDED 11.04.14

C.R.S # 18-8-111(1)(d) Class: M3

Date of offense(s): 3/23/2014 to 3/23/2014 Date of finding(s):11/04/2014

IT IS THE JUDGMENT/SENTENCE OF THIS COURT that the defendant be sentenced to

Department of Corrections	18.00 MONTHS	COUNT	3
Credit for Time Served	228.00 DAYS	COUNT	3
Department of Corrections	18.00 MONTHS	COUNT	4
Credit for Time Served	228.00 DAYS	COUNT	4
CONCURRENT WITH COUNT 3	CASE NUMBER:	Adams County	
MANDATORY PAROLE OF 1 YEAR.		/CEV	
Jail	1.00 YEARS	COUNT	5
Credit for Time Served	228.00 DAYS	COUNT	5
CONCURRENT WITH COUNT 3	CASE NUMBER:	Adams County	
CONCURRENT WITH COUNT 4	CASE NUMBER:	Adams County	
MANDATORY PAROLE OF 1 YEAR		/CEV	
Jail	90.00 DAYS	COUNT	6
Credit for Time Served	228.00 DAYS	COUNT	6
CONCURRENT WITH COUNT 3	CASE NUMBER:	Adams County	
CONCURRENT WITH COUNT 4	CASE NUMBER:	Adams County	
CONCURRENT WITH COUNT 5	CASE NUMBER:	Adams County	
TO BE SERVED AT ACCP		/CEV	
Jail	1.00 YEARS	COUNT	7
Credit for Time Served	228.00 DAYS	COUNT	7
CONCURRENT WITH COUNT 3	CASE NUMBER:	Adams County	
CONCURRENT WITH COUNT 4	CASE NUMBER:	Adams County	
CONCURRENT WITH COUNT 5	CASE NUMBER:	Adams County	
CONCURRENT WITH COUNT 6	CASE NUMBER:	Adams County	
TO BE SERVED AT ACCP		/CEV	

District Court, Adams County, State of Colorado

Case #: 2014 CR 862 Div/Room: F

JUDGMENT OF CONVICTION, SENTENCE Original

The People of the State of Colorado vs PRICE, JAHMAL ALI

Jail	6.00 MONTHS	COUNT	8
Credit for Time Served	228.00 DAYS	COUNT	8
CONCURRENT WITH COUNT 3	CASE NUMBER:	Adams County	
CONCURRENT WITH COUNT 4	CASE NUMBER:	Adams County	
CONCURRENT WITH COUNT 5	CASE NUMBER:	Adams County	
CONCURRENT WITH COUNT 6	CASE NUMBER:	Adams County	
CONCURRENT WITH COUNT 7	CASE NUMBER:	Adams County	
TO BE SERVED AT ACCP			/CEV

	Assessed		Balance
\$	428.50	\$	428.50

THEREFORE, IT IS ORDERED the Sheriff of ADAMS COUNTY shall convey the DEFENDANT to the following department TO BE RECEIVED AND KEPT ACCORDING TO LAW ADAMS COUNTY COMMUNITY CORRECTIONS

ADDITIONAL REQUIREMENTS

The restraining order pursuant to C.R.S. 18-1-1001 shall remain in effect until final disposition of the action, or in the case of an appeal, until disposition of the appeal.

JUDGMENT OF CONVICTION IS NOW ENTERED, IT IS FURTHER ORDERED OR RECOMMENDED:

DATE 11-6-14 NPT \_\_\_\_\_ JUDGE/MAGISTRATE THOMAS RICHARD ENSOR

CERTIFICATE OF SHERIFF

I CERTIFY THAT I EXECUTED THIS ORDER AS DIRECTED

DATE \_\_\_\_\_ SHERIFF \_\_\_\_\_  
BY DEPUTY \_\_\_\_\_

District Court, Adams County, Colorado Court Address: 1100 Judicial Center Drive Brighton, CO 80601	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b>          NOV 07 2014          By _____       </div>
THE PEOPLE OF THE STATE OF COLORADO Plaintiff  MICHAEL PRICE, Defendant	FILED IN ADAMS COUNTY COMBINED COURT NOV 06 2014  σ COURT USE ONLY σ
Douglas K. Wilson, Colorado State Public Defender DAVID COUTURE, No. 39720 Deputy State Public Defender Brighton Regional Public Defenders 4710 East Bromley Lane Brighton, CO 80601 Phone: (303) 659-4274 Fax: (303) 659-6935 Email: brighton.pubdef@state.co.us	Case Number: 14CR862  Division: F
<b>ORDER</b>	

This matter coming on to be heard, and the Court being duly advised in the premises,

IT IS ORDERED and determined that the Defendant-Appellant herein is indigent and without funds with which to pay the costs of an appeal in this case. Application, therefore, is hereby approved and Defendant-Appellant shall be entitled to prosecute this appeal in forma pauperis. The Court further appoints the Colorado State Public Defender to represent Defendant-Appellant on appeal.

SO ORDERED this 6<sup>th</sup> day of Nov, 2014.

BY THE COURT

  
 DISTRICT COURT JUDGE



<input type="checkbox"/> District Court Adams County, Colorado  Court Address: Adams County District Court 1100 Judicial Center Drive Brighton, Colorado 80601	
THE PEOPLE OF THE STATE OF COLORADO  Plaintiff  v.  JAHMAL ALI PRICE  Defendant	
Douglas K. Wilson, Colorado State Public Defender Karen N. Taylor, Chief Appellate Deputy 1300 Broadway, Suite 300 Denver, Colorado 80203  Phone: (303) 764-1400 E-mail: <a href="mailto:appellate.pubdef@coloradodefenders.us">appellate.pubdef@coloradodefenders.us</a> Fax: (303) 764-1479 Atty. Reg. #: 24810	<div style="text-align: center;">σ COURT USE ONLY σ</div> Case Number: 14CR862   Division: F
<b>DESIGNATION OF RECORD ON APPEAL</b>	

The Clerk will prepare for the Court a record on appeal which shall include the following:

1. The entire trial court file, up to the filing of the record on appeal, including all original process and pleadings on file, all motions, judgments, orders of the court, minute orders, and, if applicable, all restitution motions and orders.
2. The reporter's original transcript of all hearings on pretrial motions, in their entirety, including, but not limited to, evidence, argument of counsel and rulings of the court which were held on: September 19, 2014 (AM/CL), September 30, 2014 (JH), October 14, 2014 (JH), and October 30, 2014 (DL).
3. The reporter's original transcript of trial (occurring on November 3 (SE) - 4 (SM), 2014), any motions hearings held immediately prior to the beginning of the first day of trial, as

well as opening and closing statements, arguments of counsel, rulings of the court, questions from the jury, colloquies concerning questions and receipt of verdict.

4. A transcript of voir dire is not requested.
5. A complete copy of the materials provided to jurors in the juror notebooks.
6. Jury instructions, including instructions tendered and refused, and any colloquy regarding the jury instructions.
7. All exhibits, including exhibits tendered and refused.
8. The reporter's original transcript of the sentencing hearing which was held on November 6, 2014 (SM).
9. The court reporters in this matter are: Deb Luse, Amanda Maze, Sandy Embry, Carolyn Leathers, Julie Hart, and Shela Marchus.

Pursuant to C.A.R. 11, the record on appeal must be transmitted to the clerk of the court March 12, 2015. Please notify the Appellate Division of the Public Defender's Office if you will be unable to complete the record on appeal within this time limitation.

DOUGLAS K. WILSON  
Colorado State Public Defender



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KAREN N. TAYLOR, #24810  
Chief Appellate Deputy  
1300 Broadway, Suite 300  
Denver, Colorado 80203  
(303) 764-1400

**CERTIFICATE OF SERVICE**

I certify that on December 12, 2014, a copy of this Designation of Record was served on the Office of the Attorney General and the District Court via the Integrated Colorado Courts E-filing System (ICCES) and by mail delivery on the Office of the District Attorney and the court reporter(s), Deb Luse, Amanda Maze, Sandy Embry, Carolyn Leathers, Julie Hart, and Shela Marchus.



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