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220

FILED IN THE  
COURT OF APPEALS  
STATE OF COLORADO

DATE FILED: October 3, 2012  
CASE NUMBER: 2012CA2045

COURT OF APPEALS, STATE OF COLORADO  
101 W. Colfax Avenue, Ste. 800 Denver, CO 80202

Appeal from the District Court for La Plata County  
Case Number 10CR518, 10CR71  
Honorable Jeffrey Raymond Wilson

**Appellant:**  
**CHARLES E. TROGDON**

v.

**Appellee:**  
**THE PEOPLE OF THE STATE OF COLORADO**

Attorney: Geman Law, PLLC  
Name: Nicolas M. Geman  
Address: 600 17<sup>th</sup> Street, Suite 2800-S  
Denver, Colorado 80202  
Phone Number: (303) 571-9772  
FAX Number: (303) 260-6401  
E-mail: Office@GemanCriminalDefense.com  
Atty. Reg. #: 39851

2012 OCT 3 10 4 36

CHRISTOPHER T. RYAN  
CLERK OF COURT

COURT USE ONLY

Case Number:

Division Courtroom

**12CA2045**

**NOTICE OF APPEAL**

Appellant, Charles Trogdon, by and through his attorney, Nicolas M. Geman, and pursuant to Rule 3 of the Colorado Appellate Rules, submits his Notice of Appeal.

**1. NATURE OF THE CASE**

**(A) General Statement of the Nature of the Case**

This is an appeal of a judgment of conviction and imposition of sentence against

Appellant, Charles Trogon, in the District Court for La Plata County, Colorado, case number 10CR518.

On November 1, 2010, the Appellant was arrested pursuant to a warrant on numerous charges including Theft and Burglary in the First and Second Degree. Ultimately three other related cases, 10CR569, 10CR584, and 10CR71 were consolidated into the case that is the subject of this appeal.

There were thirty-two total charges, ranging from Theft of under \$500, in violation of C.R.S. §18-4-401(1), (2)(b) to First Degree Burglary, in violation of C.R.S. §18-4-202(1). These charges stem from allegations that the Appellant used his job as an exterminator to gain access to private residences and take property that did not belong to him.

Prior to trial, the Appellant moved to suppress various pieces of evidence, and following an evidentiary hearing before the Honorable Jeffrey Raymond Wilson, and these motions were denied.

The Appellant was found guilty of sixteen counts at trial.

**(B) The Charges Upon Which Defendant Was Tried**

The Appellant was tried before a jury on the following counts from 10CR71:

1. Second Degree Burglary of a Dwelling, C.R.S. §18-4-203(1), (2)(a)
2. Theft between \$500 and \$1000, C.R.S. §18-4-401(1), (2)(b.5)

3. Second Degree Burglary of a Dwelling, C.R.S. §18-4-203(1), (2)(a)
4. Theft between \$1000 and \$20000, C.R.S. §18-4-401(1), (2)(c)
5. Second Degree Burglary of a Dwelling, C.R.S. §18-4-203(1), (2)(a)
6. Theft between \$500 and \$1000, C.R.S. §18-4-401(1), (2)(b.5)
7. (Dismissed by the Court)
8. First Degree Trespass of a Dwelling, C.R.S. §18-4-502
9. Second Degree Burglary of a Dwelling, C.R.S. §18-4-203(1), (2)(a)
10. Theft of more than \$20000, C.R.S. §18-4-401(1), (2)(d)
11. Theft between \$1000 and \$20000, C.R.S. §18-4-401(1), (2)(c)
12. Second Degree Burglary of a Dwelling, C.R.S. §18-4-203(1), (2)(a)
13. Theft of under \$500, C.R.S. §18-4-401(1), (2)(b)
14. Second Degree Burglary of a Dwelling, C.R.S. §18-4-203(1), (2)(a)
15. Theft between \$1000 and \$20000, C.R.S. §18-4-401(1), (2)(c)
16. Second Degree Burglary of a Dwelling, C.R.S. §18-4-203(1), (2)(a)
17. Theft between \$500 and \$1000, C.R.S. §18-4-401(1), (2)(b.5)
18. (Dismissed by the Court)
19. Theft between \$1000 and \$20000, C.R.S. §18-4-401(1), (2)(c)
20. (Dismissed by the District Attorney)
21. (Dismissed by the District Attorney)

22. (Dismissed by the District Attorney)

The Appellant was tried before a jury on the following counts from 10CR518:

1. Second Degree Burglary of a Dwelling, C.R.S. §18-4-203(1), (2)(a)
2. (Dismissed by the Court)
3. Theft between \$500 and \$1000, C.R.S. §18-4-401(1), (2)(b.5)
4. First Degree Burglary – Armed with Explosives or Weapons, C.R.S. §18-4-202(1)
5. Theft of under \$500, C.R.S. §18-4-401(1), (2)(b)
6. First Degree Burglary – Armed with Explosives or Weapons, C.R.S. §18-4-202(1)
7. Theft of under \$500, C.R.S. §18-4-401(1), (2)(b)
8. First Degree Burglary – Armed with Explosives or Weapons, C.R.S. §18-4-202(1)
9. Theft of under \$500, C.R.S. §18-4-401(1), (2)(b)
10. (Dismissed by the Court)
11. Attempted Theft of under \$500, C.R.S. §18-4-401(1), (2)(b)
12. (Dismissed by the Court)
13. Theft by Receiving of under \$500, C.R.S. §18-4-410(1),(3)

**(C) The Charges For Which Defendant Was Convicted**

The Appellant was convicted on counts 1, 2, 4, 5, 6, 8, 13, 14, 15, 17, and 19 from 10CR71, and on counts 1, 3, 7, 9, and 11 from case 10CR518.

**(D) The Date Judgment of Conviction Was Entered**

Judgment of conviction entered on August 15, 2012.

**(E) The Date Sentenced Was Imposed**

The sentence was imposed on April 5, 2012.

**(F) The Sentence**

From case 10CR518, as to count 1, the Appellant was sentenced to four years in the Department of Corrections, with mandatory parole of five years and 219 days pre-sentence credit. The Appellant was also sentenced to 1 year in the department of corrections for counts 3, 7, 9, and 11, all to run concurrently to count 1.

From case 10CR71, as to count 1, the Appellant was sentenced to four years in the department of corrections, consecutive to 10CR518.

As to count 2, the Appellant was sentenced to one year in the Department of Corrections, concurrent to Count 1.

As to count 4, the Appellant was sentenced to two years in the Department of

Corrections, consecutive to count 1.

As to count 5, the Appellant was sentenced to four years in the Department of Corrections, consecutive to count 4.

As to count 6, the Appellant was sentenced to 2 years in the Department of Corrections, concurrent to count 5.

As to count 8, the Appellant was sentenced to one year in the Department of Corrections, consecutive to count 5.

As to count 13, the Appellant was sentenced to one year in the Department of Corrections, concurrent to count 8.

As to count 14, the Appellant was sentenced to four years in the Department of Corrections, consecutive to count 8.

As to count 15, the Appellant was sentenced to two years in the Department of Corrections, concurrent to count 14.

As to count 17, the Appellant was sentenced to one year in the Department of Corrections, concurrent to count 14.

As to count 19, the Appellant was sentenced to two years in the Department of Corrections, consecutive to count 14.

(G) **A Statement Indicating the Basis for the Appellate Court's  
Jurisdiction**

This Appellate Court has jurisdiction pursuant to C.A.R. 4(b) and C.R.S.  
§13-4-102.

**2. APPEAL BOND**

No appeal bond was granted in this case.

**3. ADVISORY LISTING OF ISSUES TO BE RAISED ON APPEAL**

The Appellant intends to raise the following issue on appeal: Did the trial court err in denying the Appellant's motion to suppress evidence? Did the trial court err in allowing a juror to sit for trial who personally knew and was biased against the Appellant? Did the trial court err in overruling the defense's trial objections? Did the trial court err in allowing count 1 to go to the jury with insufficient evidence? Did the trial court err in instructing the jury?

**4. NECESSARY TRANSCRIPTS**

Transcripts of evidence taken at the preliminary hearing, the motions hearing, and the trial are necessary to resolve the issues on appeal. These transcripts are anticipated to exceed twenty-five pages in length. The Court Reporter for all hearings was Erin Grigsby.

## **5. COUNSEL FOR THE PARTIES**

Counsel for the Appellant, Charles Trogdon, is:

Nicolas M. Geman, attorney registration number 39851

600 17<sup>th</sup> Street, Suite 2800-S

Denver, Colorado 80202

(303) 571-9772

Counsel for the Appellee, The People of the State of Colorado, is:

Todd Risberg, attorney registration number 24763

Christian Champagne, attorney registration number 36833

1060 Main Avenue

Durango, CO 81302

(970) 247-8850

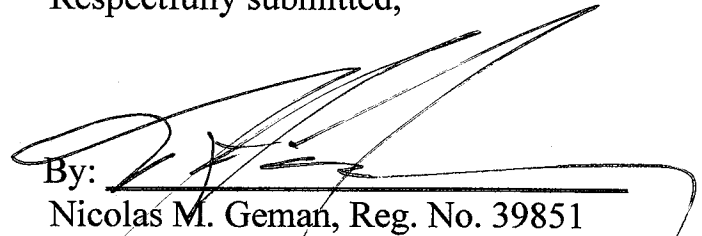
### *APPENDIX:*

1. Judgment of Conviction, Sentence, Mittimus, 10CR71
2. Sentencing Order 10CR71
3. Judgment of Conviction, Sentence, Mittimus, 10CR518
4. Sentencing Order 10CR518



**DATED** this 3<sup>rd</sup> day of October, 2012.

Respectfully submitted,



By: \_\_\_\_\_  
Nicolas M. Geman, Reg. No. 39851  
Attorney for Defendant  
600 17<sup>th</sup> Street, Suite 2800-S  
Denver, CO 80202  
(303) 571-9772 (T)  
(303) 260-6401 (F)  
Office@GemanCriminalDefense.com

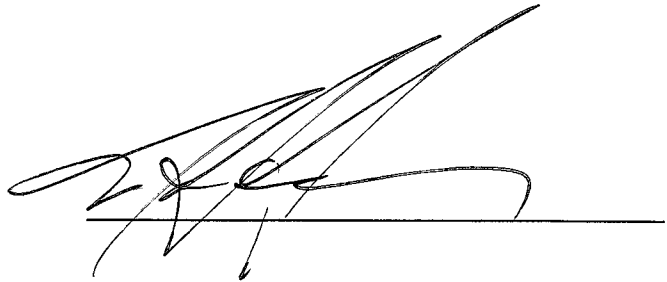
**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the Notice of Appeal, with all attachments, was mailed on October 3, 2012, to the following:

La Plata County District Court  
Division 4  
4000 Justice Way  
Castle Rock, Colorado 80109

Todd Risberg, Christian Champagne  
Office of the District Attorney  
1060 Main Avenue  
Durango, CO 81302

Office of the Attorney General  
1525 Sherman Street, 7<sup>th</sup> Floor  
Denver, Colorado 80203

A handwritten signature in black ink, consisting of several overlapping, fluid strokes, positioned above a solid horizontal line.

La Plata Combined Courts State of Colorado

Case#:D0342010CR000518 Div/Room: 4

JUDGMENT OF CONVICTION, SENTENCE Original

The People of Colorado vs TROGDON, CHARLES E

DOB 1/05/1961 SID 2553099

IN COMBINED COURT  
LA PLATA COUNTY COLORADO

AUG 15 2012

The Defendant was sentenced on: 8/15/2012

People represented by...: CHAMPAGNE, CHRISTIAN

Defendant represented by: GEMAN, NICOLAS

UPON DEFENDANT'S CONVICTION this date of: 1/18/2012

The defendant was found guilty after trial of:

Count # 1 Charge: BURGLARY 2-OF DWELLING

C.R.S # 18-4-203(1), (2) (a)

Class: F3

Date of offense(s): 10/27/2010 to 10/27/2010

Date of finding(s): 1/18/2012

Count # 3 Charge: THEFT-\$500-\$1000

C.R.S # 18-4-401(1), (2) (b.5)

Class: M1

Date of offense(s): 10/27/2010 to 10/27/2010

Date of finding(s): 1/18/2012

Count # 7 Charge: THEFT-UNDER \$500

C.R.S # 18-4-401(1), (2) (b)

Class: M2

Date of offense(s): 10/27/2010 to 10/27/2010

Date of finding(s): 1/18/2012

Count # 9 Charge: THEFT-UNDER \$500

C.R.S # 18-4-401(1), (2) (b)

Class: M2

Date of offense(s): 9/01/2009 to 12/15/2010

Date of finding(s): 1/18/2012

Count # 11 Charge: THEFT-UNDER \$500-ATT

C.R.S # 18-4-401(1), (2) (b)

Class: M3

Date of offense(s): 10/27/2010 to 10/27/2010

Date of finding(s): 1/18/2012

IT IS THE JUDGMENT/SENTENCE OF THIS COURT that the defendant be sentenced to THE CUSTODY OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS

Department of Corrections 4.00 YEARS COUNT 1  
Credit for Time Served 219.00 DAYS COUNT 1

JRW/KJM 081512 REPT BY E. GRIGSBY PEOPLE/CHAMPAGNE, DEF/GEMAN

COURT ENTERS JUDGMENT AND CONVICTION TO COUNTS 1, 3, 7, 9 AND 11.

ASTO COUNT 1, DEF IS SENTENCED TO DOC FOR 4 YEARS, WITH MANDATORY PAROLE OF 5 YEARS AND 219 DAYS PRE-SENTENCE CREDIT.

AS TO COUNTS 3, 7, 9 AND 11, DEF IS SENTENCED TO 1 YEAR DOC TO RUN CONCURRENT TO COUNT 1.

DEF TO PAY ALL FEES, COSTS AND ANY RESTITUTION.

RESTITUTION TO BE FILED WITHIN 30 DAYS.

ANY REMAINING COUNTS DISMISSED AND BOND RELEASED.

Department of Corrections 1.00 YEARS COUNT 3

Department of Corrections 1.00 YEARS COUNT 7

Department of Corrections 1.00 YEARS COUNT 9

Department of Corrections 1.00 YEARS COUNT 11

Plus a mandatory period of parole as required by statute.

Months on parole 0060

Assessed Balance  
\$ 10,034.02 \$ 10,034.02

THEREFORE, IT IS ORDERED the Sheriff of LA PLATA COUNTY shall convey the DEFENDANT to the following department TO BE RECEIVED AND KEPT ACCORDING TO LAW COLORADO STATE DEPARTMENT OF CORRECTIONS DIAGNOSTIC CENTER

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.

La Plata Combined Courts, State of Colorado  
Case #: 2010 CR 518 Div/Room: 4  
JUDGMENT OF CONVICTION, SENTENCE Original

**The People of Colorado vs TROGDON, CHARLES E**  
**JUDGMENT OF CONVICTION IS NOW ENTERED, IT IS FURTHER ORDERED OR RECOMMENDED:**

DATE 8/17/12 NPT 8/15/12 JUDGE/MAGISTRATE   
JEFFREY RAYMOND WILSON

**CERTIFICATE OF SHERIFF**

I CERTIFY THAT I EXECUTED THIS ORDER AS DIRECTED  
DATE \_\_\_\_\_ SHERIFF \_\_\_\_\_  
BY DEPUTY \_\_\_\_\_

**AUG 15 2012**

LA PLATA COMBINED COURTS, COLORADO  
 Court Address: 1060 E 2nd Ave Room 106  
 Durango, CO 81301-5157  
 Phone Number: 970-247-2004

DEPUTY CLERK

**COURT USE ONLY**

Case Number: 2010CR000518

The People of Colorado  
 vs  
 TROGDON, CHARLES E

Division: 4

**SENTENCE ORDER**

Defendant:	TROGDON, CHARLES E	Date of Birth:	01/05/1961	
Count		Class	Plea	Finding
1	18-4-203(1),(2)(a) - BURGLARY 2-OF DWELLING	F3	Plea Not Guilty	Guilty
2	18-4-202(1) - BURGLARY 1-ARMED W/ EXPLOSIVES/WEA	F3		Dismiss by Court
3	18-4-401(1),(2)(b.5) - THEFT-\$500-\$1000	M1	Plea Not Guilty	Guilty
4	18-4-202(1) - BURGLARY 1-ARMED W/ EXPLOSIVES/WEA	F3	Plea Not Guilty	Not Guilty
5	18-4-401(1),(2)(b) - THEFT-UNDER \$500	M2	Plea Not Guilty	Not Guilty
6	18-4-202(1) - BURGLARY 1-ARMED W/ EXPLOSIVES/WEA	F3	Plea Not Guilty	Not Guilty
7	18-4-401(1),(2)(b) - THEFT-UNDER \$500	M2	Plea Not Guilty	Guilty
8	18-4-202(1) - BURGLARY 1-ARMED W/ EXPLOSIVES/WEA	F3	Plea Not Guilty	Not Guilty
9	18-4-401(1),(2)(b) - THEFT-UNDER \$500	M2	Plea Not Guilty	Guilty
10	18-4-203(1),(2)(a) - BURGLARY 2-OF DWELLING	F3		Dismiss by Court
11	18-4-401(1),(2)(b) - THEFT-UNDER \$500-ATT	M3	Plea Not Guilty	Guilty
12	18-4-410(1),(3) - THEFT/RECEIVING-UNDER \$500	M2	Plea Not Guilty	Dismiss by Court
13	18-4-410(1),(3) - THEFT/RECEIVING-UNDER \$500	M2	Plea Not Guilty	Not Guilty

**ASSESSED FINES & COSTS**

<b>Count # 1</b>	
Victims Assistance Fund	\$163.00
Victim Compensation Fund	\$163.00
Court Costs	\$35.00
Court Security Cash Fund	\$5.00
Genetic Testing Surcharge	\$2.50
Request for Time to Pay	\$25.00
Drug Standardized Assessment	\$45.00
Department of Corrections: 4 Years	
Credit for Time Served: 219 Days	
Cost of Prosecution-Sheriff	\$551.12
District Atty Cost Recovery	\$8,732.40
<b>Count # 3</b>	
Victims Assistance Fund	\$78.00
Department of Corrections: 1 Years	
<b>Count # 7</b>	
Victims Assistance Fund	\$78.00
Department of Corrections: 1 Years	
<b>Count # 9</b>	
Victims Assistance Fund	\$78.00
Department of Corrections: 1 Years	
<b>Count # 11</b>	
Victims Assistance Fund	\$78.00
Department of Corrections: 1 Years	
<b>TOTAL</b>	<b>\$10,034.02</b>

**Other Conditions of Sentence:**

JRW/KJM 081512 REPT BY E. GRIGSBY PEOPLE/CHAMPAGNE, DEF/GEMAN  
 COURT ENTERS JUDGMENT AND CONVICTION TO COUNTS 1, 3, 7, 9 AND 11.  
 AS TO COUNT 1, DEF IS SENTENCED TO DOC FOR 4 YEARS, WITH MANDATORY PAROLE OF 5  
 YEARS AND 219 DAYS PRE-SENTENCE CREDIT.  
 AS TO COUNTS 3, 7, 9 AND 11, DEF IS SENTENCED TO 1 YEAR DOC TO RUN CONCURRENT

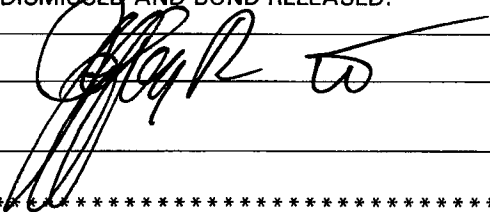
TO COUNT 1.  
DEF TO PAY ALL FEES, COSTS AND ANY RESTITUTION.  
RESTITUTION TO BE FILED WITHIN 30 DAYS.  
ANY REMAINING COUNTS DISMISSED AND BOND RELEASED. /KJM

WILSON, JEFFREY RAYMOND  
Judge/Magistrate

08/15/2012  
Date

TROGDON, CHARLES E  
Defendant

08/15/2012  
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.

XC: DA  
Geman  
Jail

District Court, Archuleta County, State of Colorado

Case#:D0042010CR000071 Div/Room: 4

JUDGMENT OF CONVICTION, SENTENCE Original

**The People of Colorado vs TROGDON, CHARLES EDWARD**

DOB 1/05/1961 SID 2553009

FILED

IN COMBINED COURT  
LA PLATA COUNTY COLORADO

The Defendant was sentenced on: 8/15/2012

People represented by...: LOWE, ALEXANDER

Defendant represented by: GEMAN, NICOLAS

UPON DEFENDANT'S CONVICTION this date of: 1/18/2012

AUG 15 2012

The defendant was found guilty after trial of:

Count # 1 Charge: BURGLARY 2-OF DWELLING

COUNT 14 FOR JURY PURPOSES IN 10CR518

C.R.S # 18-4-203(1), (2) (a)

Class: F3

DEPUTY CLERK

Date of offense(s): 4/25/2008 to 4/29/2008

Date of finding(s): 1/18/2012

Count # 2 Charge: THEFT-\$500-\$1000

COUNT 15 FOR JURY PURPOSES IN 10CR518

C.R.S # 18-4-401(1), (2) (b.5)

Class: M1

Date of offense(s): 4/25/2008 to 4/29/2008

Date of finding(s): 1/18/2012

Count # 4 Charge: THEFT-\$1000-\$20,000

COUNT 17 FOR JURY PURPOSES IN 10CR518

C.R.S # 18-4-401(1), (2) (c)

Class: F4

Date of offense(s): 9/11/2008 to 11/27/2008

Date of finding(s): 1/18/2012

Count # 5 Charge: BURGLARY 2-OF DWELLING

COUNT 18 FOR JURY PURPOSES IN 10CR518

C.R.S # 18-4-203(1), (2) (a)

Class: F3

Date of offense(s): 6/04/2009 to 6/04/2009

Date of finding(s): 1/18/2012

Count # 6 Charge: THEFT-\$1000-\$20,000

COUNT 19 FOR JURY PURPOSES IN 10CR518

C.R.S # 18-4-401(1), (2) (c)

Class: F4

Date of offense(s): 6/04/2009 to 6/04/2009

Date of finding(s): 1/18/2012

Count # 8 Charge: TRESPASS 1-DWELLING

COUNT 21 FOR JURY PURPOSES IN 10CR518

C.R.S # 18-4-502

Class: F5

Date of offense(s): 8/01/2009 to 12/11/2009

Date of finding(s): 1/18/2012

Count # 13 Charge: THEFT-UNDER \$500

COUNT 26 FOR JURY PURPOSES IN 10CR518

C.R.S # 18-4-401(1), (2) (b)

Class: M2

Date of offense(s): 10/20/2010 to 10/31/2010

Date of finding(s): 1/18/2012

Count # 14 Charge: BURGLARY 2-OF DWELLING

COUNT 27 FOR JURY PURPOSES IN 10CR518

C.R.S # 18-4-203(1), (2) (a)

Class: F3

Date of offense(s): 9/01/2009 to 12/31/2009

Date of finding(s): 1/18/2012

Count # 15 Charge: THEFT-\$1000-\$20,000

COUNT 28 FOR JURY PURPOSES IN 10CR518

C.R.S # 18-4-401(1), (2) (c)

Class: F4

Date of offense(s): 9/01/2009 to 10/31/2009

Date of finding(s): 1/18/2012

Count # 17 Charge: THEFT-\$500-\$1000

COUNT 30 FOR JURY PURPOSES IN 10CR518

C.R.S # 18-4-401(1), (2) (b.5)

Class: M1

Date of offense(s): 4/25/2008 to 12/31/2010

Date of finding(s): 1/18/2012

Count # 19 Charge: THEFT-\$1000-\$20,000

COUNT 32 FOR JURY PURPOSES IN 10CR518

C.R.S # 18-4-401(1), (2) (c)

Class: F4

Date of offense(s): 8/01/2010 to 8/31/2010

Date of finding(s): 1/18/2012

**IT IS THE JUDGMENT/SENTENCE OF THIS COURT** that the defendant be sentenced to  
THE CUSTODY OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS

District Court, Archuleta County, State of Colorado  
Case #: 2010 CR 71 Div/Room: 4  
JUDGMENT OF CONVICTION, SENTENCE Original  
**The People of Colorado vs TROGDON, CHARLES EDWARD**

DATE 8/17/12 NPT 8/15/12

JUDGE/MAGISTRATE   
JEFFREY RAYMOND WILSON

**CERTIFICATE OF SHERIFF**

I CERTIFY THAT I EXECUTED THIS ORDER AS DIRECTED

DATE \_\_\_\_\_

SHERIFF \_\_\_\_\_

BY DEPUTY \_\_\_\_\_



**FILED**  
 IN COMBINED COURT  
 LA PLATA COUNTY COLORADO

DISTRICT COURT, ARCHULETA COUNTY, COLORADO

Court Address: Archuleta County Courthouse  
 449 San Juan Street P.O. Box 148  
 Pagosa Springs, CO 81147  
 Phone Number: 970-264-5932

AUG 15 2012

DEPUTY CLERK

^ COURT USE ONLY ^

Case Number: 2010CR000071

**The People of Colorado**  
 vs  
**TROGDON, CHARLES EDWARD**

Division: 4

**SENTENCE ORDER**

Defendant: TROGDON, CHARLES EDWARD	Date of Birth: 01/05/1961			
Count		Class	Plea	Finding
1	18-4-203(1),(2)(a) - BURGLARY 2-OF DWELLING	F3	Plea Not Guilty	Guilty
2	18-4-401(1),(2)(b.5) - THEFT-\$500-\$1000	M1	Plea Not Guilty	Guilty
3	18-4-203(1),(2)(a) - BURGLARY 2-OF DWELLING	F3	Plea Not Guilty	Not Guilty
4	18-4-401(1),(2)(c) - THEFT-\$1000-\$20,000	F4	Plea Not Guilty	Guilty
5	18-4-203(1),(2)(a) - BURGLARY 2-OF DWELLING	F3	Plea Not Guilty	Guilty
6	18-4-401(1),(2)(c) - THEFT-\$1000-\$20,000	F4	Plea Not Guilty	Guilty
7	18-4-401(1),(2)(b) - THEFT-UNDER \$500	M2	Plea Not Guilty	Dismiss by Court
8	18-4-502 - TRESPASS 1-DWELLING	F5	Plea Not Guilty	Guilty
9	18-4-203(1),(2)(a) - BURGLARY 2-OF DWELLING	F3	Plea Not Guilty	Not Guilty
10	18-4-401(1),(2)(d) - THEFT-\$20,000 OR MORE	F3	Plea Not Guilty	Not Guilty
11	18-4-401(1),(2)(c) - THEFT-\$1000-\$20,000	F4	Plea Not Guilty	Not Guilty
12	18-4-203(1),(2)(a) - BURGLARY 2-OF DWELLING	F3	Plea Not Guilty	Not Guilty
13	18-4-401(1),(2)(b) - THEFT-UNDER \$500	M2	Plea Not Guilty	Guilty
14	18-4-203(1),(2)(a) - BURGLARY 2-OF DWELLING	F3	Plea Not Guilty	Guilty
15	18-4-401(1),(2)(c) - THEFT-\$1000-\$20,000	F4	Plea Not Guilty	Guilty
16	18-4-203(1),(2)(a) - BURGLARY 2-OF DWELLING	F3	Plea Not Guilty	Not Guilty
17	18-4-401(1),(2)(b.5) - THEFT-\$500-\$1000	M1	Plea Not Guilty	Guilty
18	18-4-401(1),(2)(b.5) - THEFT-\$500-\$1000	M1	Plea Not Guilty	Dismiss by Court
19	18-4-401(1),(2)(c) - THEFT-\$1000-\$20,000	F4	Plea Not Guilty	Guilty
20	18-4-203(1),(2)(a) - BURGLARY 2-OF DWELLING	F3		Dismiss by DA
21	18-4-401(1),(2)(b.5) - THEFT-\$500-\$1000	M1		Dismiss by DA
22	18-4-401(1),(2)(c) - THEFT-\$1000-\$20,000	F4		Dismiss by DA

**ASSESSED FINES & COSTS**

<b>Count # 1</b>	
Victims Assistance Fund	\$163.00
Victim Compensation Fund	\$163.00
Court Costs	\$35.00
Court Security Cash Fund	\$5.00
Genetic Testing Surcharge	\$2.50
Request for Time to Pay	\$25.00
Department of Corrections: 4 Years	
Restitution	\$10,021.00
<b>Count # 2</b>	
Victims Assistance Fund	\$78.00
Department of Corrections: 1 Years	
<b>Count # 4</b>	
Victims Assistance Fund	\$163.00
Department of Corrections: 2 Years	
<b>Count # 5</b>	
Victims Assistance Fund	\$163.00
Department of Corrections: 4 Years	
<b>Count # 6</b>	
Victims Assistance Fund	\$163.00
Department of Corrections: 2 Years	
<b>Count # 8</b>	
Victims Assistance Fund	\$163.00

Defendant: TROGDON, CHARLES EDWARD Date of Birth: 01/05/1961

Department of Corrections: 1 Years

Count # 13

Victims Assistance Fund \$78.00

Department of Corrections: 1 Years

Count # 14

Victims Assistance Fund \$163.00

Department of Corrections: 4 Years

Count # 15

Victims Assistance Fund \$163.00

Department of Corrections: 2 Years

Count # 17

Victims Assistance Fund \$78.00

Department of Corrections: 1 Years

Count # 19

Victims Assistance Fund \$163.00

Department of Corrections: 2 Years

TOTAL \$11,789.50

Consecutive with count 1 of case number 10CR518 in La Plata Combined Courts

Other Conditions of Sentence:

JRW/KJM 081512 REPT BY E. GRIGSBY PEOPLE/LOWE, DEF/GEMAN COURT ENTERS JUDGMENT AND CONVICTION TO COUNTS 1, 2, 4, 5, 6, 8, 13, 14, 15, 17 AND 19.

AS TO COUNT 1, DEF IS SENTENCED TO DOC FOR 4 YEARS, CONSECUTIVE TO LA PLATA COUNTY CASE 10CR518.

AS TO COUNT 2, 1 YEAR DOC, CONCURRENT TO COUNT 1.

AS TO COUNT 4, 2 YEARS DOC, CONSECUTIVE TO COUNT 1.

AS TO COUNT 5, 4 YEARS DOC, CONSECUTIVE TO COUNT 4.

AS TO COUNT 6, 2 YEARS DOC, CONCURRENT TO COUNT 5.

AS TO COUNT 8, 1 YEAR DOC, CONSECUTIVE TO COUNT 5.

AS TO COUNT 13, 1 YEAR DOC, CONCURRENT TO TO COUNT 8.

AS TO COUNT 14, 4 YEARS DOC, CONSECUTIVE TO COUNT 8.

AS TO COUNT 15, 2 YEARS DOC, CONCURRENT TO COUNT 14.

AS TO COUNT 17, 1 YEAR DOC, CONCURRENT TO COUNT 14.

AS TO COUNT 19, 2 YEARS DOC, CONSECUTIVE TO COUNT 14.

FOR THE TWO CASES, LA PLATA COUNTY 10CR518 AND ARCHULETA 10CR71, DEF IS SENTENCED TO DOC FOR A TOTAL OF 21 YEARS, WITH MANDATORY PAROLE OF 5 YEARS AND 219 DAYS PRE-SENTENCE CREDIT.

DEF TO PAY ALL FEES, COSTS AND ANY RESTITUTION.

ADDITIONAL RESTITUTION TO BE FILED WITHIN 30 DAYS.

/KJM

WILSON, JEFFREY RAYMOND Judge/Magistrate

08/15/2012 Date

TROGDON, CHARLES EDWARD Defendant

08/15/2012 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.

XC: DA  
German  
Jain

District Court, Archuleta County, State of Colorado

Case #: 2010 CR 71 Div/Room: 4

JUDGMENT OF CONVICTION, SENTENCE Original

**The People of Colorado vs TROGDON, CHARLES EDWARD**

Department of Corrections 4.00 YEARS COUNT 1

CONSECUTIVE TO COUNT 1 CASE NUMBER: 2010CR 518 d Courts

JRW/KJM 081512 REPT BY E. GRIGSBY PEOPLE/LOWE, DEF/GEMAN

COURT ENTERS JUDGMENT AND CONVICTION TO COUNTS 1, 2, 4, 5, 6, 8, 13, 14, 15, 17 AND 19.

AS TO COUNT 1, DEF IS SENTENCED TO DOC FOR 4 YEARS, CONSECUTIVE TO LA PLATA COUNTY CASE 10CR518.

AS TO COUNT 2, 1 YEAR DOC, CONCURRENT TO COUNT 1.

AS TO COUNT 4, 2 YEARS DOC, CONSECUTIVE TO COUNT 1.

AS TO COUNT 5, 4 YEARS DOC, CONSECUTIVE TO COUNT 4.

AS TO COUNT 6, 2 YEARS DOC, CONCURRENT TO COUNT 5.

AS TO COUNT 8, 1 YEAR DOC, CONSECUTIVE TO COUNT 5.

AS TO COUNT 13, 1 YEAR DOC, CONCURRENT TO TO COUNT 8.

AS TO COUNT 14, 4 YEARS DOC, CONSECUTIVE TO COUNT 8.

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DEF TO PAY ALL FEES, COSTS AND ANY RESTITUTION.

ADDITIONAL RESTITUTION TO BE FILED WITHIN 30 DAYS.

Department of Corrections 1.00 YEARS COUNT 2 /KJM

Department of Corrections 2.00 YEARS COUNT 4

Department of Corrections 4.00 YEARS COUNT 5

Department of Corrections 2.00 YEARS COUNT 6

Department of Corrections 1.00 YEARS COUNT 8

Department of Corrections 1.00 YEARS COUNT 13

Department of Corrections 4.00 YEARS COUNT 14

Department of Corrections 2.00 YEARS COUNT 15

Department of Corrections 1.00 YEARS COUNT 17

Department of Corrections 2.00 YEARS COUNT 19

Plus a mandatory period of parole as required by statute.

Months on parole 0060

	Assessed		Balance
\$	11,789.50	\$	11,789.50

**THEREFORE, IT IS ORDERED** the Sheriff of LA PLATA COUNTY shall convey the DEFENDANT to the following department TO BE RECEIVED AND KEPT ACCORDING TO LAW COLORADO STATE DEPARTMENT OF CORRECTIONS DIAGNOSTIC CENTER

**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:**