BENJAMIN R. ALDANA (16769)

UTAH COUNTY PUBLIC DEFENDER ASSOCIATION

Attorney for Defendant

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| IN THE FOURTH JUDICIAL DISTRICT COURT  UTAH COUNTY, STATE OF UTAH |  |
| STATE OF UTAH,  Plaintiff,  v.  JANE DOE,  Defendant. | ORDER DIRECTING THE UTAH COUNTY SHERIFF TO PROVIDE RECORDS  TO DEFENSE COUNSEL  Case No. 000000000  Judge XXXXX |

This matter comes before the Court on the Defendant’s Amended Motion for Court Order to Obtain Records from the Utah County Sheriff Pursuant to the Government Records Access Management Act, filed with the Court on September 26, 2022. The Court Clerk received an email from XXXXXX, who is the attorney from the Civil Division of the Utah County Attorney’s Office representing the Utah County Sheriff, on September 28, 2022. In that email, XXXXXX indicated that the Utah County Sheriff would not be responding the Defendant’s Motion, because from the Sheriff’s perspective, nothing had been altered or edited, as alleged in the Defendant’s Motion. XXXXXX also noted the existence of an additional clip of bodycam footage related to this case, which his email indicated was shared with defense counsel on September 28, 2022.

The Court, after reviewing the Defendant’s Motion, hereby FINDS and ORDERS, pursuant to Utah Code § 63G-2-202(7), as follows:

1. 1. If they have not before now been provided to the Defendant’s attorney, the Utah County Sheriff shall forthwith provide the following records/items/information to Defendant’s attorney, Benjamin R. Aldana:

Unredacted and unedited copies of any and all bodycam, dashcam, and any and all other video footage associated with 00UC00000, which is the Utah County Sheriff incident number associated with the above-entitled matter.

1. 2. The records/items/information listed in paragraph (1) of this Order shall be delivered to:

Benjamin R. Aldana

Utah County Public Defender Association

180 North University Ave. Suite 140

Provo, UT 84601

Email: bena@utcpd.com

1. 3. Pursuant to § 63G-2-202(7)(a)-(d):
2. a. The records/items/information listed in paragraph (1) of this Order pertain to the allegations made against Defendant in the above-entitled matter, over which this Court has jurisdiction;
3. b. The Court has considered the merits of the request for the records/items/information listed in paragraph (1) of this Order, which are: (i) that the requested records/items/information pertain directly to the underlying facts/allegations made against the Defendant in this case; and (ii) that the Defendant has the right to have her attorney fully investigate the underlying facts/allegations made against her in order to ensure that the Defendant is afforded a fair trial in this case;
4. c. The Court finds that the interests favoring access to the records/items/information listed in paragraph (1) of this Order, namely, that the Defendant in this matter has the right to a constitutionally adequate defense, are greater than or equal to the interests favoring restriction of access.

\*\*\*\*END OF ORDER – SIGNATURE/DATE AT TOP OF FIRST PAGE\*\*\*\*CERTIFICATE OF SERVICE

Via the court’s electronic filing system a copy of the foregoing was sent to the Utah County Attorney’s Office, this 28th day of September, 2022.

Additionally, the following individual was served by email:

Utah County Attorney’s Office, Civil Division

*/s/ Benjamin R. Aldana*