

OREGON UNIFORM CITATION AND COMPLAINT

Use For All Violations or Crimes Where Separate Complaint Will Not Be Filed
ORS 153.045 or 133.069

COMPLAINT AND SUMMONS

CITATION #
EU0111789

DA#

COURT#

☒ Violation(s) Or (not both) ☐ Crime(s)
☒ Traffic ☐ Wildlife ☐ Boating ☐ Commercial Fishing ☐ Other

In The Circuit Court of the State Of Oregon For: **MULTNOMAH COUNTY**
CITY OF PORTLAND VS.

DEFENDANT

The undersigned certifies and says that the following person:

ID Type: **PHOTO DL** ID No: **5038100** Class: **C** State: **OR**
NAME Last: **SMITH** First: **JEFFERSON** MI: **DANIEL EDWARD**
Address: **11633 NE PACIFIC ST**
City: **PORTLAND** State: **OR** ZIP: **97220**
Sex: **M** Race: **W** DOB: **06/29/1973** Telephone:
Height: **6' 4"** Weight: **225** Hair: **BROWN** Eyes:
☐ Emp. to Drive ☐ Def. is Passenger ☐ Def. is Pedestrian ☐ Def. is Bicyclist ☐ Other

TIME AND PLACE

On or about the following Time and Place in the above mentioned State and County:

Date / Time: **03/31/2009 7:29 AM**
At or Near: **OR-99E HWY SB / ROSS ISLAND BRIDGE , PORTLAND**

☐ Premises Open To The Public ☒ Highway

VEHICLE

Involving the following:

Type: **PC** Registration/VIN/ID#: **XEW402** State: **OR**
Year: **2000** Make: **ACURA** Model:
Style: **4D** Color: **BLACK** 2nd Color:
Desc:
☐ Accident ☐ Property Damage ☐ Injury ☐ Endanger Other
☐ Commercial Vehicle ☐ Hazardous Mat ☐ Driver not Registered Owner

OFFENSE(S)

Did then and there commit the following offense(s):

1 Violated (ORS/ORD/RULE): **§11.265** Base Fine: **\$355.00**
Charge: **FAILURE TO OBEY A TRAFFIC CONTROL DEVICE**
NO LANE CHANGE

☐ VBR ☐ Posted Limit Alleged Speed: Posted Speed:
☐ Pace ☐ Radar ☐ Laser ID#:
☒ Highway Work Zone ☐ Posted School Zone ☐ Safety Corridor
☐ Intentional ☐ Knowing ☐ Reckless ☐ Criminal Negligence
☐ No Culpable Mental State

OTHER / EXPLAIN: ☐ Custody Report Done ☐ Video Evidence ☐ Vehicle Towed

SIGNATURE

I certify under ORS 153.045 and 153.990 and under other applicable law and under penalties for false swearing, do swear / affirm that I have sufficient grounds to and do believe that the above-mentioned defendant/ person committed the above offense(s) and I have served the defendant/person with this complaint.

Signature of Officer:



Officer Name #1: **STEVEN MCHUGILL**
Agency: **PORTLAND POLICE BUREAU**

OfficerID#: **24736**

Officer Name #2:
Agency:

OfficerID#:

Date Issued: **03/31/2009**

YOUR COURT APPEARANCE DATE / TIME AND LOCATION

Date: **04/28/2009 1:30 PM**
Location: **Circuit Court Room 106**
1021 SW Fourth Ave, Portland, OR
503-988-3235

OFFICER'S NOTES

ME AT GORE POINT. DEF IN L1 CHANGING TO L2.
SEMIW/ TRALER STARTING TO PULL OUT AND HAD TO
STOP. MM

OR DL

A COMPLAINT ON THIS CITATION WILL BE FILED AGAINST YOU IN
THE COURT INDICATED ON THE FRONT OF THIS SUMMONS.

READ CAREFULLY

If the top of the citation shows you are charged with a:

CRIME - (And the Base Fine Shows Court Mandatory), YOU MUST APPEAR at the time and place set by this summons.

VIOLATION - You must do one (and only one) of the violation options listed below:

VIOLATION OPTIONS: To respond to violation(s) charged on this summons, your options are:

OPTION #1

PERSONALLY APPEAR at the court, at the appearance time indicated to enter a plea **OR**, before that time, to orally request a trial. You have a right to trial, and if you plead not guilty when you appear, the Court will set a date and time for that.

OPTION #2

Enter a plea of **GUILTY** or **NO CONTEST** by written appearance. To choose this option, do **ALL** the following before the time this summons requires you to appear.

1. Check **AND** initial one (and only one) of the following pleas:

☐ I plead **GUILTY** _____ (initial) ☐ I plead **NO CONTEST** _____ (initial)

2. Sign/date here: _____

(Signature)

(Date)

3. **AND** deliver to the court this summons (see notice 4 below) and attach written statement explaining or in mitigation of the violation(s) charged (if your plea is Guilty, the written statement is optional), **AND**

4. With this summons, send or take to the court a **check or money order for the full base fine amount** as shown on this summons \$ _____

(indicate amount enclosed)

IMPORTANT: Choosing this option makes a written appearance and waives your right to trial. If you plead **GUILTY**, you agree to the penalties for your offense. If you plead **NO CONTEST**, you consent to any court judgement based on your plea and statement and the officer's report. If it finds you guilty, the court may keep all or part of the money you pay, but will return any left after taking out the sanctioned amount. If you choose this option, the court will not fine you more without giving you notice to come to hearing.

OPTION #3

ENTER A PLEA OF NOT GUILTY by written appearance. To choose this option do **ALL** the following before the time this summons requires you to appear.

1. Sign/date here: _____

(Signature)

(Date)

2. **AND**, deliver to the court this summons by itself or with a written request for trial (see notice 4 below).

IMPORTANT: Choosing this option makes a written request for hearing. The Court will give you notice of the time and place when you **MUST** appear. The Court may impose penalties if you do not appear at the time given in notice. The Court may require you to deposit money to assure your appearance if you have failed to appear on any offense charges in the past.

OPTION #4

Contact the Court Clerk, **before the time this summons requires you to appear**, and determine if you qualify for a trial by affidavit under ORS 153.080. If so, the trial will be based upon sworn, written statements and future court appearances may not be necessary. It is possible that you may not qualify for trial by affidavit or that the local court may not offer this option. In those cases, you must comply with one of the other options.

NOTICE

1. In any case, the Court, **AFTER NOTICE**, MAY REQUIRE YOU TO APPEAR FOR A HEARING.
2. For traffic offenses, this record will be sent to the Licensing Authority of this state (or where you received your license to drive) to decide if a license suspension is appropriate.
3. For violations, if you are going to have an attorney represent you, you must notify the court and the prosecutor's office in advance.
4. **YOU MAY MAIL WRITTEN APPEARANCES** to the court under Violation Options 2 or 3 above, but the mail must arrive at the court before your appearance date shown on this summons.

WARNING

1. **IF YOU FAIL TO FOLLOW THESE INSTRUCTIONS, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST** and/or, for traffic offenses, may order your license suspended.
2. For violations, if you do not pay the full base fine in advance and do not appear, the court, without further hearing, may enter a conviction and a judgment against you for more than the base fine and up to the maximum penalty allowed by law for the charged offense(s) including the maximum fines, assessments, restitutions and other costs (which may be substantially more than the base fine).

PLEASE WRITE THE CITATION NUMBER ON YOUR CHECK OR MONEY ORDER. MAIL CORRESPONDENCE AND MAKE CHECKS PAYABLE TO:

CIRCUIT COURT
P.O. BOX 114
PORTLAND, OR, 97207
(503) 988-3235

CIRCUIT COURT
P.O. BOX 2217
GRESHAM, OR, 97030
(503) 988-3199

MULTNOMAH COUNTY CIRCUIT COURT
TRIAL REQUEST

State of Oregon vs. Jefferson Smith
Mailing Address 11633 NE Pacific St.
City/State/Zip Portland OR 97220
Phone ()

DEFENDANT STATUS

☐ Custody

☐ R.O.R.

☐ Bail

FILED

Case or Citation # EU0111789 Charge APR 28 2009
Case or Citation # _____ Charge Circuit Court
Case or Citation # _____ Multnomah County, Oregon

I plead not guilty. Please enter my plea and schedule a trial.

An interpreter is needed in NA (language).

4/28/09

Date

Signature of Defendant or Attorney

ATTORNEY NAME AND ADDRESS

66115

Bar Number

508287-6577

Phone Number

Please Print Name

ENTERED

Address (If you have recently moved)

APR 28 2009

City/State/Zip

IN REGISTER BY BL

YOU WILL BE NOTIFIED BY MAIL OF THE TRIAL DATE, TIME AND LOCATION.

IF YOU DO NOT RECEIVE YOUR TRIAL DATE WITHIN 2 - 3 WEEKS, PLEASE CONTACT THE COURT.

GRESHAM COURT

(503) 988-3199

DOWNTOWN COURT

(503) 988-3235

Date

4-28-09

Clerks Initials

BL

NOTICE TO DEFENDANTS AND OFFICERS

Either side may request ONE re-setting of the trial. The request must be in writing, received by the court more than 14 days prior to the scheduled trial date, and MUST DEMONSTRATE GOOD CAUSE. If granted, the date can be changed, but not the court time.

SCANNED
JUN 22 2009

R. P. JOE SMITH

Lawyer

2211 N.E. 21st Ave.

Portland, Oregon, 97212-4623

(503) 287-6577 FAX 287-9002

joe@smithcompound.com

May 29, 2009

RECEIVED

MAY 29 2009

CIRCUIT COURT
MULTNOMAH COUNTY, OR

Clerk, Multnomah County Circuit Court
1021 SW Fourth Ave.
Portland, Oregon
Via FAX 503-988-5065

Re: Jefferson Smith, EU0111789

Dear Clerk:

My client will be out of town June 15th, and almost every day for the remainder of that month. (He works for the Legislature, and they are not expected to adjourn until at least June 30, and may run a little later.) We respectfully request a set-over to a date after July 3.

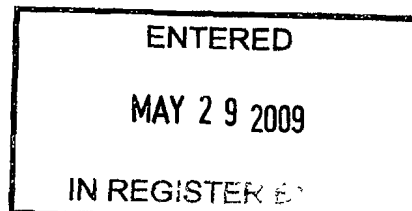
In setting the new date, please be advised that I will be unavailable July 22nd, August 3rd and 4th, and August 11th and 12th.

Thank you for your courtesies



R.P. Joe Smith
Attorney of Record

RPS/j



OREGON UNIFORM CITATION AND COMPLAINT
Use For All Violations or Crimes Where Separate Complaint Will Not Be Filed
ORS 153.045 or 133.069

CITATION #
EU0111789

EU0111789 APPEARANCE RECORD

APPEARANCE TYPE ☒ In person ☐ By phone ☐ By Mail ☐ Sent to Court

DEFENDANT

The undersigned certifies and says that the following person

ID Type **PHOTO DL** ID No **5038100** Class **C** State **OR**
NAME **SMITH JEFFERSON DANIEL EDWARD**
Address **11633 NE PACIFIC ST**
City **PORTLAND** State **OR** ZIP **97220**
Sex **M** Race **CAU** DOB **06/29/1973** Telephone _____
Height **604** Weight **225** Hair **BRO** Eyes _____
☐ Emp to Drive ☐ Def is Passenger ☐ Def is Pedestrian ☐ Def is Bicyclist ☐ Other

☒ Violation(s) ☐ Or (not both) ☐ Crime(s)
☒ Traffic ☐ Wildlife ☐ Boating ☐ Commercial Fishing ☐ Other
IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR **MULTNOMAH COUNTY**
CITY OF PORTLAND VS

OFFENSE(S)
Did then and there commit the following offense(s):

1 Violated (ORS/ORD/RULE) **811.265** Base Fine **\$355.00**
Charge **FAILURE TO OBEY A TRAFFIC CONTROL DEVICE**
☐ VBR ☐ Posted Limit Alleged Speed _____ Posted Speed _____
☐ Pace ☐ Radar ☐ Laser ID # _____
☒ Highway Work Zone ☐ Posted School Zone ☐ Safety Corridor
☐ Intentional ☐ Knowing ☐ Reckless ☐ Criminal Negligence
☐ No Culpable Mental State

PLEA

☐ I plead GUILTY _____ (initial) ☐ I plead NO CONTEST _____ (initial)
☒ I plead NOT GUILTY _____ (initial) ☒ Request for trial ☐ Request trial by affidavit

JUDGMENT / MONEY AWARD

☐ Convicted ☐ Base Fine Forfeiture _____
☐ Dismissed ☐ Violation Bureau Fine _____

ADDRESS VERIFICATION (if different from information on citation)

Current Address _____

City / State / Zip _____

PHONE _____ DOB _____

DL # _____ SSN _____

COLLECTION FEE DISCLOSURE

Oregon law requires the court to add the following fees. The court cannot waive or suspend the fees

Payment Schedule Fee - A fee is imposed on all cases with an outstanding receivable balance as of 30 days from the entry of the judgment. A \$50 fee is added for balances under \$500. A \$100 fee is added for balances of \$500 or more.

Collection Referral Fee - A fee is imposed when an outstanding receivable balance is assigned to the Oregon Department of Revenue or private collection agency for collection. The fee amount is based upon a percentage of the receivable balance assigned.

License Sanction Fee - A \$15 fee is imposed when the court gives notice to the Department of Transportation of a suspension or restriction of a defendant's driving privileges.

PLEA INFORMATION - GUILTY / NO CONTEST

If you plead guilty or no contest, you waive your right to a trial. If you plead guilty, you agree to the penalties for your offense. If you plead no contest, you consent to any court judgment based on your plea and statement and officer's report. If it finds you guilty, the court may keep all or part of the money you pay, but will return any left after taking out the sanctioned amount. If you choose this option, the court will not fine you more without giving you notice to come to a hearing.

PLEA INFORMATION - NOT GUILTY

A not guilty plea makes a written request for a hearing. The court will give you notice of the time and place when you must appear. The court may impose penalties if you do not appear at the time given in the notice. The court may require you to deposit money to assure your appearance if you have failed to appear on any offense charges in the past.

Either side may request ONE trial re-set. The request must be in writing, received by the court more than 14 days prior to the scheduled trial date and MUST DEMONSTRATE GOOD CAUSE. If granted, the date can be changed, but not the court time.

Judgement Creditor State of Oregon
Judgment Debtor ☐ Defendant

Mail payments to
Circuit Court, P.O. Box 114
Portland, OR 97207
Make checks payable to Circuit Court
503-988-3235

DATE _____ SIGNATURE _____
Defendant

TIME AND PLACE

On or about the following Time and Place in the above mentioned State and County.

Date / Time **3/31/2009 7:29:00AM**

At or Near **OR-99E HWY SB / ROSS ISLAND BRIDGE, PORTLAND**

☐ Premises Open To The Public ☒ Highway

VEHICLE

Involving the following

Type **PC** Registration/VIN/ID# **XEW402** State **OR**
Year **2000** Make **ACURA** Model _____
Style **4D** Color **BLACK** 2nd Color _____
Desc _____
☐ Accident ☐ Property Damage ☐ Injury ☐ Endanger Other
☐ Commercial Vehicle ☐ Hazardous Mat ☐ Driver not Registered Owner

OTHER / EXPLAIN ☐ Custody Report Done ☐ Video Evidence ☐ Vehicle Towed

SIGNATURE

I certify under ORS 153.045 and 153.990 and under other applicable law and under penalties for false swearing, do swear / affirm that I have sufficient grounds to and do believe that the above-mentioned defendant / person committed the above offense(s) and I have served the defendant / person with this complaint.

Officer Name # **1 STEVEN MCHUGILL** Officer ID# **24736**

Date Issued **03/31/2009** Agency ID **PORTLAND POLICE BUREAU**

YOUR COURT APPEARANCE DATE / TIME AND LOCATION

Date **04/28/2009 1:30 pm**
Location **Circuit Court Room 106**
1021 SW Fourth Ave, Portland, OR

503-988-3235

SCANNED

MAY 12 2009

OREGON UNIFORM CITATION AND COMPLAINT

Use For All Violations or Crimes Where Separate Complaint Will Not Be Filed
ORS 153.045 or 153.069

CITATION #

EU0111789



DA#

COURT#

- ☒ Violation(s) ☐ Or (not both) ☐ Crime(s)
☒ Traffic ☐ Wildlife ☐ Boating ☐ Commercial Fishing ☐ Other

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR **MULTNOMAH COUNTY**
CITY OF PORTLAND vs.

DEFENDANT

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 NAME: **SMITH JEFFERSON DANIEL EDWARD**
 Address: **11633 NE PACIFIC ST**
 City: **PORTLAND** State: **OR** ZIP: **97220**
 Sex: **M** Race: **CAU** DOB: **06/29/1973** Telephone:
 Height: **604** Weight: **225** Hair: **BRO** Eyes:
☐ Emp. to Drive ☐ Def. is Passenger ☐ Def. is Pedestrian ☐ Def. is Bicyclist ☐ Other

DMV Control#

ABSTRACT of conviction

EU0111789

Page 1 of 1

TIME AND PLACE

On or about the following Time and Place in the above mentioned State and County:

Date / Time: **3/31/2009 7:29:00AM**

At or Near: **OR-99E HWY SB / ROSS ISLAND BRIDGE , PORTLAND**

- ☐ Premises Open To The Public ☒ Highway

VEHICLE

Involving the following:

Type: **PC** Registration/VIN/ID#: **XEW402** State: **OR**
 Year: **2000** Make: **ACURA** Model:
 Style: **4D** Color: **BLACK** 2nd Color:
 Desc:
☐ Accident ☐ Property Damage ☐ Injury ☐ Endanger Other
☐ Commercial Vehicle ☐ Hazardous Mat ☐ Driver not Registered Owner

OFFENSE(S)

Did then and there commit the following offense(s):

1 Violated (ORS/ORD/RULE): **811265** Base Fine:
 Charge: **Fall Obey Traffic Control Dev**
☐ VBR ☐ Posted Limit Alleged Speed: Posted Speed:
☐ Pace ☐ Radar ☐ Laser ID #
☐ Intentional ☐ Knowing ☐ Reckless ☐ Criminal Negligence
☐ No Culpable Mental State

JUDGMENT OF THE COURT

Response / Plea	Chg Plea	Finding	Determination	Off Cite	Type	Class
G NG NC FTA		G NG	C A DISM		V M	A B C D OTH

MONEY AWARD

08/06/2009

	Fine	Costs	137.309 Assmnt	Unitary Assmnt	Rest	Totals
Imp						
Susp						

OTHER / EXPLAIN: ☐ Custody Report Done ☐ Video Evidence ☐ Vehicle Towed

SIGNATURE

I certify under ORS 153.045 and 153.990 and under other applicable law and under penalties for false swearing, do swear / affirm that I have sufficient grounds to and do believe that the above-mentioned defendant / person committed the above offense(s) and I have served the defendant/person with this complaint.

Officer Name # 1: **STEVEN MCHUGILL** Officer ID#: **24736**

Date issued: **03/31/2009** Agency ID: **PORTLAND POLICE BUREAU**

YOUR COURT APPEARANCE DATE / TIME AND LOCATION

Date: **04/28/2009 1:30 pm**
 Location: **Circuit Court Room 106**
1021 SW Fourth Ave, Portland, OR

503-988-3235

COLAS_LEON_S

Date

Signature of ☐ Judge ☐ Violations Clerk

EU0111789

CITATION #

EU0111789



DA#

COURT#

JUDGMENT

☒ Violation(s) ☐ Or (not both) ☐ Crime(s)
☒ Traffic ☐ Wildlife ☐ Boating ☐ Commercial Fishing ☐ Other

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR MULTNOMAH COUNTY
CITY OF PORTLAND VS

OFFENSE(S)

Did then and there commit the following offense(s):

#1 Violated (ORS/ORD/RULE) **811.265** Base Fine **\$355.00**
Charge **FAILURE TO OBEY A TRAFFIC CONTROL DEVICE** **242**
☐ VBR ☐ Posted Limit ☐ Alleged Speed: ☐ Posted Speed:
☐ Pace ☐ Radar ☐ Laser ID #
☒ Highway Work Zone ☐ Posted School Zone ☐ Safety Corridor
☐ Intentional ☐ Knowing ☐ Reckless ☐ Criminal Negligence
☐ No Culpable Mental State

JUDGMENT OF THE COURT

Response / Plea	Chg Plea	Finding	Determination	Off Cite	Type	Class
<input checked="" type="checkbox"/> NG NC FTA		<input checked="" type="checkbox"/> NG	<input checked="" type="checkbox"/> A DISM		V M	A B C D OTH

MONEY AWARD

	Fine	Costs	137 309 Assmnt	Unitary Assmnt	Rest	Totals
Imp						242
Susp						

Total amount to pay that is not suspended \$

Terms of Payment

This Money award creates a judgment lien.

☐ All monies, including suspended monies, become due immediately under ORS 153.060(4)

The attached additions to this money award are incorporated by reference, see page(s)

☐ 1 (by _____), ☐ 2 (by _____),

JUDGMENT CREDITOR,
JUDGMENT DEBTOR

STATE OF OREGON

☐ DEFENDANT ☐ OTHER

DEFENDANT

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Officer Name #1 **STEVEN MCHUGILL**

Officer ID# **24736**

Date Issued: **03/31/2009** Agency ID: **PORTLAND POLICE BUREAU**

Officer Notes

ME AT GORE POINT. DEF IN L1 CHANGING TO L2
SEMIW/ TRALER STARTING TO PULL OUT AND HAD
TO STOP MMOR DL

YOUR COURT APPEARANCE DATE / TIME AND LOCATION

Date: **04/28/2009 1.30 pm**

Location: **Circuit Court Room 106**

1021 SW Fourth Ave, Portland, OR

503-988-3235

Date

Signature of Judge

SCANNED

AUG 11 2009