

3-1-2017

## State v. Kerr Clerk's Record Dckt. 44770

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IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO	)	SUPREME COURT NUMBER
Plaintiff/Respondent	)	
	)	44770
vs.	)	
	)	
Richard Turner Kerr	)	
<u>Defendant/Appellant</u>	)	

CLERK'S RECORD

APPEAL FROM THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI  
THE HONORABLE JOHN T. MITCHELL, PRESIDING JUDGE  
FIRST JUDICIAL DISTRICT, PRESIDING

DANIEL COOPER  
CONFLICT  
PUBLIC DEFENDER  
PO BOX 387  
CDA, ID 83816

MR. LAWRENCE WASDEN  
ATTORNEY GENERAL  
STATE OF IDAHO  
700 W JEFFERSON, STE 210  
BOISE, ID 83720

State of Idaho vs. Richard Turner Kerr

Date	Code	User		Judge
2/27/2016	KITE	LUCKEY	Inmate Request Form	John T. Mitchell
6/1/2016	NOTE	LEGARD	Judge Mitchell	To Be Assigned
6/2/2016	NCRF	LEGARD	New Case Filed - Felony	To Be Assigned
	CRCO	LEGARD	Criminal Complaint	Timothy L. Van Valin
	AFPC	LEGARD	Affidavit Of Probable Cause	To Be Assigned
	ORPC	LEGARD	Order Finding Probable Cause	Timothy L. Van Valin
	HRSC	LEGARD	Hearing Scheduled (Arrest/First Appearance 06/02/2016 02:00 PM)	Timothy L. Van Valin
	ARRN	LEGARD	Hearing result for Arrest/First Appearance scheduled on 06/02/2016 02:00 PM: Arrest / First Appearance	Timothy L. Van Valin
	ORPD	LEGARD	Defendant: Kerr, Richard Turner Order Appointing Public Defender Public defender Public Defender	Timothy L. Van Valin
	ORBC	LEGARD	Order Setting Bond and Conditions of Release	Timothy L. Van Valin
6/3/2016	HRSC	HOFFMAN	Hearing Scheduled (Preliminary Hearing Status Conference 06/14/2016 08:30 AM)	Clark A. Peterson
	HRSC	HOFFMAN	Hearing Scheduled (Preliminary Hearing 06/16/2016 01:30 PM)	Clark A. Peterson
		HOFFMAN	Notice of Preliminary Hearing Status Conference and Preliminary Hearing	To Be Assigned
6/6/2016	PRSD	LUCKEY	Plaintiff's Response To Discovery	To Be Assigned
	PRQD	LUCKEY	Plaintiff's Request For Discovery	To Be Assigned
6/8/2016	DRQD	EVANS	Defendant's Request For Discovery	To Be Assigned
	NAPH	EVANS	Notice of Appearance, Request for Timely Preliminary Hearing, Motion for Bond Reduction and Notice of Hearing	To Be Assigned
6/9/2016	SUBF	KOZMA	Subpoena Return/found-JLLS	To Be Assigned
	SUBC	SANCHEZ	Substitution Of Counsel	To Be Assigned
6/10/2016	AFFD	JLEIGH	Search Warrant Affidavit	Timothy L. Van Valin
	ORDR	JLEIGH	Search Warrant Order	Timothy L. Van Valin
6/14/2016	HRHD	POOLE	Hearing result for Preliminary Hearing Status Conference scheduled on 06/14/2016 08:30 AM: Hearing Held	Clark A. Peterson
	SUBF	KOZMA	Subpoena Return/found-AC	To Be Assigned
6/16/2016	PHHD	TBURTON	Hearing result for Preliminary Hearing scheduled on 06/16/2016 01:30 PM: Preliminary Hearing Held PA -3 witnesses	Clark A. Peterson
	BOUN	TBURTON	Bound Over (after Prelim)	John T. Mitchell
	ORHD	TBURTON	Order Holding Defendant	Clark A. Peterson
	SWRT	JLEIGH	Search Warrant Returned	Robert Caldwell
	INVT	JLEIGH	Inventory Of Seized Property	Robert Caldwell

State of Idaho vs. Richard Turner Kerr

Date	Code	User	Judge
6/16/2016	ORPP	JLEIGH	Order Preserving Seized Property Robert Caldwell
6/23/2016	PSRS	LUCKEY	Plaintiff's Supplemental Response To Discovery John T. Mitchell
7/6/2016	HRSC	CLAUSEN	Hearing Scheduled (Arraignment in District Court 07/27/2016 09:30 AM) John T. Mitchell
		CLAUSEN	Notice of Hearing John T. Mitchell
7/18/2016	LETR	CLAUSEN	Letter from Brenda Williams John T. Mitchell
			Document sealed
7/27/2016	DCHH	TBURTON	Hearing result for Arraignment in District Court scheduled on 07/27/2016 09:30 AM: District Court Hearing Held John T. Mitchell
			Court Reporter: Julie Foland
			Number of Transcript Pages for this hearing estimated: Under 100
	INFO	TBURTON	Information John T. Mitchell
	PLEA	TBURTON	A Plea is entered for charge: - NG (I18-2403(4) {F} Theft by Receiving, Possessing or Disposing of Stolen Property, etc) John T. Mitchell
7/28/2016	HRSC	TBURTON	Hearing Scheduled (Pre-Trial Conference 09/14/2016 02:00 PM) John T. Mitchell
	HRSC	TBURTON	Hearing Scheduled (Jury Trial Scheduled 09/19/2016 09:00 AM) 3 DAYS John T. Mitchell
		TBURTON	Notice of Hearing John T. Mitchell
8/1/2016	PRSD	SANCHEZ	Plaintiff's Supplemental Response To Discovery John T. Mitchell
8/5/2016	PLWL	EVANS	Plaintiff's Witness List John T. Mitchell
	PSRS	EVANS	Plaintiff's Supplemental Response To Discovery John T. Mitchell
8/8/2016	PSRS	JLEIGH	Plaintiff's Supplemental Response To Discovery John T. Mitchell
8/9/2016	SUBF	KOZMA	Subpoena Return/found-JS John T. Mitchell
	SUBF	KOZMA	Subpoena Return/found-RS John T. Mitchell
8/10/2016	PSRS	LUCKEY	Plaintiff's Supplemental Response To Discovery John T. Mitchell
8/16/2016	SUBF	KOZMA	Subpoena Return/found-TSS John T. Mitchell
8/19/2016	PSRS	LUCKEY	Plaintiff's Supplemental Response To Discovery John T. Mitchell
8/31/2016	SUBF	KOZMA	Subpoena Return/found-RDU John T. Mitchell
9/1/2016	SUBF	KOZMA	Subpoena Return/found-JLLS John T. Mitchell
9/2/2016	PSRS	RILEY	Plaintiff's Supplemental Response To Discovery John T. Mitchell
9/14/2016	HRSC	CLAUSEN	Hearing Scheduled (Sentencing 11/29/2016 03:30 PM) John T. Mitchell
	DCHH	CLAUSEN	Hearing result for Pre-Trial Conference scheduled on 09/14/2016 02:00 PM: District Court Hearing Held John T. Mitchell
			Court Reporter: JULIE FOLAND
	HRVC	CLAUSEN	Hearing result for Jury Trial Scheduled scheduled on 09/19/2016 09:00 AM: Hearing Vacated 3 DAYS John T. Mitchell

State of Idaho vs. Richard Turner Kerr

Date	Code	User	Judge
9/14/2016	PTSO	CLAUSEN	Pretrial Settlement Offer John T. Mitchell
	AINF	CLAUSEN	Amended Information John T. Mitchell
	PLEA	CLAUSEN	A Plea is entered for charge: - GT (I18-2403(4) {F} Theft by Receiving, Possessing or Disposing of Stolen Property, etc) John T. Mitchell
	PSIO1	CLAUSEN	Pre-Sentence Investigation Evaluation Ordered & Sentencing Date John T. Mitchell
11/23/2016	PSIR	TBURTON	Presentence Investigation Report Document sealed John T. Mitchell
	FILE	OREILLY	New File Created #2 PSI John T. Mitchell
11/29/2016	DCHH	CLAUSEN	Hearing result for Sentencing scheduled on 11/29/2016 03:30 PM: District Court Hearing Held Court Reporter: JULIE FOLAND John T. Mitchell
	SNPF	HUSHMAN	Sentenced To Pay Fine (I18-2403(4) {F} Theft by Receiving, Possessing or Disposing of Stolen Property, etc) John T. Mitchell
	SNIC	HUSHMAN	Sentenced To Incarceration (I18-2403(4) {F} Theft by Receiving, Possessing or Disposing of Stolen Property, etc) Confinement terms: Credited time: 182 days. Penitentiary determinate: 5 years. Penitentiary indeterminate: 9 years. John T. Mitchell
	STAT	HUSHMAN	Case status changed: closed pending clerk action John T. Mitchell
	JDMT	HUSHMAN	Sentencing Disposition and Notice of Right to Appeal John T. Mitchell
12/5/2016	WAVX	SANCHEZ	Waiver Of Extradition To Idaho John T. Mitchell
1/10/2017	APSC	KIPP	Appealed To The Supreme Court John T. Mitchell
2/1/2017	NAPL	KIPP	Notice Of Appeal Due Date From Supreme Court John T. Mitchell

Barry McHugh  
Prosecuting Attorney  
501 N. Government Way  
Coeur d'Alene, ID 83815  
Telephone: (208) 446-1800  
Facsimile: (208) 446-1833

STATE OF IDAHO  
COUNTY OF KOOTENAI } SS  
FILED:

2016 JUN -2 AM 11:00

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF  
IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

CLERK DISTRICT COURT  
DEPUTY *[Signature]*

STATE OF IDAHO,

*Plaintiff*

*vs*

Name: Richard Turner Kerr  
Dob: [REDACTED]  
SSN: [REDACTED]  
AGENCY CASE NO. 16c16036

*Defendant*

Case No. C216 - 10503

**AFFIDAVIT IN SUPPORT  
OF PROBABLE CAUSE**

County of KOOTENAI, STATE OF IDAHO, to:

Detective **Johann A. Schmitz**, being first duly sworn, deposes and says that:

I am a Detective for the Coeur d' Alene Police Department for the City of Coeur d'Alene. The basis for the request for the issuance of a **Complaint** is set forth in the police report attached hereto and incorporated herein. I further depose and say that I have read the report and all the contents are true and correct to the best of my knowledge, and that I am the author or that I personally know the author of the report to be a law enforcement officer whom I believe to be credible and reliable.

DATED this 2<sup>nd</sup> day of June, 2016.

*[Signature]*  
\_\_\_\_\_  
AFFIANT

SUBSCRIBED and SWORN to before me on this 2<sup>nd</sup> day of June, 2016

*[Signature]* 408  
\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
RESIDING AT: \_\_\_\_\_  
COMMISSION EXP. \_\_\_\_\_

**PRE-BOOKING INFORMATION SHEET**  
 KOOTENAI COUNTY PUBLIC SAFETY BUILDING

Booking # \_\_\_\_\_  
 Name ID # \_\_\_\_\_ Date 06/01/2016

Accepted by: <u>(Signature)</u>
Agency Report # <u>16C16036</u>
BAC <u>1</u>
Warrant Check _____
Prob. Check _____
Prob. Officer _____
Locker # <u>244</u>
Location _____
Hold For: _____
For DUI Charge:
Was Call Requested _____
Was Call Made _____

**ARRESTEE:**

Name Kerr Richard Turner  
Last First Middle  
 AKA \_\_\_\_\_  
 Address 15885 N Roosevelt St  
 City Rathdrum ST ID Zip 83858  
 Home Phone \_\_\_\_\_ SS# \_\_\_\_\_  
 City/State of Birth Dallas, OR DOB \_\_\_\_\_  
 D.L. # \_\_\_\_\_ State ID Occupation N/A Work Phone # N/A

Employer N/A

**PHYSICAL DESCRIPTION:**

Height 5' 10" Weight 162 Sex M Hair Brown Eyes Brown  
 Race W Glasses No Contacts No Facial Hair chin hair  
 Scars, Marks, Tattoo's Shoulder (Washington) miscellaneous (sleeve) Chest, Stomach  
cross on left Arm.  
 Clothing Description White shirt, Black shorts

**ARRESTING OFFICER INFORMATION:**

Date / Time of Arrest 06/01/2016 1 1953 Location CDA Police Department Dist 84  
 Arresting Officer A. Calia # 192 Agency CDAPD Arrival at PSB 1950

**CHARGES AND BAIL:** ARREST TYPE:  ON-VIEW  WARRANT  CITIZEN  OTHER

M/F	Code	Charges	Bail	Sentence	Warrant or Case #
1. F	18-2403	Grand Theft (poss stolen property)	\$0.00		
2.					
3.					
4.					
5.					
6.					

Is the arresting officer aware of any mental or physical conditions this inmate may have which might affect his/her safety or ability to be held without special attention by jail staff?  No,  Yes (Explain) \_\_\_\_\_  
 Did the arrestee arrive with prescription medication?  No,  Yes

**VEHICLE INFORMATION:**

Vehicle Lic. \_\_\_\_\_ ST \_\_\_\_\_ YR \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_ Body \_\_\_\_\_ Color(s) \_\_\_\_\_  
 Vehicle Disposition \_\_\_\_\_

**CITIZEN ARREST:**

I hereby arrest the above named suspect on the charge(s) indicated and request a peace officer to take him/her into custody. I will appear as directed and sign a complaint against the person I have arrested.

Arresting Persons Name	Address		Phone #	
	Race	Sex	DOB	Employer
Officer	ID #	Approved By	ID #	Date

**VICTIM'S RIGHTS INFORMATION:**

Name:	Code	Mult. Victims	Address:	Phone:
		<input type="checkbox"/> Yes <input type="checkbox"/> No		
Occupation:	Race/Sex	Age	DOB	Business Address:
Richard Turner Kerr			44770	Bus. Phone:



# Coeur d'Alene Police

## Officer Report for Incident 16C16036

**Nature:** VEHICLE THEFT  
**Location:** 82

**Address:** 1402 N 7TH ST  
COEUR D'ALENE ID 83814

<b>Offense Codes:</b> TVAU		
<b>Received By:</b> M.KELLER	<b>How Received:</b> 9	<b>Agency:</b> CDA
<b>Responding Officers:</b> R.SKAY		
<b>Responsible Officer:</b> R.SKAY		<b>Disposition:</b> ACT 05/31/16
<b>When Reported:</b> 06:41:17 05/31/16		<b>Occurred Between:</b> 19:30:00 05/30/16 and 06:37:32 05/31/16

<b>Assigned To:</b> T.SUDOL	<b>Detail:</b> GTA	<b>Date Assigned:</b> 06/01/16
<b>Status:</b> IA	<b>Status Date:</b> 06/01/16	<b>Due Date:</b> 05/30/21

<b>Complainant:</b> 463967		
<b>Last:</b> LUNA-SCOTT	<b>First:</b> JESSIE	<b>Mid:</b> LYNN
<b>DOB:</b> [REDACTED]	<b>Dr Lic:</b> [REDACTED]	<b>Address:</b> 1402 N 7TH ST
<b>Race:</b> W	<b>Sex:</b> F	<b>Phone:</b> (208)540-0668
		<b>City:</b> COEUR D'ALENE, ID 83814

### Offense Codes

<b>Reported:</b> NC Not Classified	<b>Observed:</b> TVAU Theft, Vehicle: Automobile
<b>Additional Offense:</b> TVAU Theft, Vehicle: Automobile	

### Circumstances

VIPR VIPR EVIDENCE STORAGE - CDAPD

<b>Responding Officers:</b>	<b>Unit :</b>
R.SKAY	K91

<b>Responsible Officer:</b> R.SKAY	<b>Agency:</b> CDA
<b>Received By:</b> M.KELLER	<b>Last Radio Log:</b> **:**:** **/**/**
<b>How Received:</b> 9 911 Line	<b>Clearance:</b> 6 REPORT TAKEN
<b>When Reported:</b> 06:41:17 05/31/16	<b>Disposition:</b> ACT <b>Date:</b> 05/31/16
<b>Judicial Status:</b>	<b>Occurred between:</b> 19:30:00 05/30/16
<b>Misc Entry:</b>	<b>and:</b> 06:37:32 05/31/16

<b>Modus Operandi:</b>	<b>Description :</b>	<b>Method :</b>
LT	LOCATION TYPE	LT13 HWY/RD/ALLEY
D	DRUGS/LIQUOR	D99
WT	WEAPONS / TOOLS USED	WT95 UNKNOWN



M

METHOD OF ENTRY

M26  
UNLOCK/USECURED

**Involvements**

<b>Date</b>	<b>Type</b>	<b>Description</b>	<b>Relationship</b>
06/02/16	Law Incident	DRUGS 16C16226	RELATED CASE
06/01/16	Name	KERR, RICHARD TURNER	OFFENDER
06/01/16	Name	HUMPHREYS, DESTANIE MAE	OFFENDER
06/01/16	Name	LUNA-SCOTT, JESSIE LYNN	VICTIM
05/31/16	Name	LUNA-SCOTT, JESSIE LYNN	Complainant
05/31/16	Vehicle	BLU 1997 JEEP WRANGLER ID	MENTIONED
05/31/16	Vehicle	RED 2001 FORD ESCAPE	STOLEN
05/31/16	Cad Call	06:41:17 05/31/16 VEHICLE THEFT	Initiating Call

**Narrative**

OFFICER: R. Skay K-91  
Report # 16C16036

SUSPECT(S) or DESCRIPTION(S):  
F, Grand Theft 18-2403, F Burglary 18-1401 NO SUSPECTS AT THIS TIME

CASE SUMMARY:  
5/31/2016

I responded to 1402 N. 7th street for a vehicle theft. Upon arrival I contacted the complainant Jessie Luna-Scott who stated her 2001 red Ford Escape had been stolen. Jessie stated her vehicle was parked in front of her house, and that the theft occurred between 1930 hours (5/30/16) and 0630 hours 5/31/16. She described the vehicle as dark red in color, with no plates since she had just purchased the vehicle from auto auction over the weekend. She told me she left the vehicle unlocked and the key was left in the console.

NARRATIVE:  
5/31/2016

I responded to 1402 N. 7th street for a vehicle theft. Upon arrival I contacted the complainant Jessie Luna-Scott who stated her 2001 red Ford Escape had been stolen. Jessie stated her vehicle was parked in front of her house, and that the theft occurred between 1930 hours (5/30/16) and 0630 hours 5/31/16. She described the vehicle as dark red in color, with no plates since she had just purchased the vehicle from auto auction over the weekend. She told me she left the vehicle unlocked and the key was left in the console.

Jessie also mentioned her Jeep Wrangler had been burglarized. Her Jeep was parked on the south side of her residence on Walnut. Nothing of value was taken but items were strewn across the vehicle. I noticed 3 pocket allen wrenches sitting atop the center console lid. I found it odd that they were sitting in a straight line but were not taken.

Jessie signed the vehicle theft report and later called in with the VIN number. I delivered the report form to CDAPD Records to be entered into NCIC.  
NCIC NIC# V388378724

CASE EVIDENCE:

BODY CAM                     IN-CAR VIDEO                     PHOTOS                     AUDIO  
 UPLOADED TO VIPER                     UPLOAD TO VIPER LATER

Responsible LEO:

Approved by:

---

Date

**Supplement**

MISDEMEANOR: FELONY: XXX

DATE: 6/1/16

INCIDENT#: 16C16036

CRIME: Grand Theft

VICTIM: Jessie Luna-Scott

SUSPECT: Richard Kerr

CRIME LOCATION: 1402 N. 7th

SUPP BY: J. Schmitz, K75

MEDIA: VIPER

**SUMMARY:**

On or about 5/31/16 Jessie Luna-Scott's vehicle was stolen from her residence. On 6/1/16, Jessie happened to spot her vehicle near HWY 95 and I-90. Jessie followed the vehicle to the parking lot of the Dollar Tree. Jessie and several other witnesses observed a male and a female exit the vehicle and walk towards the Golden Corral. The male was ultimately contacted by LE and identified as Richard Kerr. Kerr was positively identified by Jessie as the male who had been driving her vehicle. Kerr was transported to the PD where I contacted him in an interview room.

My contact with Kerr was captured utilizing my Viewu body camera and the PD's recording system and uploaded to VIPER. What follows is a brief summary of my contact:

I advised Kerr of his Miranda rights. I asked Kerr about Jessie's vehicle. Kerr told me approximately 2 days ago he met a male (who he would not identify) with whom he arranged to purchase a vehicle. Kerr ultimately met this male near Stateline where he paid \$300.00 cash in exchange for Jessie's vehicle. Kerr then drove Jessie's vehicle to Spokane where he stole plates off another vehicle and put them on Jessie's vehicle. Kerr returned to the CDA area where he picked up Destanie Humphrys so they could hang out. Just prior to being contacted by LE, Kerr and Destanie got nervous when he believed they were being followed, parked the vehicle and attempted to walk to the Golden Corral where they were contacted by LE. I specifically asked Kerr if he honestly believed that the vehicle he allegedly purchased for \$300.00 was not stolen. Kerr confessed to knowing the purchase was "fishy" and that he "didn't think it was legit." Kerr's admission combined with his actions after the purchase (stealing plates off another vehicle and placing them on Jessie's vehicle) resulted in him being charged with possession of stolen property.

INVESTIGATIVE NARRATIVE:

**Supplement**

MISDEMEANOR: FELONY:XXXXX  
DATE:06/01/2016  
INCIDENT#:16C16036  
CRIME:GRAND THEFT  
VICTIM:JESSIE LUNA  
SUSPECT:DESTANIE MAE LYN HUMPHREYS  
CRIME LOCATION:1402 NORTH 7TH STREET CDA  
SUPP BY:T. SUDOL K59  
SUMMARY:

On 06/01/2016, Destanie Mae Lyn Humphreys and Richard Turner Kerr were caught after trying to abandon a stolen vehicle. Destanie was arrested on a outstanding warrant and brought to the police department for a interview. Destiny was advised of her Miranda rights and she advised she understood her rights. Destanie looks very similar to the female suspect in case 16c16035 who is on video surveillance burglarizing a vehicle. This incident took place approximately 10 blocks from the theft of this vehicle. Destanie was confronted about this video and items she has pawned similar to items stolen in approximately 40 auto burglaries. Destanie advised she was not the female on the video. Destanie advised she would not tell me who she pawned the items for because she did not want to be labeled a "rat". Destanie advised she is a meth addict but the drug paraphernalia located in her backpack is not hers. She advised the backpack was hers. Destanie and Richard were confirmed as the two suspects fleeing from the vehicle by the owner of the vehicle. Destanie advised she did not know the vehicle was stolen but this does not explain why she then ran away after being confronted by the owner.

**Supplement**

A. CALIA K92

SUSPECT(S) or DESCRIPTION(S):

{M or F, criminal code, charges per suspect and related citation numbers}

RICHARD TURNER KERR (OFFENDER)

F, 18-2403(4), POSSESSION OF STOLEN PROPERTY, BOOKED PSB

DESTANIE MAELYNN HUMPHREYS (OFFENDER)

F, 18-2403(4), POSSESSION OF STOLEN PROPERTY, BOOKED PSB

## CASE SUMMARY:

Police responded to a call from Jesse Luna-Scott, stating she was currently following her vehicle, which she reported stolen on 05/31/16. Luna-Scott stated a blonde male was driving and a female in pink was in the passenger seat. Police contacted that male and female in the Golden Corral parking lot. The male was verbally identified as Richard Kerr and female was verbally identified as Destanie Humphreys. Kerr and Humphreys were transported to the Police Department and interviewed by Detectives. Kerr and Humphreys were arrested for possession of stolen property. Kerr and Humphreys were transported to KCPSB and booked.

## NARRATIVE:

On 06/01/2016 I responded to a call of a possible recovered stolen vehicle northbound on Highway 95. The reporting party, Jesse Luna-Scott reported her red ford escape (no plates) stolen on 05/31/2016 and was currently following it. Luna-Scott was in a Blue Jeep Wrangler (ID 0012NE). Luna-Scott said the car turned on Appleway and went north on Fruitland Ave. The car then turned into the Dollar Tree parking lot where she momentarily lost sight of the car. When Luna-Scott regained visual of the car no one was inside. Luna-Scott described the driver of the car as a blonde male and stated the passenger was a female wearing pink.

Dispatch stated other witnesses told Luna-Scott that a male wearing a white shirt and black shorts, and a female wearing a pink shirt carrying 2 backpacks were running from the Dollar Tree Parking lot towards the Golden Corral.

Both parties were contacted by police in the parking lot of the Golden Corral.

## HUMPHREYS INTERVIEW

I contacted the female, verbally identified as Destanie Humphreys. Humphreys told me her friend Richard Kerr, picked her up earlier that day and took her to the court house. Kerr then drove her to the Golden Corral where she was going to meet her parents. Humphreys stated Kerr was driving the vehicle. Humphreys said the car Kerr picked her up in was a red SUV type car. When asked who the car belonged to, Humphreys said she thought it was Kerr's car or a friends car. Dispatch ran Humphreys name and confirmed she had an active warrant for her arrest. Humphreys was placed in handcuffs and detained.

## KERR INTERVIEW

I contacted the male, verbally identified as Richard Kerr. Kerr said he had been in Coeur D'Alene all day and was walking around. Kerr stated he was at the Mcdonalds on Appleway Ave and walked to the Golden Corral. Kerr denied driving any vehicle.

## WITNESS

Luna-Scott came to the Golden Corral parking lot and positively identified Kerr

as the driver of the car and Humphreys as the female passenger.

Kerr and Humphreys were detained and transported to the Coeur D'Alene Police Department for further interviews by detectives. Det. Schmitz requested Kerr and Humphreys both be booked for Possession of Stolen Property.

Kerr and Humphreys were arrested for possession of stolen property and booked at KCPSB. Humpherys was charged with additional criminal charges in related case number 16C16226.

A. CALIA K92



**Vehicles**

**Vehicle Number:** 14-10790

**License Plate:** [REDACTED]

**State:** ID

**Vehicle Year:** 1997

**Make:** JEEP Jeep

**Color:** BLU /

**Vehicle Type:** SUV Sports Utility Vehicle

**License Type:** PC Regular Passenger Automobile

**Expires:** \*\*/\*\*/\*\*

**VIN:** 1J4FY19S2VP528497

**Model:** WRANGLER

**Doors:** 0

**Value:** \$0.00

**Owner:**

**Last:** LUNA-SCOTT

**First:** JESSIE

**Mid:** LYNN

**DOB:** [REDACTED]

**Dr Lic:** [REDACTED]

**Address:** 1402 N 7TH ST

**Race:** W **Sex:** F

**Phone:** (208)540-0668

**City:** COEUR D'ALENE, ID 83814

**Agency:** CDA COEUR D'ALENE POLICE DEPT

**Date Recov/Rcvd:** \*\*/\*\*/\*\*

**Officer:** T.HAUG

**Area:**

**UCR Status:**

**Wrecker Service:**

**Local Status:** III Involved in Incident

**Storage Location:**

**Status Date:** 10/27/14

**Release Date:** \*\*/\*\*/\*\*

**Comments:**

**Vehicle Number:** 16-05118

**License Plate:**

**State:**

**Vehicle Year:** 2001

**Make:** FORD Ford

**Color:** RED /

**Vehicle Type:** SUV Sports Utility Vehicle

**License Type:**

**Expires:** \*\*/\*\*/\*\*

**VIN:** 1FMCU04101KB62958

**Model:** ESCAPE

**Doors:** 4

**Value:** \$1,550.00

**Owner:**

**Last:** LUNA-SCOTT

**First:** JESSIE

**Mid:** LYNN

**DOB:** [REDACTED]

**Dr Lic:** [REDACTED]

**Address:** 1402 N 7TH ST

**Race:** W **Sex:** F

**Phone:** (208)540-0668

**City:** COEUR D'ALENE, ID 83814

**Agency:** CDA COEUR D'ALENE POLICE DEPT

**Date Recov/Rcvd:** \*\*/\*\*/\*\*

**Officer:** R.SKAY

**Area:**

**UCR Status:** SNR Stolen Not Recovered

**Wrecker Service:**

**Local Status:**

**Storage Location:**

**Status Date:** \*\*/\*\*/\*\*

**Release Date:** \*\*/\*\*/\*\*

**Comments:**

Stolen 05/30/2016

**Name Involvements:**

**OFFENDER :** 416463

**Last:** KERR **First:** RICHARD

**DOB:** [REDACTED]

**Race:** W **Sex:** M **Phone:** (208)518-9248

**Mid:** TURNER

**Address:** 15885 N ROOSEVELT ST

**City:** RATHDRUM, ID 83858

**OFFENDER :** 441107

**Last:** HUMPHREYS **First:** DESTANIE

**DOB:** [REDACTED]

**Race:** U **Sex:** F **Phone:** (208)416-1514

**Mid:** MAE

**Address:** UNKNOWN

**City:** COEUR D'ALENE, ID 83814

**Complainant :** 463967

**Last:** LUNA-SCOTT **First:** JESSIE

**DOB:** [REDACTED]

**Race:** W **Sex:** F **Phone:** (208)540-0668

**Mid:** LYNN

**Address:** 1402 N 7TH ST

**City:** COEUR D'ALENE, ID 83814

ORDER

STATE OF IDAHO  
COUNTY OF KOOTENAI } ss  
FILED: 0216-10503

The above named defendant having been charged with the offense(s) of

~~POSSESSION OF STOLEN VEHICLE 49-228 X 2~~

2016 JUN -2 AM 11:00

GRAND THEFT BY POSSESSION, 18-2403(4),

QUERZBURG DISTRICT COURT

*[Signature]*

and the Court having examined the affidavit and police report, the Court finds probable cause, based on substantial evidence, for believing that said offense has been committed and that the said Defendant committed it.

IT IS THEREFORE ORDERED that a Complaint be issued for the appearance for the above named Defendant.

ENTERED this 2 day of June, 2016.

*[Signature]*  
408

MAGISTRATE

ORIGINAL

BARRY MCHUGH  
Kootenai County Prosecuting Attorney  
501 N. Government Way/P.O. Box 9000  
Coeur d'Alene, ID 83816-9000  
Telephone Number: (208) 446-1800  
Fax Number: (208) 446-2168

STATE OF IDAHO  
COUNTY OF KOOTENAI } SS  
FILED:

2016 JUN -2 AM 11:00

CLERK DISTRICT COURT

*[Signature]*  
DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF  
IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

STATE OF IDAHO,  
Plaintiff,

vs.

RICHARD TURNER KERR  
DOB [REDACTED]  
SSN: [REDACTED]  
Defendant.

Case No. CR-F16- 10503

CRIMINAL COMPLAINT  
CO-DEFENDANT:  
DESTANIE HUMPHREYS


Agency Case: 16C16036

DETECTIVE S. SCHMITZ, appeared personally before me, and being first duly sworn on oath, that the above named defendant did commit the crime(s) of: **GRAND THEFT BY POSSESSION OF STOLEN PROPERTY** a Felony, Idaho Code §18-2403(4), 18-2407, committed as follows:


That the defendant, RICHARD TURNER KERR, on or about the 1st day of June, 2016, in the County of Kootenai, State of Idaho, did knowingly possess stolen property of a value in excess of one thousand dollars (\$1,000.00), to-wit: a 2001 Ford Escape, the property of Jessie Luna-Scott, knowing the property to have been stolen, or under circumstances as would reasonably induce him to believe that the property was stolen, and with the intent to deprive the

owner permanently of the use or benefit of the property, all of which is contrary to the form, force and effect of the statute in such case made and provided and against the peace and dignity of the people of the State of Idaho. Said complainant therefore prays for proceedings according to law.

DATED this 2nd day of JUNE, 2016.

  
\_\_\_\_\_  
COMPLAINANT

SUBSCRIBED AND SWORN to before me this 2 day of June, 2016.

  
\_\_\_\_\_  
MAGISTRATE

<b>Description</b>	CR 2016-10503 Kerr, Richard 20160602 First Appearance Judge Van Valin Clerk April Legard Def Rights		
<b>Date</b>	6/2/2016	<b>Location</b>	1K-COURTROOM6
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<u>03:14:30 PM</u>	Judge Van Valin	Calls Case Defendant Present In Custody Via Video PA Present - Mr Degun	
<u>03:14:35 PM</u>	J	Felony Poss Stln Prop Reviews Charges/Penalties	
<u>03:14:53 PM</u>		Appoint Public Defender	
<u>03:15:48 PM</u>	PA	Recommends 35k Bond Reviews Case History Reviews Defendant History	
<u>03:16:21 PM</u>	Def	Reviews History - Only 1 Felony Request Bond Reduction - Will Not Be Able to Bond	
<u>03:17:15 PM</u>	J	40k Bond Set Reviews Bond Conditions	
<u>03:18:09 PM</u>		Set PH w/in 14 days	
<u>03:18:24 PM</u>	End		

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FIRST JUDICIAL DISTRICT COURT, STATE OF IDAHO  
IN AND FOR THE COUNTY OF KOOTENAI  
324 W. GARDEN AVENUE  
COEUR D'ALENE, IDAHO 83816-9000

FILED 6-2-16 AT 3:50 M  
STATE OF IDAHO, COUNTY OF KOOTENAI VSS  
CLERK OF THE DISTRICT COURT

BY [Signature] DEPUTY

STATE OF IDAHO )  
Plaintiff, )

vs. )

Richard Turner Kerr )  
15885 N Roosevelt St )  
Rathdrum, ID 83858 )

Defendant. )

DOB: [Redacted] )  
DL or SSN: [Redacted] )

Citation No:

Case No: CR-2016-0010503

**ORDER APPOINTING PUBLIC DEFENDER**

The Court being fully advised as to the application of Richard Turner Kerr, and it appearing to be a proper case,

**NOW, THEREFORE, IT IS ORDERED** that Attorney

Kootenai County Public Defender  
P.O. Box 9000/ 1607 Lincoln Way  
Coeur d'Alene, ID 83814  
(208) 446-1700

Public Defender for the County of Kootenai, State of Idaho, a duly licensed attorney in the State of Idaho, is hereby appointed to represent said Defendant, in all proceedings in the above entitled case.

The Defendant is further advised that he/she may be required to reimburse the Court for all or part of the cost of court appointed counsel.

Date: 6-2-16

[Signature]  
708  
Judge

In Custody Bond \$ 40,000

Copies to:

Public Defender Fax: 208-446-1701

Emailed to Public Defender: pdfax@kcgov.us

Prosecutor Fax: (208) 446-2168

Prosecutor Email: kcpareports@kcgov.us

[Signature] 6-2-16  
Deputy Clerk Date

Order Appointing Public Defender

BARRY McHUGH  
Prosecuting Attorney  
501 Government Way/Box 9000  
Coeur d'Alene, ID 83816-9000  
Telephone: (208) 446-1800  
Facsimile: (208) 446-1833

STATE OF IDAHO  
COUNTY OF COEUR D'ALENE  
FILED: **ORIGINAL**

2016 JUN 10 AM 10:42

CLERK DISTRICT COURT

*[Signature]*  
DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF  
IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

16-10503

16-10504

IN THE MATTER OF A SEARCH  
WARRANT FOR **BLACK T-MOBILE  
LG-D415 CELL PHONE WITH IMEI  
014209008951957 AND ASSOCIATED T-  
MOBILE CELL PHONE RECORDS FOR  
CELL PHONE NUMBER 208-416-1514  
TO INCLUDE RECORDS BETWEEN  
THE FOLLOWING DATES 05/01/16-  
06/01/16**

Case No.  
Agency Report No. **16c16036**

**SEARCH WARRANT  
AFFIDAVIT**

AGENCY CASE NO. **16c16036**

I, Detective **Thomas S. Sudol**, being first duly sworn, under penalty of perjury, hereby depose and state as follows:

INTRODUCTION AND DETECTIVE BACKGROUND

I make this affidavit in support of an application under Idaho Criminal Rule 41 for a warrant to search FOR **BLACK T-MOBILE LG-D415 CELL PHONE WITH IMEI 014209008951957 AND ASSOCIATED T-MOBILE CELL PHONE RECORDS FOR CELL PHONE NUMBER 208-416-1514 TO INCLUDE RECORDS BETWEEN THE FOLLOWING DATES 05/01/16-06/01/16**

1. I am detective Thomas S. Sudol with the Coeur d' Alene Police Department. I have been with law enforcement as a full-time profession since 2004. I held an Arizona Peace



Officer Standards and Training certificate and I currently possess an Idaho Peace Officer Standards and Training (POST) certificate. I am a certified peace officer in the State of Idaho. I was employed as in a detention officer in 2003 in Yavapai County in Arizona. I was hired as a full time law enforcement officer with Prescott Police Department in Arizona in 2004. I have been employed with the Coeur d' Alene Police Department since 2011. I have been a patrol officer, Swat member, K9 handler, assigned to Special enforcement team, member of the SIR team, and I am currently assigned to the Coeur d' Alene Police Department Detective Division. I have been with the Coeur d' Alene Police Department Detective Division for three years. I have undergone numerous special trainings to carry out my duties as a peace officer. During my three years as a detective, I have had the opportunity to investigate hundreds of crimes committed in the State of Idaho. During my time as a detective, I have gained experience in the collection of evidence, investigatory standards, interrogation, and coordination of complex and routine investigations. I have been certified in smartphone and cellular forensics. I have been trained in mobile technology in exigent circumstances.

2. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

#### PERTINENT CRIMINAL STATUES

**Burglary 18-1401 and Grand Theft 18-2407-1**

#### PROBABLE CAUSE

**SEE ATTACHED REPORT**

#### **CELL PHONE AND DIGITAL EVIDENCE / NECESSITY OF SEIZURE**

This warrant seeks to seize digital data records from the cell phone(s) and from the associated cell carrier.

Based upon your Affiants training and experience, your affiant knows that cell phones can contain a substantial amount of information relevant to the investigation of a case such as web browser history, call logs, emails(including attachments), text messages(including attachments), photos, videos, applications, voicemails, global positioning system (GPS) applications and contacts. Criminals often use cellular phones to communicate with accomplices and/or co-conspirators and will sometimes store accomplices' and/or co-conspirators contact information in address books, speed dial lists or in other areas of the phone. These communications can occur through typical telephone calls or through instant messaging or text messages as well as voicemails. To the extent that criminals use services such as instant messaging or text messages, these messages can sometimes be found on the cellular phone itself. Criminals also use cellular phones to document criminal activities both by photographs as well as digital memos. Your affiant knows that these images and memos are also stored on the handset or SIM (Subscriber Identity Module).

Your Affiant knows that cell phones allow you to search the web through Wifi and cellular connections. Web browser history will show what the criminals are searching for such as how to conceal a crime and/or how to commit such crimes. The web browser history could show evidence of this crime.

Your affiant knows based on his training and/or experience that cellular phones have GPS (Global Positioning System). GPS is a worldwide radio-navigation system formed from a constellation of 24 satellites and their ground stations. The system enables a GPS receiver to determine its location, speed, direction, and time. Cellular phones act as a receiver in this system. This allows the cellular phone to have the capability to use GPS and applications thereof. These digital data records as they pertain to GPS will help show the location of the cell phone during the time the crime was committed. These digital data records will also show where the criminal will be going just prior to the crime and directly after the crime. These digital data records as they pertain to GPS will be evidence of the crime.

Your Affiant knows that devices such as these phones can store a large number of phone numbers and call history and some mobile phones can also contain contact information and calendar information and can be linked, either by wire or wireless, with computers. Recent product releases now commonly have both video and still camera capabilities and phones can contain images/videos. Likewise, your Affiant knows that images in a camera can contain evidence of where a suspect has been and with whom the suspect has associated. Your Affiant knows that devices containing data and images may be important to a criminal investigation in two distinct ways: (1) the objects themselves may be contraband, evidence, instrumentalities, or fruits of crime, and/or (2) the objects may be used as storage devices that contain contraband, evidence, instrumentalities, or fruits of crime in the form of electronic data. In this case, your Affiant requests permission to search and seize the images and data that constitute evidence of the crime and to seize the devices themselves, both as instrumentalities and because it will likely be necessary for reasons of practicality to conduct a search off-site of some of the items.

Based on your Affiant's knowledge, training, and experience, your Affiant knows that devices such as mobile phones store information digitally, similar to the way a computer does. Data on these devices or remnants of such data can possibly be recovered possibly days or months after they have been stored in the devices' memory and can be retrieved by experts even after they have been deleted.

Based on your Affiant's knowledge, training, and experience, your Affiant knows that cellular phones may have global positioning system (GPS) applications that may be used in the place of maps and that addresses and businesses locations can be programmed into the device and used to plot travel directions to and from locations in details not given on paper maps such as, way points, GPS coordinates on county roads or locations not known to the owner of the cellular phone. This type of information is stored in the internal memory of the cellular phone and, with some cellular phones, in removable memory cards.

Based upon your Affiant's knowledge, training and experience, your Affiant knows that searching and seizing information from electronic and digital devices often requires law

enforcement personnel to seize most or all electronic storage devices to be searched later by a qualified expert. This is true because of the following:

- (1) The volume of evidence. Even small hand-held devices, such as cellular phones in issue here, can be capable of storing large amounts of information and of interacting with the internet and other devices. Additionally, a suspect may try to conceal criminal evidence; he or she might store it in random order with deceptive file names. This may require searching authorities to examine all the stored data to determine which particular files that are evidence or instrumentalities of crime.
- (2) Technical Requirements. Searching computers and electronic and digital storage devices for criminal evidence is a highly technical process requiring expert skill and a properly controlled environment. The vast array of computer hardware and software and digital devices available requires even computer experts to specialize in some systems and applications. Data search protocols are exacting scientific procedures designed to protect the integrity of the evidence and to recover even "hidden," erased, compressed, password-protected, or encrypted files. Because computer, electronic and digital evidence is vulnerable to inadvertent or intentional modification or destruction, a controlled environment may be necessary to complete an accurate analysis.
- (3) Searching the Devices may require a range of data analysis techniques. Examination techniques for cell phones can vary depending on the make, model and capabilities of the phone. In other cases, however, such techniques may not yield the evidence described in the warrant. Criminals can mislabel or hide files and directories; encode communications to avoid using key words; attempt to delete files to evade detection; or take other steps designed to frustrate law enforcement searches for information. These steps may require agents to conduct more extensive searches, such as scanning areas not allocated to listed files, or opening every file and scanning its contents briefly to determine whether it falls within the scope of the warrant. In light of these

difficulties, your affiant requests permission to use whatever data analysis techniques appear necessary to locate and retrieve the evidence as described.

Your Affiant may have the cell phone sent to an forensic analyst, who specializes in the examination of cellular phones and other electrical devices. Analysis will include the use of various software and hardware to image or download the data, information and images contained within the phones and/or to view the images, data and information directly on the phones and GPS itself.

Your Affiant knows that cell phone carriers contain digital records that the phone does not possess such as device location data. This data is referred to in different terms such as: RTT (Round Trip Time), NELS (Network Event Log Server), or PCMD (Per Call Measurement Data.) The information is the same but the terminology is different according to the specific cell phone carrier. This data is represented as approximate GPS coordinates concerning the devices location. Along with this data, cell tower information is also given. This information consists of the cell sector which is the side of the cell tower the phone was contacting. An approximate distance is also sometimes provided. This distance is the approximate distance from the device to the cell tower.

Based on the information provided, your affiant respectfully submits that there is sufficient probable cause to seize the items in Attachment A from the premises particularly described in Attachment B.

This affiant is not in possession of any information that would defeat probable cause. At the time of the submission of this affidavit I have no reason to doubt the information as provided above. I am not aware of any facts that would render the applied-for warrant stale.

The information relied upon above are both my personal observations and information relayed to me by law enforcement, who in my experience is credible and reliable. I have no reason to doubt the veracity of the information provided.

ATTACHMENT B

**BLACK T-MOBILE LG-D415 CELL PHONE WITH IMEI 014209008951957 AND ASSOCIATED T-MOBILE CELL PHONE RECORDS FOR CELL PHONE NUMBER 208-416-1514 TO INCLUDE RECORDS BETWEEN THE FOLLOWING DATES 05/01/16-06/01/16**

All property is located in the City of Coeur d'Alene, Kootenai County, Idaho and

**T-MOBILE, USA  
Law Enforcement Relations  
4 Sylvan  
Parsippany, NJ 07054  
(973)292-8911 Main (973)292-8697 Fax  
ler2@t-mobile.com**

2016 JUN 10 AM 10:41

CLERK DISTRICT COURT

ATTACHMENT A

ITEMS SOUGHT TO BE SEIZED:

1. Any and all digital stored data records to include web browser history, call logs, emails(including attachments), text messages(including attachments), photos, videos, applications, voicemails, global positioning system (GPS) applications and contacts.
2. Any and all subscriber information including all account notes related to said number and any other numbers associated with the account including number changes.
3. Any and all call detail for listed number including but not limited to date, time, duration, numbers called, received from, and cell-site and sector related to each call or text.
4. Any and all numbers associated with the Billing Account Number associated with this number.
5. Carrier key related to call detail records and cell-site information.
6. List of all cell-sites for the North Idaho region including but not limited to the physical address, latitude, and longitude, associated sectors and the azimuth of each.



# Coeur d'Alene Police

## Deputy Report for Incident 16C16036

**Nature:** VEHICLE THEFT  
**Location:** 82

**Address:** 1402 N 7TH ST  
 COEUR D'ALENE ID 83814

**Offense Codes:** TVAU, SPRP  
**Received By:** M.KELLER      **How Received:** 9      **Agency:** CDA  
**Responding Officers:** R.SKAY  
**Responsible Officer:** R.SKAY      **Disposition:** CAA 06/02/16  
**When Reported:** 06:41:17 05/31/16      **Occurred Between:** 19:30:00 05/30/16 and 06:37:32 05/31/16

**Assigned To:** T.SUDOL      **Detail:** GTA      **Date Assigned:** 06/01/16  
**Status:** CA      **Status Date:** 06/02/16      **Due Date:** 05/30/21

**Complainant:** 463967  
**Last:** LUNA-SCOTT      **First:** JESSIE      **Mid:** LYNN  
**DOB:** [REDACTED]      **Address:** 1402 N 7TH ST  
**Race:** W      **Sex:** F      **Phone:** (208)540-0668      **City:** COEUR D'ALENE, ID 83814

### Offense Codes

**Reported:** NC Not Classified      **Observed:** TVAU Theft, Vehicle: Automobile  
**Additional Offense:** TVAU Theft, Vehicle: Automobile  
**Additional Offense:** SPRP Receive/Possess Stolen Property

### Circumstances

VIPR VIPR EVIDENCE STORAGE - CDAPD

**Responding Officers:** R.SKAY      **Unit :** K91

**Responsible Officer:** R.SKAY      **Agency:** CDA  
**Received By:** M.KELLER      **Last Radio Log:** \*\*:\*\*\* \*\*\*/\*\*/\*  
**How Received:** 9 911 Line      **Clearance:** 6 REPORT TAKEN  
**When Reported:** 06:41:17 05/31/16      **Disposition:** CAA **Date:** 06/02/16  
**Judicial Status:**      **Occurred between:** 19:30:00 05/30/16  
**Misc Entry:**      **and:** 06:37:32 05/31/16

Modus Operandi:	Description :	Method :
LT	LOCATION TYPE	LT13 HWY/RD/ALLEY
D	DRUGS/LIQUOR	D99
WT	WEAPONS / TOOLS USED	WT95 UNKNOWN



---

M	METHOD OF ENTRY	M26 UNLOCK/USECURED
---	-----------------	------------------------

---

**Involvements**

Date	Type	Description	Relationship
06/02/16	Law Incident	VEHICLE THEFT 16C13103	RELATED INCIDENT
06/02/16	Law Incident	BURGLARY AUTO 16C16035	RELATED INCIDENT
06/02/16	Law Incident	DRUGS 16C16226	RELATED CASE
06/02/16	Name	STULL, JOSEPH MICHAEL	MENTIONED
06/01/16	Name	KERR, RICHARD TURNER	OFFENDER
06/01/16	Name	HUMPHREYS, DESTANIE MAE	OFFENDER
06/01/16	Name	LUNA-SCOTT, JESSIE LYNN	VICTIM
05/31/16	Name	LUNA-SCOTT, JESSIE LYNN	Complainant
06/01/16	Offense	Offense#: 478466 - F - 1 count	Charged With
06/01/16	Offense	Offense#: 478470 - F - 1 count	Charged With
05/31/16	Vehicle	BLU 1997 JEEP WRANGLER ID	MENTIONED
05/31/16	Vehicle	RED 2001 FORD ESCAPE	STOLEN/RECOVERED
05/31/16	Cad Call	06:41:17 05/31/16 VEHICLE THEFT	Initiating Call
06/02/16	Property	Amplifier ALPINE MRP-T220 0	EVIDENCE
06/02/16	Property	DVD Player MAD DOG 0	EVIDENCE
06/02/16	Property	BLK CELL PHONE MOTOROLA RAZOR 0	EVIDENCE
06/02/16	Property	Data Stor Dvc GIGAWARE 0	EVIDENCE
06/02/16	Property	Receipt WALMART 0	EVIDENCE
06/02/16	Property	Tool DEWALT 20V IMPACT DRIL 0	EVIDENCE
06/02/16	Property	Tool BURGLARY 0	EVIDENCE
06/02/16	Property	DOCUMENT PAWN SLIPS HUMPHREYS 0	EVIDENCE
06/02/16	Property	Mail REC STOLEN B BROWN 0	EVIDENCE
06/02/16	Property	Mail REC STOLEN ERIN OGRADY 0	EVIDENCE
06/02/16	Property	Knife 8 EA MISC 0	EVIDENCE
06/02/16	Property	Mail VEHICLE REG C HERNANDEZ 0	EVIDENCE
06/02/16	Property	Mail REC STOLEN J STULL 0	EVIDENCE
06/02/16	Property	KEY RING GM/CHEV/FOB LIME GRN RINGEVIDENCE 0	EVIDENCE
06/02/16	Property	Clothing WOMENS/PURSE 0	EVIDENCE
06/02/16	Property	LICENSE PLATE WA 465-YJC REC STOLEN 0	EVIDENCE
06/02/16	Property	Mail REC STOLEN E WOO 0	EVIDENCE
06/02/16	Property	Mail REC STOLEN V GARCIA 0	EVIDENCE
06/02/16	Property	TOOL BAG DEWALT W TOOLS:REC ST 0	EVIDENCE
06/02/16	Property	Golf Clubs CALLAWAY W RECEIPT:E WOO 0	EVIDENCE

06/02/16	Property	Clothing MISC MENS UNK OWNER 0	EVIDENCE
06/02/16	Property	Seatcover & MISC GARBAGE FROM CAR 0	EVIDENCE
06/02/16	Property	Pipe W DRUG RESIDUE 0	EVIDENCE
06/02/16	Property	JEWELRY BOX W JEWELRY PHOTOS IN VIPER 0	EVIDENCE
06/02/16	Property	CELL PHONE LG LG-D415 0	EVIDENCE
06/02/16	Evidence	REC STOLEN GOLF CLUBS	Evidence Incident
06/02/16	Evidence	SEAT COVER & MISC FRM VEH	Evidence Incident
06/02/16	Evidence	MISC MENS CLOTHING FROM VEH	Evidence Incident
06/02/16	Evidence	DEWALT TOOL BAG W TOOLS	Evidence Incident
06/02/16	Evidence	PAWN SLIPS: D HUMPHREYS	Evidence Incident
06/02/16	Evidence	ALPINE AMPLIFIER	Evidence Incident
06/02/16	Evidence	DVD PLAYER: MAD DOG BRAND	Evidence Incident
06/02/16	Evidence	BURGLARY TOOLS	Evidence Incident
06/02/16	Evidence	WOMENS CLOTHING & PURSE	Evidence Incident
06/02/16	Evidence	DEWALT IMPACT DRILL	Evidence Incident
06/02/16	Evidence	MISC KNOVES: REC STOLEN	Evidence Incident
06/02/16	Evidence	REC STOLEN MAIL: ERIN OGRADY	Evidence Incident
06/02/16	Evidence	REC STOLEN WA LIC PLATE:BEERY	Evidence Incident
06/02/16	Evidence	REC STOLEN MAIL: WOO EUNIL	Evidence Incident
06/02/16	Evidence	REC STOLEN MAIL: STULL, J	Evidence Incident
06/02/16	Evidence	REC STOLN VEH REG: HERNANDEZ	Evidence Incident
06/02/16	Evidence	WALMART RECEIPT	Evidence Incident
06/02/16	Evidence	DATA STORAGE DEVICE	Evidence Incident
06/02/16	Evidence	MOTOROLLA CELL PHONE	Evidence Incident
06/02/16	Evidence	KEYRING W GREEN KEY RING	Evidence Incident
06/02/16	Evidence	REC STOLEN MAIL: BRIAN BROWN	Evidence Incident
06/02/16	Evidence	REC STOLEN MAIL: V GARCIA	Evidence Incident
06/02/16	Evidence	JEWELRY BOX W JEWERY	Evidence Incident
06/02/16	Evidence	GLASS PIPE WITH RESIDUE	Evidence Incident

**Narrative**

OFFICER: R. Skay K-91  
Report # 16C16036

SUSPECT(S) or DESCRIPTION(S):

F, Grand Theft 18-2403, F Burglary 18-1401 NO SUSPECTS AT THIS TIME

CASE SUMMARY:

5/31/2016

I responded to 1402 N. 7th street for a vehicle theft. Upon arrival I contacted the complainant Jessie Luna-Scott who stated her 2001 red Ford Escape had been stolen. Jessie stated her vehicle was parked in front of her house, and that the theft occurred between 1930 hours (5/30/16) and 0630 hours 5/31/16. She described the vehicle as dark red in color, with no plates since she had just purchased the vehicle from auto auction over the weekend. She told me she left the vehicle unlocked and the key was left in the console.

NARRATIVE:

5/31/2016

I responded to 1402 N. 7th street for a vehicle theft. Upon arrival I contacted the complainant Jessie Luna-Scott who stated her 2001 red Ford Escape had been stolen. Jessie stated her vehicle was parked in front of her house, and that the theft occurred between 1930 hours (5/30/16) and 0630 hours 5/31/16. She described the vehicle as dark red in color, with no plates since she had just purchased the vehicle from auto auction over the weekend. She told me she left the vehicle unlocked and the key was left in the console.

Jessie also mentioned her Jeep Wrangler had been burglarized. Her Jeep was parked on the south side of her residence on Walnut. Nothing of value was taken but items were strewn across the vehicle. I noticed 3 pocket allen wrenches sitting atop the center console lid. I found it odd that they were sitting in a straight line but were not taken.

Jessie signed the vehicle theft report and later called in with the VIN number. I delivered the report form to CDAPD Records to be entered into NCIC.

NCIC NIC# V388378724

CASE EVIDENCE:

- BODY CAM                     IN-CAR VIDEO                     PHOTOS                     AUDIO
- UPLOADED TO VIPER                     UPLOAD TO VIPER LATER

-----  
Responsible LEO:

-----  
Approved by:

---

Date

**Supplement**

MISDEMEANOR: FELONY: XXX

DATE: 6/1/16

INCIDENT#: 16C16036

CRIME: Grand Theft

VICTIM: Jessie Luna-Scott

SUSPECT: Richard Kerr

CRIME LOCATION: 1402 N. 7th

SUPP BY: J. Schmitz, K75

MEDIA: VIPER

## SUMMARY:

On or about 5/31/16 Jessie Luna-Scott's vehicle was stolen from her residence. On 6/1/16, Jessie happened to spot her vehicle near HWY 95 and I-90. Jessie followed the vehicle to the parking lot of the Dollar Tree. Jessie and several other witnesses observed a male and a female exit the vehicle and walk towards the Golden Corral. The male was ultimately contacted by LE and identified as Richard Kerr. Kerr was positively identified by Jessie as the male who had been driving her vehicle. Kerr was transported to the PD where I contacted him in an interview room.

My contact with Kerr was captured utilizing my Viewu body camera and the PD's recording system and uploaded to VIPER. What follows is a brief summary of my contact:

I advised Kerr of his Miranda rights. I asked Kerr about Jessie's vehicle. Kerr told me approximately 2 days ago he met a male (who he would not identify) with whom he arranged to purchase a vehicle. Kerr ultimately met this male near Stateline where he paid \$300.00 cash in exchange for Jessie's vehicle. Kerr then drove Jessie's vehicle to Spokane where he stole plates off another vehicle and put them on Jessie's vehicle. Kerr returned to the CDA area where he picked up Destanie Humphrys so they could hang out. Just prior to being contacted by LE, Kerr and Destanie got nervous when he believed they were being followed, parked the vehicle and attempted to walk to the Golden Corral where they were contacted by LE. I specifically asked Kerr if he honestly believed that the vehicle he allegedly purchased for \$300.00 was not stolen. Kerr confessed to knowing the purchase was "fishy" and that he "didn't think it was legit." Kerr's admission combined with his actions after the purchase (stealing plates off another vehicle and placing them on Jessie's vehicle) resulted in him being charged with possession of stolen property.

INVESTIGATIVE NARRATIVE:

**Supplement**

MISDEMEANOR: FELONY:XXXXX

DATE:06/01/2016

INCIDENT#:16C16036

CRIME:GRAND THEFT

VICTIM:JESSIE LUNA

SUSPECT:DESTANIE MAE LYN HUMPHREYS

CRIME LOCATION:1402 NORTH 7TH STREET CDA

SUPP BY:T. SUDOL K59

## SUMMARY:

On 06/01/2016, Destanie Mae Lyn Humphreys and Richard Turner Kerr were caught after trying to abandon a stolen vehicle. Destanie was arrested on a outstanding warrant and brought to the police department for a interview. Destiny was advised of her Miranda rights and she advised she understood her rights. Destanie looks very similar to the female suspect in case 16c16035 who is on video surveillance burglarizing a vehicle. This incident took place approximately 10 blocks from the theft of this vehicle. Destanie was confronted about this video and items she has pawned similar to items stolen in approximately 40 auto burglaries. Destanie advised she was not the female on the video. Destanie advised she would not tell me who she pawned the items for because she did not want to be labeled a "rat". Destanie advised she is a meth addict but the drug paraphernalia located in her backpack is not hers. She advised the backpack was hers. Destanie and Richard were confirmed as the two suspects fleeing from the vehicle by the owner of the vehicle. Destanie advised she did not know the vehicle was stolen but this does not explain why she then ran away after being confronted by the owner.

**Supplement**

A. CALIA K92

SUSPECT(S) or DESCRIPTION(S):

{M or F, criminal code, charges per suspect and related citation numbers}

RICHARD TURNER KERR (OFFENDER)

F, 18-2403(4), POSSESSION OF STOLEN PROPERTY, BOOKED PSB

DESTANIE MAELYN HUMPHREYS (OFFENDER)

F, 18-2403(4), POSSESSION OF STOLEN PROPERTY, BOOKED PSB

## CASE SUMMARY:

Police responded to a call from Jesse Luna-Scott, stating she was currently following her vehicle, which she reported stolen on 05/31/16. Luna-Scott stated a blonde male was driving and a female in pink was in the passenger seat. Police contacted that male and female in the Golden Corral parking lot. The male was verbally identified as Richard Kerr and female was verbally identified as Destanie Humphreys. Kerr and Humphreys were transported to the Police Department and interviewed by Detectives. Kerr and Humphreys were arrested for possession of stolen property. Kerr and Humphreys were transported to KCPSB and booked.

## NARRATIVE:

On 06/01/2016 I responded to a call of a possible recovered stolen vehicle northbound on Highway 95. The reporting party, Jesse Luna-Scott reported her red ford escape (no plates) stolen on 05/31/2016 and was currently following it. Luna-Scott was in a Blue Jeep Wrangler (ID 0012NE). Luna-Scott said the car turned on Appleway and went north on Fruitland Ave. The car then turned into the Dollar Tree parking lot where she momentarily lost sight of the car. When Luna-Scott regained visual of the car no one was inside. Luna-Scott described the driver of the car as a blonde male and stated the passenger was a female wearing pink.

Dispatch stated other witnesses told Luna-Scott that a male wearing a white shirt and black shorts, and a female wearing a pink shirt carrying 2 backpacks were running from the Dollar Tree Parking lot towards the Golden Corral.

Both parties were contacted by police in the parking lot of the Golden Corral.

## HUMPHREYS INTERVIEW

I contacted the female, verbally identified as Destanie Humphreys. Humphreys told me her friend Richard Kerr, picked her up earlier that day and took her to the court house. Kerr then drove her to the Golden Corral where she was going to meet her parents. Humphreys stated Kerr was driving the vehicle. Humphreys said the car Kerr picked her up in was a red SUV type car. When asked who the car belonged to, Humphreys said she thought it was Kerr's car or a friends car. Dispatch ran Humphreys name and confirmed she had an active warrant for her arrest. Humphreys was placed in handcuffs and detained.

## KERR INTERVIEW

I contacted the male, verbally identified as Richard Kerr. Kerr said he had been in Coeur D'Alene all day and was walking around. Kerr stated he was at the McDonalds on Appleway Ave and walked to the Golden Corral. Kerr denied driving any vehicle.

## WITNESS

Luna-Scott came to the Golden Corral parking lot and positively identified Kerr



as the driver of the car and Humphreys as the female passenger.

Kerr and Humphreys were detained and transported to the Coeur D'Alene Police Department for further interviews by detectives. Det. Schmitz requested Kerr and Humphreys both be booked for Possession of Stolen Property.

Kerr and Humphreys were arrested for possession of stolen property and booked at KCPSB. Humpherys was charged with additional criminal charges in related case number 16C16226.

A. CALIA K92

## Supplement

J. Schmitz, K75

6/2/16

I assisted Detective Sudol processing the items removed from Jessie's vehicle. Amongst the items recovered from the front passenger area was a glass pipe with residue. Based upon my training and experience I recognized this pipe as one utilized to smoke methamphetamines. I NIK tested the residue in the pipe and received a presumptive positive for methamphetamine. This pipe was located in the area that would have been in Destinie Humphreys span of control.

**Supplement**

MISDEMEANOR: FELONY:XXXXX

DATE:06/02/2016

INCIDENT#:16C16036

CRIME:GRAND THEFT

VICTIM:JESSIE LUNA

SUSPECT:DESTANIE MAE LYN HUMPHREYS

CRIME LOCATION:1402 NORTH 7TH STREET CDA

SUPP BY:T. SUDOL K59

## INVESTIGATIVE NARRATIVE:

On 06/01/16, I assisted patrol in attempting to locate suspects that have ran from a stolen vehicle. The stolen vehicle was spotted by the owner and the owner followed the vehicle. The owner, Jessie Luna, was able to identify the two individuals patrol contacted in the parking lot of Golden Coral. The two suspects were identified as Richard Turner Kerr and Destanie Mae Lyn Humphreys.

Richard and Destanie were both arrested. It should be noted that Richard was released from prison in early April. Directly after his release, Coeur d Alene has been a victim of over 100 reported auto burglaries. The month of March there were only 25 reported auto burglaries.

Richard and Destanie were transported to CDAPD for interviews.

The stolen vehicle was processed in the parking lot in front of Harbor Freight/Dollar Tree parking lot. I observed several burglary tools such as gloves, screw drivers, binoculars, and flashlights.

Richard and Destanie were brought back to CDAPD for interviews. They were both mirandized and they understood their rights.

I interviewed Destanie and Det. Schmitz interviewed Richard Kerr.

It should be noted that Destanie looks very familiar to a female suspect who was burglarizing a car 10 blocks away from the stolen vehicle she was in possession of. This case is 16c16035. A female and male are on surveillance burglarizing two vehicles. The suspects could also be Eric Moshan and Catlina Jones. The male suspect does not look like Richard Kerr.

Destanie advised she was dropped off at Holiday Gas Station by Leslie Humphreys, Austin Stone, and "Sadie" (Austin's girlfriend). She said this was at approximately midnight on 06/01/2016. She said prior to this time she has been spending time with her boyfriend, Jake Rankin.

Richard Kerr picked her up in the stolen vehicle and had a male passenger with him. She said she did not know the male passengers name. I learned later this was the Holiday Gas Station in Hayden. She said from here they went to Spokane and hung out at various places and people. She would not give the names or places she hung out at. Destanie was very vague and would not give specific information because she did not want to be a "rat."

I asked Destanie about her pawn history. Destanie refused to tell me who she pawned the items for. She said its not fair I ask that question. I asked her about the people the items belong too and she said she would pay them back. I asked her why would she pay them back if the items were not stolen. Destanie could not give a rational answer.

Destanie advised that she is a meth addict. I asked her about the drugs found in her backpack. She advised the backpack is hers but the drugs were not. At this point, I did not feel Destanie was going to be honest about anything. I advised her what would her phone show as far as information concerning illegal activity. Destanie seemed to get extremely nervous about this and said I could not search her phone. I advised her that I would be requesting a search warrant. Destanie dropped her head and seemed be very worried about this.

I ended the interview because Destanie did not appear to be willing to tell the truth.

Due to my training and experience working in law enforcement, suspects commonly use cell phones to help facilitate a crime. Suspects do this by sending messages back and forth to persons also involved in the crime. These messages could be by any type of messaging application on the phone (default messaging app, Facebook, Twitter, Google Hangout, Snapchat, etc...). They discuss plans and set up times to meet before and after the crime is committed. This communication continues after the crime because they will discuss content related to said crime. Examples of this communication could be the following: covering up evidence, travel plans, utterances of being scared of being caught, and even admissions of the crime. It is common for suspects to continue this type of communication by phone after an interview with a detective. I have first-hand knowledge of this by being able to review jail calls. I have interviewed multiple suspects at the jail and reviewed their jail calls at a later time. They almost always discuss this interview with friends and family over the phone. Reviewing these calls have led to more clues and/or evidence in the case. It would be reasonable that this communication would also take place over a cell phone if the suspect is not incarcerated.

Due to my training and experience, cell phones are becoming more like computers because of technological advances that allow them to have as much computing power as a desktop computer. Using a cellular device, someone is able to view and send emails, take photos and video, surf the web, upload photos to various websites (EBay, Craigslist, etc..), send photos and videos to persons, and mapping software for navigation. All these tools on a cell phone can help with committing a crime. Emails are another way of messaging back and forth to other suspects or third parties. Videos and photos of crime scenes can be used to help plan the execution of the crime. Mapping software can show if the suspect actually entered the approximate location of the crime or crimes. This would be evident in searching the mapping history of mapping application used.

Surfing the web can let us know what the suspects are researching. For example, a criminal that is stealing coins could be surfing the web to find out how much the coins they stole cost. A murder suspect could research the web on how to dispose of a body.

Call logs and contact lists provide a great deal of information. Calls received, made, missed, and voice messages left before, during, and after the crime will contain vital information. It will allow law enforcement to identify additional suspects and or witnesses worth speaking too. When these calls are made and received by a cell phone, this gives a location of where the phone is

during this transmission. These phones will also do random location checks on itself depending on the applications on the phone. Getting these GPS locations on these phones during specific times will help place the suspect in the area of the crime when the crime was committed.

DESTANIE'S PHONE IS A BLACK T-MOBILE LG-D415 CELL PHONE WITH IMEI 014209008951957 AND CELL PHONE NUMBER 208-416-1514. I WILL ALSO BE REQUESTING T-MOBILE CELL PHONE RECORDS FOR CELL PHONE NUMBER 208-416-1514.

Her phone was seized by Ofc. Calia from Destanie Humphreys person. This phone was then give to Det. Schmitz who in turn gave it to me.

-----  
On 06/02/16, I processed the property seized from the victim's vehicle. A pipe with a substance consistent to methamphetamine NIK tested presumptive positive as methamphetamine.

Documents were found belonging to four other persons who are not the victim of the vehicle theft or Destanie Humphreys and Richard Kerr. I believe they are potential burglary victims in Spokane. I will pass this information on to Spokane PD.

DOCUMENTS BELONGING TO OTHER PERSONS:

Cristobal Hernandez  
Valerie Garcia  
Eunil Woo  
Joseph Stull

The Callaway golf clubs had documents in the golf club bag that identified them to Eunil Woo. I was able to get a email for Woo. I emailed him and asked if he has been a victim of a burglary and what he was missing. I have not received a return email as of yet.

A pawn slip for Pawn 1 off of Sprague Avenue in Spokane was also located. Destanie Humphreys pawned Craftsman tools.

There is also more property consistent with auto burglaries that was processed. A supplement will be added in the future listing of all property processed.

-----Richard Kerr and Destanie ran from the stolen vehicle  
-----Richard Kerr initially denied knowing anything about the stolen car  
-----Richard Kerr then advised he bought the car for \$300.00  
-----Richard Kerr did not know who he bought the car from  
-----The car is worth over \$4000.00 (so he got a good deal)  
-----Drugs and paraphernalia were located in Destanie's backpack.  
-----The car had been stolen less than two days and it was full of property.  
-----Richard Kerr advised all the property was in the car when he bought it.

JOSEPH STULL IS SUSPECT IN RELATED CASE 16C13103 VEHICLE THEFT. I believe Stull may have been the other person in the car when Richard picked up Destanie.

I could not locate Stull in the pawn database.

AC



**Sentryx Booking Information:**

Sentryx Booking Number: 16-04788

Name Number: 441107

Name: HUMPHREYS, DESTANIE MAE

Address: UNKNOWN

Phone: (208)416-1514

COEUR D'ALENE, ID 83814

DOB: [REDACTED]

Assigned Bed: 'KCPSB-SH-02GPOD-'

Current Location: 'KCPSB-SH-02GPOD-'

Booking Date: 06/01/16

**Sentryx Inmate Property Taken 23:22:11 06/01/16:**

<u>Item</u>	<u>Description</u>	<u>Qty In</u>	<u>Location</u>	<u>Receipt#</u>
NECKLACE	MULTI COLOR	1	JL572	18610
JEANS	BLUE	1	JL572	18610
BRA	PINK	1	JL572	18610
SHIRT	PINK	1	JL572	18610
TANK	PINK	1	JL572	18610
BELT	PINK	1	JL572	18610

**Sentryx Bonds For Booking # 16-04788:**

Bond Type: BOND  
 Issue Date: 06/01/16  
 Clear Date: \*\*/\*\*/\*\*  
 Ex Clearance:

Required Amount: \$15,000.00  
 Cash Due: \$15,000.00

Bond Type: BOND  
 Issue Date: 06/01/16  
 Clear Date: \*\*/\*\*/\*\*

Ex Clearance:  
 Required Amount: \$1,000.00  
 Cash Due: \$1,000.00

Bond Type: BOND  
 Issue Date: 06/01/16  
 Clear Date: 06/02/16

Ex Clearance: Y  
 Required Amount: \$300.00  
 Cash Due: \$0.00

Bond Type: BOND  
 Issue Date: 06/01/16  
 Clear Date: 06/02/16

Ex Clearance: Y  
 Required Amount: \$300.00  
 Cash Due: \$0.00

Judge: VAN VALIN

Clearance Code:  
 Ex Clearance Desc:  
 Optional Amount: \$0.00

Judge:

Clearance Code:  
 Ex Clearance Desc:  
 Optional Amount: \$0.00

Judge:

Clearance Code: BRBJ  
 Ex Clearance Desc: comb  
 Optional Amount: \$0.00

Judge:

Clearance Code: BRBJ  
 Ex Clearance Desc: comb  
 Optional Amount: \$0.00

**Sentryx Inmate Holds On Booking # 16-04788:**

Type: [WAIV] Must Sign Waivers  
 Entered by: JO.COX  
 Cleared by:  
 Remarks:  
 When Entered: 15:08:50 06/02/16  
 When Cleared: \*\*:\*\*:\*\*: \*\*/\*\*/\*\*

**Sentryx Arrest # A312699**

Time/Date: 19:33:00 06/01/16 Agency: CDA  
 Age at Arrest: 19 Location: CDA POLICE DEPT. Officer: A.CALIA  
 Arrest Type: CUST Area: 84 Reference: 16C16226  
 Disposition:

**Sentryx Offense # 478466**

Statute: 18-2403-4 NCIC:  
 Offense: SPRP Receive/Possess Stolen Crime Class: F  
 Property  
 Offense Reference: F16-10504 Offense Type: S Offense Area: 84  
 Related Incident: 16C16036 Law Jurisdiction: S  
 Entry Code: CRIM Offense Location:  
 Court Code: DIS Offense Time/Date: 14:00:00 06/02/16  
 Offense Disposition: PD Disposition Date: 06/02/16

**Sentryx Offense # 478467**

Statute: 37-2734A1 NCIC:  
 Offense: WARR WARRANT SERVICE Crime Class: M  
 Offense Reference: M15-016957 Offense Type: S Offense Area: 84  
 Related Incident: 16C16226 Law Jurisdiction: S  
 Entry Code: WARR Offense Location:  
 Court Code: MAG Offense Time/Date: 14:00:00 06/02/16  
 Offense Disposition: PD Disposition Date: 06/02/16

**Sentryx Offense # 478468**

Statute: 37-2734A1 NCIC:  
 Offense: CSDE Controlled Subs/Drug Crime Class: M  
 Equipment  
 Offense Reference: F16-10504 Offense Type: S Offense Area: 84  
 Related Incident: 16C16226 Law Jurisdiction: S  
 Entry Code: CRIM Offense Location:  
 Court Code: MAG Offense Time/Date: 14:00:00 06/02/16  
 Offense Disposition: PD Disposition Date: 06/02/16

**Sentryx Offense # 478469**

Statute: 37-2732c3 NCIC:



**Offense:** CSPM Cont Subst/Possession  
 Marijuana  
**Crime Class:** M  
**Offense Reference:** F16-10504      **Offense Type:** S      **Offense Area:** 84  
**Related Incident:** 16C16226      **Law Jurisdiction:** S  
**Entry Code:** CRIM      **Offense Location:**  
**Court Code:** MAG      **Offense Time/Date:** 14:00:00 06/02/16  
**Offense Disposition:** PD      **Disposition Date:** 06/02/16

**Sentryx Booking Information:**

**Sentryx Booking Number:** 16-04789      **Name Number:** 416463  
**Name:** KERR, RICHARD TURNER      **Address:** 15885 N ROOSEVELT ST  
**Phone:** (208)518-9248      RATHDRUM, ID 83858  
**DOB:** [REDACTED]  
**Assigned Bed:** 'KCPSB-EH-PPOD-'      **Current Location:** 'KCPSB-EH-PPOD-'  
**Booking Date:** 06/01/16

**Sentryx Inmate Property Taken 23:27:11 06/01/16:**

<u>Item</u>	<u>Description</u>	<u>Qty In</u>	<u>Location</u>	<u>Receipt#</u>
SHOES	BLACK	2	JL244	18612
BELT	BLACK	1	JL244	18612
HAT	GREY	1	JL244	18612
SOCKS	WHITE	2	JL244	18612
KNIFE	BLACK	1	JL244	18612
GLASSES	SUN	1	JL244	18612
SHIRT	WHITE	1	JL244	18612
SHORTS	GREEN	1	JL244	18612
UNDERWEAR	BLUE	1	JL244	18612

**Sentryx Bonds For Booking # 16-04789:**

**Bond Type:** BOND      **Judge:** VAN VALIN  
**Issue Date:** 06/01/16  
**Clear Date:** \*\*/\*\*/\*\*      **Clearance Code:**  
**Ex Clearance:**      **Ex Clearance Desc:**  
**Required Amount:** \$40,000.00      **Optional Amount:** \$0.00  
**Cash Due:** \$40,000.00

**Sentryx Inmate Holds On Booking # 16-04789:**

**Type:** [WAIV] Must Sign Waivers  
**Entered by:** JO.COX      **When Entered:** 15:19:29 06/02/16  
**Cleared by:**      **When Cleared:** \*\*/\*\*/\*\*  
**Remarks:**

**Alert Codes:**

PS PROBATION STATE

**Sentryx Arrest # A312700**

**Time/Date:** 19:33:00 06/01/16      **Agency:** CDA  
**Age at Arrest:** 22      **Location:** CDA POLICE DEPT      **Officer:** A.CALIA  
**Arrest Type:** CUST      **Area:** 84      **Reference:** 16C16036  
**Disposition:**

**Sentryx Offense # 478470**

**Statute:** 18-2403-4      **NCIC:**  
**Offense:** SPRP Receive/Possess Stolen      **Crime Class:** F  
Property  
**Offense Reference:** F16-10503      **Offense Type:** S      **Offense Area:** 84  
**Related Incident:** 16C16036      **Law Jurisdiction:** S  
**Entry Code:** CRIM      **Offense Location:**  
**Court Code:** MAG      **Offense Time/Date:** 14:00:00 06/02/16  
**Offense Disposition:** PD      **Disposition Date:** 06/02/16

### Vehicles

Vehicle Number: 14-10790

License Plate: [REDACTED]  
State: ID

License Type: PC Regular Passenger Automobile  
Expires: \*\*/\*\*/\*\*

Vehicle Year: 1997

VIN: 1J4FY19S2VP528497

Make: JEEP Jeep

Model: WRANGLER

Color: BLU /

Doors: 0

Vehicle Type: SUV Sports Utility  
Vehicle

Value: \$0.00

Owner:

Last: LUNA-SCOTT First: JESSIE

Mid: LYNN

DOB: [REDACTED]

Address: 1402 N 7TH ST

Race: W Sex: F Phone: (208)540-0668

City: COEUR D'ALENE, ID 83814

Agency: CDA COEUR D'ALENE POLICE DEPT

Date Recov/Rcvd: \*\*/\*\*/\*\*

Officer: T.HAUG

Area:

UCR Status:

Wrecker Service:

Local Status: III Involved in Incident

Storage Location:

Status Date: 10/27/14

Release Date: \*\*/\*\*/\*\*

Comments:

Vehicle Number: 16-05118

License Plate:  
State:

License Type:  
Expires: \*\*/\*\*/\*\*

Vehicle Year: 2001

VIN: 1FMCU04101KB62958

Make: FORD Ford

Model: ESCAPE

Color: RED /

Doors: 4

Vehicle Type: SUV Sports Utility  
Vehicle

Value: \$1,550.00

Owner:

Last: LUNA-SCOTT First: JESSIE

Mid: LYNN

DOB: [REDACTED]

Address: 1402 N 7TH ST

Race: W Sex: F Phone: (208)540-0668

City: COEUR D'ALENE, ID 83814

Agency: CDA COEUR D'ALENE POLICE DEPT

Date Recov/Rcvd: 06/01/16

Officer: R.SKAY

Area:

UCR Status: SRL Stolen Locally/Recvd Locally

Wrecker Service:

Local Status:

Storage Location:

Status Date: 05/30/16

Release Date: \*\*/\*\*/\*\*

Comments:

### Property

**Property Number:** 16-07842  
**Item:** Amplifier  
**Brand:** ALPINE  
**Year:** 0  
**Meas:**  
**Total Value:** \$0.00  
**Owner:** UNKNOWN 2517  
**Agency:** CDA COEUR D'ALENE POLICE DEPT  
**Accum Amt Recov:** \$0.00  
**UCR:**  
**Local Status:** EIS  
**Crime Lab Number:**  
**Date Released:** \*\*/\*\*/\*\*  
**Released By:**  
**Released To:**  
**Reason:**  
**Comments:**

**Owner Applied Nmbr:**  
**Model:** MRP-T220  
**Quantity:** 1  
**Serial Nmbr:** R40855390  
**Color:**  
**Tag Number:** 16C16036  
**Officer:** T.SUDOL  
**UCR Status:** RFO  
**Storage Location:**  
**Status Date:** \*\*/\*\*/\*\*  
**Date Recov/Rcvd:** 06/01/16  
**Amt Recovered:** \$0.00  
**Custody:** \*\*.\*:\*\* \*\*/\*\*/\*\*

**Property Number:** 16-07843  
**Item:** DVD Player  
**Brand:** MAD DOG  
**Year:** 0  
**Meas:**  
**Total Value:** \$0.00  
**Owner:** UNKNOWN 2517  
**Agency:** CDA COEUR D'ALENE POLICE DEPT  
**Accum Amt Recov:** \$0.00  
**UCR:**  
**Local Status:** EIS  
**Crime Lab Number:**  
**Date Released:** \*\*/\*\*/\*\*  
**Released By:**  
**Released To:**  
**Reason:**  
**Comments:**

**Owner Applied Nmbr:**  
**Model:**  
**Quantity:** 1  
**Serial Nmbr:**  
**Color:**  
**Tag Number:** 16C16036  
**Officer:** T.SUDOL  
**UCR Status:** RFO  
**Storage Location:**  
**Status Date:** \*\*/\*\*/\*\*  
**Date Recov/Rcvd:** 06/01/16  
**Amt Recovered:** \$0.00  
**Custody:** \*\*.\*:\*\* \*\*/\*\*/\*\*

**Property Number:** 16-07844  
**Item:** CELL PHONE  
**Brand:** MOTOROLA  
**Model:** RAZOR

**Year:** 0  
**Meas:**  
**Total Value:** \$0.00  
**Owner:** UNKNOWN 2517  
**Agency:** CDA COEUR D'ALENE POLICE DEPT  
**Accum Amt Recov:** \$0.00  
**UCR:**  
**Local Status:** EIS  
**Crime Lab Number:**  
**Date Released:** \*\*/\*\*/\*\*  
**Released By:**  
**Released To:**  
**Reason:**  
**Comments:**

**Quantity:** 1  
**Serial Nmbr:** 3598210069947  
 31  
**Color:** BLK  
**Tag Number:** 16C16036  
**Officer:** T.SUDOL  
**UCR Status:** RFO  
**Storage Location:**  
**Status Date:** \*\*/\*\*/\*\*  
**Date Recov/Rcvd:** 06/01/16  
**Amt Recovered:** \$0.00  
**Custody:** \*\*:\*\*:\*\* \*\*/\*\*/\*\*

**Property Number:** 16-07845  
**Item:** Data Stor Dvc

**Owner Applied Nmbr:**

**Brand:** GIGAWARE  
**Year:** 0  
**Meas:**  
**Total Value:** \$0.00  
**Owner:** UNKNOWN 2517  
**Agency:** CDA COEUR D'ALENE POLICE DEPT  
**Accum Amt Recov:** \$0.00  
**UCR:**  
**Local Status:** EIS  
**Crime Lab Number:**  
**Date Released:** \*\*/\*\*/\*\*  
**Released By:**  
**Released To:**  
**Reason:**  
**Comments:**

**Model:**  
**Quantity:** 1  
**Serial Nmbr:** 4254209084452  
 2  
**Color:**  
**Tag Number:** 16C16036  
**Officer:** T.SUDOL  
**UCR Status:** RFO  
**Storage Location:**  
**Status Date:** \*\*/\*\*/\*\*  
**Date Recov/Rcvd:** 06/01/16  
**Amt Recovered:** \$0.00  
**Custody:** \*\*:\*\*:\*\* \*\*/\*\*/\*\*

**Property Number:** 16-07846  
**Item:** Receipt

**Owner Applied Nmbr:**

**Brand:** WALMART  
**Year:** 0  
**Meas:**  
**Total Value:** \$0.00  
**Owner:** UNKNOWN 2517

**Model:**  
**Quantity:**  
**Serial Nmbr:**  
**Color:**

**Agency:** CDA COEUR D'ALENE POLICE DEPT      **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00      **Officer:** T.SUDOL  
**UCR:**      **UCR Status:**  
**Local Status:** EIS      **Storage Location:**  
**Crime Lab Number:**      **Status Date:** \*\*/\*\*/\*\*  
**Date Released:** \*\*/\*\*/\*\*      **Date Recov/Rcvd:** 06/01/16  
**Released By:**      **Amt Recovered:** \$0.00  
**Released To:**      **Custody:** \*\*:\*\*:\*\* \*\*/\*\*/\*\*  
**Reason:**  
**Comments:** RECEIPT TO COPY KEY TO STOLEN VEHICLE 060116 AT 0030 HRS AT WALMART KIOSK  
FK20130119001

**Property Number:** 16-07847

**Item:** Tool

**Owner Applied Nmbr:**

**Brand:** DEWALT  
**Year:** 0  
**Meas:**  
**Total Value:** \$0.00

**Model:** 20V IMPACT DRIL  
**Quantity:** 1  
**Serial Nmbr:**  
**Color:**

**Owner:** UNKNOWN 2517

**Agency:** CDA COEUR D'ALENE POLICE DEPT      **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00      **Officer:** T.SUDOL  
**UCR:**      **UCR Status:** RFO  
**Local Status:** EIS      **Storage Location:**  
**Crime Lab Number:**      **Status Date:** \*\*/\*\*/\*\*  
**Date Released:** \*\*/\*\*/\*\*      **Date Recov/Rcvd:** 06/01/16  
**Released By:**      **Amt Recovered:** \$0.00  
**Released To:**      **Custody:** \*\*:\*\*:\*\* \*\*/\*\*/\*\*  
**Reason:**  
**Comments:** 20 V IMPACT DRILL WITH BITS

**Property Number:** 16-07848

**Item:** Tool

**Owner Applied Nmbr:**

**Brand:** BURGLARY  
**Year:** 0  
**Meas:**  
**Total Value:** \$0.00

**Model:**  
**Quantity:**  
**Serial Nmbr:**  
**Color:**

**Owner:** KERR RICHARD TURNER 416463

**Agency:** CDA COEUR D'ALENE POLICE DEPT      **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00      **Officer:** T.SUDOL  
**UCR:**      **UCR Status:**  
**Local Status:** EIS      **Storage Location:**  
**Crime Lab Number:**      **Status Date:** \*\*/\*\*/\*\*

<b>Date Released:</b> **/**/**	<b>Date Recov/Rcvd:</b> 06/01/16
<b>Released By:</b>	<b>Amt Recovered:</b> \$0.00
<b>Released To:</b>	<b>Custody:</b> **:*.**:** **/**/**
<b>Reason:</b>	
<b>Comments:</b> GLOVES SCREWDRIVER BINOCULARS FLASHLIGHT--CENTER CONSOLE BENT FILE---BACK HATCH	
<b>Property Number:</b> 16-07850	
<b>Item:</b> DOCUMENT	<b>Owner Applied Nmbr:</b>
<b>Brand:</b> PAWN SLIPS	<b>Model:</b> HUMPHREYS
<b>Year:</b> 0	<b>Quantity:</b>
<b>Meas:</b>	<b>Serial Nmbr:</b>
<b>Total Value:</b> \$0.00	<b>Color:</b>
<b>Owner:</b> KERR RICHARD TURNER 416463	
<b>Agency:</b> CDA COEUR D'ALENE POLICE DEPT	<b>Tag Number:</b> 16C16036
<b>Accum Amt Recov:</b> \$0.00	<b>Officer:</b> T.SUDOL
<b>UCR:</b>	<b>UCR Status:</b>
<b>Local Status:</b> EIS	<b>Storage Location:</b>
<b>Crime Lab Number:</b>	<b>Status Date:</b> **/**/**
<b>Date Released:</b> **/**/**	<b>Date Recov/Rcvd:</b> 06/01/16
<b>Released By:</b>	<b>Amt Recovered:</b> \$0.00
<b>Released To:</b>	<b>Custody:</b> **:*.**:** **/**/**
<b>Reason:</b>	
<b>Comments:</b> PAWN 1 RECEIPTS SPOKANE STORE:D HUMPHREYS	
<b>Property Number:</b> 16-07852	
<b>Item:</b> Mail	<b>Owner Applied Nmbr:</b>
<b>Brand:</b> REC STOLEN	<b>Model:</b> B BROWN
<b>Year:</b> 0	<b>Quantity:</b>
<b>Meas:</b>	<b>Serial Nmbr:</b>
<b>Total Value:</b> \$0.00	<b>Color:</b>
<b>Owner:</b> BROWN BRIAN 598032	
<b>Agency:</b> CDA COEUR D'ALENE POLICE DEPT	<b>Tag Number:</b> 16C16036
<b>Accum Amt Recov:</b> \$0.00	<b>Officer:</b> T.SUDOL
<b>UCR:</b>	<b>UCR Status:</b>
<b>Local Status:</b> EIS	<b>Storage Location:</b>
<b>Crime Lab Number:</b>	<b>Status Date:</b> **/**/**
<b>Date Released:</b> **/**/**	<b>Date Recov/Rcvd:</b> 06/01/16
<b>Released By:</b>	<b>Amt Recovered:</b> \$0.00
<b>Released To:</b>	<b>Custody:</b> **:*.**:** **/**/**
<b>Reason:</b>	
<b>Comments:</b> MAIL BELONGING TO BROWN LOCATED IN VEHICLE	

**Property Number:** 16-07853  
**Item:** Mail **Owner Applied Nbr:**  
**Brand:** REC STOLEN **Model:** ERIN OGRADY  
**Year:** 0 **Quantity:**  
**Meas:** **Serial Nbr:**  
**Total Value:** \$0.00 **Color:**  
**Owner:** OGRADY ERIN 598033  
**Agency:** CDA COEUR D'ALENE POLICE DEPT **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00 **Officer:** T.SUDOL  
**UCR:** **UCR Status:**  
**Local Status:** EIS **Storage Location:**  
**Crime Lab Number:** **Status Date:** \*\*/\*\*/\*\*  
**Date Released:** \*\*/\*\*/\*\* **Date Recov/Rcvd:** 06/01/16  
**Released By:** **Amt Recovered:** \$0.00  
**Released To:** **Custody:** \*\*/\*\*/\*\* \*\*/\*\*/\*\*  
**Reason:**  
**Comments:**

**Property Number:** 16-07854 **Owner Applied Nbr:**  
**Item:** Knife  
**Brand:** 8 EA MISC **Model:**  
**Year:** 0 **Quantity:**  
**Meas:** **Serial Nbr:**  
**Total Value:** \$0.00 **Color:**  
**Owner:** KERR RICHARD TURNER 416463  
**Agency:** CDA COEUR D'ALENE POLICE DEPT **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00 **Officer:** T.SUDOL  
**UCR:** **UCR Status:**  
**Local Status:** EIS **Storage Location:**  
**Crime Lab Number:** **Status Date:** \*\*/\*\*/\*\*  
**Date Released:** \*\*/\*\*/\*\* **Date Recov/Rcvd:** 06/01/16  
**Released By:** **Amt Recovered:** \$0.00  
**Released To:** **Custody:** \*\*/\*\*/\*\* \*\*/\*\*/\*\*  
**Reason:**  
**Comments:**

**Property Number:** 16-07855 **Owner Applied Nbr:**  
**Item:** Mail  
**Brand:** VEHICLE REG **Model:** C HERNANDEZ  
**Year:** 0 **Quantity:**  
**Meas:** **Serial Nbr:**



**Total Value:** \$0.00 **Color:**  
**Owner:** HERNANDEZ CRISTOBAL 598034  
**Agency:** CDA COEUR D'ALENE POLICE DEPT **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00 **Officer:** T.SUDOL  
**UCR:** **UCR Status:**  
**Local Status:** EIS **Storage Location:**  
**Crime Lab Number:** **Status Date:** \*\*/\*\*/  
**Date Released:** \*\*/\*\*/  
**Released By:** **Date Recov/Rcvd:** 06/01/16  
**Released To:** **Amt Recovered:** \$0.00  
**Reason:** **Custody:** \*\*:\*\*:\*\* \*\*/\*\*/  
**Comments:**  
**Property Number:** 16-07857  
**Item:** Mail **Owner Applied Nbr:**

**Brand:** REC STOLEN **Model:** J STULL  
**Year:** 0 **Quantity:**  
**Meas:** **Serial Nbr:**  
**Total Value:** \$0.00 **Color:**  
**Owner:** STULL JOSEPH M 598037  
**Agency:** CDA COEUR D'ALENE POLICE DEPT **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00 **Officer:** T.SUDOL  
**UCR:** **UCR Status:**  
**Local Status:** EIS **Storage Location:**  
**Crime Lab Number:** **Status Date:** \*\*/\*\*/  
**Date Released:** \*\*/\*\*/  
**Released By:** **Date Recov/Rcvd:** 06/01/16  
**Released To:** **Amt Recovered:** \$0.00  
**Reason:** **Custody:** \*\*:\*\*:\*\* \*\*/\*\*/  
**Comments:**  
**Property Number:** 16-07858  
**Item:** KEY RING **Owner Applied Nbr:**

**Brand:** GM/CHEV/FOB **Model:** LIME GRN RING  
**Year:** 0 **Quantity:**  
**Meas:** **Serial Nbr:**  
**Total Value:** \$0.00 **Color:**  
**Owner:** KERR RICHARD TURNER 416463  
**Agency:** CDA COEUR D'ALENE POLICE DEPT **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00 **Officer:** T.SUDOL  
**UCR:** **UCR Status:**  
**Local Status:** EIS **Storage Location:**

**Crime Lab Number:**  
**Date Released:** \*\*/\*\*/\*\*  
**Released By:**  
**Released To:**  
**Reason:**  
**Comments:** RECOVERED STOLEN

**Status Date:** \*\*/\*\*/\*\*  
**Date Recov/Rcvd:** 06/01/16  
**Amt Recovered:** \$0.00  
**Custody:** \*\*.\*.\*\* \*\*/\*\*/\*\*

**Property Number:** 16-07859

**Item:** Clothing

**Owner Applied Nmbr:**

**Brand:** WOMENS/PURSE

**Year:** 0

**Meas:**

**Total Value:** \$0.00

**Owner:** KERR RICHARD TURNER 416463

**Agency:** CDA COEUR D'ALENE POLICE DEPT

**Accum Amt Recov:** \$0.00

**UCR:**

**Local Status:** EIS

**Crime Lab Number:**

**Date Released:** \*\*/\*\*/\*\*

**Released By:**

**Released To:**

**Reason:**

**Comments:**

**Property Number:** 16-07860

**Item:** LICENSE PLATE

**Owner Applied Nmbr:**

**Brand:** WA 465-YJC

**Year:** 0

**Meas:**

**Total Value:** \$0.00

**Owner:** BEERY SHARON M 598038

**Agency:** CDA COEUR D'ALENE POLICE DEPT

**Accum Amt Recov:** \$0.00

**UCR:**

**Local Status:** EIS

**Crime Lab Number:**

**Date Released:** \*\*/\*\*/\*\*

**Released By:**

**Released To:**

**Reason:**

**Comments:** CLEAR NCIC ON SUBMISSION

**Model:**

**Quantity:**

**Serial Nmbr:**

**Color:**

**Tag Number:** 16C16036

**Officer:** T.SUDOL

**UCR Status:**

**Storage Location:**

**Status Date:** \*\*/\*\*/\*\*

**Date Recov/Rcvd:** 06/01/16

**Amt Recovered:** \$0.00

**Custody:** \*\*.\*.\*\* \*\*/\*\*/\*\*

**Model:** REC STOLEN

**Quantity:**

**Serial Nmbr:**

**Color:**

**Tag Number:** 16C16036

**Officer:** T.SUDOL

**UCR Status:**

**Storage Location:**

**Status Date:** \*\*/\*\*/\*\*

**Date Recov/Rcvd:** 06/01/16

**Amt Recovered:** \$0.00

**Custody:** \*\*.\*.\*\* \*\*/\*\*/\*\*

**Property Number:** 16-07861  
**Item:** Mail **Owner Applied Nmbr:**  
  
**Brand:** REC STOLEN **Model:** E WOO  
**Year:** 0 **Quantity:**  
**Meas:** **Serial Nmbr:**  
**Total Value:** \$0.00 **Color:**  
**Owner:** WOO EUNIL JOSH 598040  
**Agency:** CDA COEUR D'ALENE POLICE DEPT **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00 **Officer:** T.SUDOL  
**UCR:** **UCR Status:**  
**Local Status:** EIS **Storage Location:**  
**Crime Lab Number:** **Status Date:** \*\*/\*\*/\*\*  
**Date Released:** \*\*/\*\*/\*\* **Date Recov/Rcvd:** 06/01/16  
**Released By:** **Amt Recovered:** \$0.00  
**Released To:** **Custody:** \*\*:\*.\*\*.\*\* \*\*/\*\*/\*\*  
**Reason:**  
**Comments:**

**Property Number:** 16-07862  
**Item:** Mail **Owner Applied Nmbr:**  
  
**Brand:** REC STOLEN **Model:** V GARCIA  
**Year:** 0 **Quantity:**  
**Meas:** **Serial Nmbr:**  
**Total Value:** \$0.00 **Color:**  
**Owner:** GARCIA VALERIA 598041  
**Agency:** CDA COEUR D'ALENE POLICE DEPT **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00 **Officer:** T.SUDOL  
**UCR:** **UCR Status:**  
**Local Status:** EIS **Storage Location:**  
**Crime Lab Number:** **Status Date:** \*\*/\*\*/\*\*  
**Date Released:** \*\*/\*\*/\*\* **Date Recov/Rcvd:** 06/01/16  
**Released By:** **Amt Recovered:** \$0.00  
**Released To:** **Custody:** \*\*:\*.\*\*.\*\* \*\*/\*\*/\*\*  
**Reason:**  
**Comments:**

**Property Number:** 16-07863  
**Item:** TOOL BAG **Owner Applied Nmbr:**  
  
**Brand:** DEWALT **Model:** W TOOLS:REC ST  
**Year:** 0 **Quantity:**  
**Meas:** **Serial Nmbr:**

**Total Value:** \$0.00 **Color:**  
**Owner:** KERR RICHARD TURNER 416463  
**Agency:** CDA COEUR D'ALENE POLICE DEPT **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00 **Officer:** T.SUDOL  
**UCR:** **UCR Status:**  
**Local Status:** EIS **Storage Location:**  
**Crime Lab Number:** **Status Date:** \*\*/\*\*/\*\*  
**Date Released:** \*\*/\*\*/\*\* **Date Recov/Rcvd:** 06/01/16  
**Released By:** **Amt Recovered:** \$0.00  
**Released To:** **Custody:** \*\*:\*\*:\*\* \*\*/\*\*/\*\*  
**Reason:**  
**Comments:**  
**Property Number:** 16-07864  
**Item:** Golf Clubs **Owner Applied Nmbr:**

**Brand:** CALLAWAY **Model:** W RECEIPT:E WOO  
**Year:** 0 **Quantity:**  
**Meas:** **Serial Nmbr:**  
**Total Value:** \$0.00 **Color:**  
**Owner:** WOO EUNIL JOSH 598040  
**Agency:** CDA COEUR D'ALENE POLICE DEPT **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00 **Officer:** T.SUDOL  
**UCR:** **UCR Status:**  
**Local Status:** EIS **Storage Location:**  
**Crime Lab Number:** **Status Date:** \*\*/\*\*/\*\*  
**Date Released:** \*\*/\*\*/\*\* **Date Recov/Rcvd:** 06/01/16  
**Released By:** **Amt Recovered:** \$0.00  
**Released To:** **Custody:** \*\*:\*\*:\*\* \*\*/\*\*/\*\*  
**Reason:**  
**Comments:** RECEIPT IN GOLF BAG WITH NAME E WOO  
**Property Number:** 16-07871  
**Item:** Clothing **Owner Applied Nmbr:**

**Brand:** MISC MENS **Model:** UNK OWNER  
**Year:** 0 **Quantity:**  
**Meas:** **Serial Nmbr:**  
**Total Value:** \$0.00 **Color:**  
**Owner:** KERR RICHARD TURNER 416463  
**Agency:** CDA COEUR D'ALENE POLICE DEPT **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00 **Officer:** T.SUDOL  
**UCR:** **UCR Status:**  
**Local Status:** EIS **Storage Location:**

**Crime Lab Number:**  
**Date Released:** \*\*/\*\*/\*\*  
**Released By:**  
**Released To:**  
**Reason:**  
**Comments:** INCLUDES MULTI COLORED PONCHO/COWBOY BOOTS/BLACK JACKETS

**Status Date:** \*\*/\*\*/\*\*  
**Date Recov/Rcvd:** 06/01/16  
**Amt Recovered:** \$0.00  
**Custody:** \*\*/\*\*/\*\* \*\*/\*\*/\*\*

**Property Number:** 16-07872

**Item:** Seatcover

**Owner Applied Nmbr:**

**Brand:** & MISC GARBAGE

**Model:** FROM CAR

**Year:** 0

**Quantity:**

**Meas:**

**Serial Nmbr:**

**Total Value:** \$0.00

**Color:**

**Owner:** KERR RICHARD TURNER 416463

**Agency:** CDA COEUR D'ALENE POLICE DEPT

**Tag Number:** 16C16036

**Accum Amt Recov:** \$0.00

**Officer:** T.SUDOL

**UCR:**

**UCR Status:**

**Local Status:** EIS

**Storage Location:**

**Crime Lab Number:**

**Status Date:** \*\*/\*\*/\*\*

**Date Released:** \*\*/\*\*/\*\*

**Date Recov/Rcvd:** 06/01/16

**Released By:**

**Amt Recovered:** \$0.00

**Released To:**

**Custody:** \*\*/\*\*/\*\* \*\*/\*\*/\*\*

**Reason:**

**Comments:** MISC CORDS/SUNGLASSES/PAPERS/FOIL

**Property Number:** 16-07873

**Item:** Pipe

**Owner Applied Nmbr:**

**Brand:** W DRUG RESIDUE

**Model:**

**Year:** 0

**Quantity:**

**Meas:**

**Serial Nmbr:**

**Total Value:** \$0.00

**Color:**

**Owner:** KERR RICHARD TURNER 416463

**Agency:** CDA COEUR D'ALENE POLICE DEPT

**Tag Number:** 16C16036

**Accum Amt Recov:** \$0.00

**Officer:** T.SUDOL

**UCR:**

**UCR Status:**

**Local Status:** EIS

**Storage Location:**

**Crime Lab Number:**

**Status Date:** \*\*/\*\*/\*\*

**Date Released:** \*\*/\*\*/\*\*

**Date Recov/Rcvd:** 06/01/16

**Released By:**

**Amt Recovered:** \$0.00

**Released To:**

**Custody:** \*\*/\*\*/\*\* \*\*/\*\*/\*\*

**Reason:**

**Comments:**

**Property Number:** 16-07891  
**Item:** JEWELRY BOX **Owner Applied Nmbr:**  
  
**Brand:** W JEWELRY **Model:** PHOTOS IN VIPER  
**Year:** 0 **Quantity:**  
**Meas:** **Serial Nmbr:**  
**Total Value:** \$0.00 **Color:**  
**Owner:** KERR RICHARD TURNER 416463  
**Agency:** CDA COEUR D'ALENE POLICE DEPT **Tag Number:** 16C16036  
**Accum Amt Recov:** \$0.00 **Officer:** T.SUDOL  
**UCR:** **UCR Status:**  
**Local Status:** EIS **Storage Location:**  
**Crime Lab Number:** **Status Date:** \*\*/\*\*/  
**Date Released:** \*\*/\*\*/  
**Released By:** **Date Recov/Rcvd:** 06/01/16  
**Released To:** **Amt Recovered:** \$0.00  
**Reason:** **Custody:** \*\*:\*\*: \*\*/\*\*/  
**Comments:**

**Property Number:** 16-07910 **Owner Applied Nmbr:**  
**Item:** CELL PHONE  
  
**Brand:** LG **Model:** LG-D415  
**Year:** 0 **Quantity:** 1  
**Meas:** **Serial Nmbr:** 0142090089519  
  
**Total Value:** \$0.00 **Color:**  
**Owner:** HUMPHREYS DESTINY MAELYNN 405672  
**Agency:** CDA COEUR D'ALENE POLICE DEPT **Tag Number:**  
**Accum Amt Recov:** \$0.00 **Officer:** T.SUDOL  
**UCR:** **UCR Status:**  
**Local Status:** EIS **Storage Location:**  
**Crime Lab Number:** **Status Date:** \*\*/\*\*/  
**Date Released:** \*\*/\*\*/  
**Released By:** **Date Recov/Rcvd:** 06/01/16  
**Released To:** **Amt Recovered:** \$0.00  
**Reason:** **Custody:** \*\*:\*\*: \*\*/\*\*/  
**Comments:**

**Name Involvements:**

**OFFENDER :** 416463

**Last:** KERR **First:** RICHARD

**Mid:** TURNER

**DOB:** [REDACTED]  
**Race:** W **Sex:** M **Phone:** (208)518-9248

**Address:** 15885 N ROOSEVELT ST  
**City:** RATHDRUM, ID 83858

**OFFENDER :** 441107

**Last:** HUMPHREYS **First:** DESTANIE

**Mid:** MAE

**DOB:** [REDACTED]  
**Race:** U **Sex:** F **Phone:** (208)416-1514

**Address:** UNKNOWN  
**City:** COEUR D'ALENE, ID 83814

**MENTIONED :**593299

**Last:** STULL **First:** JOSEPH

**Mid:** MICHAEL

**DOB:** [REDACTED]

**Address:** TRANSIENT

5

**Race:** U **Sex:** M **Phone:** ( ) -

**City:** VANCOUVER, WA 98661

**Complainant :** 463967

**Last:** LUNA-SCOTT **First:** JESSIE

**Mid:** LYNN

**DOB:** [REDACTED]  
**Race:** W **Sex:** F **Phone:** (208)540-0668

**Address:** 1402 N 7TH ST  
**City:** COEUR D'ALENE, ID 83814


PO: 16-10503  
16-10504

STATE OF IDAHO } ss  
COUNTY OF KOOTENAI  
FILED: June 10, 16  
AT 10:42 O'CLOCK AM  
CLERK, DISTRICT COURT  
Julienberg DEPUTY

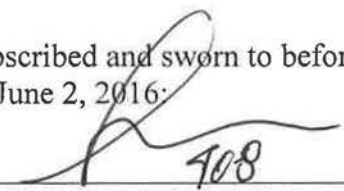
**CONCLUSION**

I submit that this affidavit supports probable cause for a warrant search the **ITEMS** as described in Attachment B for the items listed in Attachment A.

Respectfully submitted,

  
\_\_\_\_\_  
Thomas S. Sudol  
Detective, Coeur d' Alene Police Department

Subscribed and sworn to before me  
on June 2, 2016:

  
\_\_\_\_\_  
MAGISTRATE JUDGE



<b>Description</b>	CR 2016-10503 Kerr, Richard 20160614 Preliminary Hearing Status Conference Judge Peterson Clerk Cassie Poole		
<b>Date</b>	6/14/2016	<b>Location</b>	1K-COURTROOM12
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<u>09:01:12 AM</u>	Judge Peterson	Defendant present in custody with Mr. Cooper, Mr. Mortensen for the state	
<u>09:01:22 AM</u>	Cooper, Daniel	Leave set. There is potential co defendant Destany Humphreys no objection to hearing joint prelim	
<u>09:01:56 AM</u>	Mortensen, Stanley	3 witness. Would like heard with the Humphreys case.	
<u>09:02:18 AM</u>	Judge Peterson	Leave set Thursday 1:30 downtown courthouse. Sounds like these parties are in agreement that prelim should be held concurrently.	
<u>09:02:40 AM</u>	End		

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<b>Description</b>	CR 2016-10504 Humphreys, Destany 20160616 Preliminary Hearing CR 2016-10503 Kerr, Richard 20160616 Preliminary Hearing Judge Peterson Clerk Tiffany Burton	
<b>Date</b>	6/16/2016	<i>Tiffany Burton</i> <b>Location</b> 1K-COURTROOM7
<b>Time</b>	<b>Speaker</b>	<b>Note</b>
<u>02:57:34 PM</u>	Judge Peterson	Calls case; Ms. Humphreys present in custody w/ DA Mr. Logsdon; Mr. Kerr present in custody w/ DA Mr. Cooper; PA Ms. Gardner
<u>02:58:33 PM</u>	J	Proposed amended complaint regarding Destany Humphreys; to reflect heroin rather than methamphetamine.
<u>02:58:56 PM</u>	DA Logsdon	No objection.
<u>02:59:00 PM</u>	J	Complaint will be amended.
<u>02:59:17 PM</u>	DA Cooper	That is my understanding of the charge.
<u>02:59:51 PM</u>	J	Will handle the prelim jointly, but will not handle any joinder of the case.
<u>03:00:41 PM</u>	PA	Calls witness.
<u>03:00:49 PM</u>	Clerk	Swears.
<u>03:01:35 PM</u>	Jessie Luna-Scott	I purchased a Ford Escape this year. On May 30th I reported it stolen. I had the care for two days. I purchased the car on Saturday the 28th at the public auction at Post Falls. It was a 2001 Escape for \$1250. It was parked in front of my house in KC Idaho. It was unlocked. There were keys in the vehicle, but I didn't know it at the time. I had the key on me, but there was a spare key. I went to go to work at 6:30 AM and noticed it was gone. I saw it Wednesday after work.
<u>03:05:20 PM</u>		I saw the vehicle driving down Government. I didn't know it was my vehicle at first. It was same color and make, model. There were plates on it. I had a temp tag in the window. I pursued the vehicle. There were two occupants. I saw them fidgeting and reacting to me behind them. They started honking the horn. I got on the phone. I was in my 1997 Jeep Wrangler. That vehicle was also at the residence. That vehicle had been disturbed. I had a book bag in it. There was a male and female in the car. The male was in the drivers seat.
<u>03:08:02 PM</u>		I recognize both of them. The male is in front of me to the left wearing orange. She also to the left and wearing orange. I got on the phone with 911 and told them I was pretty sure my stolen car was in front of

		me. Describes route of pursuing the vehicle. I saw the tear in the bumper in the front and I knew it was mine. I told them to get out of my car. They backed up and went back down Fruitland to the left. I followed them turn for turn and was telling 911 where we were at. We went back my Burrito Freedom and they went into the parking lot. That's when I lost them. I saw the vehicle parked in Harbor Freight. There were no occupants in it.
<u>03:12:42 PM</u>		The passenger turned around and looked at me two or three time while we were at the light. She looked at me several times. The male took his hat off and put a bandana on.
<u>03:13:56 PM</u>	DA Cooper	CX.
<u>03:14:48 PM</u>	Jessie Luna- Scott	I was looking thru my windshield. The SUV has headrests. The ones in front were in place, the ones in back are missing. I purchased the vehicle that way. I saw the vehicle driving North on Government. They turned from Government on to Ironwood, and then I-95. That was the light where they reacted. I was always behind, I did not pull even with the vehicle. I was on their tail. I was directly behind them. I have not seen the two people in orange prior to that day. I have never seen them before in my life until they were in my car.
<u>03:18:43 PM</u>		I filled out a vehicle theft report for CDA police.
<u>03:19:11 PM</u>	DA Logsdon	CX.
<u>03:19:18 PM</u>	Jessie Luna- Scott	My son's name is Connor Scott. No one else had access to me vehicle. I decided to follow the car. I went down to a side road and turned around. They were at the light turning left. It turned green and we both went. We may have been at the other light for about 5 minutes, there was a lot of traffic at that time. No one else was honking. That is when I called 911 and told them they were reacting to me. We were in the right hand turn lane. I called 911 with my phone, I don't have a hands free.
<u>03:22:31 PM</u>		I told the operator they left toward Golden Corral. I was present when the police inventoried my car. I saw them remove items, I had to identify each vehicle. I don't remember where the drugs were placed in the vehicle. I don't know if it was in the front or back.
<u>03:23:35 PM</u>	PA	Redirect.
<u>03:23:38 PM</u>	Jessie Luna- Scott	The only thing I had in the vehicle was a car charger and my badge for work. There was no drug paraphernalia. I sort of know what it looks like. I saw burnt pipes at the scene in my vehicle. It was in the back of the car. My son [REDACTED] is 13. He put the spare key in my car Sunday night. My vehicle was at his Dad's house.

<u>03:25:33 PM</u>	DA Cooper	Re-cross.
<u>03:25:44 PM</u>	Jessie Luna- Scott	I drove the Ford from the auction to my ex-husbands house in Athol. I parked in front of my house Monday night.
<u>03:28:01 PM</u>	PA	Calls witness.
<u>03:28:09 PM</u>	Clerk	Swears.
<u>03:28:32 PM</u>	Officer Spencer Mortensen	Officer with CDA PD. I was on duty on June 1 at 4 PM. I was dispatched to the parking lot of Golden Corral. It is near Harbor Freight. I saw a male with a black shirt and a female with a pink shirt carrying backpacks and running. The male is in the courtroom today in front of me wearing orange. The female is here today, she's in front of me in orange. The female had both backpacks. They both ran up to a Dodge PU parked in the Golden Corral parking lot. They ran up to it and she put two backpacks in the bed of the truck and they both walked to the front of Golden Corral.
<u>03:31:05 PM</u>		I detained them. I ID' d them verbally. The male said his name was Richard Kerr, She said her name was Destiny
<u>03:31:35 PM</u>	DA Cooper	No questions.
<u>03:31:39 PM</u>	DA Logsdon	No questions.
<u>03:31:52 PM</u>	PA	Calls witness.
<u>03:31:56 PM</u>	Clerk	Swears.
<u>03:32:26 PM</u>	Officer Calia	I am a police officer with CDA. I was on duty on June 1st and responded to Golden Corral at 4:30. I made contact with Destiny Humphreys. I read her her rights. She told me she had been picked up by her friend Richard Kerr. I asked her if she knew who's vehicle, she thought it was his or a friends. She said the backpacks were hers, and that she placed them in the back of the truck. She did not talk to me about her use of drugs. I did not do a search of the vehicle. I inventories the backpacks.
<u>03:34:25 PM</u>		I found a small jewelry box that contained.
<u>03:34:37 PM</u>	DA Logsdon	Objection; 404 B.
<u>03:34:49 PM</u>	PA	I think it is relevant.
<u>03:34:55 PM</u>	J	Over rule.
<u>03:34:58 PM</u>	Officer Calia	I found a wallet that contained an Idaho ID card. It was hers.

<u>03:35:22 PM</u>	DA Cooper	No questions.
<u>03:35:28 PM</u>	DA Logsdon	CX.
<u>03:35:33 PM</u>	Officer Calia	I did not locate any other drug para in this matter. I have been an officer about 6 months, I have been out of the academy for about a month. The rolled cigarette contained a green leafy substance. I was not present during the inventory of the vehicle.
<u>03:37:05 PM</u>	PA	Redirect.
<u>03:37:10 PM</u>	Officer Calia	I submitted them to evidence to the lab for testing. I followed the Dept procedures with evidence with regards to the pipe. It was a multi colored glass pipe.
<u>03:38:16 PM</u>	DA Logsdon	Redirect.
<u>03:38:22 PM</u>	Officer Calia	It was the same case number on both.
<u>03:38:33 PM</u>	PA	Calls witness.
<u>03:38:42 PM</u>	Clerk	Swears.
<u>03:39:09 PM</u>	Detective Schmitz	I am employed with the detective with the CDA Police Department. I arrived on June 1st at about 4:00 PM. The vehicle was in the Dollar Store, Texas Roadhouse area. It was a Ford Escape. I searched the vehicle, I located a number of items. Ms. Luna-Scott identified all the items that were hers, all items not identified as hers were entered into evidence. There was a glass pipe with some residue. I would have to consult photographs. I can't recall if it had a bowl in it. It could have been plastic.
<u>03:42:32 PM</u>		I can't recall if I located anything else. That was the main one, it stands out because I NIC tested the pipe.
<u>03:43:09 PM</u>	DA Logsdon	Objection.
<u>03:43:27 PM</u>	J	Sustain.
<u>03:43:31 PM</u>	Detective Schmitz	I did not submit the evidence for testing to the lab. I took the pipe and placed it in a paper bag. I interviewed Richard Kerr at the police department, it was in the late afternoon. He wasn't in handcuffs, but I Mirandized him. He agreed to speak with me. I questioned him about the stolen vehicle. We discussed a lot, he told me he purchased the vehicle he would not name for \$300. He wouldn't give me the name. The vehicle was full of items that were not his.
<u>03:48:04 PM</u>	PA	PL Exhibit #1.

<u>03:48:20 PM</u>	DA Logsdon	Don't believe foundation has been laid for this document.
<u>03:48:39 PM</u>	DA Cooper	I've seen the document.
<u>03:48:50 PM</u>	J	What would you say the foundation is?
<u>03:48:59 PM</u>	PA	We have testing of a pipe that is listed on the Idaho State Police form. The report number is listed on there. I did not elicit the case number from the prior witnesses. They ID two pipes that were found. Appears the item listed on the report is more likely the item recovered.
<u>03:50:15 PM</u>	DA Logsdon	I don't think the State has been able to show how we got from one thing to the other as to how this evidence got there. It does not match up with what we got back from the lab. Too shaky even for PC purposes.
<u>03:52:48 PM</u>	J	Court doesn't need certainty, this is a preliminary questions. Standard is preponderance. Think there is a sufficient connection the court can find; will receive #1 over your objection.
<u>03:54:14 PM</u>	DA Cooper	CX.
<u>03:54:22 PM</u>	Detective Schmitz	I arrived on-scene at the Golden Corral. I observed other officers and tried to find the vehicle. I went to Harbor Freight where the vehicle was. I looked at the ignition. It appeared to be intact. I didn't see any pry marks on the door. We recovered several keys in the vehicle, I don't believe any of them started. it.
<u>03:56:07 PM</u>	DA Logsdon	I did not create an inventory of the car. I can't recall if I located any documents. Various knives, tools, golf clubs, clothing, food. There were several items placed in the bag. I would have to look at the report, I didn't log any of that. All of the items were placed in a bag for each area of the car. I did take the pipe out of the car and place it in the bag. It tested presumptive for methamphetamine.
<u>03:59:38 PM</u>	PA	Redirect.
<u>03:59:42 PM</u>	Detective Schmitz	I believe there was some women's clothing in the vehicle, I can't recall where.
<u>04:00:19 PM</u>	PA	State rests.
<u>04:01:05 PM</u>		There is her reactions to Ms. Luna-Scott behind her in traffic which is highly suspect. There is some circumstantial evidence.
<u>04:02:11 PM</u>	J	Not sufficient evidence regarding the theft count for Ms. Humphreys.
<u>04:03:20 PM</u>	DA Cooper	Submit.
<u>04:03:25 PM</u>	DA	Closing argument. Asking to argue bond.

	Logsdon	
<u>04:05:32 PM</u>	J	Share concerns; I don't think there is any evidence Ms. Humphreys had sufficient control of the vehicle; Count I dismissed. Bound over on Count II, misd will follow.
<u>04:08:01 PM</u>		Mr. Kerr; believe there is sufficient evidence he had knowledge of the fact it was a stolen vehicle and had control over it. Order holding on Count I, assigned to J. Mitchell.
<u>04:09:36 PM</u>	DA Logsdon	Bond argument; Def is 19 years old. Reviews facts of case. Her parents are in court today. She made some poor choices in terms of friends. My client told Det she had been using meth, also pawn slips were found with her name on them. I 'm sure there are charges coming for that also.
<u>04:11:10 PM</u>		Her father can make sure she works with him during the day, and will drug test as often as the court requires. Believe under the circumstances and OR release with requirements would be appropriate.
<u>04:11:58 PM</u>	PA	No objection to reducing the bond, don't agree to an OR. Maybe reduce to \$5,000. She has had a BW previously. It is concerning to be so young with this kind of history.
<u>04:13:18 PM</u>	J	Rule 46 factors; continue to order testing, no contact with her co-defendant should he be released. Will grant OR release.
<u>04:18:35 PM</u>	End	

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STATE OF IDAHO

FILED 6-16-16 AT 4:00 PM  
CLERK OF THE DISTRICT COURT

S. RICHARD TURNER KERR

BY J. Yang Burton, DEPUTY

DO# [REDACTED]  
FELONY CASE # CR-2016-0010503

ORDER

HOLDING  
 DISMISSING CHARGE(S)

CHARGE(S): COUNT 1 - THEFT BY RECEIVING, POSSESSING OR DISPOSING OF STOLEN PROPERTY, ETC -  
I18-2403(4) F

Amended to: \_\_\_\_\_  
\_\_\_\_\_

Dismissed - insufficient evidence to hold defendant to answer charge(s).  Bond exonerated.  NCO Lifted.

(Specify dismissed charge(s) on above line, if other charges still pending)

Preliminary hearing having been waived by the defendant on the above listed charge(s).

Preliminary hearing having been held in the above entitled matter, and it appearing to me that the offense(s) set forth above has / have been committed, and there is sufficient cause to believe the named defendant is guilty thereof,

**IT IS HEREBY ORDERED** that the defendant is held to answer the above charge(s) and is bound over to District Court. The Prosecuting Attorney shall file an Information that includes all charges under this case number.

**IT IS FURTHER ORDERED** that the defendant be admitted to bail in the amount of \$ \_\_\_\_\_ and is committed to the custody of the Kootenai County Sheriff pending the giving of such bail.

Defendant was advised of the charges and potential penalties and of defendant's rights, and having waived his/her constitutional rights to: a) trial by jury; b) remain silent; and c) confront witnesses, thereafter pled guilty to the charge(s) contained in the Information filed by the Prosecuting Attorney.

**IT IS FURTHER ORDERED** that all pretrial motions in this case shall be filed not later than **42 days** after the date of this order unless ordered otherwise. All such pretrial motions in this matter shall be accompanied by a brief in support of the motion, and a notice of hearing for a date scheduled through the Court.

THIS CASE IS ASSIGNED TO JUDGE John T. Mitchell

ENTERED this 16 day of June, 2016

[Signature]  
Judge

Copies sent 6, 16, 16 as follows:

Prosecutor IC  Defense Attorney IC  Defendant IC  TCA Office at fax 446-1224  
 Assigned District Judge:  interoffice delivery  faxed \_\_\_\_\_  Jail (if in custody at fax 446-1407)  
 KCSO Records fax 446-1307 (re: NCO)

Deputy Clerk J. Yang Burton

Order Holding Defendant/Dismissing Case

#7702



Barry McHugh  
Prosecuting Attorney  
501 N. Government Way  
Coeur d'Alene, ID 83815  
Telephone: (208) 446-1800  
Facsimile: (208) 446-1833

STATE OF IDAHO }  
COUNTY OF KOOTENAI } SS  
FILED:

2016 JUN 16 AM 10:00

CLERK DISTRICT COURT  
*J. Suberger*  
DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF  
IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

16-10503  
16-10504

IN THE MATTER OF A SEARCH  
WARRANT FOR FOR **BLACK T-  
MOBILE LG-D415 CELL PHONE  
WITH IMEI 014209008951957 AND  
ASSOCIATED T-MOBILE CELL  
PHONE RECORDS FOR CELL  
PHONE NUMBER 208-416-1514 TO  
INCLUDE RECORDS BETWEEN THE  
FOLLOWING DATES 05/01/16-  
06/01/16**

AGENCY CASE NO. **16c16036**

**RETURN OF SEARCH  
WARRANT**

County of KOOTENAI, STATE OF IDAHO, to:

I, **Det. Thomas S. Sudol**, the undersigned law enforcement officer, received the above search warrant the **2nd** day of **June, 2016** and executed the same on the **6th** day of **June, 2016**.

2. I DISCOVERED AND SEIZED THE PERSONAL PROPERTY DESCRIBED IN THE ATTACHED WRITTEN INVENTORY. THIS WRITTEN INVENTORY WAS MADE IN THE PRESENCE OF **DET. J. Schmitz** WHICH IS A TRUE AND DETAILED DESCRIPTION OF ALL PROPERTY TAKEN BY ME PURSUANT TO THE ABOVE SEARCH WARRANT.

I LEFT A COPY OF THE ABOVE SEARCH WARRANT AND A RECEIPT FOR THE PROPERTY SEIZED WITH THE PERSON FROM WHOM IT WAS TAKEN/AT THE PLACE WHERE THE PROPERTY WAS FOUND.

Dated this 16 day of June, 2016

*J. Sudol*  
\_\_\_\_\_  
LAW ENFORCEMENT OFFICER

Subscribe and Sworn to before me dated this 16 day of June, 2012



MAGISTRATE

**ORIGINAL**

BARRY McHUGH  
Prosecuting Attorney  
501 Government Way/Box 9000  
Coeur d'Alene, ID 83816-9000  
Telephone: (208) 446-1800  
Facsimile: (208) 446-1833

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF  
IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

IN THE MATTER OF A SEARCH  
WARRANT FOR FOR **BLACK T-  
MOBILE LG-D415 CELL PHONE WITH  
IMEI 014209008951957 AND  
ASSOCIATED T-MOBILE CELL PHONE  
RECORDS FOR CELL PHONE  
NUMBER 208-416-1514 TO INCLUDE  
RECORDS BETWEEN THE  
FOLLOWING DATES 05/01/16-06/01/16**

Case No.  
Agency Report No. **16C16036**

**SEARCH WARRANT**

AGENCY CASE NO. **16c16036**

*County of Kootenai, STATE OF IDAHO, to:*

**Detective T. Sudol**, or a sheriff, constable, marshal, policeman or other peace officer in Kootenai County.

Proof by affidavit having been presented to me by **Detective T. Sudol** that there is probable cause to believe that certain property, to-wit: **FOR BLACK T-MOBILE LG-D415 CELL PHONE WITH IMEI 014209008951957 AND ASSOCIATED T-MOBILE CELL PHONE RECORDS FOR CELL PHONE NUMBER 208-416-1514 TO INCLUDE RECORDS BETWEEN THE FOLLOWING DATES 05/01/16-06/01/16**

1. Any and all digital stored data records to include web browser history, call logs, emails(including attachments), text messages(including attachments), photos, videos, applications, voicemails, global positioning system (GPS) applications and contacts.
2. Any and all subscriber information including all account notes related to said number and any other numbers associated with the account including number changes.
3. Any and all call detail for listed number including but not limited to date, time, duration, numbers called, received from, and cell-site and sector related to each call or text.

4. Any and all numbers associated with the Billing Account Number associated with this number.
5. Carrier key related to call detail records and cell-site information.
6. List of all cell-sites for the North Idaho region including but not limited to the physical address, latitude, and longitude, associated sectors and the azimuth of each.

which property is the fruits, instrumentality, contraband, and/or otherwise evidence of the crimes of:

**BURGLARY 18-1401 AND GRAND THEFT 18-2407-1**

ITEMS TO BE SEARCHED:

**BLACK T-MOBILE LG-D415 CELL PHONE WITH IMEI 014209008951957 AND ASSOCIATED T-MOBILE CELL PHONE RECORDS FOR CELL PHONE NUMBER 208-416-1514 TO INCLUDE RECORDS BETWEEN THE FOLLOWING DATES 05/01/16-06/01/16**

All property is located in the City of Coeur d'Alene, Kootenai County, Idaho AND

**T-MOBILE, USA**

**Law Enforcement Relations**

**4 Sylvan**

**Parsippany, NJ 07054**

**(973)292-8911 Main (973)292-8697 Fax**

**ler2@t-mobile.com**

The undersigned magistrate finds probable cause for the issuance of a warrant.

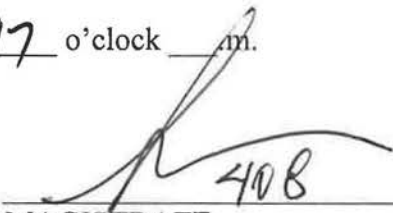
*WHEREFORE, you are commanded to:*

1. Forthwith search the above described **item(s)** within 14 day(s), for the above described property, which search shall be conducted in the daytime.
2. If the above described property, or any part thereof, is found, then seize said property and leave a copy of this warrant, and a receipt that describes in detail the property seized, with the person from whom it was taken, or in the place where said property was found.
3. If the above described property, or any part thereof, is found, then prepare a written inventory, describing the property in detail, in the presence of the person from whom it was taken, or in that person's absence, in the presence of some credible person.
4. If any cell phones or other digital media that may contain records are seized pursuant to this warrant, this warrant explicitly authorizes the seizure of said items and subsequent off-site forensic analysis for records consistent with the dictates of this warrant, outside the return of service date for this warrant. The forensic analysis is to be accomplished within a reasonable amount of time.

5. This warrant explicitly authorizes that the search and seizure be conducted by any sheriff, constable, marshal, policeman or other peace officer in Kootenai County.

6. Return this search warrant and a written inventory to any magistrate at the Kootenai County Courthouse at Government Way and Garden Avenue, in the City of Coeur d'Alene, Idaho.

DATED this 2 day of June, 2016 at 1647 o'clock am.

  
MAGISTRATE



# Coeur d'Alene Police

Protect and Serve

16-10503  
16-10504

STATE OF IDAHO } ss  
COUNTY OF KOOTENAI  
FILED: June 16, 16  
AT 9:58 O'CLOCK AM  
CLERK, DISTRICT COURT  
[Signature] DEPUTY  
3818 SCHREIBER WAY  
COEUR D'ALENE, ID 83815  
208-769-2320 - FAX 208-769-2307  
www.cdapolice.org

## Seizure Inventory

Case #: 16c 16036  
Date: 6/16/16

Officer: T. Sudol  
Location: CDAPD

Number	Description of Item(s)	Location Seized
1	Copy of digital data records <sup>from cell</sup>	CDAPD
2	Cell phone records (pending from <sup>phone</sup> mobile)	CDAPD

Received by: [Signature]

Witnessed by: [Signature]

Barry McHugh  
Prosecuting Attorney  
501 N. Government Way  
Coeur d'Alene, ID 83815  
Telephone: (208) 446-1800  
Facsimile: (208) 446-1833

STATE OF IDAHO  
COUNTY OF KOOTENAI  
FILED:

2016 JUN 16 AM 9:58

CLERK DISTRICT COURT  
*J. L. Luluberg*  
DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF  
IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

16-10503  
16-10504

IN THE MATTER OF A SEARCH  
WARRANT FOR FOR **BLACK T-MOBILE  
LG-D415 CELL PHONE WITH IMEI  
014209008951957 AND ASSOCIATED T-  
MOBILE CELL PHONE RECORDS FOR  
CELL PHONE NUMBER 208-416-1514 TO  
INCLUDE RECORDS BETWEEN THE  
FOLLOWING DATES 05/01/16-06/01/16**

**ORDER PRESERVING  
SEIZED PROPERTY**

AGENCY CASE NO. **16c16036**

County of KOOTENAI, STATE OF IDAHO, to:

**Det. Thomas Sudol**, having returned to the Court a search warrant issued on the **2nd** day of **June, 2016**, and having brought to the Court the copy of the warrant and written inventory of the property seized pursuant to that warrant;

WHEREFORE, IT IS HEREBY ORDERED that **Det. Thomas Sudol** shall deliver or cause to be delivered the inventory of seized property referred to the above to: **Coeur d' Alene Police Department** for the purpose of preserving said property for use as evidence or until further order of this Court.

IT IS FURTHER ORDERED that said property, or any part thereof, may be delivered to any person or laboratory or laboratories for the purpose of conducting or obtaining any tests, analysis or identification of said property which is deemed necessary by said Peace Officer or the Prosecuting Attorney of Kootenai County or his deputies, without further order of this Court.

DATED this 14 day of June, 2016

*[Signature]*  
MAGISTRATE

<b>Description</b>	CR 2016-10503 Kerr, Richard 20160727 Arraignment in District Court Judge Mitchell Court Reporter Julie Foland Clerk Tiffany Burton		
<b>Date</b>	7/27/2016	<b>Location</b>	1K-COURTROOM8
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<u>09:32:53 AM</u>	Judge Mitchell	Calls case; Def present in custody w/ DA Mr. Cooper; PA Ms. Gardner	
<u>09:33:10 AM</u>	DA	No resolution.	
<u>09:33:14 AM</u>	J	No information in the file.	
<u>09:35:49 AM</u>	PA	It was filed on July 23rd.	
<u>09:35:57 AM</u>	Clerk	There is nothing in ISTARs.	
<u>09:36:06 AM</u>	J	Any objection to copying DA's copy of the information for the file?	
<u>09:36:21 AM</u>	DA	No objection.	
<u>09:36:24 AM</u>	PA J	No objection. Information will be filed.	
<u>09:36:27 AM</u>	Def	That is my true and correct name, DOB and SSN. I waive the reading of the information. Understands charges, penalties. I have had enough time with my attorney.	
<u>09:38:27 AM</u>		I plead not guilty.	
<u>09:38:40 AM</u>	PA	2 days for trial.	
<u>09:38:47 AM</u>	DA	There is a part 2 alleged, probably take 1/2 day. Maybe more than 2 days.	
<u>09:39:28 AM</u>	PA	I ask to be set for September, I have a pre-scheduled vacation that week. I am the most familiar PA with this case.	
<u>09:39:57 AM</u>	DA	No objection.	
<u>09:40:06 AM</u>	J	3 day Jury trial beginning September 19 at 9:00 AM. PTC on September 14, 2016 at 2 PM.	
<u>09:40:33 AM</u>	End		

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BARRY MCHUGH  
Kootenai County Prosecuting Attorney  
501 N. Government Way/P.O. Box 9000  
Coeur d'Alene, ID 83816-9000  
Telephone Number: (208) 446-1800  
Fax Number: (208) 446-2168  
Assigned Attorney  
Donna Carol Gardner

STATE OF IDAHO } SS  
COUNTY OF KOOTENAI }  
FILED: 7-27-16  
AT 9:50 O'CLOCK AM  
CLERK, DISTRICT COURT  
*J. J. Smith*  
DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF  
IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

STATE OF IDAHO,  
Plaintiff,

vs.

**RICHARD TURNER KERR,**  
D.O.B. [REDACTED]  
S.S.N.: [REDACTED]  
Fingerprint #: 2800094949

Defendant.

Case No. CR-F16-10503

**INFORMATION**

BARRY MCHUGH, Prosecuting Attorney in and for the County of Kootenai, State of Idaho, who prosecutes in its behalf, comes now into Court, and does accuse **RICHARD TURNER KERR** with committing the crime of: **GRAND THEFT BY POSSESSION OF STOLEN PROPERTY**, Idaho Code §18-2403(4), 18-2407, and Idaho Code §19-2514, committed as follows:

That the defendant, **RICHARD TURNER KERR**, on or about the 1st day of June, 2016, in the County of Kootenai, State of Idaho, did knowingly possess stolen property of a value in excess of one thousand dollars (\$1,000.00), to-wit: a 2001 Ford Escape, the property of Jessie Luna-Scott, knowing the property to have been stolen, or under circumstances as would reasonably induce him to believe that the property was stolen, and with the intent to deprive the

owner permanently of the use or benefit of the property, all of which is contrary to the form, force and effect of the statute in such case made and provided and against the peace and dignity of the People of the State of Idaho.

**PART II**

The Prosecuting Attorney further informs the Court that the defendant, **RICHARD TURNER KERR**, while committing the offense of Grand Theft by Possession of Stolen Property as charged in the Information, had previously been convicted of at least two (2) prior separate felony offenses, and, pursuant to I.C. §19-2514, is properly considered a persistent violator. Defendant's previous convictions consist of the following felony offenses:

- 1) Burglary, County of Kootenai, State of Idaho, Judgment and Sentence on or about 3-21-14 in case CR13-24132;
- 2) Burglary, Taking Motor Vehicle without Owner's Consent and Malicious Mischief, County of Klickitat, State of Washington, Judgment and Sentence on or about 3-13-06.

DATED this 23<sup>rd</sup> day of June, 2016.

BARRY MCHUGH  
Kootenai County Prosecuting Attorney

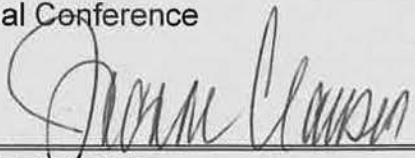


Donna Carol Gardner  
Deputy Prosecuting Attorney

**CERTIFICATE OF MAILING**

I hereby certify that on the 23<sup>rd</sup> day of June, 2016, a true and correct copy of the foregoing was caused to be delivered as follows:  mailed  faxed  emailed  JusticeWeb  
Kootenai County Public Defender



<b>Description</b>	CR 2016-10503 Kerr, Richard 20160914 Pretrial Conference Judge Mitchell Court Reporter Julie Foland Clerk Jeanne Clausen		
<b>Date</b>	9/14/2016	<b>Location</b>	1K-COURTROOM8
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<u>02:16:40 PM</u>	J	Calls case - Deft present incustody and represented by Mr. Cooper. Ms. Gardner for the state.	
<u>02:19:43 PM</u>	J	Reviews pretrial settlement offer and amended information.	
<u>02:19:59 PM</u>	Deft	Understands. Not under the influence of drugs or alcohol. Have no mental health condition. Waives reading of information.	
<u>02:20:24 PM</u>	J	Reviews choices of plea.	
<u>02:21:56 PM</u>	Deft	Understands.	
<u>02:22:00 PM</u>	J	Charge in amended information, felony Grand Theft by Possession of Stolen Property, how do you plead?	
<u>02:22:01 PM</u>	Deft	Pleads guilty.	
<u>02:22:02 PM</u>	J	Reviews rights given up upon guilty plea.	
<u>02:22:03 PM</u>	Deft	Understands. Satisfied with services of attorney.	
<u>02:22:04 PM</u>	PD	Agrees with client's plea.	
<u>02:22:05 PM</u>	J	Charge in the amended information of Grand Theft by Possession of Stolen Property, how do you plead?	
<u>02:22:06 PM</u>	Deft	Pleads guilty.	
<u>02:23:56 PM</u>	J	Accepts guilty plea. Set for sentencing on 11/29/16 at 3:30pm.	

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IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF  
THE STATE OF IDAHO IN AND FOR THE COUNTY OF KOOTENAI

STATE OF IDAHO }  
COUNTY OF KOOTENAI } SS  
FILED 9/14/16 }  
AT ORIGINAL }  
CLERK, DISTRICT COURT }  
DEPUTY

Case No. CR F16-10503

State of Idaho

vs.

**AMENDED PRETRIAL SETTLEMENT OFFER**

**RICHARD TURNER KERR**

**OFFER EXPIRES IF PRELIM NOT WAIVED AT PRELIM STATUS OR  
IF NOT GUILTY PLEA ENTERED IN DISTRICT COURT**

The State offers that in exchange for Defendant's guilty plea(s) to:

Count	Charge	Statutory Maximum Penalty
	GRAND THEFT BY POSSESSION OF STOLEN PROPERTY	1-14 YRS

and Defendant's agreement to:

- Waive appeal as of right as to conviction.
- Pay restitution: If applicable per statute:
- Other agreements: Waive Prelim Hearing :

It will agree and recommend as follows:

- Sentence recommendation: OPEN UNDERLYING SENTENCE. PARTIES STIPULATE TO A RETAINED JURISDICTION.
- To dismiss/not file:  sentence enhancement/habitual  Other:
- Other agreement:

The STATE is no longer bound to the aforementioned sentencing recommendations, nor is the Court bound to an I.C.R. 11 (f) agreement, if ANY of the following occur prior to sentencing:

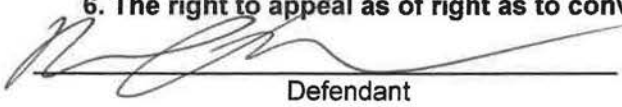
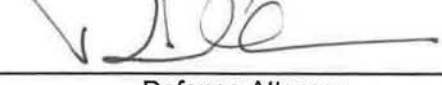
- (1) Defendant fails to appear in Court and/or at the first scheduled pre-sentence interview;
- (2) Defendant violates any Court order or conditions of bail/release from custody;
- (3) Defendant commits a new criminal offense.

The determination of whether or not the defendant has failed to appear is at the sole discretion of the STATE. New criminal offenses and violations of Court orders and conditions of bail/release need only be established by a finding of probable cause. It shall not be a basis for the defendant to withdraw a guilty plea if the STATE seeks to make different recommendations pursuant to this paragraph, nor shall it be a basis for the defendant to withdraw from an I.C.R. 11 (f) agreement.

Dated: 09/14/2016

  
Prosecuting Attorney

- I REJECT THE ABOVE PRETRIAL SETTLEMENT OFFER.
- I ACCEPT THE ABOVE PRETRIAL SETTLEMENT OFFER AND WAIVE THE FOLLOWING RIGHTS:
  1. The right to a jury or court trial.
  2. The right to be presumed innocent unless proven guilty beyond a reasonable doubt.
  3. The right to confront and question the witnesses against me.
  4. The right to compel witness to come to court and testify for me.
  5. The right to remain silent.
  6. The right to appeal as of right as to conviction.

 9-14-16  9/14/16  
Defendant Date Defense Attorney Date

BARRY MCHUGH  
Kootenai County Prosecuting Attorney  
501 N. Government Way/P.O. Box 9000  
Coeur d'Alene, ID 83816-9000  
Telephone Number: (208) 446-1800  
Fax Number: (208) 446-2168  
Assigned Attorney  
Donna Carol Gardner

STATE OF IDAHO  
COUNTY OF KOOTENAI  
FILED: 5:11  
AT: 5:11 P.M.  
CLERK DISTRICT COURT  
DEPUTY  
ORIGINAL

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF  
IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

**STATE OF IDAHO,**  
Plaintiff,

vs.

**RICHARD TURNER KERR,**  
D.O.B.: 08/12/1993  
S.S.N.: XXX-XX-5524  
Fingerprint #: 2800094949

Defendant.

Case No. CR-F16-10503

**AMENDED INFORMATION**

BARRY MCHUGH, Prosecuting Attorney in and for the County of Kootenai, State of Idaho, who prosecutes in its behalf, comes now into Court, and does accuse **RICHARD TURNER KERR** with committing the crime of: **GRAND THEFT BY POSSESSION OF STOLEN PROPERTY**, Idaho Code §18-2403(4), 18-2407, committed as follows:

That the defendant, **RICHARD TURNER KERR**, on or about the 1st day of June, 2016, in the County of Kootenai, State of Idaho, did knowingly possess stolen property of a value in excess of one thousand dollars (\$1,000.00), to-wit: a 2001 Ford Escape, the property of Jessie Luna-Scott, knowing the property to have been stolen, or under circumstances as would reasonably induce him to believe that the property was stolen, and with the intent to deprive the owner permanently of the use or benefit of the property, all of which is contrary to the form,

force and effect of the statute in such case made and provided and against the peace and dignity of the People of the State of Idaho.

DATED this 14<sup>th</sup> day of September, 2016.

BARRY MCHUGH  
Kootenai County Prosecuting Attorney



Donna Carol Gardner  
Deputy Prosecuting Attorney

CERTIFICATE OF MAILING

I hereby certify that on the 14<sup>th</sup> day of September, 2016, a true and correct copy of the foregoing was caused to be delivered as follows:  mailed  faxed  hand-delivered  emailed  JusticeWeb  
DAN COOPER



---

ORIGINAL OF THIS DOCUMENT TO IDOC

Assigned to: \_\_\_\_\_  
Assigned: \_\_\_\_\_

STATE OF IDAHO  
COUNTY OF KOOTENAI  
FILED: 9/14/16 3:00 PM  
AT: \_\_\_\_\_ O'CLOCK P.M.  
CLERK, DISTRICT COURT  
DEPUTY

First Judicial District Court, State of Idaho  
In and For the County of Kootenai  
ORDER FOR PRESENTENCE REPORT AND EVALUATIONS

STATE OF IDAHO  
Plaintiff,  
vs.

Richard Turner Kerr  
15885 N Roosevelt St  
Rathdrum, ID 83858

Case No: CR-2016-10503

ORDER FOR PRE - SENTENCE INVESTIGATION  
REPORT

CHARGE(s):

118-2403(4) F Theft by Receiving, Possessing or Disposing of  
Stolen Property, etc

ROA : PSIO1- Order for Presentence Investigation Report

On this Wednesday, September 14, 2016, a **Pre-sentence Investigation Report** was ordered by the Honorable John T. Mitchell to be completed for Court appearance on:

Tuesday, November 29, 2016 at: 03:30 PM at the above stated courthouse.

- Behavioral Health Assessments waived by the Court (PSIO1 ROA code)
- Waiver under IC 19-2524 2 (e) allowing assessment and treatment services by the same person or facility

Other non- §19-2524 evaluations/examinations ordered for use with the PSI:

Sex Offender  Domestic Violence  Other \_\_\_\_\_ Evaluator: \_\_\_\_\_

**PLEA AGREEMENT:** State recommendation

WHJ/JOC  Probation  PD Reimb  Fine  ACJ  Restitution  Other: Agreement for a retained.

DEFENSE COUNSEL: Daniel G. Cooper, Conflict Public Defender \_\_\_\_\_

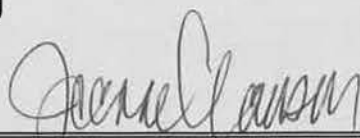
PROSECUTOR: Kootenai County Prosecutor - CR \_\_\_\_\_

THE DEFENDANT IS IN CUSTODY:  YES  NO If yes where: \_\_\_\_\_  
DO YOU NEED AN INTERPRETER?  NO  YES if yes, what is the language? \_\_\_\_\_

Date: 9/14/16 Signature: [Signature]  
John T. Mitchell, District Judge

Cc: IC Prosecuting Attorney for Kootenai County  
IC Defense Attorney: Daniel G. Cooper, Conflict Public Defender  
X EMAILED: d1sudintake@idoc.idaho.gov  
IC Defendant

6:58am 9/15/16  
[Signature] Deputy Clerk  
9/14/16 Date

<b>Description</b>	CR 2016-10503 Kerr, Richard 20161129 Sentencing Judge Mitchell Court Reporter Julie Foland Clerk Jeanne Clausen		
<b>Date</b>	11/29/2016	<b>Location</b>	1K-COURTROOM8
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<u>03:25:15 PM</u>	J	Calls case - deft present incustody and represented by Mr. Cooper. Ms. Gardner for the State. PSI has been filed.	
<u>03:34:45 PM</u>	Deft	I have read the report and discussed with my attorney.	
<u>03:35:04 PM</u>	DA	Reviews corrections to PSI.	
<u>03:43:05 PM</u>	PA	No corrections.	
<u>03:43:10 PM</u>	Jesse Luna-Scott	I wasn't looking for Mr. Kerr and Desire. Left the tape for the temporary sticker in the back window. The put different plates on the car. There were things stolen. They reacted to me and that's what made be call 911. I worked hard to go to auction that day to buy a car. My jeep was very old and took everything I owned to be able to buy a new car. Divorced mother of one. I had no insurance on it. I hope you learn from this. You are who you hang out with. You took from a single mom and a cancer survivor. I don't steal I work for what I get.	
<u>03:47:53 PM</u>	PA	Stipulated to a retained jurisdiction and this is what we're asking for today. Pretty long criminal history beginning as a juvenile. His LSI score was at a high risk to reoffend. The car was stolen the day after she got her car. Her employment badge was in the stolen vehicle. 5 fixed 5 indeterminate. Ms. Luna-Scott received her car back with no damages.	
<u>03:51:04 PM</u>	DA	There is a stipulation for a retained jurisdiction. He was on parole when this incident happened. He has received a parole violation based upon this offense. Ask this court to provide my client the opportunity to go on a retained jurisdiction. If parole commission decide to impose the remainder of his sentence, then the court can after jurisdiction sentenced to same as parole. He wants the opportunity to change his life around. He can still be rehabilitated. Spent 6 months incustody now.	
<u>03:55:55 PM</u>	Deft	I know I've made a lot of bad decisions in my life. I'm done being irresponsible. I have a plan for when I get out now. Good support from my Mom, her husband and my sister. I tired of spending my life behind bars. I apologize for taking your property. It was very selfish for me to do what I did.	
<u>03:57:43 PM</u>	J	Sentences - IDOC 5 fixed 9 indeterminate. I'm going to give you one chance and one chance only. I'm not overly thrilled about giving you a retained jurisdiction. You need to be honest who you got car from.	



<u>03:58:46 PM</u>	Deft	I don't know who it is.
<u>03:58:53 PM</u>	J	I'm imposing that prison sentence and giving credit for 182 days CTS. 42 days to appeal. \$245.50 cc.
<u>03:59:24 PM</u>	PA	Nothing further.
<u>03:59:28 PM</u>	DA	Nothing further.
<u>03:59:32 PM</u>	End	

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STATE OF IDAHO )  
County of KOOTENAI )  
FILED 11/29/16  
AT 5:20 O'clock P.M  
CLERK, DISTRICT COURT  
[Signature]  
Deputy

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO IN AND FOR THE COUNTY OF KOOTENAI

STATE OF IDAHO, )  
 )  
 ) Plaintiff, )  
 )  
 vs. )  
 )  
 RICHARD TURNER KERR )  
 )  
 ) DOB: [REDACTED] )  
 ) SSN: [REDACTED] )  
 ) IDOC: 110916 )  
 )  
 ) Defendant. )

Case No. **CRF 2016 10503**  
**SENTENCING DISPOSITION  
AND NOTICE OF RIGHT TO  
APPEAL**

***This JUDGMENT AND SENTENCE/ORDER FOR RETAINED JURISDICTION constitute the sentencing disposition in the above matter.***

On November 21, 2016, before the Honorable John T. Mitchell, District Judge, you, **RICHARD TURNER KERR**, personally appeared for sentencing. Also appearing were a representative of the Prosecuting Attorney for KOOTENAI County, Idaho and your lawyer, Daniel G. Cooper.

WHEREUPON, the previously ordered presentence report having been filed, and the Court having ascertained that you have had an opportunity to read the presentence report and review it with your lawyer, and you having been given the opportunity to explain, correct or deny parts of the presentence report, and having done so, and you having been given the opportunity to make a statement and having done so, and recommendations having been made by counsel for the State and by your lawyer, and there being no legal reason given why judgment and sentence should not then be pronounced, the Court did then pronounce its sentencing disposition as follows:

**IT IS HEREBY ORDERED** that you, **RICHARD TURNER KERR**, having been advised of and having waived your constitutional rights to: a) trial by jury; b) remain silent; and c) confront witnesses, and thereafter having pled guilty to the criminal offense charged in the Information on file herein as follows: **GRAND THEFT BY RECEIVING, POSSESSING OR DISPOSING OF STOLEN PROPERTY I. C. 18-2403(4) ;**

**THAT YOU, RICHARD TURNER KERR, ARE GUILTY OF THE CRIME SO CHARGED,** and now, therefore,

**IT IS FURTHER ORDERED** that, pursuant to **I.C. §19-2513**, you are sentenced as follows:

**THEFT BY RECEIVING, POSSESSING OR DISPOSING OF STOLEN PROPERTY, (a felony), Idaho Code § I. C. 18-2403(4), committed on June 1, 2016 – to the custody of the Idaho State Board of Correction for a fixed term of FIVE (5) years followed by an indeterminate term of NINE (9) years, for a total term not to exceed Fourteen (14) years.**

- IT IS FURTHER ORDERED** that **RICHARD TURNER KERR** is committed to the custody of the Idaho State Board of Correction on the date of the sentencing hearing, November 29, 2016, and that the Clerk shall deliver a copy of this order to the Sheriff, which shall serve as the commitment of the Defendant to the custody of the Idaho State Board of Correction.
- IT IS FURTHER ORDERED** that the court shall retain jurisdiction for FOR UP TO THREE HUNDRED AND SIXTY FIVE (365) DAYS pursuant to **I.C. § 19-2601**. Said period of retained jurisdiction shall begin on the date that the Defendant enters the Idaho State Penitentiary.
- THE COURT RECOMMENDS** for the defendant \_\_\_\_\_.
- IT IS FURTHER ORDERED** that upon completion of the Retained Jurisdiction Programming, **RICHARD TURNER KERR** shall be transported to the KOOTENAI County Jail where defendant shall be held without bond pending a hearing to determine whether or not the court should exercise its retained jurisdiction; and the Idaho Department of Correction will alert the District Court of the day of transport. Defendant will have the opportunity to rebut or supplement the recommendation of the jurisdiction review committee, with the state having an opportunity to respond. Thereafter, the defendant will be given an additional right of allocution before the court enters its final judgment.
- IT IS FURTHER ORDERED** pursuant to **I.C. § 19-5302** that the court shall reserve jurisdiction to determine the amount of restitution you shall pay your victim(s) in this matter. The amount shall be determined from time to time by stipulation or upon notice and hearing. Thereafter, a separate civil judgment shall be entered against you and in favor of your victims. Such civil judgment shall bear statutory interest from the date of each offense.
- IT IS FURTHER ORDERED** that, the court having found you to have either the present or the future ability to pay, you shall pay court costs and fees on each count or charge as follows:

Emergency Felony Surcharge (crime committed after 4/15/10)	100.00
a. Court costs	17.50
b. Victim's Comp. Fund	75.00
c. P.O.S.T. Fee	15.00
d. KOOTENAI Co. Justice Fund	10.00
e. ISTARs	10.00
f. Victim Notification Fee (VINE)	15.00
g. Peace/Detention Officer Disability Act	3.00
<b>TOTAL each count or charge</b>	<b>\$ 245.50</b>


- IT IS FURTHER ORDERED** that pursuant to Idaho Code § 18-309 you, **RICHARD TURNER KERR**, shall be given **182** days credit for time served on any sentence imposed on the above charges. (6/1/16 – 11/29/16 = 182)

**NOTICE OF RIGHT TO APPEAL**

**YOU, RICHARD TURNER KERR, ARE HEREBY NOTIFIED** that you have a right to appeal this order to the Idaho Supreme Court. Any notice of appeal must be filed within forty-two (42) days of the entry of the written order in this matter.

**YOU ARE FURTHER NOTIFIED** that if you are unable to pay the costs of an appeal, you have the right to apply for leave to appeal in forma pauperis or to apply for the appointment of counsel at public expense. If you have questions concerning your right to appeal, you should consult your present lawyer.

DATED this 29<sup>th</sup> day of November, 2016.

  
 \_\_\_\_\_  
 John T. Mitchell, District Judge

**CERTIFICATE OF MAILING**

I hereby certify that on the 29 day of November, 2016 copies of the foregoing Order were mailed, postage prepaid, or sent by facsimile or interoffice mail to:

- Defense Attorney - Daniel G. Cooper 446-1701 *765-5249* ✓ KOOTENAI County Sheriff *warrant packets* Defendant, In Court
- Prosecuting Attorney - 446-2168 *Fax* ✓ ID Dept. of Transp. (208) 334-8739 CLERK OF THE DISTRICT
- Probation & Parole, fax: 769-1481 *email* ✓ Idaho Department of Correction *email* COURT KOOTENAI COUNTY
- Community Service (Interoffice Mail) [certified-copy-faxed-to-(208)-327-7445]
- KOOTENAI County Auditor (Interoffice Mail) ✓ IDOC CCD, fax (208) 658-2186 BY: *Annalyn*
- GLOBAL DRUG TESTING via FAX : 664-6045 Deputy
- IDOC, CCD, IDOC DIST 1 : Dist1@idoc.idaho.gov; Ccdsentencingd1@idoc.idaho.gov; centralrecords@idoc.idaho.gov

*#5264 5:15 PM*

WAIVER OF EXTRADITION AS CONDITION OF BAIL OR RELEASE

Name: Kerr, Richard

Court Docket #: F16-10503

I, Richard Kerr, hereby knowingly, and voluntarily execute this Waiver of Extradition as a condition of my release from custody of the Kootenai County Sheriff's Office. I make the following statements under oath in support of this Waiver of Extradition.

- [RK] My name is Richard Kerr, My DOB is [REDACTED], My SSN is [REDACTED]
- [RK] I have been arrested for, or charged with, a criminal offense in the State of Idaho. The specific offense(s) that I have been charged with is/are as follows: 18-2403-4
- [RK] I understand that as a condition of release on the above charge(s) that I am agreeing to waive extradition to the State of Idaho for any purpose connected to the above-entitled case.
- [RK] I understand that I am not required to execute this Waiver of Extradition.
- [RK] I understand that by executing this Waiver of Extradition, I am agreeing to waive any and all rights that I may now, or hereafter, possess in this, or any other state or country to challenge the lawfulness or extradition back to the State of Idaho on the charge(s) listed above.
- [RK] I understand that I normally would have the right to appear before a judge in another state in order to challenge my return to the State of Idaho; to an attorney to represent me in another state to challenge my return to the State of Idaho; to represent me at all stages of these proceedings, and that if I could not afford one, a court appointed attorney would be provided to act on my behalf at no expense to me.
- [RK] I understand that I may have the right to require the issuance of a formal Governor's Warrant of Extradition to be submitted before I am transported back to Idaho.
- [RK] I understand that I have the right to have the court set bail, test the legality of my arrest, and challenge the extradition process through an Application for a Writ of Habeas Corpus.
- [RK] I understand each of the above listed rights and I agree to waive them. I do freely and voluntarily state that I am the identical person against whom the criminal proceedings are pending in the State of Idaho. Further, I hereby freely, voluntarily, and without requisition papers, warrant of rendition, or other forms of processes, having for their purpose my return, agree to return to the State of Idaho.
- [RK] This agreement and waiver is made by me without any reference to my guilt or innocence and shall not be considered in any matter as prejudicing my case, and is not, in any sense, an admission of guilt.
- [RK] I further wholly exonerate and hold blameless in this matter, the sheriff of Kootenai County, State of Idaho, and all persons acting under him, and agree to accompany to the State of Idaho, any peace officer or authorized agent who may be sent to take me to the State of Idaho.
- [RK] I have signed this document freely and voluntarily, and without promise of reward, leniency, or immunity. No one has threatened me or any member of my family in order to get me to sign this document.
- [RK] I have read the entire waiver form, and I understand every portion of it. I have freely and voluntarily waived such procedural rights.
- [RK] I understand I have the right to appear before a judge in any state to be advised of my rights regarding the Waiver of Extradition, and that I freely and voluntarily waive such procedural rights.
- [RK] I swear, upon oath and subject to the penalty of perjury, that the statements acknowledged by me in this Waiver of Extradition are true and correct.

This statement and waiver done at Kootenai County, Idaho, this 4 day of December, 2016

STATE OF IDAHO )  
                          ) ss  
County of Kootenai )

[Signature]  
Signature

On this 4 day of December in the year 2016, before me Thomas Stangeland a notary public, in and for the State of Idaho, personally appeared Richard Kerr, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. In witness whereof, I have hereunto set my hand and affixed my notarial seal the day and year in this certified first above written.

[Signature]  
NOTARY PUBLIC  
Residing at: Colt Rd  
My commission expires: 100322



 ORIGINAL

STATE OF IDAHO  
COUNTY OF KOOTENAI } SS  
FILED:

2017 JAN 10 PM 1:09

DANIEL G. COOPER  
Conflict Public Defender  
P.O. Box 387  
Coeur d'Alene, ID 83816-9000  
Phone: (208) 664-5155; Fax (208) 765-5079  
Email: dcooperlaw@frontier.com  
Bar No. 6041

CLERK DISTRICT COURT  
*Raymen*  
DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

STATE OF IDAHO,	)	
	)	
Plaintiff-Respondent,	)	CASE NO.: CR-2016-10503
	)	
vs.	)	
	)	NOTICE OF APPEAL
RICHARD TURNER KERR,	)	
	)	
Defendant-Appellant.	)	
_____	)	

TO: THE ABOVE NAMED RESPONDENT, STATE OF IDAHO, AND THE  
STATE OF IDAHO'S ATTORNEY, ATTORNEY GENERAL  
LAWRENCE WASDEN; KOOTENAI COUNTY PROSECUTING  
BARRY McHUGH, AND THE CLERK OF THE ABOVE ENTITLED  
COURT:

1. NOTICE IS HEREBY GIVEN that the Appellant, Richard Turner Kerr,  
hereby appeals against the above named Respondent, the State of Idaho, to the Idaho  
Supreme Court from the final judgment of conviction and sentencing for Grand Theft by  
Possessing Stolen Property entered in the above entitled matter on November 29, 2016,

the Honorable John T. Mitchell, District Judge, presiding. *See, Sentencing Disposition and Notice of Right to Appeal, attached.*

2. The Appellant has a right to appeal to the Idaho Supreme Court, and the judgment of conviction is appealable pursuant to Idaho Appellate Rule 11(c) (1).

3. This appeal is made upon both matters of law and fact and the issues Appellant intends to assert in this appeal include, but are not necessarily limited to:

a) Whether the District Court imposed an excessive sentence for the offense.

b) Whether the District Court violated Defendant's constitutional right against compulsory self-incrimination by sentencing Defendant to a prison term rather than a retained jurisdiction for Defendant's failure to identify the person from whom Defendant received the stolen vehicle.

4. To the Appellant's knowledge the only portions of the court file that is sealed are those containing the Presentence Investigation Report (PSI).

5. Pursuant to Rule 25(b) of the Idaho Appellate Rules (I.A.R.), the Appellant requests preparation of a Partial Transcript. Appellant request the Partial Transcript consist of the transcript of the Sentencing Hearing held on November 29, 2016. The estimate length of the Transcript of the Sentencing Hearing is 20-25 pages.

6. Pursuant to Rule 28 of the Idaho Appellate Rules, Appellant requests the preparation of the clerk's standard record.

7. I, Daniel G. Cooper, Conflict Public Defender hereby certify as follows:

a) A copy of this Notice of Appeal has been served upon the court reporter reporting the proceedings mentioned herein.

b) Appellant is exempt from paying the estimated transcript fee because Appellant is indigent, has been judged indigent for the purposes of these proceedings and is represented by Daniel G. Cooper, Conflict Public Defender.

- c) Appellant is exempt from paying the filing fee because Appellant is indigent, has been judged indigent for the purposes of these proceedings and is represented by Daniel G. Cooper, Conflict Public Defender
- d) Appellant is exempt from paying the estimated fee for preparation of the record because Appellant is indigent, has been judged indigent for the purposes of these proceedings and is represented by Daniel G. Cooper, Conflict Public Defender.
- e) Service has been made upon all parties required to be served pursuant to Rule 20 I.A.R., to wit: the Kootenai County Prosecuting Attorney, and the Attorney General of the State of Idaho pursuant to I.C. § 67-1401(1).

Dated this 10<sup>th</sup> day of January 2016.

BY:



DANIEL G. COOPER  
Conflict Public Defender



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served a true and correct copy of the attached NOTICE OF APPEAL via Facsimile or by properly mailing the document in the United States Mail, postage prepaid as indicated upon the following parties on the 10<sup>th</sup> day of January 2017, as follows:

Kootenai County Prosecuting Attorney  
P.O. Box 9000  
Coeur d'Alene, Idaho 83816-9000

(208) 446-2168

Lawrence Wasden  
Attorney General  
P.O. Box 83720  
Boise, Idaho 83720-0010

U.S. Mail, postage prepaid

Julie Foland, Court Reporter  
324 W. Garden Ave.  
P.O. Box 9000  
Coeur d'Alene, ID 83816-9000

U.S. Mail, postage prepaid



DANIEL G. COOPER  
Conflict Public Defender

STATE OF IDAHO )  
County of KOOTENAI )  
FILED 11/29/16  
AT 5:20 O'clock P.M  
CLERK, DISTRICT COURT

Deputy

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO IN AND FOR THE COUNTY OF KOOTENAI

STATE OF IDAHO, )  
 )  
Plaintiff, )  
vs. )  
RICHARD TURNER KERR )  
DOB: [REDACTED] )  
SSN: [REDACTED] )  
IDOC: 110916 )  
Defendant. )

Case No. **CRF 2016 10503**  
**SENTENCING DISPOSITION**  
**AND NOTICE OF RIGHT TO**  
**APPEAL**

***This JUDGMENT AND SENTENCE/ORDER FOR RETAINED JURISDICTION constitute the sentencing disposition in the above matter.***

On November 29, 2016, before the Honorable John T. Mitchell, District Judge, you, **RICHARD TURNER KERR**, personally appeared for sentencing. Also appearing were a representative of the Prosecuting Attorney for KOOTENAI County, Idaho and your lawyer, Daniel G. Cooper.

WHEREUPON, the previously ordered presentence report having been filed, and the Court having ascertained that you have had an opportunity to read the presentence report and review it with your lawyer, and you having been given the opportunity to explain, correct or deny parts of the presentence report, and having done so, and you having been given the opportunity to make a statement and having done so, and recommendations having been made by counsel for the State and by your lawyer, and there being no legal reason given why judgment and sentence should not then be pronounced, the Court did then pronounce its sentencing disposition as follows:

**IT IS HEREBY ORDERED** that you, **RICHARD TURNER KERR**, having been advised of and having waived your constitutional rights to: a) trial by jury; b) remain silent; and c) confront witnesses, and thereafter having pled guilty to the criminal offense charged in the Information on file herein as follows: **GRAND THEFT BY RECEIVING, POSSESSING OR DISPOSING OF STOLEN PROPERTY I. C. 18-2403(4) ;**

**THAT YOU, RICHARD TURNER KERR, ARE GUILTY OF THE CRIME SO CHARGED,** and now, therefore,

**IT IS FURTHER ORDERED** that, pursuant to I.C. §19-2513, you are sentenced as follows:

**THEFT BY RECEIVING, POSSESSING OR DISPOSING OF STOLEN PROPERTY, (a felony), Idaho Code § I. C. 18-2403(4), committed on June 1, 2016 – to the custody of the Idaho State Board of Correction for a fixed term of FIVE (5) years followed by an indeterminate term of NINE (9) years, for a total term not to exceed Fourteen (14) years.**

- IT IS FURTHER ORDERED** that **RICHARD TURNER KERR** is committed to the custody of the Idaho State Board of Correction on the date of the sentencing hearing, November 29, 2016, and that the Clerk shall deliver a copy of this order to the Sheriff, which shall serve as the commitment of the Defendant to the custody of the Idaho State Board of Correction.
- IT IS FURTHER ORDERED** that the court shall retain jurisdiction for FOR UP TO THREE HUNDRED AND SIXTY FIVE (365) DAYS pursuant to I.C. § 19-2601. Said period of retained jurisdiction shall begin on the date that the Defendant enters the Idaho State Penitentiary.
- THE COURT RECOMMENDS** for the defendant \_\_\_\_\_.
- IT IS FURTHER ORDERED** that upon completion of the Retained Jurisdiction Programming, **RICHARD TURNER KERR** shall be transported to the KOOTENAI County Jail where defendant shall be held without bond pending a hearing to determine whether or not the court should exercise its retained jurisdiction; and the Idaho Department of Correction will alert the District Court of the day of transport. Defendant will have the opportunity to rebut or supplement the recommendation of the jurisdiction review committee, with the state having an opportunity to respond. Thereafter, the defendant will be given an additional right of allocution before the court enters its final judgment.
- IT IS FURTHER ORDERED** pursuant to I.C. § 19-5302 that the court shall reserve jurisdiction to determine the amount of restitution you shall pay your victim(s) in this matter. The amount shall be determined from time to time by stipulation or upon notice and hearing. Thereafter, a separate civil judgment shall be entered against you and in favor of your victims. Such civil judgment shall bear statutory interest from the date of each offense.
- IT IS FURTHER ORDERED** that, the court having found you to have either the present or the future ability to pay, you shall pay court costs and fees on each count or charge as follows:

Emergency Felony Surcharge (crime committed after 4/15/10)	100.00
a. Court costs	17.50
b. Victim's Comp. Fund	75.00
c. P.O.S.T. Fee	15.00
d. KOOTENAI Co. Justice Fund	10.00
e. ISTARs	10.00
f. Victim Notification Fee (VINE)	15.00
g. Peace/Detention Officer Disability Act	3.00
<b>TOTAL each count or charge</b>	<b>\$ 245.50</b>

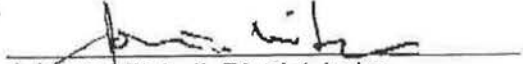
- IT IS FURTHER ORDERED** that pursuant to Idaho Code § 18-309 you, **RICHARD TURNER KERR**, shall be given **182** days credit for time served on any sentence imposed on the above charges. (6/1/16 – 11/29/16 = 182)

**NOTICE OF RIGHT TO APPEAL**

**YOU, RICHARD TURNER KERR, ARE HEREBY NOTIFIED** that you have a right to appeal this order to the Idaho Supreme Court. Any notice of appeal must be filed within forty-two (42) days of the entry of the written order in this matter.

**YOU ARE FURTHER NOTIFIED** that if you are unable to pay the costs of an appeal, you have the right to apply for leave to appeal in forma pauperis or to apply for the appointment of counsel at public expense. If you have questions concerning your right to appeal, you should consult your present lawyer.

DATED this 29<sup>th</sup> day of November, 2016.

  
 \_\_\_\_\_  
 John T. Mitchell, District Judge

**CERTIFICATE OF MAILING**

I hereby certify that on the 29 day of November, 2016 copies of the foregoing Order were mailed, postage prepaid, or sent by facsimile or interoffice mail to:

- Defense Attorney - Daniel G. Cooper 446-1701 *765-5249*
- Prosecuting Attorney - 446-2168 *fax*
- Probation & Parole, ~~fax: 769-1481~~ *email*
- Community Service (Interoffice Mail)
- KOOTENAI County Auditor (Interoffice Mail)
- GLOBAL DRUG TESTING via FAX: 664-6045

- KOOTENAI County Sheriff *warrant/fair/dob*
- ID Dept. of Transp. (208) 334-8739
- Idaho Department of Correction *email*  
[certified copy faxed to (208) 527-7445]
- IDOC CCD, fax (208) 658-2186

Defendant, In Court,  
 CLERK OF THE DISTRICT  
 COURT KOOTENAI COUNTY  
 BY: *[Signature]*  
 Deputy

IDOC, CCD, IDOC DIST 1 : Dist1@idoc.idaho.gov; Ccdsentencing1@idoc.idaho.gov; centralrecords@idoc.idaho.gov

**Cindy O'Reilly**

STATE OF IDAHO  
COUNTY OF KOOTENAI  
FILED: 155

**From:** supremecourtdocuments@idcourts.net  
**Sent:** Wednesday, February 1, 2017 10:34 AM  
**To:** ecf@ag.idaho.gov; DCOOPERLAW@FRONTIER.COM; JMITCHELL@KCGOV.US;  
coreilly@kcgov.us; JFOLAND@KCGOV.US  
**Subject:** 44770 - STATE v. RICHARD KERR (Kootenai CR-2016-10503)  
**Attachments:** 44770 CC.pdf; 44770 NOA.pdf; 44770 JUDGMENT.pdf

2017 FEB - 1 AM 10:50  
CLERK DISTRICT COURT  
DEPUTY *[Signature]*

FILED NOTICE OF APPEAL - TRANSCRIPT REQUESTED - SEE ALL ATTACHMENTS. Please review the CLERK'S CERTIFICATE OF APPEAL and notify the Court of any errors. \*\*SET DUE DATE - TRANSCRIPT (Reporter's lodging date is 03-01-17) AND CLERK'S RECORD DUE 04-05-17\*\*

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

STATE OF IDAHO  
Plaintiff/Respondent

Vs.

Richard Turner Kerr  
Defendant/Appellant

SUPREME COURT NO 44770

CLERK'S CERTIFICATE  
OF APPEAL

Appeal From: FIRST JUDICIAL DISTRICT, KOOTENAI COUNTY  
HONORABLE JUDGE, John T. Mitchell, Presiding.

Court Case CR 2016-10503

The Final Judgment Of Conviction And Sentencing Entered On November 29, 2016.

Attorney for Appellant: Daniel G. Cooper, Conflict Public Defender

Attorney for Respondent: Lawrence G. Wasden Office Attorney General

Appeal By: Richard Turner Kerr

Appeal Against: State of Idaho

Notice of Appeal Filed: 1-10-17

Notice of Cross Appeal Filed: N/A

Appellant Fee Paid: N/A

Was District Court Reporter's Transcript requested? Yes

Name of Reporter: Julie Foland

DATE: 1-12-17

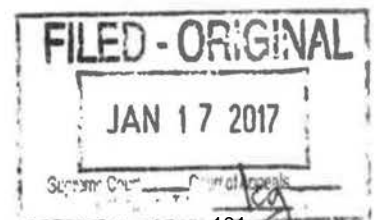
JIM BRANNON DISTRICT COURT  
CLERK OF DISTRICT COURT

By:



CLERK'S CERTIFICATE OF APPEAL

11-01-17  
STATE OF IDAHO  
SUPREME COURT  
CLERK OF APPEALS



IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

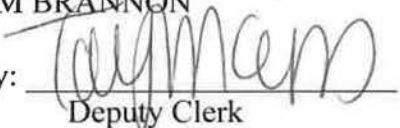
STATE OF IDAHO	)	SUPREME COURT
	)	44770
Plaintiff/Respondent	)	CASE NUMBER
	)	CR 2016-10503
	)	
	)	CLERK'S CERTIFICATE
VS.	)	
Richard Turner Kerr	)	
<u>Defendant/Appellant</u>	)	

I, Taylor Kipp Clerk of the District Court of the First Judicial District of the State of Idaho, in and for the County of Kootenai, do hereby certify that the foregoing Record in this cause was compiled and bound under my direction and is a true, correct and complete Record of the pleadings and documents requested by Appellate Rule 28. I further certify that the following will be submitted as Exhibit's to this Record on Appeal:

No Exhibit's To Include.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court this day March 8, 2017  
CLERK OF DISTRICT COURT  
JIM BRANNON

By:

  
Deputy Clerk

Taylor Kipp  
CLERK'S CERTIFICATE

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

STATE OF IDAHO	)	SUPREME COURT
	)	44770
Plaintiff/Respondent	)	CASE NUMBER
	)	CR 2016-10503
	)	
	)	CLERK'S CERTIFICATE
	)	
VS.	)	
Richard Turner Kerr	)	
<u>Defendant/Appellant</u>	)	

I, Taylor Kipp Clerk of the District Court of the First Judicial District of the State of Idaho, in and for the County of Kootenai, do hereby certify that the foregoing Record in this cause was compiled and bound under my direction and is a true, correct and complete Record of the pleadings and documents requested by Appellate Rule 28.

I further certify that the following will be submitted as PSI to this Record on Appeal:

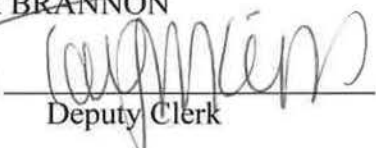
Presentence Report Filed 11/23/17

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court this day March 8, 2017

CLERK OF DISTRICT COURT

JIM BRANNON

By: \_\_\_\_\_

  
Deputy Clerk

Taylor Kipp

CLERK'S CERTIFICATE



IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

STATE OF IDAHO

Plaintiff/Respondent

VS.

Richard Turner Kerr  
Defendant/Appellant

SUPREME COURT 44770

CASE CR 2016-10503

CERTIFICATE OF SERVICE

I, Taylor Kipp, Deputy Clerk of the District Court of the First Judicial District of the State of Idaho, in and for the County of Kootenai, do hereby certify that I have personally served or mailed, by United States Mail, one copy of the Clerk's Record to each of the attorneys of record in this cause as follows:

DANIEL COOPER  
CONFLICT  
PUBLIC DEFENDER  
PO BOX 387  
CDA, ID 83816


Attorney for Appellant

MR. LAWRENCE WASDEN  
ATTORNEY GENERAL  
STATE OF IDAHO  
700 W JEFFERSON, STE 210  
BOISE, ID 83720

Attorney for Respondent

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court this 8th day of March 2017.

Jim Brannon  
Clerk of District Court

By   
Taylor Kipp, Deputy Clerk

CERTIFICATE OF SERVICE