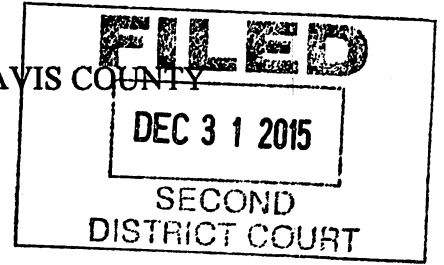


IN THE 2ND DISTRICT - FARMINGTON COURT OF DAVIS COUNTY

IN AND FOR THE STATE OF UTAH



THE STATE OF UTAH

:AFFIDAVIT IN SUPPORT OF

Plaintiff,

:ORDER TO SHOW CAUSE

VS

:COURT CASE NO: 111701135

ESQUIVEL, ANDRES

:

Defendant,

:JUDGE: DAVID M. CONNORS

:DEF ATTY: CLYDE MARKLEY

ARRINGTON

STATE OF UTAH

)

):ss

COUNTY OF DAVIS

):

ROMAN HENTISH, being duly sworn upon an oath deposes and says that: He is a Probation Officer for the Utah State Department of Corrections; that on the 19th day of August, 2014, the above-named defendant was adjudged guilty of the crime of 1 Ct(s) SECURITIES FRAUD, THIRD DEGREE FELONY, in the above-entitled Court and on the 7th day of October, 2014, was sentenced to serve a term of 0 to 5 years in the Utah State Prison; that the execution of the imposed sentence was stayed and the defendant was placed on probation under the supervision of the Department of Corrections; that the above-entitled defendant did violate the terms and conditions of the defendant's probation as follows, to-wit:

1. By having failed to pay any supervision fees for the months of May, August and November, 2015, without having been granted a waiver by the Department of Corrections, in violation of a standard condition of the Probation Agreement. PC-Defendant failed to make any payments in May, August, and November, 2015 towards his financial obligations.
2. By having failed to pay court fines for months of May, August and November, 2015, in reference to case #111701135, as ordered, in violation of a special condition of the Probation Agreement. PC-Defendant failed to make any payments in May, August, and November, 2015 towards his financial obligations.
3. By having failed to pay recoupment fee for the months of May, August and November, 2015, in violation of a special condition of the Probation Agreement. PC-Defendant failed to make any payments in May, August, and November, 2015 towards his financial obligations.
4. By having failed to pay restitution for the months of May, August and November, 2015, in reference to case #111701135, as ordered, in violation of a special condition of the Probation Agreement. PC-Defendant failed to make any payments in May, August, and November, 2015 towards his financial obligations.
5. By having failed to seek or maintain full-time employment or education, on or about 12/10/2015, in violation of a standard condition of the Probation Agreement. PC-AP&P received a report from ORS that the defendant no longer works at his listed employer known as GUNGOR CONSTRUCTION and he failed to notify AP&P or update his employment status. AP&P has been unable to confirm the veracity of this reported employer.
7. By having failed to complete a Mental Health Evaluation and/or recommended treatment, on or about 12/10/2015, in violation of a special condition of the Probation/Parole Agreement. PC-The defendant was directed to complete a substance abuse and mental health assessment in July, 2015. He failed to comply with this directive and has not submitted to a mental health or substance abuse evaluation.
8. By having failed to enter into, participate in or complete a program, counseling or treatment as directed, in violation of a special condition of the Probation Agreement. PC-The defendant was directed to complete a substance abuse and mental health assessment in July, 2015. He failed to comply with this directive and has not submitted to a mental health or substance abuse evaluation.
9. By having failed to establish and report an actual residence of record or changed his residence without permission, on or about 12/28/2015, in violation of a standard condition of the Probation Agreement. PC-AP&P conducted a home visit at the defendant's reported residence of record on 12/28/2015, and were informed by a family member the defendant does not actually stay at said residence.

RE: ESQUIVEL, ANDRES

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WHEREFORE, your affiant prays that an Order from the Court issue directing and requiring the above-named defendant to be and appear before said Court to show cause, if any he has, why the aforesaid period of probation should not be revoked, and why said defendant should not be forthwith committed to the Utah State Prison.

Roman Hentish /es/ 12282015
ROMAN HENTISH, PROBATION OFFICER

Subscribed and sworn to before me this 30th day of December, 2015.

Sarah Lorna Bailey
NOTARY PUBLIC

Residing: _____, Utah

Commission expires: 12.3.19

