

4TH DISTRICT COURT - PROVO
UTAH COUNTY, STATE OF UTAH

STATE OF UTAH vs. PETERSON DREW MATHESON

CASE NUMBER 231402248 State Felony

CHARGES

Charge 1 - 76-5-205 - MANSLAUGHTER - 2nd Degree Felony

Offense Date: June 04, 2023

Location: Eagle Mountain 84005

Attributes: Accident. Death/Serious Injury.

Plea: February 08, 2024 Not Guilty

Mandatory Appearance

Charge 2 - 76-5-205 - MANSLAUGHTER - 2nd Degree Felony

Offense Date: June 04, 2023

Location: Eagle Mountain 84005

Attributes: Accident. Death/Serious Injury.

Plea: February 08, 2024 Not Guilty

Mandatory Appearance

Charge 3 - 76-5-207 - NEGLIGENTLY OPERATING A VEHICLE RESULTING IN DEATH - 2nd Degree Felony

Offense Date: June 04, 2023

Location: Eagle Mountain 84005

Attributes: Accident. Death/Serious Injury.

Plea: February 08, 2024 Not Guilty

Mandatory Appearance

Charge 4 - 76-5-207 - NEGLIGENTLY OPERATING A VEHICLE RESULTING IN DEATH - 2nd Degree Felony

Offense Date: June 04, 2023

Location: Eagle Mountain 84005

Plea: February 08, 2024 Not Guilty

Mandatory Appearance

Charge 5 - 41-6A-528 - RECKLESS DRIVING - Class B Misdemeanor

Offense Date: June 04, 2023

Location: Eagle Mountain 84005

Plea: February 08, 2024 Not Guilty

Mandatory Appearance

Charge 6 - 41-6A-711 - FOLLOWING ANOTHER VEHICLE - CLOSER THAN PRUDENT / SAFE - Infraction

Offense Date: June 04, 2023

Location: Eagle Mountain 84005

Plea: February 08, 2024 Not Guilty

Recommended Fine Amount: 130.00

Charge 7 - 41-6A-710(1) - FAILURE TO STAY IN ONE LANE - Infraction

Offense Date: June 04, 2023

Location: Eagle Mountain 84005

Plea: February 08, 2024 Not Guilty
Recommended Fine Amount: 130.00

Accident Attribute Fee: 30.00
Total recommended fine for non-mandatory appearance: 290.00

CURRENT ASSIGNED JUDGE
ROBERT LUND

PARTIES
Plaintiff - STATE OF UTAH
Represented by: JEFFREY GRAY
Represented by: GREGORY JOHNSON
Represented by: RACHELLE SHUMWAY

Defendant - PETERSON DREW MATHESON
Represented by: EDWARD BRASS

DEFENDANT INFORMATION
Defendant Name: PETERSON DREW MATHESON
Offense Tracking Number: 64149941
Date of Birth: April 27, 1993
Jail Booking Number: 430046
Law Enforcement Agency: UTAH COUNTY SHERIFF
LEA Case Number: 23UC06926
Officer Name: A HICKMAN
Prosecuting Agency: UTAH COUNTY
Agency Case Number: 23UC06926
Arrest Date: June 07, 2023
Violation Date: 06-04-2023

ACCOUNT SUMMARY

CASE NOTE

PROCEEDINGS
06-12-2023 Filed: INFORMATION
06-12-2023 Case filed by efiler
06-12-2023 Filed: From an Information
06-12-2023 Judge ROBERT LUND assigned.
06-12-2023 Filed: Appearance of Counsel/Notice of Limited Appearance
06-12-2023 Filed: Return of Electronic Notification
06-12-2023 Filed: Probable Cause Affidavit
06-12-2023 Filed: Public Safety Assessment Report
06-12-2023 Filed order: Order to Hold Without Bail
Judge ROBERT LUND
Signed June 07, 2023
06-12-2023 WEBEX INITIAL APPEARANCE scheduled on June 12, 2023 at 03:00 PM
in 8th Fl, Courtroom 8B with Judge SEAN PETERSEN
06-12-2023 WEBEX WAIVER HEARING scheduled on June 15, 2023 at 01:00 PM in
6th Fl, Courtroom 6B with Judge ROBERT LUND

06-12-2023 Minute Entry - INITIAL APPEARANCE

Judge: SEAN PETERSEN

PRESENT

Clerk: treenah

Prosecutor: COCCO, HOLLY

Defendant Present

The defendant is in the custody of the Utah County Jail

Defendant's Attorney(s): BRASS, EDWARD

Audio

Tape Number: 8B FTR/Webex Tape Count: 3:32- 3:33

INITIAL APPEARANCE

A copy of the Information is given to the defendant.

Defendant waives reading of Information.

Advised of charges and penalties.

The defendant is advised of right to counsel.

Notice to address bail given for next hearing.

WEBEX WAIVER HEARING is scheduled.

Date: 06/15/2023

Time: 01:00 p.m.

Before Judge: ROBERT LUND

CUSTODY

The defendant is remanded to the custody of the Utah County Jail.

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

06-12-2023 Filed: Probable Cause Affidavit

06-12-2023 Filed: Order to Hold Without Bail

06-12-2023 Filed: Public Safety Assessment (PC: 391386)

06-13-2023 Filed: Return of Electronic Notification

06-13-2023 Filed: Appearance of Counsel/Notice of Limited Appearance for Greg Johnson

06-13-2023 Filed: Return of Electronic Notification

06-13-2023 Filed: Request for Discovery

06-13-2023 Filed: Return of Electronic Notification

06-13-2023 Filed: Appearance of Counsel/Notice of Limited Appearance for Rachelle Shumway

06-13-2023 Filed: Return of Electronic Notification

06-14-2023 **** PRIVATE **** Filed: Victim Impact Statement for Bail hearing

06-14-2023 Filed: Return of Electronic Notification

06-15-2023 **** PRIVATE **** Filed: Victim Impact Statement for Bail hearing

06-15-2023 **** PRIVATE **** Filed: Victim Impact Statement for Bail hearing

06-15-2023 **** PRIVATE **** Filed: Victim Impact Statement for Bail hearing

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06-15-2023 **** PRIVATE **** Filed: Victim Impact Statement for Bail hearing

06-15-2023 Filed: Return of Electronic Notification

06-15-2023 Minute Entry - WAIVER AND DETENTION HEARING

Judge: ROBERT LUND

PRESENT

Clerk: chrislc

Prosecutor: JOHNSON, GREGORY

Defendant Present

The defendant is in the custody of the Utah County Jail

Defendant's Attorney(s): BRASS, EDWARD

Audio

Tape Number: 6B FTR/WBX Tape Count: 1:01-1:14

HEARING

This matter comes before the court for a waiver and detention hearing. Mr. Brass addresses the defendant's custody status and motions the court to release the defendant on home confinement with GPS monitoring and work release.

1:06 Mr. Johnson responds and states his objection to the motion. Mr. Johnson states that the medical examiner reports have not been received.

1:09 Mr. Brass replies.

1:10 The court states findings on the record and states that all of the victim impact statements have been read. The court denies the motion. The defendant is to continue to be held without bail.

1:12 The defendant requests a preliminary hearing. Discussion ensues regarding dates. The court sets this for a special set preliminary hearing.

1:14 This matter is in recess.

IN PERSON PRELIMINARY HEARING is scheduled.

Date: 08/01/2023

Time: 09:00 a.m.

Location: 6th Fl, Courtroom 6B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: ROBERT LUND

06-15-2023 **** PRIVATE **** Filed: Victim Impact Statement for Bail hearing

06-15-2023 **** PRIVATE **** Filed: Victim Impact Statement for Bail hearing

06-15-2023 Filed: Return of Electronic Notification

06-16-2023 Cancelled: IN PERSON PRELIMINARY HEARING scheduled on August 01, 2023 at 09:00 AM in 6th Fl, Courtroom 6B with Judge ROBERT LUND

Reason: Court Ordered

06-17-2023 Filed: Return of Electronic Notification

07-19-2023 Filed: Motion Stipulated Motion for Continuance to 8-25-23

Filed by: STATE OF UTAH

07-19-2023 Filed: Order (Proposed) for Continuance to 8-25-23
07-19-2023 Filed: Request/Notice to Submit
07-19-2023 Filed: Return of Electronic Notification
07-19-2023 Cancelled: IN PERSON PRELIMINARY HEARING scheduled on August
25, 2023 at 09:00 AM in 6th Fl, Courtroom 6B with Judge ROBERT
LUND
Reason: Counsel stipulated.
07-19-2023 Filed order: Order for Continuance to 8-25-23
Judge ROBERT LUND
Signed July 19, 2023
07-19-2023 Filed: Return of Electronic Notification
08-18-2023 Filed: Amended Information
08-18-2023 Filed: Return of Electronic Notification
08-23-2023 IN PERSON PRELIMINARY HEARING scheduled on September 29, 2023
at 09:00 AM in 6th Fl, Courtroom 6B with Judge ROBERT LUND
08-25-2023 Filed: Second Amended Information
08-25-2023 Filed: Return of Electronic Notification
08-29-2023 Charge 76-5-205 Severity F2 was amended to 76-5-205 severity F2
09-28-2023 Filed: Order (Proposed) Transportation Order for 9-29-23
09-28-2023 Filed: Return of Electronic Notification
09-28-2023 Filed order: Order Transportation Order for 9-29-23
Judge ROBERT LUND
Signed September 28, 2023
09-28-2023 Filed: Return of Electronic Notification
09-29-2023 Minute Entry - PRELIMINARY HEARING
Judge: ROBERT LUND
PRESENT
Clerk: chrislc
Prosecutor: GREGORY JOHNSON
Prosecutor: RACHELLE SHUMWAY
Defendant Present
The defendant is in the custody of the Utah County Jail
Defendant's Attorney(s): EDWARD BRASS
Audio
Tape Number: 6B FTR/WBX Tape Count: 9:04-11:17
HEARING

This matter comes before the court for a preliminary hearing. Opening statements by Ms. Shumway. Ms. Shumway invokes the exclusionary rule.

Mr. Brass states counsel has discussed exhibits that the defense stipulates to the admission of the exhibits for the purposes of this hearing. Exhibits 1-18 are received by stipulation.

9:08 Ms. Shumway calls Mr. Jod Booker. Mr. Booker is placed under oath and directed by Ms. Shumway.

9:37 Cross-examination by Mr. Brass.

9:39 Redirect by Ms. Shumway. The witness is excused. Mr. Johnson calls Mr. Bryce Crowley to testify. Mr. Crowley is placed under oath and directed by Mr. Johnson.

9:51 The witness is excused. Ms. Shumway calls Detective Adam Hickman to testify. Det. Hickman is placed under oath and directed by Ms. Shumway.

10:00 The court questions the witness.

10:05 Ms. Shumway confers with Mr. Brass and states that the exhibit 19, the 1102 statement of Michael Landon, is received by stipulation. The court questions the witness.

10:25 Cross-examination by Mr. Brass.

10:29 Redirect by Ms. Shumway. The witness is excused.

10:30 The court is in recess.

10:46 Court resumes. Mr. Adam Knott is placed under oath and is directed by Mr. Johnson.

11:01 Cross-examination by Mr. Brass.

11:09 The witness is excused. The state rests. Mr. Brass addresses the court. The defense rests.

11:10 The court is in recess.

11:16 Court resumes. Counsel are to submit simultaneous briefing no later than 27 October 2023. The court will issue a written ruling at the conclusion of briefing.

11:17 The court is in recess.

- 10-27-2023 Filed: States Brief on Bindover Decision
- 10-27-2023 Filed: Return of Electronic Notification
- 10-27-2023 Filed: Memorandum In Opposition to Bindover
- 10-27-2023 Filed: Return of Electronic Notification
- 10-31-2023 Filed: Exhibit for States Brief on Bindover Decision - Preliminary Hearing Transcript for 9-29-23
- 10-31-2023 Filed: Return of Electronic Notification
- 11-01-2023 Filed: Motion TO ALLOW FUNERAL FURLOUGH
Filed by: PETERSON DREW MATHESON
- 11-01-2023 Filed: Return of Electronic Notification
- 11-02-2023 Filed: Order (Proposed): Order ON MOTION TO ALLOW FUNERAL FURLOUGH
- 11-02-2023 Filed: Request/Notice to Submit
- 11-02-2023 Filed: Return of Electronic Notification
- 11-02-2023 Filed: Other - Not Signed Order (Proposed): Order ON MOTION TO ALLOW FUNERAL FURLOUGH
- 11-02-2023 Note: Motion denied

11-02-2023 Filed: Return of Electronic Notification
12-05-2023 Filed: Request/Notice to Submit
12-05-2023 Filed: Return of Electronic Notification
12-11-2023 Filed: Recognition of Course Completion Transition Skills
12-14-2023 Filed: Return of Electronic Notification
01-03-2024 Filed order: Ruling And Order On BIndover
Judge ROBERT LUND
Signed January 03, 2024
01-04-2024 Filed: Return of Electronic Notification
01-19-2024 NOTICE for Case 231402248 ID 24301382
Judge: ROBERT LUND
PRETRIAL CONFERENCE is scheduled.
Date: 02/08/2024
Time: 02:00 p.m.
Before Judge: ROBERT LUND
This hearing will not take place at the courthouse. It will
be conducted remotely.
Contact the court to provide your current email address.
If you do not have access to a phone or other electronic
device to appear remotely, notify the court.
01-19-2024 Cancelled: PRETRIAL CONFERENCE scheduled on February 08, 2024
at 02:00 PM in 6th Fl, Courtroom 6B with Judge ROBERT LUND
Reason: Correct calendar
01-19-2024 Filed: Notice for Case 231402248 FS Judge: ROBERT LUND
01-19-2024 Filed: Return of Electronic Notification
02-02-2024 Modified: WBX PRETRIAL CONFERENCE scheduled on February 08,
2024 at 01:00 PM in 6th Fl, Courtroom 6B with Judge ROBERT LUND
02-08-2024 IN PERSON PRETRIAL CONFERENCE scheduled on July 18, 2024 at
08:30 AM in 6th Fl, Courtroom 6B with Judge ROBERT LUND
02-08-2024 JURY TRIAL scheduled on October 07, 2024 at 09:00 AM in 6th Fl,
Courtroom 6B with Judge ROBERT LUND
02-08-2024 JURY TRIAL scheduled on October 08, 2024 at 09:00 AM in 6th Fl,
Courtroom 6B with Judge ROBERT LUND
02-08-2024 JURY TRIAL scheduled on October 09, 2024 at 09:00 AM in 6th Fl,
Courtroom 6B with Judge ROBERT LUND
02-08-2024 JURY TRIAL scheduled on October 10, 2024 at 09:00 AM in 6th Fl,
Courtroom 6B with Judge ROBERT LUND
02-08-2024 JURY TRIAL scheduled on October 11, 2024 at 09:00 AM in 6th Fl,
Courtroom 6B with Judge ROBERT LUND