

**Yellowstone County District Court**

Minutes Report

Case: DC 22-251

Defendant: Michael James Bigelow

Hearing Type: Change of Plea

Date: April 07, 2022

Assigned Judge: Colette Davies

Start time: 01:18 p.m.

Court Reporter: Geoffrey Curtiss 518

End time: 01:39 p.m.

Minutes Clerk: Janna Rozett

Prosecutor: Ingrid Rosenquist

Defense Attorney: Layne Scheveck

On Thursday, April 07, 2022, at 01:18 p.m., this cause comes on regularly before the Court for hearing on a Change of Plea.

Present in court is Deputy County Attorney Ingrid Rosenquist. The defendant, incarcerated at the Yellowstone County Detention Facility, appears by video with counsel, Layne Scheveck also appearing by video from YCDF.

Leave has been previously granted by the Court to file an information charging the defendant with the crime(s) of **COUNT I: Cruelty to Animals (M), COUNT II: Cruelty to Animals (M), COUNT III: Cruelty to Animals (M), COUNT IV: Cruelty to Animals (M), COUNT V: Cruelty to Animals (M), COUNT VI: In the Alternative to Cruelty to Animals (M), COUNT VII: Cruelty to Animals (M), COUNT VIII: In the Alternative to Cruelty to Animals (M), COUNT IX: Cruelty to Animals (M), COUNT X: Cruelty to Animals (M), COUNT XI: Cruelty to Animals (M), COUNT XII: Cruelty to Animals (M) and COUNT XIII: Cruelty to Animals (M)**. Copies of the affidavit and information have been served to the defendant.

The Defendant is advised by the Court of the nature of the crime(s) being charged against him and of the punishment therefore and his constitutional rights. The Defendant states that his true name is as given in the Information. The Defendant waives the reading of the Information and acknowledges receipt of a copy, reserving the right to challenge the sufficiency of the charging documents. The Defendant waives further time to enter plea. The Defendant pleads **NOT GUILTY** to the offense(s) as charged.

The defendant, through counsel, makes a motion to withdraw his former plea. The defendant's Acknowledgement of Waiver of Rights and Plea Agreement is submitted to the Court. After due inquiry, the Court grants the defendant's motion to withdraw his plea. The defendant now pleads **GUILTY** to the offense(s) as charged, to the crime(s) of: **COUNT I: Cruelty to Animals (M), COUNT II: Cruelty of Animals (M), COUNT III: Cruelty to Animals (M), COUNT IV: Cruelty to Animals (M), COUNT V: Cruelty to Animals (M), COUNT VII: Cruelty to Animals (M), COUNT IX: Cruelty to Animals (M), COUNT X: Cruelty to Animals (M), COUNT XI: Cruelty to Animals (M), COUNT XII: Cruelty to Animals (M) and COUNT XIII: Cruelty to Animals (M)**.

Court accepts the defendant's plea as being voluntarily made with a knowledgeable understanding and waiver of his constitutional rights.

The State reports there is a joint 1(B) Plea Agreement in this matter.

The defendant states he has no legal cause to show why judgment should not be pronounced against him at this time.

**On COUNT I: , COUNT II: Cruelty to Animals (M), COUNT III: Cruelty to Animals (M), COUNT IV: Cruelty to Animals (M), COUNT V: Cruelty to Animals (M), COUNT VII: Cruelty to Animals (M), COUNT IX: Cruelty to Animals (M), COUNT X: Cruelty to Animals (M), COUNT XI: Cruelty to Animals (M), COUNT XII: Cruelty to Animals (M), COUNT XII: Cruelty to Animals (M),** the Court's sentence is that the defendant serve a term of one (1) year in the Yellowstone County Detention Facility all of this time suspended, placing the defendant on probation under the rules and regulations of the State Department of Probation and Parole with special conditions as set forth in the Acknowledgement and Waiver of Rights by Plea of Guilty and Plea Agreement. The defendant is to pay restitution in the amount of \$3,287.88 to Yellowstone County.

**All of these COUNTS are to run consecutive to each other.**

**On COUNT VI: In the Alternative to Animal Cruelty (M) and COUNT VIII: In the Alternative to Animal Cruelty (M),** the Court **dismisses** said charges.

If the defendant is compliant with the conditions of sentencing and probation, probation may be terminated at the completion of five and a half (5.5) years at the discretion of the defendant's probation officer.

The Court releases the defendant on his own recognizance, pursuant to the terms and conditions set forth in the release order.

The defendant is remanded.

Court is in recess at 01:39 p.m.