

Jefferson Combined Court, State of Colorado  
Court Address: 100 Jefferson County Parkway  
Golden, CO 80401

▲ COURT USE ONLY ▲

People of the State of Colorado

Vs. Desiree Gonzalez  
Defendant

DATE FILED: 22CR3360  
January 4, 2023 1:21 PM  
Div. 17 Crim. 1130  
CASE NUMBER: 2022CR3360

### Colorado Advisement and Preliminary Hearing Procedures

1. You are before the Court because a peace officer or the district attorney for this county has charged you with a violation of the law.
2. You have the following rights:
  - a. The right to appear before a judge.
  - b. The right to enter a plea of not guilty and have a trial by a judge or a jury.
  - c. The right to be represented by an attorney at all stages of the proceedings including this one.
  - d. If you do not have the means to hire an attorney, you must apply for a court appointed attorney directly with the Office of the Public Defender. A twenty-five dollar jury fee may be due to the Clerk of the Court, if your case goes to trial.
  - e. You are presumed to be innocent of the charges, and if you plead not guilty, the prosecution must prove your guilt beyond a reasonable doubt.
  - f. At the trial you have the right to be confronted by the witnesses called to testify against you and to cross examine those witnesses.
  - g. You have the right to present evidence in your own defense at the trial and to compel the attendance of witnesses by subpoenas issued by the court.
  - h. You are entitled to a speedy and public trial.
  - i. You have the right to remain silent concerning the charges and the right to refuse to testify at any stage of the proceedings. Your silence does not imply any wrong doing on your part and cannot be used against you.
  - j. Any pleas entered to the charges must be voluntary on your own part and not the result of the undue influence or coercion on the part of someone else.
3. Prior to entry of any plea and prior to trial you are entitled to a preliminary hearing if you are: (1) charged with a class 1, 2, or 3 felony, DF1, DF2, or (2) charged with a class 4, 5, or 6 felony involving a "mandatory sentence", a "crime of violence" a "sexual offense", or (3) in custody at the time of the scheduled preliminary hearing. A preliminary hearing is to determine whether probable cause exists to believe an offense was committed by you. If you wish a preliminary hearing, you must file a written request within 7 days of this date. The hearing will be held within 35 days of the setting. At the hearing you may cross examine witnesses and introduce evidence on your behalf. If probable cause is found by the judge, your case will be bound over to the appropriate court of record for entry of plea and trial.
4. Prior to the entry of any plea, if you are not entitled to a preliminary hearing, you shall participate in a dispositional hearing for the purposes of case evaluation and potential resolution.
5. I have carefully read and understand the above advisement \_\_\_\_\_ (date)

Defendant's Signature \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

### DEMAND FOR PRELIMINARY HEARING

DATE \_\_\_\_\_ The defendant moves the court to set a preliminary hearing to determine probable cause.

Defendant \_\_\_\_\_

Attorney for Defendant \_\_\_\_\_

### WAIVER OF THE 35 DAY RULE

DATE \_\_\_\_\_ The defendant hereby waives the requirement that the preliminary hearing be held within thirty-five days of demand.

Defendant \_\_\_\_\_

Attorney for Defendant \_\_\_\_\_

### NOTICE OF SETTING

This matter is set for ☐ PH ☐ DH ☐ Dispo/Waiver on \_\_\_\_\_ in Division \_\_\_\_\_ of the County Court of this building.  
Bond or summons is continued to this date.

Attorney for Defendant acknowledges that it is the sole responsibility of Attorney for Defendant to make a timely demand for a preliminary hearing. Attorney for Defendant further acknowledges the responsibility to advise the court and prosecution upon learning that the Defendant is released from custody.

Date \_\_\_\_\_

Defendant \_\_\_\_\_

Attorney for Defendant \_\_\_\_\_

Reg. No. \_\_\_\_\_

Phone \_\_\_\_\_

### PRELIMINARY HEARING/DISPOSITIONAL HEARING

Date 1/4/23

Judge Melton

Date appeared 1/4/23

Pro se: \_\_\_\_\_

with counsel D. Mossinghoff

Deputy District Attorney M. Fox

☐ PH HELD: Probable cause has been shown as to charges.

☐ PH HELD: No probable cause shown. Defendant and bond discharged. Dispositional hearing held

☐ PH Deemed Waived. Case bound over to the District Court.

☒ PH Waived. The defendant hereby gives up the right to a preliminary hearing and understands that by giving up the right to the hearing the rights set forth in paragraph 3 of the above advisement will also be given up. Case bound over to the District Court.

Arraignment on 2/21/23

☐ Defendant remanded

☐ Bond transferred

☐ Summons continued

☐ Citation vacated

☐ Defendant in custody

☐ Bond reinstated

☐ Summons reinstated

Date 1/4/23

Defendant Desiree Gonzalez

Attorney for Defendant [Signature]

Reg. No. 31923

Phone 720-320-3663

