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Attorneys for Plaintiff

<p>IN THE EIGHTH JUDICIAL DISTRICT COURT</p> <p>IN AND FOR THE COUNTY OF DAGGETT STATE OF UTAH</p>	
<p>STATE OF UTAH</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BENJAMIN C. LAIL, DOB: 09/04/1985</p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;">INFORMATION (Service: Summons)</p> <p style="text-align: center;">Case No. 171800005</p> <p style="text-align: center;">Judge:</p>

The undersigned, T. Dimick, UTAH DEPARTMENT OF CORRECTIONS, Agency Case No. 17-45665-AA, upon a written declaration states on information and belief that the defendant committed the following crime:

COUNT 1

AGGRAVATED ASSAULT, Utah Code Ann. § 76-5-103, Third Degree Felony as follows: That on or about April 14, 2016 in Daggett County, state of Utah, the defendant, BENJAMIN C. LAIL, knowingly, intentionally or recklessly threatened by act, and accompanied by a show of immediate force or violence, to do bodily injury to another, to wit: threatening Jane Doe 2 with a Taser.

THIS INFORMATION IS BASED ON EVIDENCE OBTAINED FROM THE FOLLOWING WITNESSES: T. Dimick, J. Savage, J. Jorgensen, C. Collett and Jane Doe 2.

DECLARATION OF PROBABLE CAUSE:

Your declarant, T. Dimick with the Department of Corrections, based on information in Report Number 17-45665-AA and interviews of witnesses, states as follows:

On or about April 14, 2016, while performing authorized duties in the Daggett County Jail, Jane Doe 2, was in the Daggett County Jail control room when the defendant pointed and sparked a Taser in front of her feet, while simultaneously telling her “ok you’re done, now get back to class” which caused fear and apprehension for Jane Doe 2’s physical safety. Defendant admitted to T. Dimick that the conduct frightened Jane Doe 2.

Pursuant to Utah Code Ann. § 78B-5-705 (2008)
I declare under criminal penalty of the State of
Utah that the foregoing is true and correct to the
best of my belief and knowledge.

Executed on: May 5th, 2017

/s/ T. Dimick

T. DIMICK

Declarant

Authorized for presentment and filing:
SEAN D. REYES, Attorney General

/s/ Steven A. Wuthrich

STEVEN A. WUTHRICH, Assistant Attorney General

Dated this 5th day of May, 2017