

LOREN D. MARTIN
Davis County Attorney
Memorial Courthouse Building
Farmington, Utah 84025
Re: 09585 776f1kidnapcpd

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DAVIS COUNTY, UTAH

1985 JUN 14 PM 2:32

MICHAEL G. ALLPHIN, CLERK
2ND DISTRICT COURT

IN THE CIRCUIT COURT OF DAVIS COUNTY, STATE OF UTAH
CLEARFIELD DEPARTMENT
OR
BY _____ DEPUTY CLERK

IN THE DISTRICT COURT OF DAVIS COUNTY, STATE OF UTAH

THE STATE OF UTAH,	:	Bail _____
Plaintiff,	:	
v.	:	INFORMATION
DOUG A. LOVELL,	:	
Douglas Defendant.	:	No. <u>85 JF 044</u> <u>4954</u>

The undersigned affiant, William P. Holthaus, under oath states on information and belief that the defendant, on or about the 3rd and 4th days of April, 1985, committed the crimes of:

COUNT ONE

AGGRAVATED KIDNAPPING (76-5-302 UCA), a felony of the first degree, as follows: That at the time aforesaid, at Clearfield, County of Davis, State of Utah, the defendant did intentionally and knowingly, without authority of law and against the will of the victim, by any means and in any manner, seize, confine, detain or transport the victim with intent to commit a sexual offense as described in UCA Chapter 76 Part 4 1979 as amended.

COUNT TWO

RAPE (76-5-402 UCA), a felony of the first degree, as follows: That at the time aforesaid, at Clearfield, County of Davis, State of Utah, the defendant did have sexual intercourse with another person, not his spouse, without the victim's consent.

COUNT THREE

FORCIBLE SODOMY (76-5-403 UCA), a felony of the first degree, as follows: That at the time aforesaid, at Clearfield, County of Davis, State of Utah, the defendant did engage in a sexual act with a person who was 14 years

of age or older involving the genitals of one person and the mouth or anus of another person, regardless of the sex of either participant without the other's consent.

COUNT FOUR

RAPE (76-5-402 UCA), a felony of the first degree, as follows: That at the time aforesaid, at South Ogden, County of Weber, State of Utah, the defendant did have sexual intercourse with another person, not his spouse, without the victim's consent.

COUNT FIVE

AGGRAVATED SEXUAL ASSAULT (76-5-405 UCA), a felony of the first degree, as follows: That at the time aforesaid, at South Ogden, Davis County and Clearfield City, State of Utah, the defendant did, in the course of rape or attempted rape or forcible sodomy or attempted forcible sodomy or forcible sexual abuse or attempted forcible sexual abuse, cause bodily injury to the victim or compel or attempt to compel the victim to submit to rape, forcible sodomy, or forcible sexual abuse, by threat of kidnapping, death, or serious bodily injury to be inflicted imminently on any person.

This information is based on evidence obtained from the following witnesses: William P. Holthaus, Joyce Yost, and Mel Hackworth.

PROBABLE CAUSE STATEMENT: The undersigned affiant states that he is a detective with the Clearfield City Police Department and that he bases this information on the following:

1. Statement by Joyce Yost to affiant that a tall, slim, white male with a mustache and brown hair approached her from a red sports car, forced himself into her parked car, grabbed her by the throat and threatened physical injury and had sexual intercourse with her against her will.

2. Yost stated that the man then forced her into the red sports car

and took her to an apartment where he again had sexual intercourse with her against her will and forced her to commit fellation upon him.

3. Yost accompanied Mel Hackworth to 226 West 750 North, Clearfield and indicated that this was the location of the apartment. There was a red Mazda RX7 license plate WWP101 parked in the driveway.

4. Affiant checked the registration of the vehicle and found it to be in the name of Doug Lovell.

5. Yost stated to affiant that in her struggle with defendant she scratched him on the face with a key.

6. Affiant interviewed Doug Lovell and saw that he had a fresh scratch on his face.

7. Doug Lovell admitted that he had been with Joyce Yost and had had intercourse with her at his apartment during April 3rd or 4th, 1985.

8. Affiant observed bruises on the right arm and right side neck area of the victim which appeared to be recent injuries.

Wm. Hackman
Affiant

Screened by: Brian J. Namba
Assigned to: Brian J. Namba

Authorized for presentment
and filing:

[Signature]
Prosecuting Attorney

Subscribed and sworn to before me
this 5 day of April 1985.

[Signature]
Circuit Court Judge

Counts One and Five of this Information are each punishable by a minimum mandatory term of imprisonment of 5, 10, or 15 years and which may be for life.

Counts Two, Three, and Four of this Information are each punishable by a maximum penalty of five years to life imprisonment and/or up to \$10,000 fine.