

In CRF 2014 5887, Pratt requests credit for time served from August 3, 2015 to August 5, 2015, and as this Court stated above, at no time has Pratt been given credit for those three days.

In CRF 2014 5887, Pratt requests credit for time served from September 8, 2015 through September 10, 2015. In CRF 2014 5887 there is no evidence that he was taken into custody in that case during those days. April 2, 2014 to April 15, 2015, but Pratt was given credit for those days in this Court's order filed November 13, 2014. The records of the Kootenai County jail indicate he was in custody in that case during those days, but the file shows no request for discretionary jail time and no event that would have cause such incarceration.

In both cases, Pratt is asking for credit for time served from January 11, 2016 to January 13, 2016. There is no evidence in CRF 2014 5887 of Pratt being in custody during those days. The records of the Kootenai County jail indicate he was in custody in that case during those days, but the file shows no request for discretionary jail time and no event that would have cause such incarceration. Incredibly, Pratt was not even arrested on the charges in CRF 2016 8841 until May 12, 2016. Pratt is not entitled to credit for time served at a time when charges were not even filed.

In both cases, Pratt is asking for credit for time served from April 15, 2016 to October 3, 2017, but Pratt was given credit for those days in this Court's order filed October 27, 2016.

In both cases, Pratt is asking for credit for time served from January 10, 2018 to October 2, 2018, but Pratt was given credit for those days in this Court's orders filed February 22, 2018 and October 2, 2018.

In both cases, Pratt is asking for credit for time served from February 12, 2019 TO March 25, 2019, but Pratt was given credit from December 27, 2018 to March 25, 2019, in this Court's order filed March 25, 2019.

The Court has thoroughly examined both files and examined all prior order and finds those calculations were correct, except that three days should be credited in both cases for discretionary jail time that was served from August 3, 2015 to August 5, 2015.

IT IS HEREBY ORDERED THAT JESSE COLIN PRATT's Amended Motion Requesting Order for Credit for Time Served Pursuant to I.C.R. 35(C) in CRF 2014 5887 is GRANTED in that three days are to be added to the calculation of March 25, 2019, so that

Pratt receives credit in the amount of 1,000 days on March 25, 2019, and all other aspects of Pratt's Amended Motion Requesting Order for Credit for Time Served Pursuant to I.C.R. 35(C) in CRF 2014 5887 are DENED.

IT IS FURTHER ORDERED THAT JESSE COLIN PRATT's Amended Motion Requesting Order for Credit for Time Served Pursuant to I.C.R. 35(C) filed in CRF 2016 8841 is DENIED IN ALL ASPECTS.

IT IS FURTHER ORDERED this Court finds no hearing is required on these motions brought in these two cases.

DATED this 3rd day of April, 2019.


JOHN T. MITCHELL District Judge

3rd CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of April, 2019 copies of the foregoing Order were mailed, postage prepaid, or sent by facsimile or interoffice mail to:

Prosecuting Attorney –

KCPAICOURTS@KCGOV.US

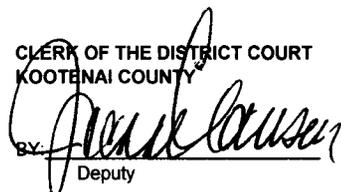
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CLERK OF THE DISTRICT COURT
KOOTENAI COUNTY

BY: 
Deputy