

<p>DISTRICT COURT, CITY & COUNTY OF DENVER, COLORADO</p> <p>Lindsey-Flanigan Courthouse 520 West Colfax Denver, CO 80202</p> <hr/> <p>THE PEOPLE OF THE STATE OF COLORADO,</p> <p>v.</p> <p>JORDAHNI RIMPEL, Defendant</p>	<p>DATE FILED: January 4, 2024 9:25 AM FILING ID: EE9E35F27EBBC CASE NUMBER: 2023CR3381</p> <p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>PHILIP J. WEISER, Attorney General ROBERT SHAPIRO First Assistant Attorney General 1300 Broadway, 9th Floor Denver, CO 80203 720-508-6715 Registration Number: 26869 *Counsel of Record</p>	<p>Case No.: 23CR3381</p> <p>Division: 5D</p>
<p>DEFENDANT'S REQUEST TO PLEAD GUILTY</p>	

This document represents my desire to plead guilty. I know that I have the right to remain silent, that I do not have to make this request, and anything I write or say may be used against me. Knowing that, I swear or affirm that I have read and understand everything in this and all of the documents I have submitted in this case. I understand all of the rights that I am giving up by pleading guilty.

Defendant's Initials:

 JR 1. I am 24 years old. I have completed 12 years of school. At this time my mental and physical health is satisfactory. I am thinking clearly. My decision to plead guilty is not being affected in any way by alcohol, drugs, or medication.

 JR 2. I understand what is happening in this Courtroom today. I read, speak, and understand the English language, or all of the documents and proceedings in this matter have been fully explained to me in a language that I understand.

 JR 3. I understand that if I am not a citizen of the United States, this guilty plea can cause deportation, exclusion from admission to the United States, or denial of naturalization, or other immigration consequences.

 JR 4. I understand the nature of the charge(s) against me and the elements of the charge(s), which the prosecution would have to prove beyond a reasonable doubt to a unanimous jury before I could be found guilty at trial. The essential elements of the crime to which I am pleading guilty are attached to this document. With my lawyer, I have reviewed the attached document(s) explaining the elements of the charge I am pleading guilty to. I have signed the attached document(s) because I thoroughly understand them.

 JR 5. I understand that I have each of the following rights:

__JR__ (a) I know that I have the right to plead “not guilty” to all charges against me and to have a speedy and public trial to a jury of 12 persons or to a judge on all charges against me.

__JR__ (b) I know that I have the right to be represented by a lawyer at all stages of these proceedings, and if I cannot afford a lawyer, the Court will appoint a lawyer for me, free of charge.

__JR__ (c) I know that I have the right to be presumed innocent at trial and to require the prosecution to prove at trial each element of each charge beyond a reasonable doubt before I could be found guilty.

__JR__ (d) I know that at that trial I have the right to see and cross-examine all witnesses who might testify against me.

__JR__ (e) I know that I have the right to present any defense I might have, and to call any witnesses in my own defense. If those witnesses were unwilling to appear, I understand that the Court would issue subpoenas at my request and would order those witnesses to appear and testify. I understand that I would have no burden to present any evidence or witnesses at trial. I would not have to prove myself not guilty. I would be presumed innocent at trial and the burden to prove my guilt would rest solely with the prosecution.

__JR__ (f) I know that I have the right to remain silent, and not say anything or make any statement whatsoever about this case. I know that if I do choose to make any statement, that statement could be used against me in Court.

__JR__ (g) I also know that I have the right to either testify at trial or to remain silent, and that if I chose not to testify, I could have the Judge instruct the jury that they could not consider my decision to not testify for any purpose. I understand that whether I testified or not at trial would be purely my decision.

__JR__ (h) I know that if I were convicted of any charge at trial I would have the right to appeal that conviction to a higher Court.

__n/a__ (i) I know that I may have a right to a Preliminary Hearing, and I understand that right.

__JR__ (j) I am aware that I may have the right to bail, and I am aware of the amount of that bail.

__JR__ (k) **I know that when I plead guilty, except for the right to counsel, I give up all of these rights and all possible defense(s) to the two charges which are alleged in the Felony Complaint and Information.**

__JR__ 6. The decision to plead guilty is my decision and it has been made freely and voluntarily. There has been no threat, coercion, undue influence, or force used to make me plead guilty. I know that I do not have to follow a lawyer’s advice and that I do not have to plead guilty. This is my decision to plead guilty.

__JR__ 7. I know that a plea of guilty admits the charge, and a plea of not guilty denies the charge. I admit the charge(s) to which I am pleading guilty and each of the elements, which are attached to this document. I also admit that there are sufficient facts in this case which could be presented at trial by the prosecution, which would result in a strong likelihood of my conviction.

__JR__ 8. To the following Count One, Attempt to Influence a Public Servant and Count Two,

Perjury, I plead guilty, subject to the supplemental documentation which accompany this plea.

___JR___ 9. The elements of the charge(s) to which I am pleading guilty, which are attached to this document, have been explained to me. I understand fully everything the prosecutor would have had to prove beyond a reasonable doubt to each and every member of a 12-person jury before I could have been convicted.

___JR___ 10. I understand that one of the elements, which the prosecutor would have had to prove, is my mental state at the time of commission of the crime. In addition to understanding the elements, I understand the applicable definition(s) below, and I understand what the prosecutor would have had to prove in that regard:

___JR___ **INTENTIONALLY**: A person acts “**intentionally**” or “**with intent**” when his or her conscious objective is to cause the specific result proscribed by the statute defining the offense. It is immaterial whether or not the result actually occurred.

___JR___ **KNOWINGLY**: A person acts “**knowingly**” or “**willfully**” with respect to conduct or to a circumstance described by a statute defining an offense when he or she is aware that his or her conduct is of such nature or that such circumstance exists. A person acts “**knowingly**” or “**willfully**” with respect to a result of his or her conduct when he or she is aware that his or her conduct is practically certain to cause the result.

___JR___ **RECKLESSLY**: A person acts “recklessly” when he or she consciously disregards a substantial and unjustifiable risk that a result will occur or that a circumstance exists.

___JR___ **NEGLIGENTLY**: A person acts with “criminal negligence” when, through a gross deviation from the standard of care that a reasonable person would exercise, he or she fails to perceive a substantial and unjustifiable risk that a result will occur or that a circumstance exists.

___JR___ 11. I understand that the Court is not bound by and does not have to follow anyone’s recommendations concerning the entry of a guilty plea, the penalty to be imposed, and the granting or denial of probation. Any proposed plea agreement and any concession(s) are fully and accurately set forth in this written document.

___JR___ 12. I have had a full opportunity to discuss with my lawyer everything I know about this case and all defenses that may be available to me. My lawyer has also discussed the elements of the charges, which the prosecutor would have to prove, all lesser included charges, and all possible defenses. I understand my lawyer, and I am satisfied with the advice and representation I have received from my lawyer.

___JR___ 13. I understand that if the Court accepts my guilty plea to a felony I will stand convicted of a felony. I understand that this felony conviction may be used against me in any future proceeding under the habitual criminal laws. I also understand that my felony conviction may be used against me in any future proceeding concerning my credibility. If I have entered into a Stipulation of a Deferred Judgment and Sentence, and I have not yet completed the terms of that agreement, my guilty plea may be used against me in any future proceeding. I understand if I have entered into a Stipulation of a Deferred Judgment and Sentence and I violate the terms of that agreement, I may stand convicted of a felony and then I will be re-sentenced by the Court.

___JR___ 14. I understand the full range of potential penalties for my offense(s) as set forth below and in the chart of applicable sentencing ranges beginning on page 5.

___JR___ (a) I know that if I plead guilty to a felony, I may be sentenced to the custody of the Department of Corrections (prison), as shown in the below chart on page 6 for my applicable sentencing

range. I understand that the Department of Corrections will determine my place of incarceration.

 n/a (b) If applicable, I understand and agree that there exist facts or circumstances surrounding the offense(s) I committed which are extraordinarily aggravating and will call for the Judge to impose a sentence above the maximum in the presumptive range, and as high as the maximum shown in the “extraordinary circumstances” portion of the box marked in the chart below. I agree to such a sentence. I understand that I have the right to require the prosecution to prove to a unanimous jury beyond a reasonable doubt any facts that bear upon whether extraordinary aggravating circumstances are present and upon whether any sentence will be above the top of the presumptive range. I understand and agree that by pleading guilty, I give up that right, including the right to have those facts proved beyond a reasonable doubt and the right to have them determined by a jury. I understand that my guilty plea is a waiver of my right to a jury trial on all issues including the determination of the penalty to be imposed and of all facts relating to, or supporting, a sentence above the top of the presumptive range.

 n/a (c) If applicable, I know that if the Judge were to conclude that extraordinary mitigating or aggravating circumstances are present in my case, I could be sentenced to any term of imprisonment from the minimum to the maximum sentence allowed by law as set out in the “extraordinary circumstances” portion of the box marked in the chart below on page 6. I understand that I have the right to require the prosecution to prove to a unanimous jury beyond a reasonable doubt any facts that bear upon whether extraordinary aggravating circumstances are present and upon whether any sentence will be above the top of the presumptive range. I understand and agree that by pleading guilty, I give up that right, including the right to have those facts proved beyond a reasonable doubt and the right to have them determined by a jury. I agree to let the Judge, in the Judge’s discretion, decide all such facts and decide whether or not extraordinary aggravating circumstances are present in my case and whether or not to impose a sentence above the top of the presumptive range. I understand that my guilty plea is a waiver of my right to a jury trial on all issues including the determination of the penalty to be imposed and of all facts relating to, or supporting, a sentence above the top of the presumptive range.

 n/a (d) If applicable, I understand and agree that my criminal record will allow the Judge to impose a sentence above the maximum in the presumptive range, and as high as the maximum shown in the “extraordinary circumstances” portion of the box marked in the chart below on page 6. I understand that I have the right to require the prosecution to prove to a unanimous jury beyond a reasonable doubt facts about my criminal record that bear upon whether extraordinary aggravating circumstances are present and upon whether any sentence will be above the top of the presumptive range. I understand and agree that by pleading guilty, I give up that right, including the right to have any such facts proved beyond a reasonable doubt and the right to have them determined by a jury. I understand that my guilty plea is a waiver of my right to a jury trial on all issues including the determination of the penalty to be imposed and of all facts about my criminal record relating to, or supporting, a sentence above the top of the presumptive range.

 n/a (e) If applicable, I understand and agree that I am pleading guilty to a “crime of violence.” A “crime of violence” sentencing requires the Court to sentence me to prison for at least the midpoint in the presumptive range and no more than twice the maximum of the presumptive range, as shown on the chart below on page 6. I understand and agree that the minimum mandatory sentence shall be _____ years in prison with a maximum potential sentence of _____ years in prison.

 n/a (f) If applicable, I know that if the Court sentences me to incarceration for a felony, that sentence must be to at least the midpoint, but not more than twice the maximum in the presumptive range, if, at the time of committing the crime(s) in this case, I was:

- _____ On probation or parole for another felony, or
- _____ Confined or had escaped while completing a felony sentence, or
- _____ On bond after revocation of probation for another felony or for an act that

would have been a felony if committed by an adult, or
 _____ On a felony appeal bond.

I understand and agree that by pleading guilty, I give up any right I might have to have a jury determine whether any of these circumstances are present in my case, and I agree to allow the Judge to make that determination and decide whether my sentence will be above the top of the presumptive range. Further, I admit that circumstances that I have initialed above are present in my case.

 n/a (g) If applicable, I know that if the Court sentences me to incarceration for a felony, the Court must sentence me to at least the minimum, but not more than twice the maximum in the presumptive range, if, at the time of committing the crime(s) in this case, I was:

_____ Charged with or on bond for another felony in another case for which I have now been convicted, or

_____ Charged with or on bond for an act that would be a felony if committed by an adult, or

_____ Under a Deferred Judgment and Sentence for a felony or for an act that would be a felony if committed by an adult, or

_____ On a juvenile parole for an offense that would be considered a felony if committed by an adult, or

_____ On bond after pleading guilty to a lesser offense when the original offense charged was a felony or would be a felony if committed by an adult.

I understand and agree that by pleading guilty, I give up any right I might have to have a jury determine whether any of these circumstances are present in my case, and I agree to allow the Judge to make that determination and decide whether my sentence will be above the top of the presumptive range. Further, I admit that circumstances that I have initialed above are present in my case.

 JR (h) I know that if I receive a sentence to the Department of Corrections, I must serve a mandatory period of parole as indicated below. Parole is after, in addition to and distinct from any other sentence imposed. Additionally, if my parole is revoked I may be required to serve the time remaining on parole in the Department of Corrections. The period of parole I must serve is as indicated in the box marked in the following sentencing range chart:

MARKED BOX BELOW INDICATES APPLICABLE SENTENCING RANGE	FELONIES COMMITTED ON OR AFTER July 1, 1993					
		PRESUMPTIVE RANGE		EXTRAORDINARY CIRCUMSTANCES		MANDATORY PERIOD of PAROLE
	CLASS	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM	MANDATORY PAROLE
	1	Life Imprisonment	Death	Life Imprisonment	Death	
	2	8 years \$5,000 fine	24 years \$1,000,000 fine	4 years	48 years	3 years for non COV or 5 years for COV
	3	4 years \$3000 fine	12 years \$750,000 fine	2 years	24 years	3 years
	Extra- ordinary Risk Crime	4 years \$3000 fine	16 years \$750,000 fine	2 years	32 years	3 years
XXXXXX	4	2 years \$2000 fine	6 years \$500,000 fine	1 year	12 years	3 years
	Extra- ordinary Risk Crime	2 years \$2000 fine	8 years \$500,000 fine	1 year	16 years	3 years

	5	1 year \$1000 fine	3 years \$100,000 fine	6 months	6 years	2 years
	Extra-ordinary Risk Crime	1 year \$1000 fine	4 years \$100,000 fine	6 months	8 years	2 years
	6	1 year \$1000 fine	18 months \$100,000 fine	6 months	3 years	1 year
	Extra-ordinary Risk Crime	1 year \$1000 fine	2 years \$100,000 fine	6 months	4 years	1 year

<u>MARKED BOX BELOW INDICATES APPLICABLE SENTENCING RANGE</u>	DRUG FELONIES COMMITTED ON OR AFTER OCTOBER 1, 2013					
		PRESUMPTIVE RANGE		MANDATORY PERIOD OF PAROLE	FINE	DOS
	CLASS	MINIMUM	MAXIMUM	MANDATORY PAROLE	FINE	DOS
	DF1	8 years	32 years	3 years	\$5,000- \$1,000,000	\$4,500
		PRESUMPTIVE	AGGRAVATED			
	DF2	4-8 years	8-16 years	2 years	\$3,000- \$750,000	\$3,000
	DF3	2-4 years	4-6 years	1 year	\$2,000- \$500,000	\$2,000
	DF4	6 mos.-1 year	1-2 years	1 year	\$1,000- \$100,000	\$1,500

 JR Based on the above, I understand the sentencing range applicable for my crime.

 JR (i) I know that the sentence is imposed by the Court. The Court is not bound by any promises made by anyone concerning sentencing. Any promises or agreements made to me with respect to the sentence, that are not set forth in this document, are invalid.

 JR (j) I know that by pleading guilty to a felony offense, from this point forward I may not and it will be illegal for me to own, possess, or use any firearms.

 n/a (k) I understand and agree that by pleading guilty to any criminal offense in this case, if I have a history of any sex offenses or if I have been previously convicted on or after January 1, 1994, of any type of sex-related criminal offense, including attempt, solicitation, and conspiracy to commit a sex-related criminal offense, or if I have been previously convicted on or after September 1, 2000, of any criminal offense, the underlying factual basis of which involved a sex-related criminal offense, I will be required, as part of the pre-sentence investigation by the Probation Department, to submit to a mental health sex-offense specific evaluation, and that I may be required to undergo sex offender treatment to the extent appropriate. I further understand that such sex offender treatment may include therapy, monitoring, and supervision.

 n/a (l) If applicable, I am aware that I am pleading guilty to a **SEXUAL OFFENSE**. With my lawyer, I have reviewed the attached documents explaining the elements of the charge I am pleading guilty to and the potential penalties for that **sex offense**. I have initialed and signed the attached documents because I thoroughly understand them.

__JR__ (m) I know that if I am pleading guilty to a misdemeanor offense, I may be sentenced to the Denver County Jail for as little as the minimum lawful term or as much as the maximum lawful term depending on the date of offense. I know the applicable sentencing range for my misdemeanor offense as indicated in the box below is:

<u>MARKED BOX</u> <u>INDICATES</u> <u>APPLICABLE</u> <u>SENTENCING</u> <u>RANGE</u>	MISDEMEANORS COMMITTED ON OR AFTER March 1, 2022		
	CLASS	MISDEMEANORS	
			MAXIMUM
	1		Up to 364 days imprisonment and/or Up to a \$1,000 fine
XX	2		Up to 120 days imprisonment and/or Up to a \$750 fine

__JR__ (n) I know that I could be fined for my crime(s) in any amount from the minimum to the maximum. I also know that I will be charged with additional costs and fees. I know that the Court may impose both a sentence and a fine.

__JR__ (o) I know that if I am pleading guilty to more than one crime, the Court will impose sentences and/or fines for each crime. I also know that the Court may require my sentences to be served consecutively, one after the other, or concurrently, with the sentences served at the same time.

__JR__ (p) I know that if I am granted the privilege of probation, I could be required to serve up to 90 days in the Denver County Jail for each felony (60 days for each misdemeanor) as a condition of probation. I also understand that as a condition of my probation I could be required to serve up to two years in the Jefferson County Jail on work or education release. I know that as a condition of my probation, I must pay restitution, and all fines, fees, and costs.

__JR__ (q) I know that I must pay restitution joint and severally with any co-defendants.

PLEA AGREEMENT

Below is the complete and accurate agreement between the People of the State of Colorado, as represented by the prosecutor, and the above-named Defendant, as represented by his or her attorney. All concessions and stipulations are fully set forth herein. **Subject to the approval of the Court:**

1. The Defendant will enter pleas of **GUILTY** to the following counts:

COUNT 1 – Attempt to Influence a Public Servant, §18-8-306, C.R.S., an F4;

and to

COUNT 2 – Perjury, §§1-13-104 and 18-8-503, C.R.S., an M2.

2. The Defendant shall be placed on a 2 year Deferred Judgment and Sentence (DJS) for Count 1 with specific conditions of the DJS that the Defendant shall repay the Denver Sheriff’s Office \$3,557.41 for the accrued Extradition Costs and that he shall write two letters of apologies to the Colorado Secretary of State (SOS) and to former candidate Carl Andersen acknowledging his individual wrongdoing regarding his role with the deceptive submission of false names and signatures via circulated documents that were notarized and which were ultimately filed with the SOS. These letters shall be filed with the Court and will be part of the Court File for this matter.

3. The Defendant shall receive a conviction from Count 2 of the Complaint and Information with OPEN Sentencing.

Defendant: /s/ Jordahni Rimpel _____ Date: January 4, 2024
Jordahni Rimpel

As defense counsel, I affirm that the above-named defendant has executed the foregoing “The Defendant’s Request to Plead Guilty (Crim. P. Rule 11 Guilty Plea Advisement).” As defense counsel I have thoroughly reviewed this document with the defendant in regard to the entry of this guilty plea.

Defense Counsel: /s/ Ariel Federow _____ Date: January 4, 2024
Ariel Federow Reg. No. 56370 _____

/s/ Robert S. Shapiro
Robert Shapiro
First Assistant Attorney General
Reg. No. 26869