

The Order of the Court is stated below:

Dated: April 08, 2025  
10:36:58 AM

/s/ DON M TORGERSON  
District Court Judge



TARA L. ISAACSON (7555)  
TARA ISAACSON LAW, LLC  
445 East 200 South, Suite 150  
Salt Lake City, UT 84111  
Telephone: (801) 467-1700  
Email: tara@taralaw.net

KYLER OVARD (13570)  
445 East 200 South, Suite 150  
Salt Lake City, UT 84111  
Telephone: (435) 647-6775  
Email: kyler@kovardlaw.com

Attorneys for Defendant

<p align="center"><b>IN THE SEVENTH DISTRICT COURT GRAND COUNTY, STATE OF UTAH</b></p>	
<p>STATE OF UTAH,  Plaintiff,  vs.  AIDAN RUSSELL HOFFMAN,  Defendant.</p>	<p align="center"><b>STATEMENT OF DEFENDANT</b></p> <p align="center"><b>Case No. 241700163 241700146</b></p> <p align="center"><b>JUDGE DON M TORGERSON</b></p>

I, AIDAN RUSSELL HOFFMAN, hereby acknowledge and certify that I have been advised of and that I understand the following facts and rights:

**NOTIFICATION OF CHARGES**

I am pleading guilty to the following crime(s):

<b>Crime &amp; Statutory Provision</b>		<b>Degree</b>	<b>Punishment Min/Max and/or Minimum Mandatory</b>
Sexual Exploitation of a Minor / UCA § 76-5b-201		Second Degree Felony	1-15 years prison; \$0-\$10,000 fine + 90% surcharge
Sexual Exploitation of a Minor / UCA § 76-5b-201		Second Degree Felony	1-15 years prison; \$0-10,000 fine + 90% surcharge

I understand the nature and the elements of the crime(s) to which I am pleading guilty.

The elements of the crime(s) to which I am pleading guilty are:

*An actor commits sexual exploitation of a minor when the actor knowingly possesses or intentionally views child sexual abuse material.*

I understand that by pleading guilty, I will be admitting that I committed the crime listed above.

I stipulate and agree that the following facts describe my conduct and the conduct of other persons for which I am criminally liable. These facts provide a basis for the court to accept my guilty plea and prove the elements of the crime to which I am pleading guilty:

*On or about May 26, 2023, in Grand County, I possessed two images of minors engaged in sexually explicit conduct. No force or coercion was used in the commission of these crimes. I was under the age of 21 at the time of this offense.*

## WAIVER OF CONSTITUTIONAL RIGHTS

I am entering these pleas voluntarily. I understand that I have the following rights under the constitutions of Utah and of the United States. I also understand that if I plead guilty, I will give up all the following rights:

**Counsel:** I know that I have the right to be represented by an attorney and that if I cannot afford one, an attorney will be appointed by the court at no cost to me. I understand that I might later, if the judge determined that I was able, be required to pay for the appointed lawyer's service to me.

I have not waived my right to counsel. My attorneys are Tara L. Isaacson and Kyler Ovard. My attorneys and I have fully discussed this statement, my rights, and the consequences of my guilty plea(s).

**Jury Trial:** I know that I have a right to a speedy and public trial by an impartial (unbiased) jury and that I will be giving up that right by pleading guilty.

**Confrontation and Cross-Examination of Witnesses:** I know that if I were to have a trial, (a) I would have the right to see and observe the witnesses who testified against me, and (b) my attorney would have the opportunity to cross-examine all of the witnesses who testified against me.

**Right to Compel Witnesses:** I know that if I were to have a trial, I could call witnesses if I chose to, and I would be able to obtain subpoenas requiring the attendance and testimony of those witnesses. If I could not afford to pay for the witnesses to appear, the State would pay those costs.

**Right to Testify and Privilege Against Self-Incrimination:** I know that if I were to have a trial, I would have the right to testify on my own behalf. I also know that if I chose not to testify, no one could make me testify or make me give evidence against myself. I also know that if I chose not to testify, the jury would be told that they could not hold my refusal to testify against me.

**Presumption of Innocence and Burden of Proof:** I know that if I do not plead guilty, I am presumed innocent until the State proves that I am guilty of the charged crime(s). If I choose to fight the charges against me, I need only plead “not guilty,” and my case will be set for trial. At a trial, the State would have the burden of proving each element of the charge(s) beyond a reasonable doubt. If the trial is before a jury, the verdict must be unanimous, meaning that each juror would have to find me guilty.

I understand that if I plead guilty, I give up the presumption of innocence and will be admitting that I committed the crime(s) stated above.

**Appeal:** I know that under the Utah Constitution, if I were convicted by a jury or judge, I would have the right to appeal my conviction and sentence. If I could not afford the costs of an appeal, the State would pay those costs for me. I understand that I am giving up my right to appeal my conviction if I plead guilty. I understand that if I wish to appeal my sentence, I must file a notice of appeal within 28 days after my sentence is entered.

**I know and understand that by pleading guilty, I am waiving and giving up all the statutory and constitutional rights as explained above.**

**CONSEQUENCES OF ENTERING A GUILTY PLEA**

**Potential Penalties:** I know the maximum sentence may be imposed for each crime to which I am pleading guilty. I know that by pleading guilty to a crime that carries a mandatory penalty, I will be subjecting myself to serving a mandatory penalty for that crime. I know my sentence may include a prison term, fine, or both.

I know that in addition to a fine, a ninety percent (90%) surcharge will be imposed. I also know that I may be ordered to make restitution to any victim(s) of my crimes, including any restitution that may be owed on charges that are dismissed as part of a plea agreement.

**Consecutive/Concurrent Prison Terms:** I know that if there is more than one crime involved, the sentences may be imposed one after another (consecutively), or they may run at the same time (concurrently). I know that I may be charged an additional fine for each crime that I plead to. I also know that if I am on probation or parole, or awaiting sentencing on another offense of which I have been convicted or which I have plead guilty, my guilty plea(s) now may result in consecutive sentences being imposed on me. If the offense to which I am now pleading guilty occurred when I was imprisoned or on parole, I know the law requires the court to impose consecutive sentences unless the court finds and states on the record that consecutive sentences would be inappropriate.

**Sex Offender Registry:** I understand that Utah Law requires lifetime sex offender registration for a conviction of Sexual Exploitation of a Minor, in violation of Utah Code § 76-5B-201. However, pursuant to Utah Code 77-41-105 (3)(c)(iii)(A), because I was under 21 years old at the time of the offense and the offense does not involve force or coercion, I will be only be required to be registered as a sex offender in the State of Utah for the duration of my

probation plus an additional 10 years. I understand that this conviction could be used to enhance registration requirements (requiring lifetime registration) should I have any subsequent sexually oriented convictions.

**Plea Agreement:** My guilty pleas are the result of a plea agreement between myself and the prosecuting attorney. All the promises, duties, and provisions of the plea agreement, if any, are fully contained in this statement, including those explained below:

1. Defendant shall enter guilty pleas to two amended counts of Sexual Exploitation of a Minor, second degree felonies, in violation of Utah Code § 76-5B-201 in Case No. 241700146.
2. All remaining counts in Case No. 241700146 (Count 3-10 of Aggravated Sexual Exploitation of a Minor) shall be dismissed with prejudice.
3. Upon entry of plea, the State shall dismiss Case No. 241700163 with prejudice.
4. The defendant shall complete a presentence investigation report prior to sentencing.
5. The parties have no stipulation regarding additional incarceration time and shall be permitted to argue their respective positions at sentencing in this matter.
6. The defendant shall receive credit for all jail time previously served.
7. The defendant will be on supervised probation with Adult Probation & Parole with permission to requested transfer of probation through the interstate compact.
8. The defendant shall abide by Group A Sex Offender Conditions.

9. The defendant shall be permitted access to the Internet for purposes of employment, education, and managing financial matters only.
10. The defendant shall complete sex offender therapy.
11. The parties stipulate to the Court entering a finding of no force or coercion pursuant to Utah Code 77-41-105 (3)(c)(iii)(A);
12. The defendant shall be subject to Sex Offender Registration for term of supervision and for 10 years after pursuant to Utah Code 77-41-105 (3)(c)(iii)(A) (for offenders who are under 21 years old at time of offense).

**Trial judge not bound:** I know that any charge or sentencing concession or recommendation of probation or suspended sentence, including a reduction of the charges for sentencing, made or sought by either defense counsel or the prosecuting attorney are not binding on the judge. I also know that any opinions they express to me as to what they believe the judge may do are not binding on the judge.

**Immigration/Deportation:** I understand that if I am not a United States citizen, my plea(s) today may, or even will, subject me to deportation under United States immigration laws and regulations, or otherwise adversely affect my immigration status, which may include permanently barring my re-entry into the United States. I understand that if I have questions about the effect of my plea(s) on my immigration status, I should consult with an immigration attorney.

#### **DEFENDANT'S CERTIFICATION OF VOLUNTARINESS**

I am entering this plea of my own free will and choice. No force, threats, or unlawful influence of any kind have been made to get me to plead guilty. No promises except those contained in this statement have been made to me.

I have read this statement, or I have had it read to me by my attorney, and I understand its contents and adopt each statement in it as my own. I know that I am free to change or delete anything contained in this statement, but I do not wish to make any changes because all of the statements are correct. I am satisfied with the advice and assistance of my attorney.

I am 22 years of age. I have attended school through the 12th grade. I can read and understand the English language. If I do not understand English, an interpreter has been

provided to me. I was not under the influence of any drugs, medication or intoxicants which would impair my judgment when I decided to plead guilty. I am not presently under the influence of any drug, medication or intoxicants which impair my judgment.

I believe myself to be of sound and discerning mind and to be mentally capable of understanding the proceedings and the consequences of my plea. I am free of any mental disease, defect or impairment that would prevent me from understanding what I am doing or from knowingly, intelligently and voluntarily entering my plea.

**I understand that if I want to withdraw my guilty plea(s), I must file a written motion to withdraw my plea(s) pursuant to Utah Code Ann. § 77-13-6. I will only be allowed to withdraw my plea if I show that it was not knowingly and voluntarily made.**

DATED this 8<sup>th</sup> day of April, 2025.

	/s/ Aidan Russell Hoffman
	AIDAN RUSSELL HOFFMAN Defendant <i>Electronically signed by Tara L. Isaacson with permission of Aidan Hoffman</i>



**CERTIFICATE OF DEFENSE ATTORNEY**

I certify that we are the attorneys for AIDAN RUSSELL HOFFMAN, the Defendant above, and that we know that he has read the statement or that we have read it to him. We have discussed it with him and believe that he fully understands the meaning of its contents and is mentally and physically competent. To the best of our knowledge and belief, after an appropriate investigation, the elements of the crime(s) and the factual synopsis of the Defendant's criminal conduct are correctly stated and these, along with the other representations and declarations made by the Defendant in the foregoing affidavit, are accurate and true.

DATED this 8<sup>th</sup> day of April, 2025.

	T A R A I S A A C S O N L A W , L L C	
By:		/s/ Tara L. Isaacson
		TARA L. ISAACSON Attorney for Defendant

		KO LAW, PLLC
	By:	/s/ Kyler Ovard
		KYLER OVARD Attorney for Defendant

**CERTIFICATE OF PROSECUTING ATTORNEY**

I certify that I am the attorney for the State in the case against AIDAN RUSSELL HOFFMAN, the Defendant. I have reviewed this Statement of Defendant and find that the factual basis of the defendant’s criminal conduct which constitutes the offense is true and correct. No improper inducements, threats or coercion to encourage a plea have been offered to the Defendant. The plea negotiations are fully contained in the Statement and in the attached Plea Agreement or as supplemented on record before the Court. There is reasonable cause to believe that the evidence would support the conviction of Defendant for the offense for which the pleas are entered and the acceptance of the plea would serve the public interest.

DATED this 8<sup>th</sup> day of April, 2025.

	S T A T E O F U T A H	
By:		/s/ Aaron Lancaster
		AARON LANCASTER Grand County Attorney’s Office <i>Electronically signed by Tara L. Isaacson with permission of Aaron Lancaster</i>

**Order**

Based on the facts set forth in the foregoing Statement and the certification of the defendant and counsel, and based on any oral representations in court, the Court witnesses the signatures and finds that defendant's guilty plea is freely, knowingly, and voluntarily made.

IT IS HEREBY ORDERED that the defendant's guilty pleas to the crimes set forth in the Statement be accepted and entered.

**END OF ORDER – SIGNATURE / DATE AT TOP OF FIRST PAGE**