STATE OF WYOMING	)	**IN THE CIRCUIT COURT**
	: ss.	
COUNTY OF CARBON	)	**SECOND JUDICIAL DISTRICT**
THE STATE OF WYOMING, **Plaintiff,**		**Docket No.: CR-2021-0800**
vs.		
JOEY CORRENTI, IV, **Defendant.**		**Y.O.B.: 1979**

FILED
FEB 04 2022
CLERK OF CIRCUIT COURT
2nd JUDICIAL DISTRICT
CARBON COUNTY, WYOMING
BY

STATE'S RESPONSE TO DEFENDANT'S STATEMENT OF INTENT

The State of Wyoming by and through Jason C. Gay, Deputy Carbon County and Prosecuting Attorney in and for Carbon County, Wyoming, and respectfully responds to Defendant's *Statement of Intent* as follows:

1. Defendant filed a *Statement of Intent* on February 4, 2022.

2. Defendant incorrectly asserts the State has created a policy related to Defendant. As indicated in the email from Mark Gifford, Office of Bar Counsel, Wyoming State Bar, to Sarah Chavez, Chief Deputy Carbon County and Prosecuting Attorney, dated August 12, 2021, the issue is unique neither to Defendant nor to Carbon County. See Exhibit 1, attached and incorporated by reference herein.

3. The State agrees with the Office of Bar Counsel and believes it a best practice to obtain written confirmation, or a statement on the record if in open court, from a Defendant that they intend to proceed pro se when they have previously expressed an intent to obtain counsel.

4. Defendant's response indicates a lack of understanding of the separation of the judicial and executive branches of government. Defendant indicated both in his phone conversations with the State and his letter to the Court a belief that a Circuit Court Clerk could instruct the State to engage in behavior that could potentially violate the Wyoming Rules of Professional Conduct.

5. Defendant has indicated a desire to ask the Court to enter an Order regarding which attorney will be assigned to his case.

6. Defendant has disclosed a confidential complaint in a public finding. As noted in the information provided by the Wyoming Bar, "By order of the Wyoming Supreme Court, the Office of Bar Counsel's investigation of a complaint against a lawyer is confidential unless and until a formal disciplinary charge is filed. The investigation may be hindered if the complaint and resulting investigation are improperly made public. Just as lawyers are required to follow certain rules of professional conduct, parties to the grievance process are required to abide by Court rules governing this process." Exhibit 2, page 4, attached and incorporated by reference herein.

7. The State contacted the Office of Bar Counsel and has confirmed, since there is underlying litigation pending, the Office of Bar Counsel will not proceed with any investigation at this time. As such, there is no investigation or complaint currently being pursued by the Office of Bar Counsel.

8. Defendant has chosen to ignore the Supreme Court's rules in an effort to influence the Court and the State of Wyoming to hinder the judicial process.

9. The State has a vested interest in not allowing defendants to attempt to manipulate our office or attempt to choose the prosecutor assigned to a particular case.

WHEREFORE the State of Wyoming prays the Court set a hearing and admonish Defendant regarding his inability to follow the rules of the Wyoming Supreme Court and his unethical and inappropriate effort to influence the Court and the State, and any other relief the Court deems necessary and appropriate.

DATED this 4th day of February, 2022.

Respectfully Submitted,

Jason C. Gay, Deputy Carbon
County and Prosecuting Attorney
P.O. Box 1146
Rawlins, WY 82301
Attorney No.: 7-5316

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of February, 2022 I served a copy of the above *State's Response to Defendant's Motion to Dismiss* by mailing a true copy thereof, by depositing the same in the U.S. Postal Service, duly enveloped and postage prepaid, or hand delivered, and addressed to:

Joey Correnti, IV
P.O. Box 1776
Rawlins, WY 82301

Jason C. Gay

Jason Gay

From: Sarah Chavez
Sent: Friday, February 4, 2022 2:48 PM
To: Jason Gay
Subject: Fw: Guidance

From: Mark Gifford <[redacted]>
Sent: Thursday, August 12, 2021 6:41 AM
To: Sarah Chavez <[redacted]>
Subject: RE: Guidance

Hi Sarah. I discussed this same situation with Erin Weisman yesterday. In her case the defendant is a juvenile and his parents have been trying to hire an attorney but don't have the $5,000 retainer Jackson lawyers require for such cases. Erin has the same unease about talking to them about a plea deal you have. In Erin's case, I was able to locate a Jackson lawyer who would help them on a reduced fee basis because it is a relatively simple matter that should be resolved with the offer Erin wants to make.

I don't know if I could help in a similar way in your case. I would be happy to reach out to one of your colleagues and see if they would help. In the case with Erin, she provided me with contact information for the juveniles parents. I called and offered to match them with an affordable attorney. They appreciated the help. I would be happy to do something similar in your case if you think that would help.

If the defendant you are dealing with has expressed a desire to hire an attorney but later changes their mind, I would ask them to file a waiver of attorney before you have discussions with them.

I hope this helps. Certainly, feel free to call me if you would like to discuss further.

Best,

Mark

Mark W. Gifford
Office of Bar Counsel
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82001
(307) 432-2106

From: Sarah Chavez <[redacted]>
Sent: Wednesday, August 11, 2021 2:27 PM
To: Mark Gifford <[redacted]>
Subject: Guidance

Hi Mark,

STATE'S EXHIBIT

I wanted to see if I can get some guidance from you regarding defendants who have expressed a desire to hire counsel but have not, and contact our office to discuss the case and plea deals. Obviously if an attorney has entered an appearance on the case, we (typically a legal assistant) directs them to contact their attorney that we are unable to discuss the case with them. However, are we allowed to talk to defendants who voluntarily call to discuss their case and plea negotiations, no attorney of record, but have notified the court at arraignment they wanted time to talk to or hire an attorney? Should they be directed to file a waiver of attorney with the court prior to us talking to them, or are we able to discuss possible resolutions with them if they are unrepresented and express they do not wish to hire an attorney. I appreciate any help/guidance you can give me on this issue! Happy Wednesday!

Thanks,

Sarah L. Chavez
Chief Deputy County and Prosecuting Attorney
Carbon County Attorney's Office
P.O. Box 1146
812 East Murray Street
Rawlins, WY 82301
307.328.2700 Phone
307.328.2704 Fax
[redacted]

CONFIDENTIALITY NOTICE: This email transmission, along with any attachments, is intended only for the use of the individual or entity to whom it is addressed, and may contain information that is confidential, privileged or otherwise exempt from disclosure under applicable state and federal law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, duplication, distribution or use of any of the information contained in this transmission is strictly PROHIBITED. If you have received this transmission in error, please notify the Carbon County Attorney's Office or the sender of this email immediately and delete all copies from your computer.

What happens after my complaint is filed?

If you choose to file a complaint, it is imperative that you provide complete and accurate information so that we can determine whether to pursue your complaint. To that end, you must verify the truthfulness of your complaint before submitting the complaint. Please be advised that if the Office of Bar Counsel determines that the complaint contains a false statement, the complaint may be immediately dismissed.

When a complaint is received, it is reviewed by Bar Counsel to determine if a violation of the Rules of Professional Conduct is stated. You will receive a letter from Bar Counsel informing you that (1) the complaint does not appear to involve conduct that is within the disciplinary jurisdiction of the Bar; (2) more information is needed; or (3) an investigation has been initiated. If an investigation is initiated, the attorney will receive a copy of your complaint letter and he/she is required to respond in writing to the allegations. Normally, you will receive a copy of the attorney's response and will be requested to reply to it. **Whether or not an investigation is initiated, you should expect that the attorney will receive a copy of your complaint and supporting documents.**

Confidentiality

By order of the Wyoming Supreme Court, the Office of Bar Counsel's investigation of a complaint against a lawyer is confidential unless and until a formal disciplinary charge is filed. The investigation may be hindered if the complaint and resulting investigation are improperly made public. Just as lawyers are required to follow certain rules of professional conduct, parties to the grievance process are required to abide by Court rules governing this process.

You will be informed if a formal disciplinary charge is filed. To file a formal charge, the Office of Bar Counsel must have clear and convincing evidence of professional misconduct by the lawyer. This requires a thorough investigation. Unless and until a formal disciplinary charge is filed, you may not discuss this grievance or any information you learn during this process with anyone who is not a party to this grievance.

Filing the Complaint Form (attached)

Mail the **original complaint form, signed and dated**, along with copies of any supporting documents. **Do not send original documents as they cannot be returned.**

Mail to: Wyoming State Bar, P.O. Box 109, Cheyenne, WY 82003-0109.
Questions? Contact Erin Sidwell at (307) 432-2104.