

Search Results

Displaying all 38 matches.

Case Number	Case Type	File Date	Party/Company	Party Type	Date of Birth	Case Status	Affiliation
1KE-00-00073SC	Small Claims (1KE)	04/18/2000	Gardiner, Jerry	Defendant		Closed	
1KE-87-00227SC	Small Claims (1KE)	03/20/1987	Gardiner, Jerry	Defendant		Closed	
3AN-02A1295121	Minor Offense (3AN)	05/16/2002	Gardiner, Jerry	Defendant	06/19/1981	Closed	✓ 1
3AN-02A1303714	Minor Offense (3AN)	07/04/2002	Gardiner, Jerry	Defendant	06/19/1981	Closed	✓ 2
3AN-02A1303715	Minor Offense (3AN)	07/04/2002	Gardiner, Jerry	Defendant	06/19/1981	Closed	✓ 3
3AN-02T1187680	Minor Offense (3AN)	07/04/2002	Gardiner, Jerry	Defendant	06/19/1981	Closed	✓ 4
3DI-03-00107SC	Small Claims (3DI)	11/18/2003	Gardiner, Jerry	Defendant		Closed	
4FA-04-01718CR	Crim Dist Ct Misd (4FA)	05/22/2004	Gardiner, Jerry	Defendant	06/19/1981	Closed	✓ 5
1KE-00-0014667	Minor Offense (1KE)	02/04/2000	Gardiner, Jr, Jerry	Defendant	06/19/1981	Closed	✓ 6
1KE-00-0017086	Minor Offense (1KE)	07/05/2000	Gardiner, Jr, Jerry	Defendant	06/19/1981	Closed	✓ 7
3AN-02A1304583	Minor Offense (3AN)	06/19/2002	Gardiner, Jr, Jerry	Defendant	06/19/1981	Closed	✓ 8
3AN-02A1305338	Minor Offense (3AN)	06/21/2002	Gardiner, Jr, Jerry	Defendant	06/19/1981	Closed	✓ 9
3AN-03-00841CI	Dom Viol Pre Conversion (3AN)	04/04/2003	Gardiner, Jr, Jerry	Respondent	06/19/1981	Closed	✓ 10
3AN-03-11696CI	Div or Cust w/Children (3AN)	09/23/2003	Gardiner, Jr, Jerry	Defendant		Closed	✓ 11
4FA-17-02257CI	Div or Cust w/Children (4FA)	07/25/2017	Gardiner, Jr, Jerry	Defendant		Open	
3SW-06-00026SC	Small Claims (3SW)	07/24/2006	Gardiner, Sr, Jerry	Defendant		Closed	
1KE-98-0012237	Minor Offense (1KE)	08/26/1998	Gardiner, Jerry A	Defendant	06/19/1981	Closed	✓ 12
4FA-04-02009CR	Crim Dist Ct Misd (4FA)	06/12/2004	Gardiner, Jerry A	Defendant	06/19/1981	Closed	✓ 13
4FA-04-03578CR	Crim Dist Ct Felony (4FA)	10/08/2004	Gardiner, Jerry A	Defendant	06/19/1981	Closed	✓ 14
4FA-06-00633CI	Dom Viol With Children (4FA)	11/03/2006	Gardiner, Jerry A	Petitioner	06/19/1981	Closed	✓ 15
4FA-08-00541SC	Small Claims (4FA)	04/23/2008	Gardiner, Jerry A	Defendant		Closed	
4FA-11-02567CI	Divorce without Children (4FA)	09/13/2011	Gardiner, Jerry A	Plaintiff	01/09/1952	Closed	
1KE-98-0950473	Minor Offense (1KE)	07/04/1998	Gardiner, Jr, Jerry A	Defendant	06/19/1981	Closed	✓ 16
3AN-02-01736CR	Crim Dist Ct Misd (3AN)	02/26/2002	Gardiner, Jr, Jerry A	Defendant	06/19/1981	Closed	✓ 17
3AN-02-02425SC	Small Claims (3AN)	06/12/2002	Gardiner, Jr, Jerry A	Defendant		Closed	✓ 18

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Search Results

Displaying all 38 matches.

Case Number	Case Type	File Date	Party/Company	Party Type	Date of Birth	Case Status	Affiliation
3PA-03-07634MO	Minor Offense (3PA)	09/16/2003	Gardiner, Jr, Jerry A	Defendant	06/19/1981	Closed	✓ 19
4FA-06-04214CR	Crim Superior Ct (4FA)	11/17/2006	Gardiner, Jr, Jerry A	Defendant	06/19/1981	Closed	✓ 20
1KE-01-00384CI	Div or Cust w/Children (1KE)	08/31/2001	Gardiner, Sr, Jerry A	Defendant		Closed	
3AN-02-02425SC	Small Claims (3AN)	06/12/2002	Gardiner, Sr, Jerry A	Defendant		Closed	
4FA-03-01316CI	Civil District Court (4FA)	06/10/2003	Gardiner, Sr, Jerry A	Defendant	01/09/1952	Closed	
4FA-06-04081MO	Minor Offense (4FA)	06/05/2006	Gardiner, Sr, Jerry A	Defendant	01/09/1952	Closed	
4FA-06-04082MO	Minor Offense (4FA)	06/05/2006	Gardiner, Sr, Jerry A	Defendant	01/09/1952	Closed	
4FA-08-01354SC	Small Claims (4FA)	11/03/2008	Gardiner, Sr, Jerry A	Defendant		Closed	
1KE-02-00229SC	Small Claims (1KE)	10/08/2002	Gardiner jr, Jerry A	Defendant		Closed	✓ 21
1KE-99-0953562	Minor Offense (1KE)	07/03/1999	Gardiner jr, Jr, Jerry A	Defendant	06/19/1981	Closed	✓ 22
1KE-04-00062SC	Small Claims (1KE)	04/16/2004	Gardiner sr, Jerry A	Defendant		Closed	
1KE-99-00199CI	Dom Viol Pre Conversion (1KE)	06/09/1999	Gardiner, sr., Jerry A	Petitioner		Closed	
1KE-99-00198CI	Dom Viol Pre Conversion (1KE)	06/09/1999	Gardiner, sr, Jerry A	Respondent		Closed	

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Exhibit 5

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3AN-02-01736CR Municipality of Anchorage vs. Gardiner Jr, Jerry A SEM

Case Type	Crim Dist Ct Misd (3AN)		
Case Status:	Closed		
File Date:	02/26/2002	Case Judge:	Murphy, Sigurd E
		Next Event:	

All Information Party Charge Docket Financial Financial Dockets

Party Information**Gardiner, Jr, Jerry A - Defendant**

DOB 06/19/1981 Alias

Party Attorney

Attorney Farrell, Jill E
Bar Code 9410082
Phone

Municipality of Anchorage - Prosecution

DOB Alias

Party Attorney

Attorney Municipal Prosecutor
Bar Code MP3AN
Phone

Party Charge Information**Gardiner, Jr, Jerry A - Defendant****Charge # 1 :**

zAMC810010B1 #14 - Misdemeanor Conversion ASSAULT DV

Original Charge zAMC810010B1 #14 ASSAULT DV (Misdemeanor Conversion)
Indicted Charge
Amended Charge
DV Related?
Modifiers None
Stage Date 02/26/2002

ATN # 107363961
Tracking # 001
Offense Location
Date of Offense 02/26/2002

Party Charge Disposition

Disposition Date
Disposition
05/23/2002
No Contest Plea Prior to Conversion

Gardiner, Jr, Jerry A - Defendant**Charge # 2 :**

zAMC820010A #3 - Misdemeanor Conversion MAL DEST OF PROP

Original Charge zAMC820010A #3 MAL DEST OF PROP (Misdemeanor Conversion)
Indicted Charge
Amended Charge
DV Related?
Modifiers None
Stage Date 02/26/2002

ATN # 107363961
Tracking # 002
Offense Location
Date of Offense 02/26/2002

Party Charge Disposition

Disposition Date
Disposition
05/23/2002
Dismissed Prior to Conversion

Gardiner, Jr, Jerry A - Defendant**Charge # 3 :**

zAMC810050 #3 - Misdemeanor Conversion FAMILY VIOLENCE

Original Charge zAMC810050 #3 FAMILY VIOLENCE (Misdemeanor Conversion)
Indicted Charge
Amended Charge
DV Related?
Modifiers None
Stage Date 02/26/2002

ATN # 107363961
Tracking # 003
Offense Location
Date of Offense 02/26/2002

Party Charge Disposition

Disposition Date
Disposition
05/23/2002
Dismissed Prior to Conversion

Docket Information

Date	Description	Docket Text
02/26/2002	Filed Date:	Filed Date: Feb 26 2002
02/26/2002	All records prior to (Conversion Date) converted records. For more information please	All Records Prior to 10/20/03 are Converted Records, for more information please come to the Clerks Office with the case number or mail inquiries to: Anchorage Trial Courts Records Division 825 West 4th Avenue Anchorage, AK 99501-2004. Please note that some converted data, especially dates, may be incorrect due to data entry errors prior to conversion.
05/02/2002	Motion to Compel	Text: SET FROM TRCA 4-29-02 At: 3AN Reset: By: Case Title: MUNI V GARDINER, JERR In Custody: U Est Time: Time: P0200 Judge: NJN Court/Room: 303 Dist/Sup: D Judge Disq: Notice Code: D: 05/01/2002
05/23/2002	Motion to Compel	Text: SET FROM 5-2-02 NIC At: 3AN Reset: By: Case Title: MUNI V GARDINER, JERR In Custody: U Est Time: Time: P0200 Judge: NKF Court/Room: 305 Dist/Sup: D Judge Disq: Notice Code: D: 05/22/2002
05/23/2002	SIS Fine Due	Fine Due Original Amount Owed: \$300.00 Amount Paid Before Conversion: \$0.00
05/23/2002	Defendant given suspended imposition of sentence prior to conversion.	Defendant was given a suspended imposition of sentence (SIS) prior to conversion. The defendant is eligible to have the conviction set aside at the end of the SIS period. If the SIS expired prior to the conversion of these records to CourtView, these computer records probably do not include information on whether the conviction was set aside. Contact the court to determine if the conviction in this case was set aside. SIS Expiration Date: May 23 2003
05/23/2002	Sentencing Information	For sentencing information, see the Judgment in the case file.

Financial Summary

Cost Type	Amount Owed	Amount Paid	Amount Adjusted	Amount Outstanding
Fine SIS	\$300.00	\$0.00	\$0.00	\$300.00
Surcharge	\$50.00	\$0.00	\$0.00	\$50.00
	\$350.00	\$0.00	\$0.00	\$350.00

Financial Docket Information

Date	Description	Owed	Adjusted	Paid	Due	Due Date
05/23/2002	Police Training Surcharge	\$50.00	\$0.00	\$0.00	\$50.00	06/02/2002
05/23/2002	SIS Fine Due	\$300.00	\$0.00	\$0.00	\$300.00	09/23/2002
		\$350.00	\$0.00	\$0.00	\$350.00	

3AN-03-00841CI

Case Type	Dom Viol Pre Conversion (3AN)	Action:	DV: Both ExParte & Long Term
Case Status:	Closed		
File Date:	04/04/2003	Case Judge:	Cole, Suzanne
		Next Event:	

All Information Party Disposition

Party Information**Gardiner, Teresa - Petitioner**

DOB 07/28/1984

Disposition

Disp Date

Alias

Party Attorney

Gardiner, Jr, Jerry - Respondent

DOB 06/19/1981

Disposition

Disp Date

Alias

Party Attorney

Case Disposition

Disposition

Date

Case Judge

*Injunctive Relief Granted Prior to Conversion

04/18/2003

Cole, Suzanne

4FA-04-01718CR State of Alaska vs. Gardiner, Jerry RF

Case Type	Crim Dist Ct Misd (4FA)	Case Judge:	Funk, Raymond
Case Status:	Closed	Next Event:	
File Date:	05/22/2004		

All Information Party Charge Event Docket Financial Receipt Financial Dockets

Party Charge Information

Gardiner, Jerry - Defendant

Charge # 1:

AS2835030A.CMS2 - Class A Misdemeanor DW

Original Charge	AS2835030A.CMS2 DW (Class A Misdemeanor)
Indicted Charge	
Amended Charge	
DV Related?	
Modifiers	None
Stage Date	05/22/2004

ATN #	108393984
Tracking #	001
Offense Location	
Date of Offense	05/22/2004

Party Charge Disposition

Disposition Date	
Disposition	07/27/2004
No Contest Plea Prior to Conversion	

4FA-04-02009CR State of Alaska vs. Gardiner, Jerry A RF

Case Type	Crim Dist Ct Misd (4FA)		
Case Status:	Closed		
File Date:	06/12/2004	Case Judge:	Funk, Raymond
		Next Event:	

All Information	Party	Charge	Event	Docket	Financial	Receipt	Financial Dockets
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Party Charge Information

Gardiner, Jerry A - Defendant

Charge # 1 :

AS2835030A.CMS2 - Class A Misdemeanor DW

Original Charge	zAS2835030 #3 DW (Misdemeanor Conversion)
Indicted Charge	
Amended Charge	
DV Related?	
Modifiers	None
Stage Date	06/12/2004

ATN #	108562725
Tracking #	001
Offense Location	
Date of Offense	06/12/2004

Party Charge Disposition

Disposition Date	
Disposition	07/27/2004
No Contest Plea Prior to Conversion	

Gardiner, Jerry A - Defendant

Charge # 2 :

zAS2815291 #4 - Misdemeanor Conversion DWL/C/S/R/L

Original Charge	zAS2815291 #4 DWL/C/S/R/L (Misdemeanor Conversion)
Indicted Charge	
Amended Charge	
DV Related?	
Modifiers	None
Stage Date	06/12/2004

ATN #	108562725
Tracking #	002
Offense Location	
Date of Offense	06/12/2004

Party Charge Disposition

Disposition Date	
Disposition	07/27/2004
Dismissed Prior to Conversion	

Gardiner, Jerry A - Defendant

Charge # 3 :

zAS1171060A1 #11 - Misdemeanor Conversion MICS-6TH DEGREE

Original Charge	zAS1171060A1 #11 MICS-6TH DEGREE (Misdemeanor Conversion)
Indicted Charge	
Amended Charge	
DV Related?	
Modifiers	None
Stage Date	06/12/2004

ATN #	108562725
Tracking #	003
Offense Location	
Date of Offense	06/12/2004

Party Charge Disposition

Disposition Date	
Disposition	07/27/2004
Dismissed Prior to Conversion	

Gardiner, Jerry A - Defendant

Charge # 4 :

13AAC02275b * - Infraction (Non-Criminal) SPEEDING

Original Charge	13AAC02275b * SPEEDING (Infraction (Non-Criminal))
Indicted Charge	
Amended Charge	
DV Related?	
Modifiers	None
Stage Date	06/12/2004

ATN #	108562725
Tracking #	004
Offense Location	
Date of Offense	06/12/2004

Party Charge Disposition

Disposition Date	
Disposition	07/27/2004
Dismissed Prior to Conversion	

Gardiner, Jerry A - Defendant

Charge # 5 :

z13AAC02090A #3 - Infraction (Non-Criminal) FOLLOW TOO CLOSELY

Original Charge	z13AAC02090A #3 FOLLOW TOO CLOSELY (Infraction (Non-Criminal))
Indicted Charge	
Amended Charge	
DV Related?	
Modifiers	None
Stage Date	06/12/2004

ATN # 108562725
Tracking # 005
Offense Location
Date of Offense 06/12/2004

Party Charge Disposition
Disposition Date
Disposition
07/27/2004
Dismissed Prior to Conversion

[Load Party Charges 6 through 6](#) [Load All 6 Party Charges](#)

4FA-04-03578CR State of Alaska vs. Gardiner, Jerry A RMO

Case Type	Crim Dist Ct Felony (4FA)	Case Judge:	Olsen, Randy M
Case Status:	Closed	Next Event:	
File Date:	10/08/2004		

All Information	Party	Charge	Event	Docket	Financial	Financial Dockets
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Party Information

Gardiner, Jerry A - Defendant

DOB 06/19/1981 Alias

Party Attorney	Public Defender Agency (4FA)
Attorney	PD4FA
Bar Code	(907)458-6800
Phone	

State of Alaska - Prosecution

DOB Alias

Party Attorney	District Attorney (4FA)
Attorney	DA4FA
Bar Code	
Phone	

4FA-04-03578CR State of Alaska vs. Gardiner, Jerry A RMO

Case Type	Crim Dist Ct Felony (4FA)		
Case Status:	Closed		
File Date:	10/08/2004	Case Judge:	Olsen, Randy M
		Next Event:	

All Information Party Charge Event Docket Financial Financial Dockets

Party Charge Information

Gardiner, Jerry A - Defendant

Charge # 1 :

ZAS1146130A1 #82 - Felony Conversion THEFT-2ND DEGREE

Original Charge ZAS1146130A1 #82 THEFT-2ND DEGREE (Felony Conversion)
Indicted Charge
Amended Charge
DV Related?
Modifiers None
Stage Date 10/08/2004

ATN # 108733752
Tracking # 001
Offense Location
Date of Offense 08/16/2003

Party Charge Disposition

Disposition Date
Disposition
01/19/2005
Guilty Conviction After No Contest Plea

Gardiner, Jerry A - Defendant

Charge # 2 :

PTRP - Probation/Parole Violation PTRP - Petition to Revoke Probation

Original Charge PTRP PTRP - Petition to Revoke Probation (Probation/Parole Violation)
Indicted Charge
Amended Charge
DV Related?
Modifiers None
Stage Date 08/21/2006

ATN # 108733752
Tracking # 002
Offense Location
Date of Offense 08/21/2006

Party Charge Disposition

Disposition Date
Disposition
10/27/2006
PTRP: Probation Modified/Continued

Gardiner, Jerry A - Defendant

Charge # 3 :

PTRP - Probation/Parole Violation PTRP - Petition to Revoke Probation

Original Charge PTRP PTRP - Petition to Revoke Probation (Probation/Parole Violation)
Indicted Charge
Amended Charge
DV Related?
Modifiers None
Stage Date 11/17/2006

ATN # 108733752
Tracking # 003
Offense Location Fairbanks
Date of Offense 11/17/2006

Party Charge Disposition

Disposition Date
Disposition
07/27/2007
PTRP: Probation Modified/Continued

Gardiner, Jerry A - Defendant

Charge # 4 :

PTRP2 - Probation/Parole Violation PTRP - Petition to Revoke Probation

Original Charge PTRP2 PTRP - Petition to Revoke Probation (Probation/Parole Violation)
Indicted Charge
Amended Charge
DV Related?
Modifiers None
Stage Date 07/19/2007

ATN # 108733752
Tracking # 004
Offense Location Fairbanks
Date of Offense 07/19/2007

Party Charge Disposition

Disposition Date
Disposition
07/27/2007
PTRP: Probation Modified/Continued

4FA-06-04214CR State of Alaska vs. Gardiner Jr, Jerry A RMO

Case Type	Crim Superior Ct (4FA)		
Case Status:	Closed		
File Date:	11/17/2006	Case Judge:	Olsen, Randy M
		Next Event:	

All Information	Party	Charge	Event	Docket	Financial	Checks	Receipt	Financial Dockets
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Party Charge Information

Gardiner, Jr, Jerry A - Defendant

Charge # 1 :

AS2835030N-V1 - Class C Felony AS28.35.030(n): Felony DUI - 2+ Priors

Original Charge	CDP Charging Document Pending or Not Filed
Indicted Charge	AS2835030N-V1 AS28.35.030(n): Felony DUI - 2+ Priors
Amended Charge	
DV Related?	
Modifiers	None
Stage Date	11/24/2006

ATN #	109690749
Tracking #	001
Offense Location	Fairbanks
Date of Offense	11/17/2006

Party Charge Disposition

Disposition Date	
Disposition	
07/27/2007	
Guilty Conviction After No Contest Plea	

Gardiner, Jr, Jerry A - Defendant

Charge # 2 :

13AAC02130B - Infraction (Non-Criminal) 13AAC02.130(b): Failure to Stop for Stop Sign

Original Charge	13AAC02130B 13AAC02.130(b): Failure to Stop for Stop Sign (Infraction (Non-Criminal))
Indicted Charge	
Amended Charge	
DV Related?	
Modifiers	None
Stage Date	11/17/2006

ATN #	109690749
Tracking #	002
Offense Location	Fairbanks
Date of Offense	11/17/2006

Party Charge Disposition

Disposition Date	
Disposition	
07/27/2007	
Dismissed by Prosecution (Gr43(a)(1))	

Gardiner, Jr, Jerry A - Defendant

Charge # 3 :

PTRP2 - Probation/Parole Violation PTRP - Petition to Revoke Probation

Original Charge	PTRP2 PTRP - Petition to Revoke Probation (Probation/Parole Violation)
Indicted Charge	
Amended Charge	
DV Related?	
Modifiers	None
Stage Date	08/05/2011

ATN #	109690749
Tracking #	003
Offense Location	Fairbanks
Date of Offense	08/05/2011

Party Charge Disposition

Disposition Date	
Disposition	
08/10/2011	
PTRP: Probation Modified/Continued	

4FA-99-00052CR State of Alaska vs. Mitchell, Gabrielle R WRS

Case Type	Crim Dist Ct Misd (4FA)		
Case Status:	Closed		
File Date:	01/06/1999	Case Judge:	Smith, William Ronald
		Next Event:	

All Information Party Charge Docket Financial Financial Dockets

Party Charge Information

Mitchell, Gabrielle R - Defendant

Charge # 1 :

zAS2835030 #3 - Misdemeanor Conversion DWI

Original Charge zAS2835030 #3 DWI (Misdemeanor Conversion)
Indicted Charge
Amended Charge
DV Related?
Modifiers None
Stage Date 01/06/1999

ATN # 102325239
Tracking # 001
Offense Location
Date of Offense 01/06/1999

Party Charge Disposition

Disposition Date
Disposition
01/06/1999
No Contest Plea Prior to Conversion

4FA-07-00803CR State of Alaska vs. Mitchell, Gabrielle R RF

Case Type	Crim Dist Ct Misd (4FA)		
Case Status:	Closed		
File Date:	03/16/2007	Case Judge:	Funk, Raymond
		Next Event:	

All Information Party Charge Event Docket Financial Checks Receipt Financial Dockets

Party Charge Information**Mitchell, Gabrielle R - Defendant****Charge # 1 :****AS2835030A1-V1 - Class A Misdemeanor** AS28.35.030(a)(1): DUI- Alcohol Or Contr Subst

Original Charge AS2835030A1-V1 AS28.35.030(a)(1): DUI- Alcohol Or Contr Subst (Class A Misdemeanor)
Indicted Charge
Amended Charge
DV Related?
Modifiers None
Stage Date 03/16/2007

ATN # 110282553
Tracking # 001
Offense Location Fairbanks
Date of Offense 03/16/2007

Party Charge Disposition
Disposition Date
Disposition 08/22/2007
Guilty Conviction After No Contested Plea

Mitchell, Gabrielle R - Defendant**Charge # 2 :****13AAC02275B - Infraction (Non-Criminal)** 13AAC02.275(b): Speeding (10-19 MPH Over)

Original Charge 13AAC02275B 13AAC02.275(b): Speeding (10-19 MPH Over) (Infraction (Non-Criminal))
Indicted Charge
Amended Charge
DV Related?
Modifiers None
Stage Date 03/16/2007

ATN # 110282553
Tracking # 002
Offense Location Fairbanks
Date of Offense 03/16/2007

Party Charge Disposition
Disposition Date
Disposition 08/22/2007
Dismissed by Prosecution (CrR43(a)(1))

Mitchell, Gabrielle R - Defendant**Charge # 3 :****13AAC02200A - Infraction (Non-Criminal)** 13AAC02.200(a): Improper Position/Method Turning Right

Original Charge 13AAC02200A 13AAC02.200(a): Improper Position/Method Turning Right
Indicted Charge
Amended Charge
DV Related?
Modifiers None
Stage Date 03/16/2007

ATN # 110282553
Tracking # 003
Offense Location Fairbanks
Date of Offense 03/16/2007

Party Charge Disposition
Disposition Date
Disposition 08/22/2007
Dismissed by Prosecution (CrR43(a)(1))

Mitchell, Gabrielle R - Defendant**Charge # 4 :****AS2822019 - Minor Off per Bail or Fine Schedule (Non-Criminal)** AS28.22.019: Proof Of Insurance To Be Carried And Exhibited On Demand

Original Charge AS2822019 AS28.22.019: Proof Of Insurance To Be Carried And Exhibited On Demand (Minor Off per Bail or Fine Schedule (Non-Criminal))
Indicted Charge
Amended Charge
DV Related?
Modifiers None
Stage Date 03/16/2007

ATN # 110282553
Tracking # 004
Offense Location Fairbanks
Date of Offense 03/16/2007

Party Charge Disposition
Disposition Date
Disposition 08/22/2007
Dismissed by Prosecution (CrR43(a)(1))