

CASE REPORT

NO. C359096

Violation Class	COURT DISPOSITION										
	Plea (Circle)			Found (Circle)					Fine	Cost	Jail
1. 2	G	NG	NC	G	NG	DP	DS	DISM	\$	\$	
2.	G	NG	NC	G	NG	DP	DS	DISM	\$	\$	
3.	G	NG	NC	G	NG	DP	DS	DISM	\$	\$	
4.	G	NG	NC	G	NG	DP	DS	DISM	\$	\$	

JUDGE	TOTAL(S)
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Assisted by:	Evidence seized: Desc/Dispo	Subject Armed Yes No XX	Case Initiated Patrol XX Citizen OGT Other
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Other parties involved

1. Dennis M. Taubitz	DOB: [REDACTED]	Cite No. C358805	Off. Hancock
2.	DOB:	Cite No.	Off.
3.	DOB:	Cite No.	Off.
4.	DOB:	Cite No.	Off.

NARRATIVE: I saw a Dvorak's Vehicle and trailer parked in the parking lot at the boat ramp of Clear Creek Reservoir State Wildlife Area. I saw two men paddling away from shore in kayaks. I watched the pair for quite a while and it was evident that the younger man was teaching the older man how to roll his kayak. Later they went to shore and one of them retrieved a different kayak. As he was headed to shore from the trailer, I made contact. I asked if they were having a good day and they replied they were. I asked who was getting trained and who was training, and Mr. Taubitz said he was being trained. I asked Mr. Niven if he worked for Dvorak and he said yes. I asked if he was being paid to teach Mr. Taubitz and he said yes. I asked Mr. Taubitz if he was paying for his lessons and he said yes. I then asked if either of them had a habitat stamp, and they said no. I then advised Mr. Niven that he was commercially providing services on a State Wildlife Area without a permit, and both men were there without habitat stamps. We discussed the issue at length and Mr. Niven tried very hard to get me to let them go with a warning. I advised Mr. Niven that my partner, Charlie Blake, Wildlife Technician from Buena Vista, had contacted another Dvorak guide earlier in the week and advised him of the laws and told him not to use the State Wildlife Area without a permit. Officer Blake said the guide told him he would go directly back to Bill Dvorak and advise him he had been contacted and warned. Mr. Niven said he had not heard about that. I said it was Dvorak's job to keep his employees informed, and that the Division of Wildlife had done all it could to inform their company of the laws. Mr. Niven asked for my supervisor's phone number and I gave it to him. He tried to call Jim Aragon but got no answer, so left Officer Aragon a message. I issued Mr. Niven a ticket for no habitat stamp as well as commercial operation on a State Wildlife area without a permit.

AGGRAVATING/MITIGATING CIRCUMSTANCES
 The company has been warned just this past week not to do this. Mr. Dvorak has contacted Area Supervisor Jim Aragon attempting to get permits to operate on State Wildlife Areas without success. Mr. Dvorak has also contacted Wildlife Commissioner Tim Glenn to discuss the issue with him, but still no permits will be issued. Mr. Dvorak is well aware of the laws requiring a commercial permit as well as habitat stamps.

Ethnic Code 1

NAME (Last, First)

The above report is true and correct.

_____	07-01-08
Officer's signature	Date
_____	_____
AWM's signature	Date

Pappenfort, Stew

From: Hancock, Randy
Sent: Thursday, December 18, 2008 6:18 PM
To: Pappenfort, Stew
Subject: Dvorak citation

I issued a ticket to an employee of Dvorak's for utilizing a state wildlife area without a permit. See attached case report. The defendant, a guide for Dvorak's, was from Ireland and left the country and did not make his court appearance. There is a warrant for his arrest. Ticket number is C359096 issued 6-29-08 to David R. Niven c/o Dvorak's Rafting Company. Charges were 33-6-113.5-1, unlawfully providing services for compensation on a property owned or managed by Division of Wildlife without a permit. Second charge was Wildlife Commission Regulation 002-I, Defendant did unlawfully enter a state wildlife area (Clear Creek SWA) without a habitat stamp. The client, Dennis Taubitz, was issued a ticket for no habitat stamp (Citation C358805).

Any questions, give me a call.

Randy Hancock
P.O. Box 990
Buena Vista, Co 81211
719-539-8413

12/19/2008