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IN THE THIRD DISTRICT COURT, SALT LAKE DEPARTMENT
IN AND FOR THE COUNTY OF SALT LAKE, STATE OF UTAH

THE STATE OF UTAH

Plaintiff,

vs.

JONATHAN MARTINEZ CALATA
DOB: 09/11/2002
898 W MERIDIAN CIR
Taylorsville, UT 84123
OTN#: 65218331
SO#: 443830
SID#/BCI#:
Booking#: 23044898

Defendant.

Screened by: MORGAN VEDEJS
Assigned to: TO BE ASSIGNED

INFORMATION

DAO # 23.020506

BAIL: NO BAIL WARRANT

WARRANT/RELEASE: IN JAIL PRD
10/12/2023

Case No.

The undersigned Officer G. Penrose - Granite School Police Department, Agency Case No. 23-006287, upon a written declaration states on information and belief that the defendant, JONATHAN MARTINEZ CALATA, committed the crime(s) of:

COUNT 01

ATTEMPTED AGGRAVATED KIDNAPPING, 76-5-302(3)(B), a Second Degree Felony, as follows: That on or about October 9, 2023 through October 9, 2023 in Salt Lake County, the defendant did attempt to in the course of committing a kidnapping:

(a) uses or threatens to use a dangerous weapon; or

(b) acts with the intent to:

(i) hold the victim for ransom or reward, as a shield or hostage, or to compel a third person to engage in particular conduct or to forbear from engaging in particular conduct;

(ii) facilitate the commission, attempted commission, or flight after commission or attempted commission of a felony;

- (iii) hinder or delay the discovery of or reporting of a felony;
- (iv) inflict bodily injury on or to terrorize the victim or another individual;
- (v) interfere with the performance of any governmental or political function; or
- (vi) commit a sexual offense as described in Title 76, Chapter 5, Part 4, Sexual Offenses.

COUNT 02

UNLAWFUL ACQUISITION, POSSESSION OR TRANSFER OF A FINANCIAL TRANSACTION CARD, 76-6-506.3(1), a Third Degree Felony, as follows: That on or about October 9, 2023 through October 9, 2023 in Salt Lake County, the defendant did acquire a financial transaction card from another without the consent of the card holder or the issuer;

- (b) receive a financial transaction card with intent to use it in violation of Utah Code § 76-6-506.2;
- (c) sell or transfer a financial transaction card to another person with the knowledge that it would be used in violation of Utah Code § 76-6-506.2;
- (d)(i) acquire a financial transaction card that the defendant knew was lost, mislaid, or delivered under a mistake as to the identity or address of the card holder; and
- (ii)(A) retain possession with intent to use it in violation of Utah Code § 76-6-506.2; or
- (B) sell or transfer a financial transaction card to a person with knowledge that the financial transaction card would be used in violation of Utah Code § 76-6-506.2; or
- (e) possess, sell, or transfer any information necessary for the use of a financial transaction card, including the credit number of the card, the expiration date of the card, or the personal identification code related to the card:
 - (i)(A) without the consent of the card holder or the issuer; or
 - (B) with the knowledge that the information had been acquired without consent of the card holder or the issuer; and
 - (ii) with intent to use the information in violation of Utah Code Ann. §76-6-506.2

COUNT 03

UNLAWFUL ACQUISITION, POSSESSION OR TRANSFER OF A FINANCIAL TRANSACTION CARD, 76-6-506.3(1), a Third Degree Felony, as follows: That on or about October 9, 2023 through October 9, 2023 in Salt Lake County, the defendant did acquire a financial transaction card from another without the consent of the card holder or the issuer;

- (b) receive a financial transaction card with intent to use it in violation of Utah Code § 76-6-506.2;
- (c) sell or transfer a financial transaction card to another person with the knowledge that it would be used in violation of Utah Code § 76-6-506.2;
- (d)(i) acquire a financial transaction card that the defendant knew was lost, mislaid, or delivered under a mistake as to the identity or address of the card holder; and
- (ii)(A) retain possession with intent to use it in violation of Utah Code § 76-6-506.2; or
- (B) sell or transfer a financial transaction card to a person with knowledge that the financial transaction card would be used in violation of Utah Code § 76-6-506.2; or
- (e) possess, sell, or transfer any information necessary for the use of a financial transaction card, including the credit number of the card, the expiration date of the card, or the personal identification code related to the card:
 - (i)(A) without the consent of the card holder or the issuer; or
 - (B) with the knowledge that the information had been acquired without consent of the card holder or the issuer; and
 - (ii) with intent to use the information in violation of Utah Code Ann. §76-6-506.2

COUNT 04

UNLAWFUL ACQUISITION, POSSESSION OR TRANSFER OF A FINANCIAL TRANSACTION CARD, 76-6-506.3(1), a Third Degree Felony, as follows: That on or about October 9, 2023 through October 9, 2023 in Salt Lake County, the defendant did acquire a financial transaction card from another without the consent of the card holder or the issuer;

(b) receive a financial transaction card with intent to use it in violation of Utah Code § 76-6-506.2;

(c) sell or transfer a financial transaction card to another person with the knowledge that it would be used in violation of Utah Code § 76-6-506.2;

(d)(i) acquire a financial transaction card that the defendant knew was lost, mislaid, or delivered under a mistake as to the identity or address of the card holder; and

(ii)(A) retain possession with intent to use it in violation of Utah Code § 76-6-506.2; or

(B) sell or transfer a financial transaction card to a person with knowledge that the financial transaction card would be used in violation of Utah Code § 76-6-506.2; or

(e) possess, sell, or transfer any information necessary for the use of a financial transaction card, including the credit number of the card, the expiration date of the card, or the personal identification code related to the card:

(i)(A) without the consent of the card holder or the issuer; or

(B) with the knowledge that the information had been acquired without consent of the card holder or the issuer; and

(ii) with intent to use the information in violation of Utah Code Ann. §76-6-506.2

COUNT 05

UNLAWFUL ACQUISITION, POSSESSION OR TRANSFER OF A FINANCIAL TRANSACTION CARD, 76-6-506.3(1), a Third Degree Felony, as follows: That on or about October 9, 2023 through October 9, 2023 in Salt Lake County, the defendant did acquire a financial transaction card from another without the consent of the card holder or the issuer;

(b) receive a financial transaction card with intent to use it in violation of Utah Code § 76-6-506.2;

(c) sell or transfer a financial transaction card to another person with the knowledge that it would be used in violation of Utah Code § 76-6-506.2;

(d)(i) acquire a financial transaction card that the defendant knew was lost, mislaid, or delivered under a mistake as to the identity or address of the card holder; and

(ii)(A) retain possession with intent to use it in violation of Utah Code § 76-6-506.2; or

(B) sell or transfer a financial transaction card to a person with knowledge that the financial transaction card would be used in violation of Utah Code § 76-6-506.2; or

(e) possess, sell, or transfer any information necessary for the use of a financial transaction card, including the credit number of the card, the expiration date of the card, or the personal identification code related to the card:

(i)(A) without the consent of the card holder or the issuer; or

(B) with the knowledge that the information had been acquired without consent of the card holder or the issuer; and

(ii) with intent to use the information in violation of Utah Code Ann. §76-6-506.2

COUNT 06

PURCHASE, TRANSFER, POSSESSION OR USE OF A DANGEROUS WEAPON BY RESTRICTED PERSON (Weapon on School Premises), 76-10-503(3)(B), a Class A Misdemeanor,

as follows: That on or about October 9, 2023 in Salt Lake County, the defendant did being a Category II restricted person, intentionally or knowingly purchase, transfer, possess, use, or have under the person's custody or control any dangerous weapon other than a firearm. NOTICE IS GIVEN pursuant to Utah Code 76-1-601 that the above defendant is subject to an enhanced penalty as provided in that section because the defendant possessed a dangerous weapon on or about school premises, and used or threatened to use the dangerous weapon.

COUNT 07

POSSESSION OF A CONTROLLED SUBSTANCE SCHEDULE I/II/ANALOG, 58-37-8(2)(B)(II), a Class A Misdemeanor, as follows: That on or about October 9, 2023 through October 9, 2023 in Salt Lake County, the defendant did knowingly and intentionally possess or use a controlled substance classified in Schedule I or II or a controlled substance analog, unless it was obtained under a valid prescription or order, directly from a practitioner while acting in the course of the person's professional practice, or as otherwise authorized by this chapter.

COUNT 08

POSSESSION OR USE OF A CONTROLLED SUBSTANCE MARIJUANA, 58-37-8(2)(D), a Class B Misdemeanor, as follows: That on or about October 9, 2023 through October 9, 2023 in Salt Lake County, the defendant did knowingly and intentionally possess or use a controlled substance analog or a controlled substance without a valid prescription.

COUNT 09

CRIMINAL TRESPASS UPON SCHOOL PROPERTY, 53G-8-603, a Class B Misdemeanor, as follows: That on or about October 9, 2023 through October 9, 2023 in Salt Lake County, the defendant did , enter or remain unlawfully upon school property, and:

- (a)(i) intends to cause annoyance or injury to a person or damage to property on the school property;
- (ii) intends to commit a crime; or
- (iii) is reckless as to whether the person's presence will cause fear for the safety of another; or
- (b) enters or remains without authorization upon school property if notice against entry or remaining has been given by:
 - (i) personal communication to the person by a school official or an individual with apparent authority to act for a school official;
 - (ii) the posting of signs reasonably likely to come to the attention of trespassers;
 - (iii) fencing or other enclosure obviously designed to exclude trespassers; or
 - (iv) a current order of suspension or expulsion. NOTICE IS GIVEN pursuant to Utah Code 76-1-601 that the above defendant is subject to an enhanced penalty as provided in that section because the defendant possessed a dangerous weapon on or about school premises, and used or threatened to use the dangerous weapon.

THIS INFORMATION IS BASED ON EVIDENCE OBTAINED FROM THE FOLLOWING WITNESSES:

C. Mitchener, R. Hatch, G. Penrose, P. Afonso, L. Dial, J.Taylor, M.M.B.P., A.C.H.V. and J.J.

DECLARATION OF PROBABLE CAUSE:

Your Declarant bases the Information upon the following:

Your affiant bases probable cause on information and evidence collected by Granite School District Police Department, Case No. 23-006287, and the following:

The statement of 16-year-old A.H.V. that on or about October 9, 2023, in Salt Lake County an unknown male threatened and attempted to kidnap her. A.H.V. stated that she and her friend were eating their lunch away from school when they were approached by two unknown males, one of whom was later identified as JONATHAN MARTINEZ CALATA. The males spoke to them, and CALATA asked A.H.V. and her friend to go back to his house and they said no. A.H.V. and her friend began walking together back to the school and CALATA and the other male followed them. CALATA told A.H.V.'s friend that she could leave, but he had chosen A.H.V. CALATA told A.H.V. that he had been sent by her father to pick her up. A.H.V. and her friend were afraid that CALATA and the other male might act violently towards them. As they were walking CALATA placed his hand inside the backpack he was carrying and told A.H.V. "Let's go". A.H.V. was afraid that CALATA had a weapon and was going to hurt them. Other friends of A.H.V. joined them as they walked back to the school and CALATA told A.H.V. that she needed to come with him, or he would hurt the friends that had joined them. CALATA began recording the group with his phone as they walked. The other male followed behind them the whole time and A.H.V. felt as if he was preventing them from escaping. CALATA continued to follow the girls back into the school where he was confronted by Granite School District Police.

The statement of Officer G. Penrose with Granite School District Police Department that upon search incident to arrest CALATA was found to have four financial transaction cards bearing two separate names, both of which were not consistent with CALATA. Officers also found a set of brass knuckles, a bag of orange unmarked pills that field tested positive for amphetamines, and a THC vape pen, which field tested positive for THC.

The statement of J.J. that his American Express card had been stolen. This card was found in CALATA's possession.

The statement of T.H., the school principal, that CALATA was not welcome on Granger High School property and was trespassing when he followed the girls through the front doors of the school.

MOTION FOR NO BAIL HOLD:

Pursuant to Utah Code 77-20-201(1) the State requests that Defendant be held without bail until further notice in this matter on the following grounds:

[] The defendant is charged with a felony and there is substantial evidence supporting the charge and clear and convincing evidence that the defendant would constitute a substantial danger to any other individual or to the community, or is likely to flee the jurisdiction of the court, if released on bail;

In this case, the defendant approached two young women, attempted to convince them to come with them, and even made threatening gestures and threats to their friends if they did not comply. When questioned by police the defendant admitted to following the girls and allowed police to view the video that he took on his phone as he followed them. Surveillance videos from surrounding businesses and the school also show the defendant and his friend with the girls. Several financial cards were found in the defendant's possession, some of which the victim confirmed were reported stolen. The defendant was also found to have a dangerous weapon on his person while on school premises and while he was in possession of a THC (marijuana) pen and a bag of orange pills that were field tested positive for amphetamines. The school principal confirmed that the defendant did not have a reason or permission to be on school property and that he was trespassing.

The defendant had a dangerous weapon in his possession while threatening children and trying to force the victim to come with him despite her telling him no, and not knowing him. Further, when showing police the video he took while following the girls he asked the officer "Did you see how scared they were?" while smiling. The defendant clearly intended to get the victim alone while being aware that she was not an adult and that he was older, he even told the victim while discussing age that he was much older, but age doesn't matter. The defendant also was not afraid to enter the school property and even approached an officer to request assistance in convincing the victim to leave with him. The defendant clearly poses a threat to the community, especially to underage girls, and is likely to try again to convince an underage girl to go with him to an unknown location if he were to be released to the community.

REQUEST FOR ISSUANCE OF A WARRANT:

The State hereby request that the Court issue a Warrant of Arrest in the above-entitled case.

Pursuant to Utah Code Annotated § 78B-18a-106 (2018) I declare under criminal penalty of the State of Utah that the foregoing is true and correct to the best of my belief and knowledge.

Executed on: 20th day of October, 2023

/s/ GARRETT PENROSE
Declarant

Authorized for presentment and filing

SIM GILL, District Attorney

/s/ Morgan Vedejs
Deputy District Attorney
20th day of October, 2023
MV / HP / DAO # 23.020506

OTHER PENDING CASES FOR THE DEFENDANT

Court	Court Case #	Trial Judge	DAO #	Charge
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