

# State v. Teppert

## Additional Case Names

Webex - 9:45 am

### Case Number

S-19-0688

### Case Audio

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### Call Date

September 29, 2020

### Case Time

9:00 AM

### Court Number

Scotts Bluff

### Case Location

Lincoln

### Court Type

District Court

### Case Summary

## **S-19-0688 State v. Aaron Teppert (Appellant)**

Scotts Bluff County District Court, Judge Andrea Miller

Attorneys: Matthew Lewis (Attorney General's Office) --- Darin J. Knepper (Public Defender's Office)(Appellant)

Criminal: Plea; DWI, 4<sup>th</sup> offense; DUS; prior conviction enhancement

Proceedings below: Appellant was convicted based on his plea of no contest and sentenced on Count I to 3 years of probation, 120 days in jail; a \$2,000 fine, and a 15 year license revocation. On Count II, he was sentenced to 60 days in jail and a \$137 fine, to be served concurrently.

Issues: It is plain error for a court to use a defendant's prior conviction for enhancement of a subsequent DUI where the record lacks proof that he was represented by counsel when the conviction was obtained, or that the defendant waived that right voluntarily, knowingly and intelligently, even if the defendant admits he has a prior conviction.

### Schedule Code

SC

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