

**DISTRICT COURT**  
**OF THE**  
**SECOND JUDICIAL DISTRICT**  
**STATE OF UTAH**

JUDGES  
JAMES N. KIMBALL  
GEORGE S. BARKER  
JOSEPH E. EVANS  
DISTRICT ATTORNEY

**OGDEN, UTAH**

OFFICIAL REPORTERS  
HAROLD J. PACKER  
SIMON BARLOW  
LAWRENCE A. VAN DYKE  
CLERK  
WEBER COUNTY

February 14, 1923.

State v. David S. Hogge.

Honorable State Board of Pardons,  
Salt Lake City.

Gentlemen:

This defendant was charged by an information filed by the District Attorney in the District Court of Weber County with the crime of grand larceny. The offense was committed by stealing a variety of merchandise from the store of S. J. Burt & Bros., in Ogden City, where the defendant was employed as porter.

The information was filed on January 24th, 1923; on the 27th of January the defendant was arraigned upon the information and entered a plea of guilty to the charge. On the same day he was adjudged to be imprisoned in the state prison for a term of not less than one nor more than ten years.

This is the second time this defendant has been sent to the state prison. The first, as I am informed, was a sexual offense. I am not informed as to how long he served; but, at any rate, he was either paroled or his sentence terminated before the expiration, as I am informed, of the minimum of the sentence.

I have known this man personally for a good many years. He is not a bad man at heart, and I do not know of his ever having been implicated in any offense against property until this time. I believe that if mercy were shown him it would have a better effect, so far as he is personally concerned, than to retain him in prison for any great length of time. Under all of the circumstances I recommend that he serve at least one year of his sentence and then be released.

Yours respectfully,

*James N. Kimball*