



Ellis Municipal Court Dates

Municipal Court Arraignments, Trials, etc. are held on the first and third Friday of each month at 8:00 a.m. unless that Friday falls on a holiday. In this case the Judge, City Prosecutor and Court Clerk will determine the re-schedule date.



MUNICIPAL COURT

INFORMATION BROCHURE

**City of Ellis
Municipal Court**

785.726.4812

NOTICE TO ALL DEFENDANTS

Judge Ross Wichman

The Municipal Judge, Ross Wichman, is also a lawyer in the private practice of Anderson & Wichman Attorneys at Law. If you are represented by Ross Wichman or have any matter currently pending in any court in which Mr. Wichman is involved, you should inform the court clerk.

City Prosecutor Olavee Raub

The Prosecutor for the City of Ellis is Olavee Raub, who is employed with the law office of Olavee F. Raub, LLC. If you are represented by Ms. Raub or have any matter currently pending in any court in which Ms. Raub is involved, you should inform the court clerk.

Municipal Court Information for Defendants

1. INITIAL APPEARANCE: Your first appearance in Municipal Court is for the purpose of arraignment to enter a plea to the charges. The possible pleas are as follows:
 - a. **Not Guilty** - If you enter a not guilty plea your case will be set for trial at a later date. You may request to speak with the prosecutor before trial. You should keep in mind that you cannot be required to tell the prosecutor any of the facts and that statements made to the prosecutor can be used as evidence against you.

- b. **Guilty** - If you enter a plea of guilty you will be found guilty without a trial and a sentence will be imposed. After your plea, you may choose to present to the Court information in mitigation of the sentence.

- c. **No Contest** - Although a no contest plea is entered without an admission of guilt, the defendant does not contest the facts and will be found guilty without a trial and sentence will be imposed. As with a plea of guilty you may present mitigating matters to the Court.

2. WITNESSES: You may have a subpoena issued to require a witness to appear to testify at your trial. You must request that from the court clerk before your trial and you must provide the name and address of the witness to be subpoenaed.

3. TRIAL PROCEDURE: The order of the trial is as follows:

- a. *Opening Statement*—Both the City and the defendant may make a brief statement of what each intends to prove.

- b. *City's Evidence*—The City will present witnesses to testify and/or other evidence such as maps, pictures, etc. The defendant may cross-examine each witness.

- c. *Defendant's Evidence*—The defendant may present witnesses to testify (including the defendant's own testimony) and/or other evidence such as maps, pictures, etc. The prosecutor may cross examine each witness.

- d. *Closing Arguments*—Both the City and the defendant have the opportunity to tell the Court why their evidence has proven or disproved the elements of the charge.

- e. *Finding*—The Court will enter a finding of guilty or not guilty.

- f. *Sentence*—If the defendant is found guilty, the Court will impose a sentence, usually a fine. (If the sentence is likely to result in a jail term, the defendant will be notified of the right to a lawyer before trial.)

4. MOTIONS AND OBJECTIONS: At any appropriate time the defendant may object to the admissibility of evidence or make appropriate motions.

5. APPEAL: If the defendant files a written notice of appeal within fifteen days after conviction and sentencing, the appeal will be set for trial de novo (anew) in District Court and an appeal bond will be set. Except for traffic infractions which are tried to the court, the trial on appeal may be to a jury.



CITY OF ELLIS MUNICIPAL COURT

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