



U.S. Department of Justice

Carlie Christensen

**United States Attorney
District of Utah**

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CONTACT: MELODIE RYDALCH
U. S. Attorney's Office
801-325-3206
801-243-6475 (cell)

NEWS RELEASE
***JESSOP CONVICTED OF OPERATING
OFF-ROAD VEHICLE ON CLOSED ROAD***

SALT LAKE CITY – U.S. Magistrate Judge Robert T. Braithwaite found Dan M. Jessop, age 63, of Hurricane guilty of operating an off-road vehicle on federal public land closed to off-road vehicle travel following a bench trial Monday in federal court in St. George.

Jessop was ordered to pay a fine of \$125.

Jessop was charged with the misdemeanor violation on May 28, 2006. A BLM Law Enforcement Ranger cited Jessop for motorized travel in a closed area on Canaan Mountain. BLM closed Canaan Mountain to off-road vehicles in September 1980. The trail was clearly marked as closed to motorized vehicles.

Jessop argued that he believed the road was an R.S. 2477 right-of-way and, therefore, remained open because BLM lacked the authority to close it.

Assistant U.S. Attorney Jared Bennett argued that Jessop knew portions of the Broad Hollow Road were closed to off-road vehicles;

intentionally violated the law by driving on those closed portions; and should be held accountable for his conduct.

“We are very pleased with the judge’s decision and believe that it validates our commitment to enforcing the rule of law and prosecuting those who violate it. In this case, Mr. Jessop had an easy choice to make. He could respect the signs marking the road as closed or disobey the law. Mr. Jessop chose to disobey the law because he did not agree with it. Disagreement with the law is not a defense to criminal conduct and Magistrate Judge Braithwaite’s decision finding Mr. Jessop guilty and holding him accountable was the right result,” U.S. Attorney Carlie Christensen said today.

Magistrate Judge Braithwaite stayed imposition of the penalty until any appeal from Jessop is resolved.

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