

IN THE UTAH COURT OF APPEALS

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State of Utah,)	PER CURIAM DECISION	
)		
Plaintiff and Appellee,)	Case No. 20090849-CA	
)		
v.)	F I L E D	
)	(March 17, 2011)	
Stacey Lynn Bradford,)		
)	<table border="1" data-bbox="993 743 1294 793"><tr><td>2011 UT App 80</td></tr></table>	2011 UT App 80
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Defendant and Appellant.)		

Second District, Farmington Department, 081701836
The Honorable Michael G. Allphin

Attorneys: Michael J. Boyle, Ogden, for Appellant
 Mark L. Shurtleff and Jeanne B. Inouye, Salt Lake City, for Appellee

Before Judges McHugh, Thorne, and Christiansen.

PER CURIAM:

¶1 Stacey Lynn Bradford appeals her conviction entered on September 9, 2009. This matter is before the court on the State’s motion to summarily dismiss the appeal. Bradford did not oppose the motion. We dismiss the appeal.

¶2 A fugitive places himself beyond the reach of the judicial system and any ruling cannot be enforced against him. *See State v. Tuttle*, 713 P.2d 703, 704 (Utah 1985). Thus, an appellate court should dismiss a criminal appeal if the defendant becomes a fugitive while the appeal is pending. *See id.* However, if the fugitive later returns to custody, the appeal “may be reinstated unless the State can show that it has been prejudiced by the defendant’s absence and the consequent lapse of time.” *Id.* at 705.

¶3 Bradford filed a timely notice of appeal. During the pendency of her appeal, Bradford violated the terms of her probation and became a fugitive. As a fugitive, Bradford has placed herself beyond the reach of the judicial system and her appeal should be dismissed. *See id.*

¶4 Accordingly, the appeal is dismissed.¹

Carolyn B. McHugh,
Associate Presiding Judge

William A. Thorne Jr., Judge

Michele M. Christiansen, Judge

1. Bradford may seek reinstatement of her appeal if she returns to custody. *See Tuttle*, 713 P.2d at 705.