

1987

Salt Lake City v. Roger Griffin : Reply Brief

Utah Court of Appeals

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Bruce R. Baird; Assistant City Attorney.

Robert Macri; Attorney for Appellant.

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IN THE UTAH COURT OF APPEALS

SALT LAKE CITY,
Plaintiff/Respondent,

vs.

ROGER GRIFFIN,
Defendant/Appellant

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REPLY BRIEF OF APPELLANT

No. 870104 CA
Priority Classification 14B

Appeal from Conviction of Destruction of
Property, Creating a Disturbance and Disturbing
The Peace in 5th Circuit Court for Salt Lake City
Robert Gibson, Judge.

Bruce R. Baird
Assistant City Attorney
324 South State Suite 510
Salt Lake City, Utah 84111
Tel. 535-7788

Robert Macri
Attorney for Appellant
230 South 1000 East
Salt Lake City, Utah 84102
Tel. 364-3018

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COURT OF APPEALS

IN THE UTAH COURT OF APPEALS

SALT LAKE CITY,
Plaintiff/Respondent,

vs.

ROGER GRIFFIN,
Defendant/Appellant

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REPLY BRIEF OF APPELLANT

No. 870294 CA
Priority Classification 14B

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Appeal from Conviction of Destruction of
Property, Creating a Disturbance and Disturbing
The Peace in 5th Circuit Court for Salt Lake City
Robert Gibson, Judge.

Bruce R. Baird
Assistant City Attorney
324 South State Suite 510
Salt Lake City, Utah 84111
Tel. 535-7788

Robert Macri
Attorney for Appellant
230 South 1000 East
Salt Lake City, Utah 84102
Tel. 364-3018

Reply of Appellant

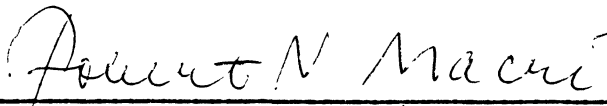
The City Attorney has represented the Plaintiff well. This Court may wish to consider the fact the chief witness against Appellant has stated that this criminal prosecution was a test case. The Judge at sentencing held Appellant's unwillingness to recant himself being called a dumb nigger by one of the witnesses against him enhanced the fine and penalty against him.

When the Defendant walked into the all white courtroom and read the zip codes of the panel and knew the somewhat recently laid-aside religious prejudice against the black, historic antecedents and the like, he recognized that although he was a state employee with no criminal record, with severe physical injuries resulting from an auto accident he had to be granted a jury panel which encompassed persons who could constitutionally recognize equality between a young black male and five white women holed up against his advances (to pay the water bill which he had learned minutes before was threatened with shut-off.) He was clear this was not a jury to believe him constitutionally.

He objected and was informed correctly that a more representative policy had been undergone and he opted to try for fairness under a liberalized policy diluting the power of landowners as judges against the unlanded.

He objects and wishes his objection to be known. By this, we have done that and believe we are entitled by the standard of fairness to which the brief of Respondent kindly alludes to a trial under the change of policy endorsed after State v. Malin. Utah Supreme Court No. 86-0571 (Minute Entry April 30, 1987.)

Dated this 28th December, 1987.



Attorney for Defendant/Appellant

Certificate of Mailing

Two copies of the foregoing Brief of Appellant mailed this 28th December, 1987
70 Bruce R. Baird Assistant City Attorney 324 South State Suite 510 Salt Lake
City, Utah 84111 postpaid.

Robert Macchi