

1986

State of Utah v. Dennis Fixel : Unknown

Utah Supreme Court

Follow this and additional works at: https://digitalcommons.law.byu.edu/byu_sc1



Part of the [Law Commons](#)

Original Brief Submitted to the Utah Supreme Court; digitized by the Howard W. Hunter Law Library, J. Reuben Clark Law School, Brigham Young University, Provo, Utah; machine-generated OCR, may contain errors.

David L. Wilkinson; Attorney General; Attorney for Respondent.

Gregory M. Warner; Aldrich, Nelson, Weight & Esplin; Attorney for Appellant.

Recommended Citation

Legal Brief, *Utah v. Fixel*, No. 860173.00 (Utah Supreme Court, 1986).

https://digitalcommons.law.byu.edu/byu_sc1/1029

This Legal Brief is brought to you for free and open access by BYU Law Digital Commons. It has been accepted for inclusion in Utah Supreme Court Briefs by an authorized administrator of BYU Law Digital Commons. Policies regarding these Utah briefs are available at

http://digitalcommons.law.byu.edu/utah_court_briefs/policies.html. Please contact the Repository Manager at hunterlawlibrary@byu.edu with questions or feedback.



THE ATTORNEY GENERAL
STATE OF UTAH

DAVID L. WILKINSON
ATTORNEY GENERAL

DOCUMENT
KFU
45.9
10
10-1-1987

860173

PAUL M. TINKER
CHIEF DEPUTY ATTORNEY GENERAL

DALLIN W. JENSEN
Solicitor General

DONALD S. COLEMAN, CHIEF
Physical Resources Division

EARL E. DORRIS, CHIEF
Governmental Affairs Division

STUART W. HINCKLEY, CHIEF
Human Resources Division

June 3, 1987

PAUL M. WARNER
ASSOCIATE DEPUTY ATTORNEY GENERAL

STEPHEN G. SCHWENDIMAN, CHIEF
Tax & Business Regulation Division

STEPHEN J. SORENSON, CHIEF
Litigation Division

MICHAEL D. SMITH, CHIEF
Civil Enforcement Division

Mr. Geoffrey J. Butler
Clerk of the Utah Supreme Court
332 State Capitol
Salt Lake City, Utah 84114

Re: State v. Fixel,
Case Nos. 860151 and 860173

Dear Mr. Butler:

I wish to cite to the Court State v. Udell, 728 P.2d 131, 133-34 (Utah 1986), as additional authority in support of the State's argument in Point II of both of its briefs in the Fixel cases (Br. of Resp. (No. 860151) at 6-10; Br. of Resp. (No. 860173) at 6-7) that, in order to obtain a distribution for value conviction, the prosecution need not prove that a defendant has retained for himself part of the money or thing of value he has received in exchange for a controlled substance.

This supplemental authority is submitted pursuant to R. Utah S. Ct. 24(j).

Sincerely,

David B. Thompson
DAVID B. THOMPSON
Assistant Attorney General

DBT:bks

cc: Gregory M. Warner
Michael D. Esplin

FILED

JUN 3 1987

Clerk, Supreme Court, Utah