

1986

William Jay Robbins v. Gerald L. Cook : 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; Sandra L. Sjogren.

William Jay Robbins; pro se.

Recommended Citation

Legal Brief, *William Jay Robbins v. Gerald L. Cook*, No. 860201.00 (Utah Supreme Court, 1986).
https://digitalcommons.law.byu.edu/byu_sc1/1083

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.

15.9
80

IN THE SUPREME COURT
STATE OF UTAH

860201

-----0000000000-----

William Jay Robbins

Defendant and
Appellant, pro se

vs.

Case No. 860201

Gerald L. Cook, Warden,
Main Facility, Utah State
Prison; David L. Wilkinson,
Utah State Attorney General

Plaintiffs and
Respondents

-----0000000000-----

PAPER

-----0000000000-----

COMMENT ON BRIEF OF RESPONDENT

APPEARANCES

David L. Wilkinson
Attorney General
Sandra L. Sjogren
236 State Capitol Building
Salt Lake City, Utah 84114

William Jay Robbins
Defendant and Appellant, pro se
Box 250
Draper, Utah 84020

DEC 23 1986

COMMENT

Respondents Brief indicates in Summary that "defendant's claim of double punishment was not raised in the lower court and cannot be considered on appeal." Respondents further indicate in Argument that "defendants claim of unconstitutionality is raised for the first time in this appeal and was not an issue upon which Judge Cornaby ruled."

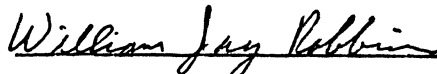
Actually, Appellant twice raised the issue in the lower court. Once in paragraph six (6) of his Motion for Correction of Sentencing Error and again in paragraph five (5) of his Memorandum of Facts. Additionally, both documents were included in the Addendum to Appellants Brief now before this Court.

CONCLUSION

Appellant believes the double punishment issue should be considered on its own merits notwithstanding the State's position that it cannot be considered by this Court.

CERTIFICATE OF MAILING

I hereby certify that I mailed a true and exact copy of the foregoing Paper, postage prepaid, to Sandra Sjogren, Assistant Attorney General, 236 State Capitol Building, Salt Lake City, Utah 84114 this 17 day of December, 1986.



William Jay Robbins
Appellant pro se