

1986

State of Utah v. Robert M. Gabaldon : Brief of Appellant

Utah Supreme Court

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Utah State Attorney General; Attorney for Respondent.

Thomas L. Willmore; Harris, Preston, Gutke & Chambers; Attorney for Appellant.

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STATE of Utah

PLAINTIFF AND RESPONDENT

VS.

ROBERT M. GABALDON

DEFENDANT AND APPELLANT

BRIEF of APPELLATE

NO. 860373

Clerk, Supreme Court, Utah

DEAR SIRs, this is my ADDITIONAL
INFORMATION ON my behalf of my APPEAL
I ALSO feel I WAS ALSO MISREPRESENTED
by MR. THOMAS WILLMORE. At the time of my
TRAIL. AND that the ADVICE he GAVE me
WAS WRONG. ON ONE OCCASION I told him
About the MONEY that WAS ON ME. I had
got it from my UNEMPLOYMENT INSURANCE
I had told him SEVERAL times to
MENTION this in my behalf in the TRAIL
But he DECLINED to do so. AND did NOT
MENTION it what so EVER. ANOTHER WAS
the PADLOCK. I had bought a PADLOCK
that day. AND GAVE OFFICER CROCKETT the
RECIET. Showing him that I had bought
A PADLOCK that day. WHEN I WAS
ASKED About the PADLOCK I WAS NOT
SHOWN the lock. I WAS JUST ASKED
About it. WHEN I ANSWERED they then
PULLED the lock out AND showed it to
ME. I then told them that that WAS
NOT the lock I PURCHASED. But I had
PURCHASED a lock that was...

PRESENTED A RECEIPT TO PROVE I DID.
I TOLD MR. WILLMORE ABOUT THIS. BUT
HE MADE NO EFFORT TO DEFEND ME ON
THIS. HE ALSO ONLY SEEN ME TWICE BEFORE
THE TRIAL AND DID NOT TAKE THE RIGHT
AMOUNT OF TIME TO PREPARE FOR THE TRIAL.
I TRIED SEVERAL TIMES TO CONTACT HIM
FROM THE CACHE COUNTY JAIL. BUT COULD
NOT GET IN TOUCH WITH HIM. THE ONLY
WAY OF CALLING HIM WAS COLLECT BECAUSE
THAT WAS THE ONLY PHONE SERVICE IN THE
PLACE. AND HE DECLINED TO ACCEPT MY COL
CALLS. THE TESTIMONY FROM THE PLAINTIFFS
WERE ALL MIXED UP. EVERY TIME THEY
TESTIFIED. THEY CHANGED THEIR STORY.
BUT WHAT IT COMES DOWN TO IS THAT
I NEVER HAD POSSESSION OR THE INTENT
TO DEPRIVE ANYBODY OF ANYTHING. NOR
DID I HAVE KNOWLEDGE OR HAD I
BELIEVED THE PROPERTY WAS STOLEN. AS
BASED ON WHAT HAS HAPPENED I
BELIEVED THAT MY CONVICTION SHOULD
BE CHANGED TO NOT GUILTY.

THANK-YOU FOR LISTEN
ROBERT GABALDC
~~Robert Gabald~~