

1987

Utah v. Stilling

Utah Supreme Court

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870094

FILED

MAY 18 1988

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Salt Lake City, Utah 84114

RE: State v. Stillings
Case No. 870094

Dear Geoffrey:

In preparing for oral argument in the above-referenced case, I have found the following supplemental authorities for Point V of the State's brief (pp. 36-37), regarding appellant's sentencing under Utah's habitual criminal statute. Pursuant to Rule 24(j), Rules of the Utah Supreme Court, please bring these authorities to the attention of the justices.

1. Utah Code Ann. § 76-1-8 (1953) (former statute)
2. Zeimer v. Turner, 14 Utah 2d 232, 381 P.2d 721, 722-23 (1963).
3. Clark v. Turner, 19 Utah 2d 210, 429 P.2d 262 (Utah 1967).
4. Clark v. Turner, 283 F. Supp. 909, 910-13 (D. Utah 1968).
5. State v. Nielson, 25 Utah 2d 11, 474 P.2d 725, 725-26 (1970).
6. State v. Montague, 671 P.2d 187, 190 (Utah 1983).
7. Moore v. Missouri, 159 U.S. 673, 676-77 (1895).

Geoffrey Butler
May 17, 1988
Page Two

8. McDonald v. Massachusetts, 180 U.S. 311, 312-13 (1901).
9. Gryger v. Burke, 334 U.S. 1256, 1258 (1948).
10. State v. Smith, 146 N.E.2d 86, 87-88 (1957), cert. denied, 357 U.S. 909 (1958).

Thank you for your consideration of this matter.

Very truly yours,



EARL F. DORIUS
Assistant Attorney General

EFD/cwc

cc: James C. Bradshaw, Esq.
Joan C. Watt, Esq.