

1990

Utah v. Caroline Thelma Nunley : Unknown

Utah Court of Appeals

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R. Paul Van Dam; Attorney General for the State of Utah; Attorneys for Plaintiff/Appellee.

Stephen R. McGaughey; Attorney for Defendant/Appellant.

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DOCKET NO.

R. PAUL VAN DAM - ATTORNEY GENERAL

36 N. OF CAPITOL • SALT LAKE CITY, UTAH 84111 • TELEPHONE: 801-538-1015 •

JOSEPH E. TESCH
CHIEF DEPUTY ATTORNEY GENERAL

FILED

March 12, 1991

MAR 12 1991

Mary T. Noonan
Clerk of the Court
Utah Court of Appeals
400 Midtown Plaza
230 South 500 East
Salt Lake City, Utah 84111

Mary T. Noonan
Clerk of the Court
Utah Court of Appeals

Re: State v. Caroline Thelma Nunley,
Case No. 900283-CA

Dear Ms. Noonan:

The appellant's attorney in the above entitled case, in harmony with Anders v. California, 386 U.S. 738 (1967), has stated, in the Brief of Appellant, that it is his opinion that the appeal is frivolous. Counsel has requested that he be allowed to withdraw. The State believes that the brief filed by appellant's counsel is in substantial compliance with the requirements of State v. Clayton, 639 P.2d 168 (Utah 1981), and agrees that the appeal is frivolous.

The State requests that the Court accept this letter as a formal response in lieu of filing a brief and proceed to dismiss the appeal. If the Court desires a further response, our office will gladly comply upon request.

Very truly yours,

DAVID B. THOMPSON
Assistant Attorney General
Chief, Criminal Appeals Division

DBT:bks

cc: Stephen R. McCaughey