

Brigham Young University Law School
BYU Law Digital Commons

Utah Court of Appeals Briefs (2007–)

2017

Utah v. Lopez

Utah Court of Appeals

Follow this and additional works at: https://digitalcommons.law.byu.edu/byu_ca3



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.

Recommended Citation

Legal Brief, *Utah v Lopez*, No. 20160752 (Utah Court of Appeals, 2017).
https://digitalcommons.law.byu.edu/byu_ca3/3632

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 Court of Appeals Briefs (2007–) 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.

STATE OF UTAH
OFFICE OF THE ATTORNEY GENERAL



FILED
UTAH APPELLATE COURTS

MAY - 3 2017

SEAN D. REYES
ATTORNEY GENERAL

Spencer E. Austin
Chief Criminal Deputy

Parker Douglas
Chief Federal Deputy
& General Counsel

Tyler R. Green
Solicitor General

Missy W. Larsen
Chief of Staff

Bridget K. Romano
Chief Civil Deputy

May 3, 2017

Ms. Lisa Collins
Clerk, Utah Court of Appeals
PO Box 140230
Salt Lake City, Utah 84114-0230

Re: *State v. Lopez*, case no. 20160752-CA

Dear Ms. Collins:

I write to inform the Court that the State does not concede error in this appeal, but it will not be filing a brief here because of the Criminal Appeals Division's resource constraints and the recent changes in this Court's approach to granting extensions of briefing deadlines.

In the past, this Court addressed each request for extension on its merits in accordance with Utah R. App. P. 22, and without capping in advance the number of extensions it would grant. But several months ago, the Court began capping the number of extensions in all cases at three. To be sure, the Court has since accepted a few briefs filed after that third extension, albeit with language threatening sanctions on plenary review.

The Court's extension orders now state that it will not accept "for any reason" briefs filed after the third deadline extension. And the Utah Supreme Court grants no extensions for cases on certiorari review.

The State lacks the resources to file briefs in every case under these time constraints. This case is one where it has determined not to file a brief.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Brunker", written over a horizontal line.

THOMAS B. BRUNKER
Deputy Solicitor General

cc: Kimberly Trupiano