

1992

Utah v. Thomas R. Herrera and Mikell Sweezey: Unknown

Utah Supreme Court

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Jan Graham; Attorney General; Christine F. Soltis; Assistant Attorney General; Attorneys for Appellee.

Mark R. Moffat; Richard P. Mauro; Joan C. Watt; Salt Lake Legal Defender Assoc.; Lisa J. Remal; Attorneys for Appellants.

Recommended Citation

Legal Brief, *Utah v. Herrera*, No. 920209.00 (Utah Supreme Court, 1992).
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UTAH SUPREME COURT STATE OF UTAH

BRIEF

OFFICE OF THE ATTORNEY GENERAL

CKET NO. 920209



JAN GRAHAM
ATTORNEY GENERAL

FILED

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CLERK SUPREME COURT
UTAH

JOHN F. CLARK
Counsel to the Attorney General

CAROL CLAWSON
Solicitor General

REED RICHARDS
Chief Deputy Attorney General

PALMER DePAULIS
Director of Public Policy & Communications

July 8, 1993

Geoffrey J. Butler
Clerk of the Court
Utah Supreme Court
3432 State Capitol
Salt Lake City, Utah 84114

Re: State v. Thomas R. Herrera, Case No. 920209
State v. Mikell Sweezey, Case No. 920265
(Consolidated Appeals)

Dear Mr. Butler:

In filing the State's brief in the above-entitled consolidated appeal, citations to the following case law were inadvertently deleted. Pursuant to rule 24(j), Utah Rules of Appellate Procedure, the State now cites:

(1) State v. Patterson, 740 P.2d 944 (Alaska 1987), as supplemental authority for the position in Point II(C) of Appellee's Brief that other jurisdictions have concluded that restriction of mental illness evidence to the first prong of McNaghten is a constitutional legislative action;

(2) Potter v. State, 759 P.2d 903 (Idaho App. 1988), as supplemental authority for the position in Points IV & V of Appellee's Brief that defendants have failed to show that the Utah mental illness scheme is unconstitutional as applied;

(3) State v. Rhoades, 809 P.2d 455 (Idaho 1991), as supplemental authority for the position in Points IV & V of Appellee's Brief that defendants have failed to establish the justiciability of certain claims. See also Patterson, 740 P.2d at 949 n.18.

I appreciate your distribution of this letter to the Court.

Sincerely,


for CHRISTINE F. SOLTIS
Assistant Attorney General

cc: Joan C. Watt