

**STATE OF MINNESOTA  
IN SUPREME COURT**

**SUPREME COURT CALENDAR  
APRIL 2013**

**Court convenes at 9:00 a.m.  
(unless otherwise noted)**

Please note the following time allotments  
for oral argument  
unless otherwise ordered by the Court:  
**appellants are limited to 35 minutes and**  
**respondents are limited to 25 minutes.**

**COURT CONVENES AT 9:00 A.M.**  
(unless otherwise noted)

**NOTE:** Attorneys who will be arguing cases on this calendar should complete and return the argument appearance form attached at the end of this calendar.

Attorneys in all cases scheduled for oral argument must check in with the Marshal in the courtroom no later than 8:40 a.m. Counsel should be present and be prepared to begin whenever their case is called.

**Chief Justice Lorie S. Gildea**  
**Justice Alan C. Page**  
**Justice Paul H. Anderson**  
**Justice G. Barry Anderson**  
**Justice Christopher J. Dietzen**  
**Justice David R. Stras**  
**Justice Wilhelmina M. Wright**

**En Banc Oral**

	<b><u>Case Number</u></b>	<b><u>Date</u></b>	<b><u>Location</u></b>
In re: Application of Skyline Materials, Ltd. for Zoning Variance	A11-2030	4/1/13	State Capitol Building, Second Floor
Big Lake Lumber, Inc. v. 21st Century Bank, et al.	A11-2220	4/8/13	Judicial Center, Courtroom 300
In re Discipline of Jones	A11-1715	4/2/13	State Capitol Building, Second Floor
In re Discipline of Hawkins, III	A11-1454	4/10/13	Judicial Center, Courtroom 300
Nielsen v. 2003 Honda Accord	A12-0217	4/1/13	State Capitol Building, Second Floor
Northern States Power Co., et al. v. Pudas, et al.	A11-1116	4/3/13	State Capitol Building, Second Floor
State v. Bahtuoh	A10-1584, A12-1281	04/2/13	State Capitol Building, Second Floor
State v. Castillo-Alvarez	A11-1379, A12-0081	4/9/13	University of St. Thomas Law School – 10:00 a.m.
State v. Smith	A11-1687	4/10/13	Judicial Center, Courtroom 300
State v. Watkins	A11-1793	4/8/13	Judicial Center, Courtroom 300

**Nonoral**

Torres v. State	A12-0570	4/4/13
Townsend v. State	A12-1734	4/3/13

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Monday, April 1, 2013**

**En Banc Oral**

In re: Application of Skyline Materials,  
Ltd. for Zoning Variance.

Case No. A11-2030

Jay T. Squires  
Courtney R. Sebo  
Ratwik, Roszak & Maloney, P.A.  
300 U.S. Trust Building  
730 Second Avenue South  
Minneapolis, Minnesota 55402

Gregory B. Schultz  
Gregory Schultz Law Office  
225 South Kingston Street  
Caledonia, Minnesota 55921

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1207/opa112030-073012.pdf>

[Summary of issues](#)

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Matthew Roy Nielsen,

Appellant,

Kirk M. Anderson  
Anderson Law Firm, P.L.L.C.  
7000 Flour Exchange Building  
310 Fourth Avenue South  
Minneapolis, Minnesota 55415

vs. A12-0217

2003 Honda Accord,

Respondent.

Michael O. Freeman  
Hennepin County Attorney  
Daniel P. Rogan  
Senior Assistant County Attorney  
A-2000 Government Center  
Minneapolis, Minnesota 55487

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1209/opa120217-091012.pdf>

[Summary of issues](#)

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**SUPREME COURT COURTROOM, STATE CAPITOL**

**Tuesday, April 2, 2013**

**En Banc Oral**

State of Minnesota,

Respondent,

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
Saint Paul, Minnesota 55101

Michael O. Freeman  
Hennepin County Attorney  
Elizabeth Johnston  
Assistant County Attorney  
C-2000 Government Center  
300 South Sixth Street  
Minneapolis, Minnesota 55487

vs. A10-1584, A12-1281

Christopher Dineaa Bahtuoh,

Appellant.

Frederick J. Goetz  
Gregory J. Young  
Goetz & Eckland, P.A.  
Exposition Hall at Riverplace  
43 Main Street Southeast – Suite 505  
Minneapolis, Minnesota 55414

Judgment Hennepin County

[Summary of issues](#)

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In re Petition for Disciplinary Action  
against Harvey N. Jones, a Minnesota  
Attorney, Registration No. 52498.

Case No. A11-1715

Martin A. Cole, Director  
Kevin T. Slator  
Senior Assistant Director  
Office of Lawyers Professional Responsibility  
1500 Landmark Towers  
345 Saint Peter Street  
Saint Paul, Minnesota 55102

Harry A. Sieben, Jr.  
Michael M. Miller  
Marcia K. Miller  
Sieben, Grose, Von Holtum & Carey, Ltd.  
901 Marquette Avenue – Suite 500  
Minneapolis, Minnesota 55402

Petition for Discipline

[Summary of issues](#)  
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SUPREME COURT COURTROOM, STATE CAPITOL

Wednesday, April 3, 2013

En Banc Oral

Northern States Power Company (d/b/a  
Xcel Energy), by its Board of Directors;  
et al.,

Respondents,

Steven J. Quam  
John E. Drawz  
Richard D. Snyder  
Fredrickson & Byron, P.A.  
200 South Sixth Street – Suite 4000  
Minneapolis, Minnesota 55402

vs. A11-1116

Roger A. Aleckson, et al.,  
District court respondents,

Robert T. Pudas, et al.,  
Appellants,

Gerald W. Von Korff  
Keri A. Phillips  
Rinke, Noonan  
1015 West Saint Germain Street – Suite 300  
P.O. Box 1497  
Saint Cloud, Minnesota 56302

Brett R. Hanson, et al.,  
Appellants.

Michael C. Rajkowski  
Sarah R. Jewell  
Quinlivan & Hughes, P.A.  
400 South First Street – Suite 600  
P.O. Box 1008  
Saint Cloud, Minnesota 56302

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1208/opa111116-080612.pdf> [Summary of issues](#)

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Nonoral

Otha Eric Townsend, petitioner,  
Appellant,

Otha Eric Townsend, pro se  
OID # 178964  
Minnesota Correctional Facility – Stillwater  
970 Pickett Street North  
Bayport, Minnesota 55003

vs. A12-1734

State of Minnesota,  
Respondent.

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
Saint Paul, Minnesota 55101

John J. Choi  
Ramsey County Attorney  
Peter R. Marker  
Assistant County Attorney  
50 Kellogg Boulevard West – Suite 315  
Saint Paul, Minnesota 55102

Order Ramsey County

[Summary of issues](#)

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**SUPREME COURT COURTROOM, STATE CAPITOL**

**Thursday, April 4, 2013**

**Nonoral**

Rusttee Allan Torres, petitioner,  
Appellant,

Rusttee Allan Torres, pro se  
OID # 180730  
Minnesota Correctional Facility – Stillwater  
970 Pickett Street North  
Bayport, Minnesota 55003

vs. A12-0570

State of Minnesota,  
Respondent.

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
Saint Paul, Minnesota 55101

G. Paul Beaumaster  
Rice County Attorney  
Benjamin Bejar  
Assistant County Attorney  
Rice County Attorney's Office  
218 Northwest Third Street  
Faribault, Minnesota 55021

Order Rice County

[Summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Monday, April 8, 2013**

**En Banc Oral**

State of Minnesota,  
Appellant/Cross-Respondent,

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
Saint Paul, Minnesota 55101

Michael O. Freeman  
Hennepin County Attorney  
Linda K. Jenny  
Assistant County Attorney  
C-2000 Government Center  
300 South Sixth Street  
Minneapolis, Minnesota 55487

vs. A11-1793

George Cornelius Watkins,  
Respondent/Cross-Appellant.

Steven P. Russett  
Assistant State Public Defender  
Office of the Minnesota State Public Defender  
540 Fairview Avenue North – Suite 300  
Saint Paul, Minnesota 55104

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1209/opa111793-091012.pdf>

[Summary of issues](#)

Big Lake Lumber, Inc.,  
Appellant,

Karl E. Robinson  
Hellmuth & Johnson, P.L.L.C.  
8050 West 78th Street  
Edina, Minnesota 55439

vs. A11-2220

Security Property Investments, Inc.,  
et al.,  
Defendants,

21st Century Bank,  
Respondent,

Steven R. Little  
Stephen F. Buterin  
Heley, Duncan & Melander, P.L.L.P.  
8500 Normandale Lake Boulevard – Suite 2110  
Minneapolis, Minnesota 55437

Wright Lumber & Millwork, Inc.,  
Respondent,

Pearson Plumbing Corp.,  
Respondent,

**(continued on next page)**



**(Monday, April 8, 2013 continued)**

J. DesMarais Construction, Inc.,  
Appellant.

Gerald W. Von Korff  
Rinke, Noonan  
1015 West Saint Germain Street – Suite 300  
P.O. Box 1497  
Saint Cloud, Minnesota 56302

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1208/opa112220-082712.pdf> [Summary of issues](#)

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UNIVERSITY OF ST. THOMAS LAW SCHOOL – 10:00 A.M.

Tuesday, April 9, 2013

En Banc Oral

State of Minnesota,

Respondent,

Lori Swanson  
Minnesota Attorney General  
James B. Early  
Assistant Attorney General  
445 Minnesota Street – Suite 1800  
Saint Paul, Minnesota 55101

Robert C. O'Connor  
Jackson County Attorney  
Jackson County Courthouse  
405 Fourth Street – Suite 2D  
Jackson, Minnesota 56143

vs. A11-1379, A12-0081

Juan Humberto Castillo-Alvarez,

Appellant.

Benjamin J. Butler  
Assistant State Public Defender  
Office of the Minnesota State Public Defender  
540 Fairview Avenue North – Suite 300  
Saint Paul, Minnesota 55104

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1209/opa111379-091712.pdf>

[Summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Wednesday, April 10, 2013**

**En Banc Oral**

State of Minnesota,

Respondent,

Lori Swanson  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
Saint Paul, Minnesota 55101

John J. Choi  
Ramsey County Attorney  
Kaarin Long  
Assistant County Attorney  
50 Kellogg Boulevard West – Suite 315  
Saint Paul, Minnesota 55102

vs. A11-1687

Eddie Cortez Smith,

Appellant.

Bradford W. Colbert  
Legal Assistance to Minnesota Prisoners  
875 Summit Avenue – Suite 254  
Saint Paul, Minnesota 55105

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1209/opa111687-090412.pdf> [Summary of issues](#)

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In re Petition for Disciplinary Action  
against Allan R. Hawkins, III, a  
Minnesota Attorney, Registration  
No. 42663.

Martin A. Cole, Director  
Timothy M. Burke  
Senior Assistant Director  
Office of Lawyers Professional Responsibility  
1500 Landmark Towers  
345 Saint Peter Street  
Saint Paul, Minnesota 55102

Case No. A11-1454

Allan R. Hawkins  
3370 North Hayden Road – Suite 123  
Scottsdale, Arizona 85251

Petition for Discipline

[Summary of issues](#)

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**COUNSEL ARGUING CASES THIS MONTH  
MUST COMPLETE THIS FORM AND  
RETURN IT IMMEDIATELY TO:**

**Supreme Court Marshal  
305 Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul MN 55155**

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Case Title: \_\_\_\_\_

Case Number: \_\_\_\_\_

\_\_\_\_\_ representing \_\_\_\_\_

will argue this case before the Minnesota Supreme Court on \_\_\_\_\_.

Signed: \_\_\_\_\_

Phone number: \_\_\_\_\_

Note: If you are a person who uses a wheelchair or who is hearing impaired, please contact the  
Minnesota Supreme Court Marshal at 651-282-9931 or [kim.ghilardi@courts.state.mn.us](mailto:kim.ghilardi@courts.state.mn.us)  
to ensure disability accessible facilities.