

**STATE OF MINNESOTA**  
**IN SUPREME COURT**

**SUPREME COURT CALENDAR**  
**November 2006**

**Court convenes at 9:00 a.m.**

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.**

**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 Russell A. Anderson

Justice Alan C. Page

Justice Paul H. Anderson

Justice Helen M. Meyer

Justice Sam Hanson

Justice G. Barry Anderson

Justice Lorie S. Gildea

**En Banc Oral**

	<b><u>Case Number</u></b>	<b><u>Date</u></b>	<b><u>Location</u></b>
Becker v. Mayo Foundation	A05-45	10/30/06	State Capitol Building, Second Floor
In re Discipline of Plummer	A06-1352	11/09/06	Judicial Center, Courtroom 300
In the Matter of the Petition of: Joshua S. Collier	A05-1178	11/01/06	State Capitol Building, Second Floor
Mahoney & Hagberg v. Newgard	A05-1523	11/07/06	Judicial Center, Courtroom 300
State v. Clemons	A04-1949	11/07/06	Judicial Center, Courtroom 300
State v. Davis	A05-857	11/08/06	Judicial Center, Courtroom 300
State v. Haynes	A05-2444	10/30/06	State Capitol Building, Second Floor
State v. Jackson	A05-1882	11/09/06	Judicial Center, Courtroom 300
State v. Otterstad and Rudnick	A05-178 A05-179	11/06/06	Judicial Center, Courtroom 300
State v. Palubicki	A06-401	10/31/06	State Capitol Building, Second Floor
State v. Ross	A04-1715	10/31/06	State Capitol Building, Second Floor
State v. Wright	A03-1197	11/08/06	Judicial Center, Courtroom 300

**Nonoral**

Francis v. State	A05-190 A06-940	11/06/06	
Erickson v. State	A06-1113	11/01/06	

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Monday, October 30, 2006**

**En Banc Oral**

Nancy Becker and Michael Becker,  
individually and as parents and guardians for  
Nykkole E. Becker, f/k/a Nykkole E. Rossini,  
Appellants,

Chris A. Messerly  
Laura M. Provinzino  
Robins, Kaplan, Miller & Ciresi, L.L.P.  
2800 LaSalle Plaza  
800 LaSalle Avenue  
Minneapolis, Minnesota 55402-2015

Minnesota Department of Human Services,  
plaintiff intervenor,  
Appellant,

vs. A05-45

Mayo Foundation,  
Respondent.

Paul B. Klaas  
Gillian Brennan  
Bartholomew Torvik  
50 South Sixth Street – Suite 1500  
Minneapolis, Minnesota 55402-1498

Ann E. Decker  
Fredrickson & Byron, P.A.  
200 South Sixth Street – Suite 4000  
Minneapolis, Minnesota 55402-1425

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0512/opa050045-1227.htm>

[summary of issues](#)

State of Minnesota,  
Respondent,

Office of the Minnesota State Public Defender  
Marie Wolf  
Special Assistant State Public Defender  
2221 University Avenue Southeast – Suite 425  
Minneapolis, Minnesota 55414

vs. A05-2444

Marvin Haynes, Jr.,  
Appellant.

Mike Hatch  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

Amy Klobuchar  
Hennepin County Attorney  
Thomas A. Weist  
Assistant Hennepin County Attorney  
C-2000 Government Center  
Minneapolis, Minnesota 55487

Judgment Hennepin County

[summary of issues](#)

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Tuesday, October 31, 2006**

**En Banc Oral**

State of Minnesota,

Appellant,

Mike Hatch  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

Amy Klobuchar  
Hennepin County Attorney  
Donna J. Wolfson  
Assistant Hennepin County Attorney  
C-2000 Government Center  
Minneapolis, Minnesota 55487

vs. A04-1715

Rossco A. Ross,

Respondent.

Office of the Minnesota State Public Defender  
Roy G. Spurbeck  
Assistant State Public Defender  
2221 University Avenue Southeast – Suite 425  
Minneapolis, Minnesota 55414

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0512/opa041715-1220.htm>

[summary of issues](#)

State of Minnesota,

Respondent,

Mike Hatch  
Minnesota Attorney General  
Mike Hatch  
John B. Galus  
Assistant Attorney General  
445 Minnesota Street – Suite 900  
St. Paul, Minnesota 55101-2127

vs. A06-401

Anthony John Palubicki,

Appellant.

Office of the Minnesota State Public Defender  
Steven P. Russett  
Assistant State Public Defender  
2221 University Avenue Southeast – Suite 425  
Minneapolis, Minnesota 55414

Judgment Hubbard County

[summary of issues](#)

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Wednesday, November 1, 2006**

**En Banc Oral**

In the Matter of the Petition of Joshua S. Collier,  
in Relation to Property Registered in Certificate  
of Title No. 1596547 for an Order Directing Entry  
of a New Certificate and Declaratory Relief.

Case No. A05-1178

Allen E. Christy, Jr.  
Timothy J. Grande  
Mackall, Crouse & Moore, PLC  
1400 AT&T Tower  
901 Marquette Avenue  
Minneapolis, Minnesota 55402

John G. Westrick  
Kirk M. Anderson  
Westrick & McDowall-Nix, PLLP  
450 Degree of Honor Building  
325 Cedar Street  
St. Paul, Minnesota 55101

Arthur D. Walsh  
A.D. Walsh & Associates  
6053 Hudson Road – Suite 190  
Woodbury, Minnesota 55125

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0604/opa051178-0404.htm>

[summary of issues](#)

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**Nonoral**

Timothy Michael Erickson, petitioner,  
Appellant,

Timothy Michael Erickson, Pro Se  
OID # 149521  
Minnesota Correctional Facility – Stillwater  
970 Pickett Street North  
Bayport, Minnesota 55003-1490

vs. A06-1113

State of Minnesota,  
Respondent.

Mike Hatch  
Minnesota Attorney General  
Thomas R. Ragatz  
Assistant Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

Kathleen A. Heaney  
Sherburne County Attorney  
Arden Fritz  
Assistant Sherburne County Attorney  
Government Center  
13880 Highway 10  
Elk River, Minnesota 55330

Order Sherburne County

[summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Monday, November 6, 2006**

**En Banc Oral**

State of Minnesota,  
Respondent,

Mike Hatch  
Minnesota Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

Michael J. Scott  
Anoka City Prosecutor  
2150 Third Avenue – Suite 300  
Anoka, Minnesota 55303

vs. A05-178, A05-179

Luke A. Otterstad,  
Appellant,

Charles R. Shreffler  
Mohrman & Kaardal, P.A.  
33 South Sixth Street – Suite 4100  
Minneapolis, Minnesota 55402  
Appellant

Robert A. Rudnick,  
Appellant.

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0512/opa050178-1227.htm>

[summary of issues](#)

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**Nonoral**

Michael C. Francis, petitioner,  
Appellant,

Michael C. Francis, Pro Se  
OID # 215520  
Minnesota Correctional Facility – Stillwater  
970 Pickett Street  
Bayport, Minnesota 55003-1490

vs. A05-190, A06-940

State of Minnesota,  
Respondent.

Mike Hatch  
Minnesota Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

Amy Klobuchar  
Hennepin County Attorney  
Michael Richardson  
Assistant Hennepin County Attorney  
C-2000 Government Center  
Minneapolis, Minnesota 55487

Judgment Hennepin County

[summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Tuesday, November 7, 2006**

**En Banc Oral**

State of Minnesota,

Respondent,

Mike Hatch  
Minnesota Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

John J. Choi  
St. Paul City Attorney  
Jessica S. McConaughey  
Assistant St. Paul City Attorney  
500 City Hall and Courthouse  
15 West Kellogg Boulevard  
St. Paul, Minnesota 55102

vs. A04-1949

Jeffrey Scott Clemons,

Appellant.

Office of the Minnesota State Public Defender  
Michael F. Cromett  
Assistant State Public Defender  
2221 University Avenue Southeast – Suite 425  
Minneapolis, Minnesota 55414

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0602/opa041949-0221.htm>

[summary of issues](#)

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Mahoney & Hagberg, a Professional Association,  
n/k/a Mahoney & Emerson, a Professional  
Association, and Mahoney & Emerson, Ltd.,  
Appellant,

Michael C. Mahoney  
Mahoney & Foster, Ltd.  
539 East Lake Street  
Wayzata, Minnesota 55391

vs. A05-1523

Tracy L. Newgard,

Respondent.

Michael J. Ford  
Dyan J. Ebert  
Heidi N. Thoennes  
Quinlivan & Hughes, P.A.  
400 First Street South – Suite 600  
St. Cloud, Minnesota 56302

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0604/opa051523-0411.htm>

[summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Wednesday, November 8, 2006**

**En Banc Oral**

State of Minnesota,

Respondent,

Mike Hatch  
Minnesota Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

James C. Backstrom  
Dakota County Attorney  
Vance B. Grannis, III  
Assistant Dakota County Attorney  
Dakota County Judicial Center  
1560 Highway 55  
Hastings, Minnesota 55033

vs. A05-857

Scott Evan Davis,

Appellant.

Derek A. Patrin  
Meaney & Patrin, P.A.  
1902 Main Street  
Hopkins, Minnesota 55343

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0604/opa050857-0411.htm>

[summary of issues](#)

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State of Minnesota,

Respondent,

Mike Hatch  
Minnesota Attorney General  
Thomas R. Ragatz  
Assistant Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

Amy Klobuchar  
Hennepin County Attorney  
David C. Brown  
Assistant Hennepin County Attorney  
C-2000 Government Center  
Minneapolis, Minnesota 55487

vs. A03-1197

David Eugene Wright,

Appellant.

Office of the Minnesota State Public Defender  
Leslie J. Rosenberg  
Assistant State Public Defender  
2221 University Avenue Southeast – Suite 425  
Minneapolis, Minnesota 55414

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0409/opa031197-0903.htm>

[summary of issues](#)

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**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Thursday, November 9, 2006**

**En Banc Oral**

State of Minnesota,

Respondent,

Mike Hatch  
Minnesota Attorney General  
Thomas R. Ragatz  
Assistant Attorney General  
445 Minnesota Street – Suite 1800  
St. Paul, Minnesota 55101-2134

Amy Klobuchar  
Hennepin County Attorney  
Donna J. Wolfson  
Assistant Hennepin County Attorney  
C-2000 Government Center  
Minneapolis, Minnesota 55487

vs. A05-1882

Frederick Kemono Jackson,  
Appellant.

Office of the Minnesota State Public Defender  
Suzanne M. Senecal-Hill  
Assistant State Public Defender  
2221 University Avenue Southeast – Suite 425  
Minneapolis, Minnesota 55414

Judgment Hennepin County

[summary of issues](#)

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In re Petition for Disciplinary Action against  
William Albert Plummer, a Minnesota Attorney,  
Registration No. 291365.

Case No. A06-1352

Office of Lawyers Professional Responsibility  
Martin Cole, Director  
Timothy M. Burke  
Senior Assistant Director  
1500 Landmark Towers  
345 St. Peter Street  
St. Paul, Minnesota 55102-1218

William Albert Plummer  
2334 Brewster Street  
St. Paul, Minnesota 55108

Petition for Disciplinary Action

[summary of issues](#)

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