

STATE OF MINNESOTA

IN SUPREME COURT

SUPREME COURT CALENDAR

November 2009

(revised 10/12/2009)

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 Eric J. Magnuson

Justice Alan C. Page

Justice Paul H. Anderson

Justice Helen M. Meyer

Justice G. Barry Anderson

Justice Lorie S. Gildea

Justice Christopher J. Dietzen

En Banc Oral

	<u>Case Number</u>	<u>Date</u>	<u>Location</u>
Dykes d/b/a Dykes Farms v. Sukup Manufacturing Co. v. Superior, Inc.	A08-583	11/04/09	State Capitol Building, Second Floor
In re Discipline of Albrecht	A08-2082	11/09/09	Judicial Center, Courtroom 300
MidCountry Bank, f/k/a First Federal fsb v. Krueger, Hinshaw, et al.	A08-534	11/10/09	Judicial Center, Courtroom 300
State v. Back	A08-17	11/03/09	State Capitol Building, Second Floor
State v. Carufel	A07-1711	11/10/09 (rescheduled from 10/6)	Judicial Center, Courtroom 300
State v. Fleck	A08-72	11/04/09	State Capitol Building, Second Floor
State v. Hakala	A08-215	11/09/09	Judicial Center, Courtroom 300
State v. Lopez State v. Lopez	A08-100 A08-133	11/03/09	State Capitol Building, Second Floor
State v. Raleigh	A08-2273	11/02/09	State Capitol Building, Second Floor
State v. Swaney	A08-2002	11/05/09	Hamline Law School, 11:00 a.m.
State v. Wertheimer	A08-412	11/02/09	State Capitol Building, Second Floor

Nonoral

State v. Holmes	A07-1445	11/10/09	
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SUPREME COURT COURTROOM, STATE CAPITOL

Monday, November 2, 2009

En Banc Oral

State of Minnesota,
Respondent,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

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

vs. A08-2273

Rashad Arthur Raleigh,
Appellant.

Office of the Minnesota State Public Defender
Cathryn Middlebrook
Assistant State Public Defender
540 Fairview Avenue North – Suite 300
St. Paul, Minnesota 55104

Judgment Hennepin County

[summary of issues](#)

State of Minnesota,
Respondent,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

Robert M.A. Johnson
Anoka County Attorney
Robert D. Goodell
Assistant County Attorney
Anoka County Government Center
2100 Third Avenue – Suite 720
Anoka, Minnesota 55303-5025

vs. A08-412

Scott Garrett Wertheimer,
Appellant.

Max A. Keller
Keller Law Offices
The Interchange Tower
600 Highway 169 South – Suite 1690
Minneapolis, Minnesota 55426

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0904/opa080412-0407.pdf>

[summary of issues](#)

SUPREME COURT COURTROOM, STATE CAPITOL

Tuesday, November 3, 2009

En Banc Oral

State of Minnesota,
Respondent,

Lori Swanson
Minnesota Attorney General
Matthew Frank
Assistant Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

Charles A. Rasmussen
Todd County Attorney
Todd County Government Center
221 First Avenue South – Suite 2
Long Prairie, Minnesota 56347

vs. A08-100 and A08-133

Jose Carlos Lopez,
Appellant (A08-100),

Office of the Minnesota State Public Defender
Joel O'Malley
Special Assistant State Public Defender
Dorsey & Whitney, LLP
50 South Sixth Street – Suite 1500
Minneapolis, Minnesota 55402

Gabriel Lopez,
Appellant (A08-133).

Office of the Minnesota State Public Defender
Davi E. Axelson
Assistant State Public Defender
540 Fairview Avenue North – Suite 300
St. Paul, Minnesota 55104

Opinions Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0903/opa080100-0324.pdf>

<http://www.lawlibrary.state.mn.us/archive/ctappub/0904/opa080133-0428.pdf>

[summary of issues](#)

(Tuesday, November 3, 2009 continued on next page)

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State of Minnesota,
Respondent,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

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

vs. A08-17

Danna Rochelle Back,
Appellant.

Office of the Minnesota State Public Defender
Rachel F. Bond
Assistant State Public Defender
540 Fairview Avenue North – Suite 300
St. Paul, Minnesota 55104

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0904/opa080017-0407.pdf>

[summary of issues](#)

SUPREME COURT COURTROOM, STATE CAPITOL

Wednesday, November 4, 2009

En Banc Oral

Virgil Dykes and Connie Dykes,
d/b/a Dykes Farms,
Respondents,

William D. Mahler
Will Mahler Law Firm
202 Ironwood Square
300 Third Avenue S.E.
Rochester, Minnesota 55904

vs. A08-583

Sukup Manufacturing Company,
defendant and third-party plaintiff,
Appellant,

Patrick D. Reilly
Leon R. Erstad
Erstad & Riemer, P.A.
200 Riverview Office Tower
8009 34th Avenue South
Minneapolis, Minnesota 55425

vs.

Superior, Inc., third-party defendant,
Respondent.

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0903/opa080583-0303.pdf>

[summary of issues](#)

State of Minnesota,
Respondent,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

Gregory A. Widseth
Polk County Attorney
816 Marin Avenue – Suite 125
Crookston, Minnesota 56716

vs. A08-72

Daryl Fleck,
Appellant.

Office of the Minnesota State Public Defender
G. Tony Atwal
Assistant State Public Defender
540 Fairview Avenue North – Suite 300
St. Paul, Minnesota 55104

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0903/opa080072-0324.pdf>

[summary of issues](#)

HAMLIN LAW SCHOOL – 11:00 A.M.

Thursday, November 5, 2009

En Banc Oral

State of Minnesota,
Respondent,

Lori Swanson
Minnesota Attorney General
John B. Galus
Assistant Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

Donald R. Klosterbuer
Rock County Attorney
120 North McKenzie
P.O. Box 538
Luverne, Minnesota 56156

vs. A08-2002

Randy Leeroyal Swaney,
Appellant.

Office of the Minnesota State Public Defender
Michael F. Cromett
Assistant State Public Defender
540 Fairview Avenue North – Suite 300
St. Paul, Minnesota 55104

Judgment Rock County

[summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Monday, November 9, 2009

En Banc Oral

State of Minnesota,
Appellant,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

James C. Backstrom
Dakota County Attorney
Lawrence F. Clark
Assistant Dakota County Attorney
Dakota County Judicial Center
1560 Highway 55
Hastings, Minnesota 55033

vs. A08-215

Paul Richard Hakala,
Respondent.

Joseph Dudley, Jr.
John C. Lillie, III
Mark K. Thompson
Dudley & Smith, P.A.
2602 U.S. Bank Center
101 East Fifth Street
St. Paul, Minnesota 55101

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0903/opa080215-0331.pdf>

[summary of issues](#)

In re Petition for Disciplinary Action against
Alan J. Albrecht, a Minnesota Attorney,
Registration No. 191826.

Office of Lawyers Professional Responsibility
Martin A. Cole, Director
Cassie Breta Hanson
Senior Assistant Director
1500 Landmark Towers
345 St. Peter Street
St. Paul, Minnesota 55102-1218

Case No. A08-2082

Alan J. Albrecht
7066 Brooklyn Boulevard
Brooklyn Center, Minnesota 55429

Petition for Disciplinary Action

[summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Tuesday, November 10, 2009

En Banc Oral

MidCountry Bank, f/k/a First Federal fsb,
Respondent,

Justin P. Weinberg
Charles W. Hanson
Matthew C. Berger
2700 South Broadway
P.O. Box 458
New Ulm, Minnesota 56073-0458

vs. A08-534

Frederick C. and Nancy Krueger,
Respondents,

Cherolyn A. Hinshaw, et al.,
Appellants.

James M. Lockhart
Christopher R. Grote
Karla M. Vehrs
Lindquist & Vennum, P.L.L.P.
4200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota 55402-2274

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0903/opa080534-0310.pdf>

[summary of issues](#)

State of Minnesota,
Appellant,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

Charles E. MacLean
Winona County Attorney
Kevin P. O’Laughlin
Justin A. Wesley
Assistant Winona County Attorneys
Winona County Courthouse
171 West Third Street
Winona, Minnesota 55987

vs. A07-1711

Ricky J. Carufel,
Respondent.

Office of the Minnesota State Public Defender
Lydia Villalva Lijo
Assistant State Public Defender
540 Fairview Avenue North – Suite 300
St. Paul, Minnesota 55104

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0812/opa071711-1230.pdf>

[summary of issues](#)

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Nonoral

State of Minnesota,

Respondent,

Lori Swanson
Minnesota Attorney General
445 Minnesota Street – Suite 1800
St. Paul, Minnesota 55101-2134

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

vs. A07-1445

Nosakhare Holmes,

Appellant.

Nosakhare Holmes
OID # 209871
MCF - Stillwater
970 Pickett Street
Bayport, Minnesota 55003

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0812/opa071445-1209.pdf>

[summary of issues](#)
