

**STATE OF MINNESOTA
IN SUPREME COURT**

**SUPREME COURT CALENDAR
DECEMBER 2012**

**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

| | <u>Case Number</u> | <u>Date</u> | <u>Location</u> |
|----------------------------|---------------------------|--------------------|---|
| In re Discipline of Fru | A11-1693 | 12/10/12 | Judicial Center, Courtroom 300 |
| In re Discipline of Pitera | A12-0274 | 12/4/12 | State Capitol Building Second Floor |
| Rew v. Bergstrom | A10-2145 | 12/11/12 | Judicial Center, Courtroom 300 |
| Dereje v. State | A11-1147 | 12/11/12 | Judicial Center, Courtroom 300 |
| State v. Munt | A11-2315 | 12/13/12 | Judicial Center, Courtroom 300 |
| State v. Sterling | A12-0073 | 12/3/12 | State Capitol Building, Second Floor |
| State v. M.D.T. | A11-1285 | 12/12/12 | Judicial Center, Courtroom 300 |
| State v. Xiong | A11-2022 | 12/3/12 | State Capitol Building, Second Floor |

Nonoral

| | | | |
|---------------------------------------|----------|----------|--|
| Schober v. Commissioner of Revenue | A12-0873 | 12/12/12 | |
| Clifton v. State | A12-0571 | 12/4/12 | |
| Fort v. State | A12-0617 | 12/13/12 | |
| McDonough v. State | A12-0640 | 12/10/12 | |

SUPREME COURT COURTROOM, STATE CAPITOL

Monday, December 3, 2012

En Banc Oral

State of Minnesota,

Respondent,

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

John B. Galus
Assistant Attorney General
Peter Orput
Washington County Attorney
Law Enforcement Center
15015 – 62nd Street North
Stillwater, Minnesota 55082

vs. A11-2022

Dao Xiong,

Appellant.

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

Judgment Washington County

[Summary of issues](#)

State of Minnesota,

Respondent,

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

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

vs. A12-0073

Adam Lee Sterling,

Appellant.

Melissa Sheridan
Assistant State Public Defender
Office of the Minnesota State Public Defender
1380 Corporate Center Curve – Suite 320
Eagan, Minnesota 55121

Judgment Hennepin County

[Summary of issues](#)

SUPREME COURT COURTROOM, STATE CAPITOL

Tuesday, December 4, 2012

En Banc Oral

In re Petition for Disciplinary Action
against Brian Louis Pitera, a Minnesota
Attorney, Registration No. 298475.

Case No. A12-0274

Office of Lawyers Professional Responsibility
Martin A. Cole, Director
Joshua H. Brand
Assistant Director
1500 Landmark Towers
345 Saint Peter Street
Saint Paul, Minnesota 55102

Brian Louis Pitera
OID # 236575
MCF-Saint Cloud
2305 Minnesota Boulevard Southeast
Saint Cloud, Minnesota 56304

Petition for Discipline

[Summary of issues](#)

Nonoral

Brian Alexander Clifton,
petitioner,

Appellant,

vs. A12-0571

State of Minnesota,

Respondent.

Brian Alexander Clifton
OID # 212551
MCF – Rush City
7600 – 525th Street
Rush City, Minnesota 55069

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

Order Hennepin County

[Summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Monday, December 10, 2012

En Banc Oral

In re Petition for Disciplinary Action
against Joseph Awah Fru, a Minnesota
Attorney, Registration No. 342154.

Case No. A11-1693

Office of Lawyers Professional Responsibility
Martin A. Cole, Director
Siama Y. Chaudhary
Assistant Director
1500 Landmark Towers
345 Saint Peter Street
Saint Paul, Minnesota 55102

Michael H. McGlennen
Barrister's Trust Building
247 Third Avenue South
Minneapolis, Minnesota 55415

Petition for Discipline

[Summary of issues](#)

Nonoral

William Jeffrey McDonough,
petitioner,

Appellant,

William Jeffrey McDonough
OID # 176909
MCF – Stillwater
970 Pickett Street North
Bayport, Minnesota 55003

vs. A12-0640

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](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Tuesday, December 11, 2012

En Banc Oral

Tsige Abebaw Dereje,
Respondent,

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

vs. A11-1147

State of Minnesota,
Appellant.

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

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

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1204/opa111147-040212.pdf>

[Summary of issues](#)

In the Matter of: Vanessa Yoland Rew,
and o/b/o T.C.B. and D.S.B.,
Respondent,

Thomas A. Gilligan, Jr.
Murnane, Brandt
30 East Seventh Street – Suite 3200
Saint Paul, Minnesota 55101

vs. A10-2145

James Allen Bergstrom,
Appellant.

Jill Clark
Jill Clark, LLC
2005 Aquila Avenue North
Golden Valley, Minnesota 55427

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1112/opa102145-122711.pdf>

[Summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Wednesday, December 12, 2012

En Banc Oral

State of Minnesota,

Appellant,

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

Kathleen A. Kusz
Nobles County Attorney
Kimberly S. Pehrson
Assistant County Attorney
Travis J. Smith
Assistant County Attorney
1530 Airport Road – Suite 400
Worthington, Minnesota 56187

vs. A11-1285

M.D.T.,

Respondent.

Daniel A. Birkholz
Jacob M. Birkholz
Birkholz Law, LLC
101 South Seventh Street
P.O. Box 461
Saint James, Minnesota 56081

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/1204/opa111285-040912.pdf>

[Summary of issues](#)

Nonoral

Ronald L. Schober,

Relator,

Ronald L. Schober
625 Chaucer Lane
Watertown, Minnesota 55388

vs. A12-0873

Commissioner of Revenue,

Respondent.

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

Sara L. Bruggeman
Assistant Attorney General
445 Minnesota Street – Suite 900
Saint Paul, Minnesota 55101

Minnesota Tax Court

[Summary of issues](#)

COURTROOM 300, MINNESOTA JUDICIAL CENTER

Thursday, December 13, 2012

En Banc Oral

State of Minnesota,
Respondent,

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

John B. Galus
Assistant Attorney General
Ross E. Arneson
Blue Earth County Attorney
410 South Fifth Street
P.O. Box 3129
Mankato, Minnesota 56002

vs. A11-2315

Joel Marvin Munt,
Appellant.

Richard Schmitz
Assistant State Public Defender
Office of the Minnesota State Public Defender
540 Fairview Avenue North – Suite 300
Saint Paul, Minnesota 55104

Judgment Blue Earth County

[Summary of issues](#)

Nonoral

Eugene Erick Fort,
petitioner,
Appellant,

Craig E. Cascarano
150 South Fifth Street – Suite 3260
Minneapolis, Minnesota 55402

vs. A12-0617

State of Minnesota,
Respondent.

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

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

Order Hennepin County

[Summary of issues](#)

**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**

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
to ensure disability accessible facilities.