

SUPREME COURT OF UTAH

Archuleta v. Galetka

2008 UT 76 (2008) · No. No. 20070228 · Decided November 7, 2008

SUMMARY

The Supreme Court of Utah affirmed the denial of Rule 11 sanctions against attorneys who filed a second amended capital post-conviction petition. The court held that Rule 11 applies fully in capital cases, but directed trial courts prospectively to stay sanctions proceedings against capital defense counsel until the underlying case concludes. The court also addressed the circumstances under which previously resolved claims may be re-raised for preservation and emphasized the constitutional importance of competent counsel in capital cases.

CASE DETAILS

COURT	Supreme Court of Utah
WRITING FOR THE COURT	Justice Wilkins; Chief Justice Durham; Justice Durrant; Justice Parrish; Justice Nehring; Judge Maughan; Justice Paul; Justice Having
JURISDICTION	Utah
DECIDED	November 7, 2008
DOCKET	No. 20070228
DISPOSITION	affirmed
PROCEDURAL POSTURE	The State appealed the district court's denial of its motion for Utah Rule of Civil Procedure 11 sanctions against attorneys who prepared and filed a second amended capital postconviction petition.
STANDARD OF REVIEW	Findings of fact are reviewed for clear error, conclusions of law for correctness, and the type and amount of Rule 11 sanctions for abuse of discretion. The trial court receives substantial deference in determining whether sanctions are useful and appropriate.
PRECEDENTIAL VALUE	published and precedential Utah Supreme Court opinion
PARTIES	Hank Galetka, Warden of the Utah State Prison v. Michael Anthony Archuleta

TOPICS

- sanctions
- state post-conviction relief
- criminal procedure
- appellate procedure
- constitutional law

PRACTICE AREAS

post-conviction relief

criminal procedure

professional responsibility

capital punishment

appellate procedure

QUESTIONS PRESENTED

1. Whether the district court erred in finding that counsel's preparation and filing of the second amended capital postconviction petition did not violate Utah Rule of Civil Procedure 11.
2. Whether Rule 11 applies in its entirety to capital cases.
3. How trial courts should handle Rule 11 sanctions motions brought against opposing counsel during a pending capital case.
4. Whether counsel may re-raise previously resolved claims in a capital postconviction petition for preservation purposes and, if so, what requirements apply.

HOLDINGS

1. The district court did not clearly err in its factual findings or err in its legal conclusions, and it did not abuse its discretion in declining to impose Rule 11 sanctions.
2. Utah Rule of Civil Procedure 11 applies in its entirety to capital cases, including capital postconviction proceedings, without an exception based on whether counsel is paid or pro bono, the amount of available time or resources, or the complexity of the issues.
3. In a pending capital case, a trial court should defer a Rule 11 sanctions motion against opposing counsel until the underlying proceedings conclude. Counsel must still provide the required notice and twenty-one-day safe-harbor opportunity, but further proceedings on the sanctions motion must be stayed until the underlying action ends.
4. Counsel may re-raise resolved or arguably resolved claims solely for preservation purposes, but must clearly identify, group, and label those claims as being raised for preservation and must still assert an existing change in law, a nonfrivolous argument for changing existing law, or another equally reasonable justification.

KEY QUOTATIONS

“Rule 11 applies in its entirety to capital cases.” (§ 10)

“Hereafter, rule 11 motions should be deferred by the trial court until the conclusion of the underlying proceedings.” (§ 12)

“If counsel feel compelled to re-raise resolved or arguably resolved claims solely for purposes of preservation, they may do so, so long as those claims are properly identified as such.” (§ 16)

“Competent defense and appellate counsel are guaranteed by our constitution.” (§ 18)

FACTUAL BACKGROUND

Following his capital murder conviction and the affirmance of his conviction and sentence, Michael Anthony Archuleta pursued postconviction relief for more than fourteen years. His counsel filed a second amended petition of approximately fifty pages raising about 120 claims, many repeating claims from an earlier petition and some previously rejected on direct appeal. The State sought Rule 11 sanctions, alleging that the petition asserted foreclosed or unsupported claims, misstated the law, and otherwise violated counsel's obligations. After an evidentiary hearing, the district court declined to impose sanctions.

PROCEDURAL HISTORY

Archuleta was convicted of capital murder, and the Utah Supreme Court affirmed his conviction and sentence. After years of postconviction litigation, counsel filed a second amended petition raising approximately 120 claims. The State moved for Rule 11 sanctions, but the district court found that counsel's conduct, although unwarranted and unjustifiable in some respects, did not warrant sanctions. The Utah Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Archuleta, 850 P.2d 1232 (Utah 1993)
- Griffith v. Griffith, 1999 UT 78, 985 P.2d 255
- Barnard v. Sutliff, 846 P.2d 1229 (Utah 1992)