

# Retention and Classification Report

**Agency:** Attorney General's Office (Utah). Appellate Department (1950)

160 East 300 South, 6th Floor  
P.O Box 140854  
Salt Lake City, UT 84114-0854  
801-366-0260

**Records Officer:** Rita Auva'a

06847 Criminal appeals case files  
06400 Death penalty case files  
06410 Post conviction/habeas corpus case files

**AGENCY:** Attorney General's Office (Utah). Appellate Department

**SERIES:** 6847

3

**TITLE:** Criminal appeals case files

**DATES:** 1896-

**ARRANGEMENT:** Alphabetical by surname, thereunder chronological by year

**ANNUAL ACCUMULATION:** 20.00 cubic feet.

**DESCRIPTION:**

These files document criminal appeals in which the Attorney General's Office represents the State of Utah. The Attorney General's office is responsible for representing the state when a district court decision involving a felony charge or any juvenile court adjudication of delinquency is appealed to the State Supreme Court, Court of Appeals, or any federal court. These files contain a complete record of the case on appeal.

**RETENTION:**

Retain for 26 year(s) after case is closed

**DISPOSITION:**

Permanent. Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 06/1997

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after case is closed and then transfer to State Records Center. Retain in State Records Center for 25 years and then transfer to State Archives.

**APPRAISAL:**

These records have administrative, and/or historical value(s). This disposition is based on the Utah State Courts records retention schedule which mandates that appellate records be retained permanently. Capital case files have a secondary historical value and are retained permanently for appellate and research purposes.

**AGENCY:** Attorney General's Office (Utah). Appellate Department

**SERIES:** 6847

**TITLE:** Criminal appeals case files

(continued)

**PRIMARY DESIGNATION:**

Private UCA 63G-2-301

**SECONDARY DESIGNATION(S):**

Controlled. UCA 63G-2-304 (2008)

**AGENCY:** Attorney General's Office (Utah). Appellate Department

**SERIES:** 6400

3

**TITLE:** Death penalty case files

**DATES:** 1896-

**ARRANGEMENT:** Alphabetical by surname, thereunder numerical by case number

**ANNUAL ACCUMULATION:** 1.00 cubic foot.

**DESCRIPTION:**

These files document automatic appeals to the Supreme Court by defendants convicted of capital offenses. The Attorney General's Office is responsible for representing the State of Utah in these proceedings. Information includes defendant's name, court case number, nature of the crime, facts of the case, degree of the crime, duration of the sentence imposed, claims of error on appeal, legal arguments, and correspondence.

**RETENTION:**

Retain for 26 year(s) after case is closed

**DISPOSITION:**

Permanent. Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 10/2000

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after case is closed and then transfer to State Records Center. Retain in State Records Center for 25 years and then transfer to State Archives.

**APPRAISAL:**

These records have administrative, and/or historical value(s). This disposition is based on the historical value to researchers interested in the criminal justice system and capital punishment issues in the State of Utah.

**AGENCY:** Attorney General's Office (Utah). Appellate Department

**SERIES:** 6400

**TITLE:** Death penalty case files

(continued)

**PRIMARY DESIGNATION:**

Protected UCA 63G-2-305 (10),(12), (13), (16), (17), (22), (23), (34),  
(51)

**SECONDARY DESIGNATION(S):**

Public. UCA 63G-2-301 (2008)

**AGENCY:** Attorney General's Office (Utah). Appellate Department

**SERIES:** 6410

3

**TITLE:** Post conviction/habeas corpus case files

**DATES:** 1896-

**ARRANGEMENT:** Alphabetical by surname, thereunder chronological by year

**ANNUAL ACCUMULATION:** 10.00 cubic feet.

**DESCRIPTION:**

These files document cases where civil petitions for post-conviction relief and/or writs of habeas corpus have been filed in a state or federal district court by a convicted felon. Such petitions challenge the legality of the petitioner's imprisonment and/or conviction. The Attorney General's Office is responsible for representing the State when a response to a post-conviction/habeas corpus petition is required by the court. These files contain a complete record of the post-conviction or habeas corpus case. These records contain unique information in rough notes or drafts assembled or created and used to prepare or analyze other documents. The information adds proper understanding to the formulation and execution of policies, decisions, actions, or responsibilities.

**RETENTION:**

Retain for 26 year(s) after case is closed

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 12/1992

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after case is closed and then transfer to State Records Center. Retain in State Records Center for 25 years and then destroy.

**AGENCY:** Attorney General's Office (Utah). Appellate Department

**SERIES:** 6410

**TITLE:** Post conviction/habeas corpus case files

(continued)

**APPRAISAL:**

These records have administrative, and/or legal value(s).  
This disposition is based on the maximum period of incarceration during which a complainant with good cause may petition the court of jurisdiction for a Writ of Habeas Corpus (RCP 65B (i)(4) (1988)), and the Utah State Courts records retention schedule.

**PRIMARY DESIGNATION:**

Public                      Utah Code 63G-2-301(f) (2014)

**SECONDARY DESIGNATION(S):**

Private.                      Utah Code 63G-2-302(2) (2014)

Controlled.                      Utah Code 63G-2-304 (2008)

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 07/2016.