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# Ann Marie Taliaferro

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## Education

1997-2000

### **University of Utah College of Law, Salt Lake City, Utah**

- Juris Doctor, 2000 (Utah State Bar #8776)
- Utah Law Review, 1998-2000: Staff Writer, Note & Comment Editor
- William H. Leary Scholar (Top 20%)
- Trial Team, 1999-2000
- Teaching Assistant, Legal Research and Writing Program, 1999-2000
- Traynor Moot Court Competition, Semi-finalist, 1998-1999
- Student Bar Association Board of Governors, 1998-1999

1988-1994

### **University of Utah, Salt Lake City, Utah**

- Bachelor Degree: English (B.A.)
- Bachelor Degree: Political Science (B.S., cum laude)
- Utah Secondary Education Teaching Certification
- TESOL Certification (Teaching English to Speakers of Other Languages)

## Employment & Experience

February 2000- Present

### **Brown Bradshaw & Moffat, Salt Lake City, Utah**

- Partner (July 2015-present); Associate Attorney (October 2000-2015)  
Experience: Criminal Defense, Appellate Practice, Post-Conviction Advocacy. Practice areas include trial advocacy in misdemeanor, felony and capital defense in both state and federal court, appellate advocacy, and motion practice. Some experience with Board of Pardons and post-conviction relief. Some civil litigation including actions for civil rights violations and forfeiture defense.

January 1999– January 2000

### **Office of the Utah Attorney General, Salt Lake City, Utah**

- Law Clerk, Division of Criminal Appeals  
Experience: State Appellate Advocacy. Legal research and writing. Drafted portions of appellate briefs for supervising attorneys. In addition to general criminal appeals, researched post-conviction and capital cases.

May 1998– December 1998

### **United States' Attorney's Office, Salt Lake City, Utah**

- Law Clerk, Criminal Division  
Experience: Federal Motion Practice and Appellate Advocacy. Legal research and writing. Drafted portions of appellate briefs and federal district court trial motions for supervising appellate and trial attorneys.

1994-1997 (cont. into 2002)

### **Granite School District, Salt Lake City, Utah**

- High School Teacher, Coach, and Water Fitness Instructor  
Experience: Taught English, English as a Second Language and Swimming. Head coach for women's tennis team. Head coach for high school swim team. Volunteer coach for youth swim team. Taught night and weekend community water fitness classes, which continued into 2002.

Summer, 1993

### **Supreme Court of the United States, Washington D.C.**

- Summer Intern, Office of the Curator  
Experience: Gave tours and lectures to the public, school groups, and foreign dignitaries about the history and operation of the Court. Spoke to approximately four hundred guests per day.

## Appellate & Post-Conviction Advocacy

\* positive treatment/result

### State Appeals

- *State v. Bush*, 2001 UT App 10 (co-counsel)\*
- *State v. Washington*, 2001 UT App 294
- *State v. Shapiro*, 2002 UT App 28
- *State v. Penn*, 2004 UT App 212 (co-counsel)\*
- *Hatch v. Davis*, 2004 UT App 378 (co-counsel)
- *CCD, L.C. v. Millsap*, 2005 UT 42 (co-counsel)
- *State v. Tiscareno*, 2005 UT App 176 (co-counsel)\*
- *Hatch v. Davis*, 2006 UT 44 (co-counsel)\*
- *State v. Hales*, 2007 UT 14 (co-counsel)\*
- *Archuleta v. Galetka*, 2008 UT 76 (co-counsel)\*
- *State v. Gallegos*, 2009 UT 42 (co-counsel)
- *State v. Holt*, 2010 UT App 138, *overruled* (co-counsel)
- *Acor v. Salt Lake City School Dist.*, 2011 UT 8 (co-counsel)\*
- *State v. Bair*, 2012 UT App 106\*
- *State v. Pimm*, No. 20140730-CA (stipulated reversal)\*
- *State v. Reigelsperger*, 2017 UT App 101, *cert. denied*.
- *Savely v. UHP and UDPS*, (UT) (*pending*) (co-counsel)
- *State v. McNair*, Case No. 20170504-CA (*pending*)
- *State v. McNair*, Case No. 20170585-CA (*pending*)
- *State v. Heath*, Case No. 20180076-CA (*pending*)
- *State v. Martinez*, Case No. 20180153-CA (*pending*)
- *State v. Bunker*, Case No. 20160440-CA (*pending*)
- *State v. Popp*, Case No. 20180224-CA (*pending*)

### Federal Appeals

- *U.S. v. Berrocal*, 232 F.3d 902 (10th Cir. 2000) (co-counsel)
- *U.S. v. Barbieri*, 43 Fed.Appx. 367 (10th Cir. 2002) (co-counsel)\*
- *U.S. v. Evans*, 44 Fed.Appx. 449 (10th Cir. 2002) (co-counsel)
- *U.S. v. Fiscus*, 64 Fed.Appx. 157 (10th Cir. 2003) (co-counsel)\*
- *U.S. v. Lang*, 405 F.3d 1060 (10th Cir. 2005) (co-counsel)\*
- *U.S. v. Moyer*, 247 Fed.Appx. 996 (10th Cir. 2007)
- *U.S. v. Egbert, et.al*, 562 F.3d 1092 (10th Cir. 2009)\*
- *U.S. v. Garcia-Pena*, 17 Fed.Appx. 763 (10th Cir. 2009)
- *U.S. v. Frakes*, 402 Fed.Appx. 332 (10th Cir. 2010)
- *U.S. v. Banuelos Barraza*, 639 F.3d 1262 (10th Cir. 2011)
- *U.S. v. Strasser*, 445 Fed.Appx. 109 (10th Cir. 2011)
- *U.S. v. Augustine*, 742 F.3d 1258 (10th Cir. 2014), *cert. denied*.
- *U.S. v. Adams*, 588 Fed.Appx. 811 (10th Cir. 2014)\*
- *U.S. v. Wiseman*, 749 F.3d 1191 (10th Cir. 2014) (co-counsel)
- *U.S. v. Zar, et.al*, 790 F.3d 1036 (10th Cir. 2015), *reh'ing en banc denied; cert. denied*.
- *U.S. v. Pawleski, et.al*, 651 F.App'x 750 (10th Cir. 2016), *reh'ing en banc denied; cert. denied*.
- *United States ex. rel. Brandon Barrick v. Parker-Migliorini International, LLC; et.al*, Case No. 16-4136, *reh'ing en banc denied; (pending)* (co-counsel)

### Post-Trial Motions and Post-Conviction

- *State v. Brown*, Fourth Judicial Court-Provo, Utah County, State of Utah, No. 111400408 (sexual abuse convictions; client entered pleas represented by different counsel; motion to reinstate time to appeal) (*pre-filing stage*);
- *State v. Henfling*, Third Judicial Court-Summit County, State of Utah, No. 161500049 (homicide conviction; client convicted at first trial represented by different counsel; motion for new trial filed) (*pre-filing stage*);
- *State v. Nilson*, First Judicial Court-Logan, Cache County, State of Utah, No. 151100492 (failure to register as a sex offender convictions; convicted at first trial represented by different counsel; motion to arrest judgment filed) (*pending*);
- *State v. Truman*, Fourth Judicial Court-Provo, Utah County, State of Utah, No. 131402075\* (co-counsel) (homicide conviction; client convicted at first trial represented by different counsel; motion for new trial filed; motion for new trial granted; represented client in new trial proceedings which included two denied requests for interlocutory appeal from denial of motion for bail and motion to disqualify judge; client ultimately acquitted February 2017 upon retrial before a jury);
- *United States v. Adams*, United States District Court, District of Utah, No. 2:08-CV-0774\* (drug conspiracy convictions; client convicted and sentenced to life in prison represented by different counsel; appointed to file/amend federal post-conviction petition; relief on Tenth Circuit post-conviction appeal; relief granted in district court on remand; life sentence vacated and defendant re-sentenced; defendant released 2016);
- *United States v. Sanders*, United States District Court, District of Utah, Crim. No. 1:14-CR-00016 (co-counsel) (appointed to file federal post-conviction petition; petition denied);

- *United States v. Canaday*, United States District Court, District of Utah, Crim. No. 2:15-CR-00010 (co-counsel) (appointed to file federal post-conviction petition; petition voluntarily withdrawn);
- *State v. Henry*, Sixth Judicial Court-Manti, State of Utah, No. 121600011 (felony theft conviction; client convicted at first trial represented by different counsel; motion to arrest judgment filed) (*pending*);
- *McNair v. State*, Third Judicial Court-Salt Lake, Salt Lake County, State of Utah, No. 100901725 (felony rape conviction in 2006; client entered plea represented by different counsel; client represented by different post-conviction counsel initially; filed amended state post-conviction petition, motion to reinstate time to appeal, and motion to correct illegal sentence; petition and motions denied) (*two appeals pending*);
- *State v. Thomas*, First Judicial Court-Logan, Cache County, State of Utah, No. 101101205\* (co-counsel) (felony sex abuse conviction; client convicted at trial represented by different counsel; motion to arrest judgment filed; motion granted; case resolved during new trial proceedings and client given credit for time served);
- *Holt v. State*, Third Judicial Court-Salt Lake County, State of Utah, No. 100925793\* (co-counsel) (state post-conviction petition filed; stipulation by State to requested remedy);
- *State v. Larrabee*, Fifth Judicial Court-St. George, Washington County, State of Utah, No. 091500718 (co-counsel) (Felony sexual abuse of a child conviction; served as trial counsel; filed motion to arrest judgment; motion denied; new appellate counsel won reversal on appeal);
- *Jones v. State*, Second Judicial Court-Ogden, Weber County, State of Utah, No. 060906864\* (co-counsel) (state post-conviction petition filed; relief ultimately obtained by pardon);
- *State v. Tiscareno*, Third Judicial Court-Summit County, State of Utah, No. 031500228\* (co-counsel) (felony child abuse conviction - “shaken baby” case; client convicted at first trial represented by different counsel; motion to arrest judgment filed; motion granted; acquitted on retrial);
- *West Valley City v. Phillips*, Third Judicial Court-West Valley, Salt Lake County, State of Utah, No. 02110123\* (misdemeanor assault conviction; client convicted at first trial represented by different counsel; motion for new trial filed; motion granted);
- *State v. Penn*, Seventh Judicial Court-Moab, Grand County, State of Utah, No. 021700243\* (co-counsel) (felony controlled substance conviction; motion for new trial; relief on direct appeal);
- *Dexter v. Friel*, Second Judicial Court-Farmington, Davis County, State of Utah, No. 010700474 (co-counsel) (state post-conviction petition filed);
- *State v. Hales*, Third Judicial Court-Salt Lake, Salt Lake County, State of Utah, No. 001903783\* (co-counsel) (murder conviction - “shaken baby” case; client convicted at first trial represented by different counsel; motion for new trial filed; relief on direct appeal; case dismissed upon remand by appellate court).

## **Professional Affiliations, Committees & Memberships**

### **Utah Association of Criminal Defense Lawyers**

- Member, 2000-present
- Board of Directors, October 2017-present
- Amicus Committee Member, 2005-May 2011
- CLE Committee Member, 2005-2008

### **Rocky Mountain Innocence Center, Case Oversight Committee**

- Committee Member, April 2016-present  
Experience: Review petition requests and potential cases for litigation presented by students working with the Rocky Mountain Innocence Center.

## **American Inns of Court, Aldon J. Anderson Inn of Court**

- Member, January 2016-present

## **Utah Supreme Court Advisory Committee, Utah Rules of Appellate Procedure**

- Appointed Member, October 2011-present

Experience: Review Utah Rules of Appellate Procedure and make recommendations for additions and changes to the Utah Supreme Court.

## **Tenth Circuit Court of Appeals, CJA Standing Committee**

- Appointed Member, 2009-October 2016

Experience: Review applications for appointment to the Tenth Circuit appellate panel. Serve as liaison between appointed Utah panel attorneys and the federal appellate court.

## **Tenth Circuit Court of Appeals, CJA Appellate Panel**

- Appointed Panel Attorney, March 2007-present

Experience: Litigate criminal appeals as assigned under the Criminal Justice Act by the Tenth Circuit Court of Appeals for indigent appellants located in any federal district in the Tenth Circuit.

## **National Association of Criminal Defense Lawyers**

- Member, 2000-present

## **Professional Recognitions**

- Distinguished Service Award, Utah Association of Criminal Defense Lawyers, October 2016
- Distinguished Service Award, Utah Association of Criminal Defense Lawyers, September 2013
- Legal Elite (Criminal Law), Utah Business, January 2011
- Up and Coming Legal Elite, Utah Business, January 2010
- Mountain States Rising Stars, Super Lawyer, 2010
- Up and Coming Legal Elite, Utah Business, January 2009
- Mountain States Rising Stars, Super Lawyer, 2009

## **Publications, Presentations, Volunteer Activities**

### **Publications**

- *Respectfully Judge: We Disagree (the Defender Version)*, Defender Newsletter (Fall 2013)
- *Respectfully Judge: We Disagree*, 26 UTAH BAR JOURNAL No. 34 (July/Aug 2013)
- *Recent Developments in Criminal Investigation and Discovery: Access, Disclosure and Use of Information in the Criminal Defense Realm*, 19 UTAH BAR JOURNAL No. 5 (Sept/Oct 2006)
- Note, "Disability Status" for Asymptomatic HIV? Pondering the Implications, Unanswered Questions, and Early Application of *Bragdon v. Abbott*, 1999 UTAH L. REV. 755
- Development, *Parental Presumption Incompatible with Utah's Child Abuse, Neglect, and Dependence Statutory Scheme*, 1998 UTAH L.REV. 644

### **Presentations**

- Presentation: UACDL, "Ethical Considerations in Defending and Dealing With Alleged Victims in Sexual Assault Cases" (May 26, 2018)
- Presentation: Salt Lake Legal Defender's Association, "Lessons Learned from *State v. Truman*" (April 19, 2017)
- Presentation: UACDL, "Criminal Motion Practice: Filing and Winning Essential Motions" (October 23, 2012)
- Presentation: 2008 New Lawyer CLE: "A Day in the Life of a Peon: What You Should Expect & What You Shouldn't Stand For As An Associate" (May 22, 2008) (co-presenter)
- Presentation: 2007 UACDL Annual Seminar- Case Law Update (March 31, 2007) (compiled written material)
- Presentation: 2006 CLE Luncheon: "Basics of Criminal Law for the Non-Criminal Lawyer" (Nov. 15, 2006)
- Presentation: 2006 UACDL Annual Seminar: "Case Law Update" (April 22, 2006)

## **Volunteer**

- Attorney/Coach, High School Mock Trial Competition
- New Lawyer Mentor
- Judge Mock Trial Competitions and Law School Oral Arguments
- “Ghost-Write” Legal Memoranda and Appellate Briefs for Colleagues
- Tuesday Night Bar, 2002

## **Personal**

Husband and two cats. Used to dabble in gardening, painting, swimming, teaching water fitness classes, running marathons, hiking and other outdoor activities. In reality, haven’t had a hobby for years!