

The Order of the Court is stated below:

Dated: September 19, 2025 /s/ JILL M. POHLMAN
11:19:33 AM Justice



IN THE SUPREME COURT OF THE STATE OF UTAH

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STATE OF UTAH,
Petitioner,
v.
SCOTT NICHOLAS LUCKE,
Respondent.

ORDER

Supreme Court Case No. 20250519-SC

Court of Appeals Case No. 20230428-
CA

Trial Court Case No. 221100020

This matter is before the court upon a Petition for Writ of Certiorari, filed on May 12, 2025, and the response to the petition, filed on August 1, 2025.

The Petition for Writ of Certiorari is granted as to the following issues:

1. Whether the Court of Appeals erred in concluding that the district court failed to adequately ensure that Respondent's waiver of the right to counsel was knowing and intelligent.
2. Whether the Court should reconsider its decisions in *State v. Frampton*, 737 P.2d 183 (Utah 1987), and *State v. Pedockie*, 2006 UT 28, 137 P.3d 716, with regard to the requirements for ascertaining a waiver of the right to counsel.
3. Whether the Court of Appeals erred in concluding that a trial court's failure to ensure that a defendant's waiver of a right to counsel was knowing and intelligent constitutes structural error.

A briefing schedule will be established hereafter. The parties must comply with the briefing schedule upon its issuance. Requests for extension are disfavored, but may be granted with good cause.

End of Order - Signature at the Top of the First Page