

IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF UTAH
IN AND FOR SALT LAKE COUNTY.

Hon. G. A. Iverson, Judge.

State of Utah)	
)	
Vs.)	ooo
)	
R. E. Flanigan,)	
)	
Defendant.)	

On this 16th day of January, A. D. 1923, the following proceedings are had in the case aforesaid:

MR. HUTCHINSON: Your Honor, Mr. Gordon, County Attorney from Tooele County is present. He has the case of the State of Utah Vs R. E. Flanigan, charged with second degree burglary. The defendant is present, and I understand has consented that he be arraigned in Salt Lake County before your Honor and enter a plea. I understand that Mr. Gordon will accept a plea of third degree burglary. I know nothing concerning the facts, and Mr. Gordon will take the matter up.

MR. GORDON: Your Honor please, this defendant was charged with burglary in the second degree, and he voluntarily asked that he might plead to third degree. There was a technicality that possibly might have made it a little difficult for the prosecution to have linked him in with second degree burglary. There is no question in my mind but what it was committed; but in view of all the facts we agreed to accept that third degree charge. The situation is something like this: A widow woman, by name of Florence Traten, has a residence there; the residence was broken into; the window was pried open, and he got through on the ground floor.