

# State v. Hatfield

**Case Number**

S-18-1107

**Case Audio**

Download Audio

**Call Date**

August 27, 2019

**Case Time**

9:00 AM

**Court Number**

Gage

**Case Location**

Lincoln

**Court Type**

District Court

**Case Summary**

S-18-1107 State of Nebraska (Appellee) v. Steven J. Hatfield (Appellant)

Gage County District Court, Judge Julie D. Smith

**Attorneys:** Douglas Peterson & Nathan A. Liss (Attorney General's office); Steven J. Mercure (Nestor & Mercure) (Appellant)

**Criminal: DUI**

**Proceedings Below:** Appellant was convicted and sentenced in county court. On appeal, the district court reversed in light of *Birchfield v. North Dakota*, 136 S. Ct. 2160 (2016). The State appealed and the Nebraska Supreme Court reversed the district court and remanded the case back to the district court to consider the error originally assigned. On remand, the district court affirmed the county court. Appellant appealed the affirmance.

**Issues:** The district court erred by affirming Appellant's conviction and sentencing when it found that the State did not violate his due process rights when the State repeatedly violated both the Order of Discovery and Neb. Rev. Stat. §29-2912.

**Schedule Code**

SC

---