

State v. Valdez

Case Number

S-19-0475

Case Audio

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Call Date

February 4, 2020

Case Time

9:00 AM

Court Number

Madison

Case Location

Lincoln

Court Type

District Court

Case Summary

S-19-0475 *State v. Jose A. Valdez* (Appellant)

Madison County, Judge Mark Johnson

Attorneys: Nathan A. Liss (Attorney General's Office) --- Matthew Headley (Public Defender's Office for Appellant)

Criminal: Plea: Motor vehicle homicide, Class II felony

Proceedings below: After accepting Appellant's plea and finding him guilty, the court held a sentencing hearing and sentenced Appellant 24-25 years in prison and a 15 year license revocation.

Issues: 1. The lower court erred in finding Valdez guilty of Motor Vehicle Homicide, a Class II Felony. 2. The lower court erred and abused its discretion in sentencing Valdez to a term of not less than 24 years nor more than 25 years on Motor Vehicle Homicide, a Class II Felony, as it constitutes an excessive sentence based upon the facts of this case. 3. Valdez received ineffective assistance of counsel by trial counsel not filing a motion to suppress the blood test results, by not filing a motion to recuse the trial court Judge, not objecting to the evidence offered at the sentencing hearing, and failing to make an effective argument at the sentencing hearing.

Schedule Code

SC
