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**Current Employment** - 1991-Present

Founding Partner  
Sleigh & Williams, P.C.  
364 Railroad Street  
St. Johnsbury, VT 05819

Vermont's leading boutique litigation firm focusing on Plaintiff's civil rights litigation and criminal defense

**Prior Law Related Employment**

Office of the Defender General, 1988-1991

Responsible for defending indigent clients charged with drug offenses before Vermont's trial and appellate courts

Legal Aid Society of New York, 1984-1988

Appellate attorney responsible for representing indigent criminal defendants in New York's appellate courts

**Educational Degrees**

1974 – BA-Marquette University  
Major – History

1981 – Ph.D. – University of New Hampshire  
Modern American History

1984 – JD-Cornell Law School, Ithaca, New York

**Publications**

“The Bureau of Investigation and Its Critics, 1919-1921: The Origins of Federal Political Surveillance,” *Journal of American History* (December 1981)

“‘They Never Stopped Watching Us’: FBI Political Surveillance, 1924-1936,” *UCLA Historical Review* (1981)

“‘Sowing the Wind’: The Deportations Raids of 1920 in New Hampshire,” *Historical New Hampshire*, (Spring 1979)

### **Reported Federal Cases**

Lyndonville Savings Bank v. Lussier, 211 F.3d 697 (2d Cir. 2000) - \$8.7 million

judgment reversed and case dismissed for lack of subject matter jurisdiction

Guiles v. Marineau, 416 F.3d 320 (2d Cir. 2006) – student free speech rights vindicated

U.S. v. Scott, 178 F.R.D. 49 (D. Vt. 1998) – other act evidence inadmissible in drug conspiracy trial

U.S. v. Scott, 996 F. Supp. 358 (D. Vt. 1998) - prosecutor did not intentionally provoke mistrial in violation of defendant’s right against double jeopardy

U.S. v. \$2542 in United States Currency, 754 F. Supp. 378 (D. Vt. 1990) – state court has prior exclusive jurisdiction in federal forfeiture matter

Guiles v. Marineau, 349 F. Supp.2d 871 (D. Vt. 2004) - student free speech limited by trial court

Barrett v. Prison Health Services, Inc., 647 F. Supp. 2d 314 (D. Vt. 2009) – court does not have subject matter jurisdiction over non-diverse defendant

Lowry v. Com of Canada, 917 F. Supp. 290 (D. Vt. 1996) – court does not have subject matter jurisdiction over Canada for property damage caused by helicopter in U.S.

U.S. v. Greer, 958 F. Supp. 192 (D. Vt. 1997) – severance not warranted in drug conspiracy case

U.S. v. Greer, 956 F. Supp. 520 (D. Vt. 1997) – motion to dismiss indictment denied

### **Unreported Federal Cases**

U.S. v. Greer, 1997 WL 82797 (D. Vt.) – motion to dismiss indictment on speedy trial grounds denied

U.S. v. Ryan, 2008 WL 901538 (D.Vt.) – evidence seized pursuant to search warrant suppressed because warrant did not specify property to be seized

U.S. v. Ryan, 2009 WL 901538 (D. Vt.) – “good faith” exception does not apply to invalid warrant obtained by ICE agents

U.S. v. Gravel, 323 Fed. Appx. 55 (2d Cir. 2009) – guideline sentence affirmed

Honkala v. Vermont DOC, 2006 WL 2252370 (D. Vt.) – diabetic prisoner did not exhaust administrative remedies before filing civil rights action

U.S. v. Breault, 2005 WL 1278517 (D. Vt.) - motion to resentence denied, *Booker* decision cannot be applied retroactively

U.S. v. Carter, 58 Fed. Appx. 867 (2d Cir. 2003) – guideline sentence affirmed

### **Reported State cases**

#### **New York Court of Appeals**

People v. Murphy, 508 NE 2d 920 (NY 1987) – manslaughter conviction reversed for double jeopardy violation

People v. Thompson, 503 NE 2d 1369 (NY 1986) – counsel did not provide ineffective assistance of counsel; conviction later reversed after defense discovered that prosecutor failed to provide exculpatory evidence to trial counsel

#### **Appellate Division, New York Supreme Court**

People v. Frias, 526 NYS 2d 852 (2d Dept. NY) – police testimony at suppression hearing was not inherently improbable

People v. Brown, 516 NYS 2d 498 (2d Dept. 1987) – trial court’s order limited voir dire to 10 minutes was not abuse of discretion

People v. Jones, 512 NYS 2d 701 (2d Dept. 1987) – trial court’s decision not to charge lesser included offense was correct

People v. Goggans, 506 NYS 2d 908 (2d Dept. 1986) – charges dismissed because prosecutor failed to produce witnesses at suppression hearing

People v. Young, 502 NYS 2d 414 (2d Dept. 1986) – state’s evidence proved charges beyond a reasonable doubt

People v. Tanner, 494 NYS 2d 901 (2d Dept. 1985) – evidence insufficient to sustain conviction

People v. Hodges, 496 NYS 2d 414 (2d Dept. 1985) – claim of right defense not available in robbery prosecution

People v. Murray, 525 NYS 2d 577 (2d Dept. 1988) – court’s jury charge did not violate defendant’s rights

People v. Collins, 528 NYS 2d 41 (1<sup>st</sup> Dept. 1988) – conviction reversed because prosecutor improperly implicated right to counsel

People v. Henderson, 554 NYS 2d 924 (2d Dept. 1990) – child sexual abuse conviction reversed because defendant’s right to confrontation was violated

People v. James, 536 NYS 2d (2d Dept. 1989) – murder conviction affirmed

People v. Colon, 531 NYS 2d 355 (2d Dept. 1988) – conviction reversed because court’s charge to jury improperly drew attention to defendant’s failure to testify

People v. Torres, 529 NYS 2d 37 (2d Dept. 1988) – defendant’s conviction affirmed

### **Vermont Supreme Court**

State v. Kirchoff, 156 Vt. 1 (1991) – Article Eleven protects open fields in Vermont

State v. Brooks, 157 Vt. 490 (1991) – Article Eleven does not protect conversations in public places

State v. Savva, 159 Vt. 616 (1991) – Article Eleven requires warrant to search automobile

State v. Hall, 168 Vt. 327 (1998) – Article Eleven does not protect un-posted property beyond curtilage

State v. Simpson, 156 Vt. 349 (1991) – use of paid informants to target specific persons in drug sting does not offend state constitution

State v. Veburst, 156 Vt. 133 (1991) – defendant waived claim that search warrant application did not provide sufficient information to demonstrate probable cause

State v. Terry, 159 Vt. 531 (1993) – federal forfeiture proceeding preempted motion to return property

State v. Wetherbee, 177 Vt. 274 (2004) - federal forfeiture proceeding preempted motion to return property

State v. Cadorette, 175 Vt. 268 (2003) – life sentence reversed and new trial ordered because trial court failed to arraign defendant

State v. Roberge, 155 Vt. 121 (1990) – State offered sufficient evidence to prove that defendant eluded the police

State v. Webster, 165 Vt. 54 (1996) – trial court did not violate defendant's right to cross-examine witnesses at trial

State v. Hanks, 172 Vt. 93 (2001) – trial court violated defendant's right to cross-examine state's expert in DUI trial

State v. Bradley, 164 Vt. 346 (1995) – trial court did not have authority to dismiss prosecution after out-of-state police witnesses avoided depositions

State v. Findlay, 171 Vt. 594 (2001) - trial court violated defendant's right to cross-examine witnesses at trial

Harsch Properties v. Nicholas, 182 Vt. 196 (2007) – implied duty of good faith and fair dealing is an implied term of contract

State v. Defranceaux, 170 Vt. 561 (2000) – police did not violate Article Eleven during search of defendant's home

State v. Allocco, 162 Vt. 59 (1994) – Miranda warnings not required when police questioned defendant in his business office

In re Karpin, 647 A.2d 700 (Vt. 1993) – evidence justified disbarment of attorney

In re Grievance of Towle, 665 A.2d 55 (Vt. 1995) – dismissal of probation officer justified

Searles v. Vt. AOT, 171 Vt. 562 (2000) – state had no duty to replace warning sign removed several years earlier

### **Federal Civil Trials**

Guiles v. Marineau, 349 F.Supp.2d 871 (D. Vt. 2004) – Student free speech

### **Federal Criminal Trials**

USA v. McNeely, 94-72 – Mann act violation

USA v. Scott, 95-cr-72-8 – Drug conspiracy

## **State Civil Trials**

Lussier v. Bailey, 166-6-00 Cacv – Attorney malpractice

## **State Criminal Trials**

State v. Gravel, 697-9-07 Cacr, June 18, 2008 – DWI

State v. Dauphin, 82-2-08 Cacr, May 30, 2008 – DWI

State v. Birchard, 564-9-07 Oscr, May 9, 2008 – Possession of Marijuana-felony

State v. Mooney, 424-5-06 Cacr, October 17, 2006 – DWI

State v. Field, 18-2-06 Excr, August 17, 2006 – DWI

State v. Spaulding, 367-6-05 Cacr, July 25-26, 2006 – Conspiracy to Deliver Cocaine

State v. Pierce, 1176-9-05 Wncr, July 24, 2006 – DWI <sup>6</sup>/DLS

State v. Scott, 403-8-05 Oscr, April 17, 2006 – DWI

State v. Miles, 881-12-03 Cacr, June 16, 2004 – DWI <sup>3</sup>

State v. Powers, 719-12-02 Oscr, June 17, 2003 – Sale of Marijuana and Cocaine

State v. Wallace, 1-1-01 Excr, August 19, 2002 – DWI

State v. Carter, 300-4-01 Cacr, April 24, 2002 – DWI

State v. Giroux, 382-7-01 Oscr, December 13, 2001 – Negligent Operation and ATE

State v. Wing, 326-4-01 Cacr, August 1, 2001 – DWI

State v. Austin, 1176-10-98 Cacr, May 9, 2001 – DWI

State v. Spring, 18-1-00 Cacr, October 30, 2000 – DWI

State v. Powell, 763-8-00 Cacr, October 4, 2000 – Simple assault

State v. Graveline, 62-6-99 Excr, February 24, 2000 – DWI

State v. Parenteau, 131-2-99 Cacr, October 28, 1999 - SAPO

State v. Crowe, 23-3-99 Excr, November 12, 1999 – DWI

State v. Sholan, 21-1-99 Cacr, October 13, 1999 – Domestic Assault

State v. Hanks, 1091-10-98 Cacr, September 28, 1999 – DWI

State v. Brown, 1261-11-98 Cacr, April 8, 1999 – DWI

State v. Findlay, 1121-7-97 Wmcr, March 29, 1999 – Sale of Marijuana

State v. Barnes, 503-5-98 Cacr, February 16-17, 1999 – DWI

State v. McElroy, 131-2-98 Cacr, February 9, 1999 – Simple Assault

State v. Mitchell, 232-3-98 Cacr, January 13, 1999 – Domestic Assault  
State v. Davio, 628-7-98 Cacr, November 23, 1998 – Impeding a police officer  
State v. Mitchell, 53-6-97 Excr, September 10, 1998 – DLS/Attempting to Elude  
State v. Greeno, 43-6-97 Excr, August 7, 1998 – Resisting Arrest  
State v. Bandy, 961-9-97 Cacr, February 12, 1998 – Assault w/deadly weapon  
State v. Stone, 957-7-97 Cacr, February 11, 1998 – Impeding a police officer  
State v. Kelly, 730-10-97 Oscr, January 19, 1998 – DWI <sup>4</sup>/DLS <sup>3</sup>  
State v. Dickey, 939-9-97 Cacr, January 13, 1998 – Negligent Operation  
State v. Crown, 479-5-97 Cacr, November 4, 1997 – Violation Abuse Prevention Order  
State v. Cheney, 563-6-97 Cacr, October 22, 1997 – DWI  
State v. Forant, 80-1-97 Cacr, September 4, 1997 – Domestic Assault  
State v. Peltier, 61-1-97 Cacr, July 14, 1997 – Retail Theft  
State v. Leget, 190-3-97 Cacr, July 11, 1997 – Domestic Assault  
State v Somers, 1109-12-97 Cacr, April 22, 1997 – Unlawful Trespass  
State v. Farrell, 1025-11-96 Cacr, February 11, 1997 – Simple Assault  
State v. Serrano, 142-10-96 Excr, January 9, 1997 – C & N  
State v. Pelow, 864-9-96 Cacr, January 8, 1997 – DWI <sup>3</sup>  
State v. Boutin, 776-8-96 Cacr, November 19, 1996 – Sale Regulated Drug  
State v. St. George, 1063-12-95 Cacr, June 26, 1996 – DLS  
State v. Klee, 971-11-95 Cacr, March 13, 1996 – DWI  
State v. Bassett, 780-9-96 Cacr, February 1, 1996 – DWI <sup>3</sup>  
State v. Pelow, 554-7-95 Cacr, October 17, 1995 – Domestic Assault  
State v. Halden, 265-4-95 Cacr, September 18, 1995 – DWI <sup>3</sup>  
State v. Moreau, 15-2-94 Excr, September 5-8, 1995 – C&N-Fatal/Invol Manslaughter  
State v. Ewen, 81-1-95 Cacr, June 14, 1995 – Aggravated Assault, Simple Assault  
State v. Noyes, 58-1-95 Cacr, May 17, 1995 – Escape  
State v. Broome, 493-9-94 Oscr, March 2, 1995 – Simple Assault  
State v. Mercado, 3308-7-94 Wncr, Delivery of Heroin  
State v. Reed, 630-8-94 Cacr, January 17, 1995 – SAPO  
State v. Chicoine, 1883-5-94 Cncr, Selling Cocaine, 3 counts  
State v. Muzzy, 354-5-94 Cacr, November 9, 1994 – DLS

State v. Beer, 834-11-93 Cacr, October 13, 1994 – DWI

State v. Skinner, 735-10-93 Cacr, October 3, 1994 – DWI

State v. Sawyer, 736-10-93 Cacr, September 26, 1994 – DWI <sup>2</sup>

State v. Richard, 756-11-93 Cacr, September 26, 1994 – Unlawful Mischief

State v. Gann, 738-10-93 Cacr, September 15, 1994 – DWI

State v. Cahill, 167-3-94 Cacr, August 26, 1994 – Disorderly Conduct

State v. Collins, 417-9-93 Oscr, July 19, 1994 – DWI-felony

State v. Reed, 162-2-94 Cacr, June 22, 1994 – Domestic Assault

State v. Sweetland, 488-7-93 Cacr, June 20, 1994 – DWI

State v. Langmaid, 277-3-93 Cacr, April 13, 1994 – DWI

State v. Boise, 71-1-93 Cacr, April 12, 1994, - DWI

State v. Marcy, 128-2-93 Cacr, March 16, 1994 – Simple Assault

State v. Franklin, 169-3-93 Cacr, March 15, 1994 – Viol Abuse Prevention Order

State v. Derouchie, 327-7-93 Oscr, February 1, 1994 – Cultivation of Marijuana

State v. Proper, 596-8-93 Cacr, January 11-13, 1994 – SxA-Minor

State v. Roy, 146-2-93 Cacr, November, 22, 1993 – DWI

State v. Blondin, 447-6-93 Cacr, November 17, 1993 – SA, UM

State v. Emerson, 476-8-92 Cacr, July 13, 1993 – DWI <sup>2</sup>

State v. Duprat, 19-2-93 Ecr April 27-28, 1993 – L&L, SxA

State v. Persons, 466-7-92 Cacr, January 13, 1993 – Simple Assault

State v. Reed, \_\_\_\_ - \_\_-92 Cacr, December 18, 1992 – Simple Assault

State v. Poulin, 352-6-92 Cacr, November 24, 1992 – C&N, ATE

State v. Bryant, 67-8-92 Ecr, October 7, 1992 – UM, SA, SA

State v. Shattuck, 324-5-92 Cacr, October 1, 1992 – Simple Assault

State v. Esposito, 165-10-91 Ecr, August 5, 1992 – Aggravated Assault

State v. Pierson, 123-2-92 Cacr, June 24, 1992 0 DWI

State v. Chapman, 993-12-91 Cacr, June 9-10, 1992 – Aggravated Assault

State v. Cook, 1003-12-91 Cacr, April 30, 1992 – Leaving Scene of Accident

State v. Belknap, 990-12-91 Cacr, April 29, 1992 – Taking Deer

State v. Pilette, 1012-12-91 Cacr, April 28, 1992 – DWI

State v. Little, 850-10-91 Cacr, April 14, 1992 – Simple Assault

State v. Hambley, 858-10-91 Cacr, April 13, 1992 – Petit Larceny

State v. Goyette, 896-10-91 Cacr, April 7, 1992 – DWI

State v. Sweet, \_\_\_\_\_ Cncr, March 1990 – sale of marijuana

### **Bar Memberships**

Appellate Division, Third Department, New York, 1985 – present

Vermont Supreme Court, 1989 – present

United States Court of Appeals, Second Circuit, 1998 – present

United States District Court for the District of Vermont, 1990 - present

### **Lectures/Presentations**

June 4, 2009 – Green Mountain Juvenile and Criminal Defense Institute

Lecture to criminal defense practitioners on search and seizure issues related to automobile stops

February 11, 2003 – Lorman Education Services Seminar-Strategies in Handling DWI cases in Vermont

All day seminar to criminal defense practitioners relating to all aspects of DWI defense.

### **Awards**

Cornell Law School, Earl Warren Prize, 1982

Co-recipient, David Curtis Civil Liberties Award, Vermont Civil Liberties Union, 2006

### **Expert Testimony**

In re: Jamie Ovitt, Doc.No. 239-10-06 Oscv

In re: Bruce Cohen, 161 Vt. 432 (1994)

### **Other Activities**

Board member, Vermont Civil Liberties Union