

[REDACTED]

State v. Conley (Superior Court, Appellate Division, Docket No. A-272-70, Brief filed October 27, 1970) by Michael S. Bokar, Mercer County Legal Aid Society.

This case, which is similar to State v. Irrisary noted be-low, seeks to establish the right of an indigent, charged with an offense for which incarceration is authorized by statute, to obtain appointed counsel. The defendant was convicted in Trenton Municipal Court of use of heroin and possession of narcotic paraphernalia, and sentenced to three months in the Mercer County Workhouse on each charge. He was not represented by counsel. On appeal, the Mercer County Court affirmed, and defendant now appeals to the Appellate Division.

In his brief on appeal, the defendant asserts that indigents charged with offenses punishable by incarceration have a constitutional right to assigned counsel at trial and must be specifically informed of that right by the trial court. In addition, the defendant argues that this right exists at arraignment.

Brief.