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VIRGINIA TAYLOR
SUPERIOR COURT CLERK

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
8 **IN AND FOR THE COUNTY OF MOHAVE**

9 STATE OF ARIZONA,

10 Plaintiff,

11 vs.

12 **JUSTIN JAMES RECTOR**

13 Defendant.

No. CR-2014-1193

**State's case status report for
December 9, 2015**

14 Gregory A. McPhillips, respectfully submits the following case status report.

15 **Notice of interviews completed**

16 The parties have stalled on completing interviews. The parties still have many
17 interviews to conduct. The State hopes that further interviews can be scheduled in
18 January and February 2016.

19 **Request to complete pending ARS § 13-754 mental health exams**

20 The State nominated Dr. Ernest Harman M.D., Ph.D, to examine defendant's
21 sanity at the time of defendant committed the offense as required by A.R.S. § 13-754.
22 Defendant may object to this exam. In a ruling dated October 2, 2015, the court has
23 allowed this exam to be placed on hold while defendant gathers defendant's medical
24 records. The State seeks to discuss if the records have been gathered an if defendant
25 objects to an exam. If defendant does not object then the exam must be completed.



11 S8015CR201401193

McPhillips/14-F-1350

1 **Request for a law & motion hearing for pending motions**

2 The State requests a Law & Motion hearing to resolve pending motions. A ruling
3 has not been made on the following motions:

- 4 • State's amended notice of intent to seek the death penalty filed on February
5 17;
- 6 • Defendant's motion to extend rule 12.9 motion filed March 9;
- 7 • Defendant's Notice of invocation of Constitutional Rights filed March 9;
- 8 • Defendant's notice to interview all witnesses filed March 9;
- 9 • Defendant's initial motion for discovery filed March 9;
- 10 • Defendant's motion to invoke Evidence Rule 615 at all hearings filed April 22;
- 11 • Defendant's motion-in-limine objection to improper prosecutorial arguments
12 that unduly inflame the jury filed May 12;
- 13 • Defendant's motion in to preclude victim impact statements filed May 12.
- 14 • Defense motion to allow independent defense investigatory access to the
15 alleged victim(s) without any interference from the prosecution filed on July
16 15;
- 17 • Defense motion for individually voir dire of prospective jury members outside
18 the presence of other potential prospective jury members filed on August 20,
19 2015;
- 20 • Defendant's motion in limine / pretrial objections/ to improper prosecutorial
21 arguments that misstate the role of a juror in a death case filed on September
22 16, 2015;
- 23 • Defendant's motion to submit a detailed jury questionnaire to the potential jury
24 in concert with extended oral voir dire by both defendant and the state filed on
25 September 16, 2015;
- Defendant's proposed jury questionnaire to assist all parties with jury
selection filed on September 30, 2015;

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- Defense motion to permit execution impact evidence filed on September 16, 2015;
 - Defense motion for confirmation the State will not be utilizing D.N.A. evidence at Justin Rector's Trial filed on October 7, 2015;
 - Defense motion to preclude State from offering any evidence at penalty phase not specific to defendant's mitigation evidence filed on October 7, 2015;
 - Defendant's motion for discovery of victim impact evidence filed on October 7, 2015;
 - Defendant's motion to exclude venire persons who cannot fairly consider mitigating evidence filed on October 14, 2015;
 - Defendant's motion for court to place on the record its reasoning for rejection of defense objections at trial filed on October 14, 2015.

14 **Schedule a Chronis Hearing**

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16 Defendant requested a *Chronis* hearing, a probable cause determination for

17 alleged aggravating circumstances, in a motion filed on October 7, 2015. That hearing

18 should be set.

19 RESPECTFULLY SUBMITTED THIS 8TH DAY OF DECEMBER, 2015.

20 MOHAVE COUNTY ATTORNEY
21 MATTHEW J. SMITH

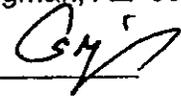
22 
23 By _____
24 DEPUTY COUNTY ATTORNEY
25 GREGORY A. MCPHILLIPS

1 A copy of the foregoing
sent this same day to:

2 HONORABLE LEE F. JANTZEN
3 SUPERIOR COURT JUDGE

4 Gerald T. Gavin
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6 RONALD S. GILLES
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9 By 

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