

**FILED**  
TIME 3:09 PM

MAR 25 2015

IN THE SUPERIOR COURT  
MOHAVE COUNTY, STATE OF ARIZONA

VIRLYNN TINNELL  
CLERK SUPERIOR COURT  
UK DEPUTY

Judge: Lee F. Jantzen  
Division: 4 Courtroom: D  
Court Reporter: Theresa Salsberry

Virlynn Tinnell, Clerk of Superior Court  
By: Lacie Robbins, Deputy Clerk  
Hearing Date: March 25, 2015

STATE OF ARIZONA,

Plaintiff,

vs.

JUSTIN JAMES RECTOR,

Defendant.

CASE NO: CR-2014-01193

STATUS CONFERENCE

START: 1:32 P.M.

**APPEARANCES:** Gregory McPhillips & Melissa Barry, Deputy County Attorneys; Gerald Gavin & Ron Gilleo, Attorneys for and with the Defendant.

This is the time set for a Status Conference.

The Court notes that in the past ten days, it has received numerous pleadings from Defense and responses filed by the State. The Court has read all of the pleadings and will rule on as many of those pleadings in writing and those pleadings that the Court feels oral arguments are necessary, the Court will set a Hearing on those motions in the future.

The Court didn't see anything listed that was an emergency; however, did sign appointing the Mitigation Specialist in this case.

Mr. Gavin informs the Court that the Mitigation Specialist is ready to get going on this case; apologizes for the flurry of motions, however, they are now in catch up mode since they have just received this case. Mr. Gavin clarified that he was not trying to fire this Court as the media has stated. He has no problem with the Court, just requesting that if this Court cannot handle this case that it respectfully step down and reassign this case to another Judge. If that is not the case, then the matter is moot.

Discussion ensues.

Mr. Gavin makes statements regarding discovery and disclosure that was recently received; has not requested that the State set up an interview list at this time as he is still going through materials that he has just received and requests that the Court table this particular portion to a later date.



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The Court would like to see progress and updates at each of these status hearings so they are meaningful in the future.

The State inquires about the Order nominating Dr. Harman to do the Guilty Except Insane Evaluation and wants to make sure that it is getting done.

Mr. Gavin advises the Court that there is no rush to complete the Mental Health Exam at this point; they need to get the correct records to get an accurate exam; once that is confirmed, they will proceed with the exam.

The State notes that they were negotiating with the Court and with prior Defense Counsel, in regards to mental health records that may be out there that were going to be obtained by the Court and given to Dr. Harman. The State wants to make sure that all are on top of the mental health exam so that it is not forgotten.

Mr. Gavin reassures the State and the Court that this issue will not be forgotten; this is an inappropriate time to discuss mental health proceedings and believes that this issue is about 6 months off to a year for that discussion as there is so much work that needs to be done in that area.

Discussion ensues.

The Court advises the parties that it will address the issue in a separate minute entry.

The State filed a Motion to Amend the Notice of Intent to Seek the Death Penalty on February 17, 2015, there was a clerical error in the statutes cited which is pointed out in the Motion; however, it is A.R.S. § 13-751 that the State was talking about, not 703; the Defense opposes that Motion.

Discussion ensues regarding the filing of joint motions prior to the Hearings.

**IT IS ORDERED** allowing the parties to file separate statements prior to the Hearings.

The Court notes that it did sign the Order on the Mitigation Specialist on March 16, 2015 and it was sealed in the file; Defense Counsel may pick up certified copies of that Order.

**IT IS ORDERED** setting this matter for **Oral Arguments on any pending motions / Status Conference on Wednesday, May 6, 2015 at 1:30 p.m.**

**IT IS ORDERED** affirming prior release orders.

The Court recesses at 1:54 p.m.

cc:

MOHAVE COUNTY ATTORNEY\*

MOHAVE COUNTY LEGAL DEFENDER\*  
Attorney for the Defendant

GERALD GAVIN\*  
Attorney for the Defendant

MOHAVE COUNTY JAIL\*

JAMES SCHOPPMANN\*  
(Informational Copy)

HONORABLE LEE F. JANTZEN\*  
Division 4