

**IN THE SUPERIOR COURT  
MOHAVE COUNTY, STATE OF ARIZONA**

**HONORABLE LEE F JANTZEN  
DIVISION: IV COURTROOM: D  
COURT REPORTER: THERESA SALSBERY**

**VIRLYNN TINNELL, CLERK OF SUPERIOR COURT  
BY: C. OBERLIN, DEPUTY CLERK  
HEARING DATE: 12/18/2018**

**STATE OF ARIZONA,**

**Plaintiff,**

**vs.**

**JUSTIN JAMES RECTOR,**

**Defendant.**

**CASE NO: CR-2014-01193\*  
CR-2017-01042**

**STATUS HEARING /  
CHANGE OF PLEA HEARING**

**START: 8:34 AM**

**APPEARANCES:** Gregory McPhillips, Deputy County Attorney; Julia Cassels, Attorney for the Defendant; Justin Rector, Defendant, in custody.

This is the time set for a Hearing on the Defendant's request to represent himself.

The Defendant advises that he is still requesting to represent himself; discussion ensues.

Defense Counsel requests to withdraw as counsel of record; discussion ensues.

The Court finds that the Defendant's date of birth is May 24, 1988; has completed the 8<sup>th</sup> grade; reads and understands the English language; has not consumed any alcohol, illegal drugs or prescription medications within the past 24 hours; has not been declared mentally incompetent; has read and reviewed the notice provided by the Court at the last hearing.

The Court advises the Defendant of the possible consequences if he is found guilty at trial and the standards of representing himself in a criminal proceeding.

The Court provides the Defendant a Waiver of Counsel form.

The State and Defense Counsel take no position on the Defendant's request to represent himself.

The Defendant signs the Waiver of Counsel.

The Court finds that the Defendant has knowingly, intelligently and voluntarily waived his right to counsel.

**IT IS ORDERED** allowing the Defendant to represent himself in all further proceedings in these matters.

**IT IS ORDERED** granting Defense Counsel's Motion to Withdraw.

**IT IS FURTHER ORDERED** relieving Mr. Valdez as the Investigator.

Defense Counsel requests to provide her copy of the Defendant's file to whomever will be assigned as advisory counsel for the Defendant; discussion ensues.

Show now the presence of Ron Gilleo with the Mohave County Legal Defender's Office.

Mr. Gilleo indicates that he believes that there is no longer a conflict in his office that would prevent him from being appointed as Advisory Counsel; discussion ensues.

**IT IS ORDERED** appointing the Mohave County Legal Defender's Office to be Advisory Counsel for the Defendant.

Ms. Cassels is excused at 8:53 a.m.

Mr. Gilleo requests a short recess; the State does not object.

The Court stands in recess at 8:54 a.m.

The Court reconvenes at 9:14 a.m.; all parties mentioned heretofore are present.

The Court is presented with a Felony Plea Agreement.

The Court finds that the Defendant's date of birth is May 24, 1988; has completed the 8<sup>th</sup> grade; reads and understands the English language; has not consumed any alcohol, illegal drugs or prescription medications within the past 24 hours; and that the Defendant is agreeing to plead guilty in CR-2014-01193 to the offense of: **Count 1 – First Degree Murder, a Class 1 Felony.**

The Court advises the Defendant of the possible penalties involved for the offense listed above and goes over all the terms of the plea agreement. The Court further advises the Defendant of the possible penalties, including if the Defendant is placed on probation, and then violates probation. The Court advises the Defendant of the possible consequences of having a felony conviction, reads the immigration warning, and finds that the Defendant is not presently on probation or parole in any other matter.

The Court finds the Defendant has read the plea agreement, and it has been explained to the Defendant by Advisory Counsel; the Defendant understands the plea agreement, and it contains everything agreed to between the parties. The Court further confirms the Defendant has signed the plea agreement.

The Court advises the Defendant that all pending motions in these matters will not be considered.

The Court advises the Defendant of his rights, and the rights being given up by entering into this plea agreement, including the right to appeal; and finds that there were no promises made, other than those contained in the plea agreement; that no force was used and no threats were made to get the Defendant to enter into this plea agreement.

The Court reads the charge contained in the Indictment and asks the Defendant for his plea.

The Defendant enters a plea of guilty.

The Court advises the Defendant of the elements of the offense and discussion ensues regarding the factual basis.

Based on the record, the Court finds the Defendant has knowingly, intelligently and voluntarily pled guilty in CR-2014-01193 to the offense of: **Count 1 – First Degree Murder, a Class 1 Felony.**

The Court further finds that there is a factual basis for the plea; and the plea is accepted and entered of record.

**IT IS ORDERED** setting this matter for **Judgment and Sentencing on Wednesday, January 30, 2019 at 1:30 p.m.**

**IT IS FURTHER ORDERED** directing the Probation Department to prepare a written Pre-Sentence Investigation and Report in this matter.

**IT IS FURTHER ORDERED** directing the Defendant to cooperate with the Probation Department in their preparation of the report.

The Defendant is admonished.

**IT IS ORDERED** taking under advisement any Motions to Dismiss pursuant to the Plea Agreement.

**IT IS ORDERED** affirming conditions of release.

The State notes that he is still intending on speaking to the Defendant regarding this case; the Defendant declines the request.

The Court stands in recess at 9:32 a.m.

cc:

MOHAVE COUNTY ATTORNEY \*

JULIA CASSELS \*

Former Attorney for the Defendant

MOHAVE COUNTY LEGAL DEFENDER \*

Advisory Counsel for the Defendant

JUSTIN JAMES RECTOR

c/o Mohave County Jail \*

In Pro Per

MOHAVE COUNTY PROBATION \*

MOHAVE COUNTY JAIL \*

INDIGENT DEFENSE SERVICES \*

HONORABLE LEE F JANTZEN \*

Division IV