

FILED
TIME 9:32 A M.

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

DEC 18 2018
VIRLYNN TINNELL
CLERK SUPERIOR COURT
BY: CO DEPUTY

STATE OF ARIZONA,
Plaintiff,

vs.

JUSTIN JAMES RECTOR
Defendant.

No. CR-2014-1193 &
CR-2017-01042

FELONY PLEA AGREEMENT

The State of Arizona and the Defendant hereby stipulate to the following disposition of this case:

1. The Defendant will plead guilty to: **IN CR-2014-1193: COUNT 1: FIRST DEGREE MURDER, A CLASS 1 FELONY, IN VIOLATION OF A.R.S. §§ 13-1105(A)(2), 13-1101, 13-701, 13-702, 13-751, 13-752 AND 13-801.**

A CLASS 1 FELONY (felony murder where the victim was under fifteen years of age) is punishable by life imprisonment without possibility of parole for 35 calendar years or punishable by a sentence of natural life.

If the Defendant is sentenced to prison, either initially at the time of Judgment and Sentencing or later at any Disposition following any probation violation, the Defendant understands that:

- * The Defendant shall serve 100% of any prison term imposed.
- * The Defendant shall also be sentenced to community supervision upon his release from prison for a period of time equal to 15% of his prison sentence.
- * The Defendant may be returned to prison if the Defendant violates the terms and conditions of community supervision for the remainder of his community supervision sentence.

2. The Defendant will receive a sentence of: **LIFE IMPRISONMENT WITHOUT POSSIBILITY OF PAROLE FOR 35 CALENDAR YEARS;** consistent with the following additional terms: **ALL OTHER TERMS AT THE JUDGE'S DISCRETION.**
3. The following charges will be dismissed, or if not yet filed, will not be brought against the Defendant:
 - **IN CR-2014-1193: COUNT 2: KIDNAPPING, CLASS 2 FELONY; COUNT 3: CHILD ABUSE, CLASS 2 FELONY; COUNT 4: ABANDONMENT OF A DEAD BODY, CLASS 5 FELONY; AND STIPULATES TO LIFE IMPRISONMENT WITHOUT POSSIBILITY OF PAROLE FOR 35 CALENDAR YEARS RATHER THAN A SENTENSE OF NATURAL LIFE.**

• **IN CR-2017-01042: COUNTS 1-3: AGGRAVATED ASSAULT, EACH A CLASS 5 FELONY.**

4. If you are not a citizen of the United States, pleading guilty or no contest to a crime may affect your immigration status. Admitting guilt may result in deportation, even if the charge is later dismissed. Your plea or admission of guilt could result in your deportation or removal, could prevent you from ever being able to get legal status in the United States, or could prevent you from becoming a United States citizen.
5. This plea and disposition, unless rejected or withdrawn, serves to amend the complaint, indictment, or information to charge the offense to which the Defendant pleads, without the filing of any additional pleading. If the plea is rejected or withdrawn, the original charges are automatically reinstated.
6. If the Defendant is charged with a felony, the Defendant gives up his right to a preliminary hearing or other probable cause determination on the charges to which the Defendant pleads. In the event the Defendant rejects the plea or the Defendant withdraws from the plea, the Defendant gives up the Defendant's right to a preliminary hearing or other probable cause determination on the original charges. The Defendant also agrees that entering this plea agreement is not a material change of circumstances or facts which would allow a re-examination of the conditions of release pursuant to Rule 7.4(b) of the Arizona Rules of Criminal Procedure.
7. The Defendant shall not have any right to appeal from the judgment or sentence imposed as a result of this stipulated guilty plea.
8. Unless the plea is rejected or withdrawn, the Defendant gives up any and all motions, defenses, objections or requests which the Defendant has made or raised, or could assert hereafter, and agrees to the Court's entry of judgment against the Defendant and imposition of a sentence upon the Defendant consistent with the stipulation.
9. If after accepting this plea the Court concludes that any of its provisions regarding the sentence or the term and conditions of probation are inappropriate, it can reject the plea, giving the Defendant and the State an opportunity to withdraw the plea.
10. When the Court accepts this plea agreement, either at the time of entering this plea agreement or later, then the Defendant cannot withdraw from this plea agreement unless the Defendant can show a manifest injustice.
11. Unless expressly stated otherwise, this stipulated plea agreement does not affect any proceedings that are pending or which could be brought by the

State or any other jurisdiction to forfeit any interest of the Defendant in any property.

12. The Court may determine restitution based upon any information presented to it in any form, including hearsay, and the parties specifically stipulate that the Arizona Rules of Evidence shall not apply at a restitution hearing and/or when the State is presenting evidence on behalf of the victim(s), victim's estate, and/or subrogees of a victim(s) (collectively "Victim"). Additionally, the parties stipulate that in lieu of Victim testimony, the Court may consider written statements, summaries, or spreadsheets created or compiled by and/or on behalf of a Victim and testimony by a restitution advocate from the Mohave County Attorney's Office. Defendant understands that any restitution ordered shall incur interest at the statutory rate, which is currently ten percent (10%) per annum.
13. The Court may find aggravating or mitigating factors, alleged or not, based upon any information presented to it, including hearsay, and the Court is not bound by the rules of evidence in making such findings.

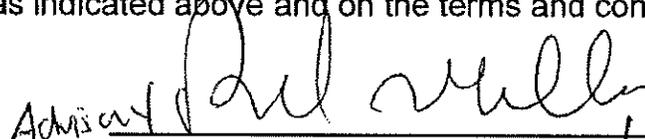
I have read and understand the above. I have discussed the case and my constitutional rights with my lawyer. I understand that by pleading guilty, I will be giving up my right to a trial by jury, to confront, cross-examine, and compel the attendance of witnesses, and my privilege against self-incrimination. I will enter my plea as indicated above on the terms and conditions set forth herein. I fully understand that if I am granted probation by the Court, the terms and conditions thereof are subject to modification at any time during the period of probation in the event that I violate any written condition of my probation.

12.18.18
DATE


DEFENDANT
JUSTIN JAMES RECTOR
DOB: 5/24/1988

I have discussed this case with my client in detail and advised my client of the client's constitutional rights and all possible defenses. I believe that the plea and disposition set forth herein are appropriate under the facts of this case. I concur in the entry of the plea as indicated above and on the terms and conditions set forth herein.

12/18/18
DATE


Advisary
ATTORNEY FOR DEFENDANT / Legal Defends
~~JULIA CASSELS~~
Renee S. Gillet

I have reviewed this matter and concur that the plea and disposition set forth herein are appropriate and are in the interests of justice.

12-12-18
DATE



DEPUTY COUNTY ATTORNEY
GREGORY A. MCPHILLIPS