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VIRLYNN TINNELL
SUPERIOR COURT CLERK

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

14 **STATE OF ARIZONA,**)
15 **PLAINTIFF,**) NO. CR-2014-01193
16 **vs.**) **DEFENDANT'S NOTICE OF**
17 **JUSTIN JAMES RECTOR,**) **INVOCATION OF CONSTITUTIONAL**
18 **DEFENDANT.**) **RIGHTS/ RIGHT TO REMAIN SILENT/**
19) **RIGHT TO REPRESENTATION BY**
20) **COUNSEL**
21)
22) (Assigned to the Hon. Lee Jantzen)
23)
24)
25)
26)
27)

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21 Defendant Justin James Rector, by and through undersigned counsel, hereby
22 provides clear NOTICE to the State of Arizona, its agents, all law enforcement officers,
23 in the above entitled – entitled matter, *and any other law enforcement investigations,*
24 *whatever the jurisdiction,* of his desire to remain silent, speak with no law enforcement,
25 regarding any investigation, and demand his lawyers notification and presence for any
26 attempted meeting. Similarly, Mr. Rector also asserts his constitutional rights to be free
27 from any questioning, on any topic, under Article II, §§ 10 and 24 of the Arizona



1 Constitution. Counsel is acutely aware of the word games and semantic
2 interpretations employed by a small, aggressive breed of investigators, who take license
3 in skirting the fact this defendant is represented by a lawyer. They seek to question the
4 defendant under the guise "this pertains to a different investigation", or "is not related to
5 this case, but another unrelated matter or suspect", or similar. Its simple. Counsel
6 expressly demands to be present for *any conversations between law enforcement or its*
7 *agents*, for any matter involving his present charges, charges he has been convicted of,
8 any investigation where it is believed he possesses information helpful to any
9 investigation, including his listing as a suspect, an investigative lead, a witness, or any
10 other designation.

11 Mr. Rector and his counsel *do not consent* to any taking of evidence from his
12 person or surroundings, nor agree to any conversation outside counsel's immediate
13 presence and agreement to participate. Any attempt to do so, counsel believes, is a
14 clear demonstration of bad faith; to do so exposes the State to a Motion to Dismiss.
15

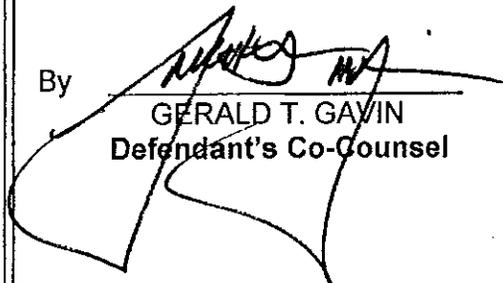
16 Mr. Rector asserts his rights to be free from questioning on the above matter, or
17 any other matter, under the Sixth Amendment to the United States Constitution, as well
18 as Article II, §24 of the Arizona Constitution. The inconvenience to the Government is
19 minimal compared to the great potential harm to Mr. Rector.

20 Mr. Rector requests a very simple prophylactic order be issued by this Court to
21 the State, to disperse to its agents and notify any and all law enforcement agencies
22 involved in this matter, as well as the agency maintaining his pretrial confinement (The
23 Mohave County Sheriff's Office) and/or Arizona Department of Corrections, that no
24 discussion regarding any investigation is to take place with the defendant unless his
25 counsel has been 1) notified and 2) actually present in person or by telephone.
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RESPECTFULLY SUBMITTED this 9th day of March, 2015.

By



GERALD T. GAVIN
Defendant's Co-Counsel



RON GILLO
Defendant's Co-Counsel

1 ORIGINAL of the foregoing filed
2 this 9th day of March, 2015 with:

3 Clerk of the Court
4 401 E. Spring Street
5 Kingman Arizona 86401

6 COPY of the foregoing delivered
7 This 9th day of March, 2015 to:

8 Honorable Lee Jantzen
9 Judge of the Superior Court
10 Mohave County Courthouse
11 401 E. Spring Street
12 Kingman Arizona 86401

13 Greg McPhillips
14 Assigned Deputy County Attorney
15 P.O. Box 7000
16 Kingman Arizona 86401

17 Ron Gilleo
18 Mohave County Legal Defender
19 Co-Counsel for Justin James Rector
20 313 Pine Street
21 P.O. Box 7000
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23 Defendant Justin James Rector
24 Mohave County Jail

25 File

26 By  _____
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