

FILED
TIME 3:00 PM

SEP 02 2016

IN THE SUPERIOR COURT
MOHAVE COUNTY, STATE OF ARIZONA
VIRLYNN TINNELL
CLERK SUPERIOR COURT
BY: ASB DEPUTY

HONORABLE LEE F. JANTZEN
DIVISION 4 COURTROOM: D
COURT REPORTER: THERESA SALSBERY

VIRLYNN TINNELL, CLERK OF SUPERIOR COURT
BY: KIT KUDUKIS, DEPUTY CLERK
HEARING DATE: 9/02/2016

STATE OF ARIZONA,

Plaintiff,

vs.

JUSTIN JAMES RECTOR,

Defendant.

CASE NO: CR-2014-01193

EVIDENTIARY/CHRONIS HEARING/ FINAL
MANAGEMENT CONFERENCE

START: 1:36 P.M.

APPEARANCES: Gregory McPhillips, Deputy County Attorney; Gerald Gavin and Julia Cassels, Attorneys for and with the Defendant.

This is the time set for an Evidentiary/Chronis Hearing and a Final Management Conference.

As to the Evidentiary/Chronis Hearing:

Prior to convening the State presents Exhibits E000001 through E000004 for identification (see Exhibit List).

Mr. McPhillips makes statements regarding the State's planned withdrawal of the A.R.S. §13-751(F)(13) factor allegations; Mr. Gavin requests an Order from the Court dismissing the allegation with prejudice.

The State calls Detective Brandon Grasse, who is sworn and testifies.

The State requests that Exhibit 1 be admitted into evidence, without objection.

IT IS ORDERED admitting Exhibit 1 into evidence.

The State requests that Exhibit 2 be admitted into evidence, without objection.

IT IS ORDERED admitting Exhibit 2 into evidence.

The State requests that Exhibit 4 be admitted into evidence; Mr. Gavin objects to the use of the document as the document was not prepared by the witness and is hearsay.

IT IS ORDERED admitting Exhibit 4 into evidence for this hearing only, over Mr. Gavin's objection.

The State requests that Exhibit 3 be admitted into evidence; Mr. Gavin objects to the use of the document as the document was not prepared by the witness and is hearsay.

IT IS ORDERED admitting Exhibit 3 into evidence and noting Mr. Gavin's continuing objection to the use of reports.

The witness is excused.



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Mr. Gavin requests that Detective Grasse remain under subpoena for the next two weeks should additional questions arise. The Court will allow the Detective to remain under subpoena.

The State rests; Defense rests.

Counsel present their closing arguments; the Court states its findings for the record:

IT IS ORDERED denying the request for a two week extension.

IT IS FURTHER ORDERED as to the A.R.S. §13-751(F)(2) factor, the State has met the burden of probable cause.

IT IS FURTHER ORDERED as to the A.R.S. §13-751(F)(6) factor, the State has met the burden of probable cause.

IT IS FURTHER ORDERED as to the A.R.S. §13-751(F)(9) factor, the State has met the burden of probable cause.

IT IS FURTHER ORDERED dismissing the A.R.S. §13-751(F)(13) factor as an aggravator with prejudice.

As to the Final Management Conference:

Discussion ensues regarding the parties' readiness for trial.

IT IS ORDERED continuing the Jury Trial in this matter to Monday, May 1, 2017 at 9:30 A.M.

IT IS FURTHER ORDERED that written updates by the parties are to be filed with the Court by Tuesday, November 1, 2016.

IT IS FURTHER ORDERED setting a Status Conference on Friday, November 4, 2016 at 1:30 P.M.

The Court admonishes counsel to complete gathering of witnesses and complete interviews.

IT IS ORDERED affirming prior release conditions.

The Court recesses at: 2:25 P.M.

cc:

MOHAVE COUNTY ATTORNEY*

GERALD GAVIN*

JULIA CASSELS

Counsel for the Defendant

MOHAVE COUNTY JAIL*

HONORABLE LEE F. JANTZEN*

Division 4