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FILED

BY: *kr*

2019 JUL 12 AM 8:59

VIRLYNN TINNELL
SUPERIOR COURT CLERK

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

9 STATE OF ARIZONA,

10 Plaintiff,

11 vs.

12 JUSTIN JAMES RECTOR

Defendant.

No. CR-2014-1193

**MOTION FOR FTR (FOR THE
RECORD) RECORDING OF THE
TESTIMONY OF JAMES VALDEZ
FROM THE EVIDENTIARY
HEARING DATED THE 11TH OF
JULY 2019**

13 COMES NOW, the State of Arizona, by the Mohave County Attorney and
14 through the undersigned Deputy County Attorney, Gregory A. McPhillips,
15 respectfully requests the Court order the Mohave County Clerks Office to provide
16 the State with the FTR (FOR THE RECORD) recording of the testimony of
17 James Valdez from the evidentiary hearing dated the 11th of July 2019.

18 During his testimony, James Valdez made accusations against attorney
19 Julia Cassels which could rise to the crimes of Influencing a Witness, per 13-
20 2802, Tampering with a Witness, per 13-2804, and ethical violations of
21 misconduct per ER 8.4. The State was surprised by the statements. Now that
22 undersigned counsel is aware of the allegation, undersigned counsel has the
23 dual obligation to investigate to determine if a case should be criminally
24 prosecuted or an ethical complaint must be made. The State needs the
recording to investigate these potential offenses and violations. While the State
intends to get a transcript, which will take time to complete, the recording will



1 convey tone of voice which is always a credibility issue in criminal and ethical
2 investigations.

3 The Mohave County Clerk's office has refused to deliver the FTR recording
4 without a Court Order. The Court should order the Mohave County Clerks Office
5 to provide the State with the FTR (FOR THE RECORD) recording of the
6 testimony of James Valdez from the evidentiary hearing dated the 11th of July
7 2019.

8 RESPECTFULLY SUBMITTED THIS 12TH DAY OF JULY, 2019.

9 MOHAVE COUNTY ATTORNEY
10 MATTHEW J. SMITH

11 By 

12 DEPUTY COUNTY ATTORNEY
13 GREGORY A. MCPHILLIPS

14 A copy of the foregoing
15 sent this same day to:

16 HONORABLE LEE F. JANTZEN
17 SUPERIOR COURT JUDGE

18 DANIEL BENJAMIN KAISER
19 ATTORNEY FOR DEFENDANT
20 The Kaiser Law Group
21 121 East Birch Avenue, Suite 403
22 Flagstaff, AZ 86001

23 By _____
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