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FILED
2015 MAY 20 PM 4:12
VIRLYNN TINRELL
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,

13 Defendant.

No. CR-2014-1193

**RESPONSE TO THE DEFENDANT'S
MOTION IN LIMINE // PRETRIAL
OBJECTIONS // TO IMPROPER
PROSECUTORIAL ARGUMENTS
THAT UNDULY INFLAME A JURY**

14 COMES NOW, the State of Arizona, by the Mohave County Attorney and through
15 the undersigned deputy, Gregory A. McPhillips, respectfully requests defendant's motion
16 in limine // pretrial objections // to improper prosecutorial arguments be denied.

17 The Defendant's motion is premature as it references arguments during the
18 Penalty Phase proceedings. The State has however no intention of making improper
19 argument during any phase of the proceeding, will base presentations on facts and law
20 relevant to the case, and will adhere to all ethical responsibilities.

21 State's counsel has no obligation to preview the State's argument for Court and
22 counsel prior to giving that argument in open court. Nor would it be appropriate for the
23 Court to go through any counsel's argument line by line prior to counsel addressing the
24 jury. As this trial unfolds the Court will properly instruct the jurors as to the applicable law.
25 The State will base argument on that law relevant to the facts of the case. Counsel for
both sides will have the opportunity to make specific objections at the appropriate time
during these proceedings.



1 Defendant's motion is not ripe. The State respectfully requests this Court currently
2 deny the requested objections at this time.

3
4 RESPECTFULLY SUBMITTED THIS 20TH DAY OF MAY, 2015.

5 MOHAVE COUNTY ATTORNEY
6 MATTHEW J. SMITH

7
8 By  _____
9 DEPUTY COUNTY ATTORNEY
10 GREGORY A. MCPHILLIPS

11
12
13
14 A copy of the foregoing
15 sent this same day to:

16 HONORABLE LEE F. JANTZEN
17 SUPERIOR COURT JUDGE

18 RONALD S. GILLES
19 LEGAL DEFENDER
20 Mohave County Legal Defender's Office
21 P O Box 7000
22 Kingman AZ 86402

23
24
25
By 