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VIRLYNN TINHELL
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,

No. CR-2014-1193

11 vs.

**RESPONSE TO DEFENDANT'S
MOTION FOR IDENTITY OF
INFORMANTS**

12 **JUSTIN JAMES RECTOR,**
13 Defendant.

14 COMES NOW, the State of Arizona, by the Mohave County Attorney and through
15 the undersigned deputy, Gregory A. McPhillips, respectfully responds to defendant's
16 Motion for Identity of Informants.

17 ***1. Local rules require counsel to make a good faith effort to resolve disclosure
18 requests prior to seeking a pretrial order***

19 Defendant wants to know if there is a jail house snitch. Instead of communicating
20 with undersigned counsel, the defense choose to file a motion with the court.

21 Undersigned counsel hopes that all communications with defense counsel will not require
22 court involvement.

23 Arizona State Mohave County Superior Court Local Rule CR-8 states:

24 Any party seeking a pretrial order compelling the production of material or
25 seeking sanctions for failure to comply with the rules of disclosure, or other
court order, shall first certify to the Court that the party has personally made
a good faith effort to resolve any outstanding discovery issue.



1 Defense counsel has not made any attempt to resolve this issue with undersigned
2 counsel. It is frustrating to undersigned counsel that conversations that should be held
3 between counsels have been forwarded as motions to waste the Court's time. This issue
4 is not ripe. As such defendant's motion should be denied.

5 **2. The state has not employed a jail house snitch**

6 The State has not employed, or entered into an agreement with, a jail house snitch.
7 Undersigned counsel contacted the case officer and confirmed, what counsel suspected,
8 that such a witness does not exist. As such, defendant's motion is moot and should be
9 denied.

10 At this time all information gleaned from defendant's statements, made in jail, have
11 been disclosed to defense. If, in the future, some witness comes forward with information
12 gleaned from statements defendant made in jail, then investigators will speak with that
13 witness and investigate that avenue.

14 **Conclusion**

15 Defendant's motion is not ripe as defense counsel declined to communicate their
16 disclosure request with undersigned counsel. Defendant's motion is moot as the State
17 has not employed a jail house snitch. As such, defendant's motion should be denied.

18 RESPECTFULLY SUBMITTED THIS 1ST DAY OF MAY, 2015.

19
20 MOHAVE COUNTY ATTORNEY
MATTHEW J. SMITH

21
22 By  _____
23 DEPUTY COUNTY ATTORNEY
GREGORY A. MCPHILLIPS

1 A copy of the foregoing
sent this same day to:

2 HONORABLE LEE F. JANTZEN
3 SUPERIOR COURT JUDGE

4 Gerald T. Gavin
3880 Stockton Hill Road, Suite 103-450
5 Kingman, AZ 86409

6 RONALD S. GILLO
LEGAL DEFENDER
7 Mohave County Legal Defender's Office
P O Box 7000
8 Kingman AZ 86402

9 By GJP

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