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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
13 Defendant.

No. CR-2014-1193
**RESPONSE TO DEFENDANT'S
MOTION FOR DISCOVERY OF
VICTIM IMPACT EVIDENCE**

14 COMES NOW, the State of Arizona, by the Mohave County Attorney and through
15 the undersigned Deputy County Attorney, Gregory A. McPhillips, respectfully responds
16 to defendant's Motion for discovery of victim impact evidence.

17 ***The State has followed the rules of disclosure***

18 The State has already disclosed victim impact evidence. The State is currently
19 compiling further victim impact evidence. The State intends to disclose that victim
20 impact evidence soon. The State has not withheld disclosure of victim impact evidence.
The State will continue to disclose victim impact evidence.

21 As such, defendant's motion is moot.

22 ***Defense Counsel refuses to make disclosure requests to the State***

23 Defendant has refused to follow the local rules, and this Court's order, requiring
24 disclosure requests be made to the opposing party prior to involving the court.



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3 Arizona State Mohave County Superior Court Local Rule CR-8 states:
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5 Any party seeking a pretrial order compelling the production of material or
6 seeking sanctions for failure to comply with the rules of disclosure, or other court
7 order, shall first certify to the Court that the party has personally made a good
8 faith effort to resolve any outstanding discovery issue.

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

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RESPECTFULLY SUBMITTED THIS 24TH DAY OF NOVEMBER, 2015.

MOHAVE COUNTY ATTORNEY
MATTHEW J. SMITH

By 
DEPUTY COUNTY ATTORNEY
GREGORY A. MCPHILLIPS

A copy of the foregoing
sent this same day to:

HONORABLE LEE F. JANTZEN
SUPERIOR COURT JUDGE

GERALD T. GAVIN
3880 STOCKTON HILL ROAD, SUITE 103-450
KINGMAN, AZ 86409

RONALD S. GILLES
LEGAL DEFENDER
Mohave County Legal Defender's Office
P O Box 7000
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By 