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SUPERIOR COURT CLERK

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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 PRODUCTION OF
DAILY COURT TRANSCRIPTS OF
PROCEEDINGS**

14 COMES NOW, the State of Arizona, by the Mohave County Attorney and through
15 the undersigned deputy, Gregory A. McPhillips, and respectfully requests defendant's
16 motion for full recording of all proceedings be denied.

17 Defendant's current motion has no basis in law. No case or law requires the
18 production of daily transcripts. Therefore, this is an issue in the sound discretion of the
19 trial court.

20 There are two classes of daily transcripts defendant is requesting. First, defendant
21 is requesting transcripts of the pre-trial hearings. Second, defendant is requesting
22 transcripts of the trial hearings.

23 Defendant has shown no necessity for the production of transcripts for every
24 pre-trial hearings. For example, is there a necessity for a transcript of the up-coming
25 Status Hearing scheduled on March 25, 2015. There is no such necessity. If an
evidentiary hearing is held and defendant requests a transcript, then one may be ordered.
There is an expense to ordering transcripts. Despite the fact that death is different, the



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1 Court has a responsibility to judiciously expend public monies. The order of transcripts,
2 afforded by public monies, is a decision that is best handled on a hearing by hearing
3 basis.

4 Production of daily transcripts of the trial hearings is not feasible. Undersigned
5 counsel does not know how trials are held in Maricopa County but this trial will run five
6 days a week, from 9am to 5pm. We will use the same court reporter for much, if not all, of
7 the trial. Production of daily transcripts of the trial hearings is not physically possible.
8 Ordering daily transcripts of the trial hearings would be silly.

9 Any transcripts ordered by the defense will be paid by the defense. In this case,
10 that money would come from IDS. Defense counsel may want to discuss with IDS what
11 expenses are feasible.

12 If defendant is afforded a transcript then the State requests a copy.

13 Defendant's motion for full recording of all proceedings should be denied.

14 RESPECTFULLY SUBMITTED THIS 11TH DAY OF MARCH, 2015.

15 MOHAVE COUNTY ATTORNEY
16 MATTHEW J. SMITH

17 By 
18 DEPUTY COUNTY ATTORNEY
GREGORY A. MCPHILLIPS

19 A copy of the foregoing
20 sent this same day to:

21 HONORABLE LEE F. JANTZEN
SUPERIOR COURT JUDGE

22 RONALD S. GILLES
23 LEGAL DEFENDER
Mohave County Legal Defender's Office
24 P O Box 7000
Kingman AZ 86402

25 By 