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SUPERIOR COURT OF THE STATE OF ARIZONA

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7 Attorney for Justin Rector

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

10			
11	STATE OF ARIZONA,)	CR2014-01193
12)	
13	PLAINTIFF,)	
14)	
15	v.)	RESPONSE TO STATE'S
16)	MOTION TO COMPEL
17	JUSTIN JAMES RECTOR,)	MITIGATION DISCLOSURE
18)	
19	DEFENDANT.)	HONORABLE LEE JANTZEN

20 The Defendant, Justin Rector, through undersigned counsel, asks the Court
21 deem the State's Motion to Compel Mitigation Disclosure moot as the defense is
22 not required to disclosure mitigation evidence as this is no longer a capital matter.

23 In a capital matter, because the sentencing hearing proceeds immediately
24 after a conviction, there is no time to separately prepare for a mitigation
25 presentation, hence the rule's provision for disclosure of mitigation evidence in
26 advance of trial. In a non-capital matter, however, the Court, not the jury, is the
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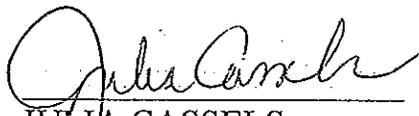
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1 sentencer and ample time is afforded between conviction and sentencing so that
2 both parties may be prepared.

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4 Typically, the defense would be under no obligation to submit mitigation
5 evidence in advance of sentencing in a non-capital matter. However, due to the
6 complexity of this case, the defense will provide the State with necessary
7 documents in advance of any sentencing hearing.
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9 Respectfully submitted this 23rd day of August, 2018.

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13 JULIA CASSELES
14 Counsel for Defendant
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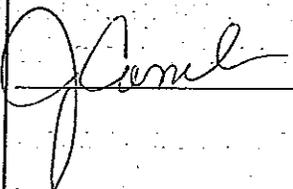
Original filed :
Clerk of the Court
Mohave County
401 E. Spring Street
Kingman, Arizona 86401

Honorable Lee Jantzen
Judge of the Superior Court

Mr. Greg McPhillips
Deputy County Attorney

Mr. Justin Rector
Mohave County Jail

Client File



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