

1 of the State both in person and in writing as to the status of the following items in
2 a good faith effort to resolve the issue. Counsel had asked the Court to find at
3 this juncture that the State has violated its disclosure obligations, order disclosure,
4 and impose an appropriate sanction. ARCP, Rule 15.7(b).
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6 1. Notes and Other Records by the Medical Examiner: Counsel first
7 moved for these items on March 24, 2017. The Court issued Orders in March of
8 2017 which were then reaffirmed early in 2018. At a meeting on May 14, 2018,
9 counsel learned that the photos were in fact disclosed to prior counsel in April of
10 2017, but never provided to the remainder of the team. However, counsel is still
11 specifically requesting the following:
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13 a. The ME's chain of custody for the cassettes.
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15 b. The ME's list/description of what cassettes exist.
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17 2. Cellular/Electronic Forensic Information: Counsel first moved for these
18 items on March 24, 2017. The Court issued Orders in March of 2017 which were
19 reaffirmed early in 2018. The items have not been received. Additionally,
20 counsel requested of the State's Attorney in the Fall of 2017 to determine whether
21 other electronics (i.e. computers, cell phones, tablet devices and the like) located
22 in various crime scenes had been submitted for any forensic testing. Counsel
23 requests the Court Order the State to provide information as to same and
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1 incorporates that request into the original motion. These items have still not been
2 obtained by the Defense.

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4 3. Passwords for FBI Disclosure: This matter appears to be resolved via a
5 PDF version provided by the State.

6 Counsel is unable to proceed in this matter without these listed items of
7 information. Counsel is completely unaware as to what this disclosure may
8 prompt in terms of needs for experts or further investigation.

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10 Typically, counsel would request the information be disclosed or be subject
11 to preclusion. However, in this case, the information is believed to be
12 exculpatory in nature and counsel is loathe to make such a request without
13 foreknowledge of the contents of this discovery. Accordingly, counsel requests
14 the Court issue an Order that the State deliver the information within ten business
15 days and that the Court impose an appropriate sanction as outlined by ARCP
16 15.7(c) once the disclosure has been obtained by counsel.

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21 Counsel further notes that had this information which was first requested
22 one year ago as to items #1 and #2 and six months ago as to item #3 been
23 provided, counsel would be in a more suitable position to set a trial date. Due to
24 the delay occasioned by the State, counsel remains unable to set a trial date at this
25 time.
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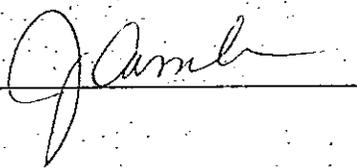
Respectfully submitted this 30th day of July, 2018.



JULIA CASSELS
Counsel for Defendant

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1 Original filed
and
2 hand-delivered to:
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4 Clerk of the Court
Mohave County
5 401 E. Spring Street
6 Kingman, Arizona 86401
7 Honorable Lee Jantzen
8 Judge of the Superior Court
9 Mr. Greg McPhillips
10 Deputy County Attorney
11 Mr. Justin Rector
12 Mohave County Jail
13 Client File
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