

FILED
TIME 4:11 P.M.

OCT 15 2010

VIRLYNN TINNELL
CLERK SUPERIOR COURT
BY: [Signature] DEPUTY

IN THE SUPERIOR COURT
MOHAVE COUNTY, STATE OF ARIZONA

Judge: Honorable Steven F. Conn
Division: 3 Courtroom: A
Court Reporter: Jim Glover

Virlynn Tinnell, Clerk of Superior Court
By: Danielle DeBarge (jj), Deputy Clerk
Hearing Date: October 15, 2010

STATE OF ARIZONA,	Plaintiff,	CASE NO: CR-2010-00821 ✓
vs.		ORAL ARGUMENT ON MOTION TO REMAND TO THE GRAND JURY / EVIDENTIARY HEARING
CASSLYN MAE WELCH,	Defendant.	START: 2:57 P.M.
STATE OF ARIZONA,	Plaintiff,	CASE NO: CR-2010-00823
vs.		ORAL ARGUMENT ON MOTION TO REMAND TO THE GRAND JURY / EVIDENTIARY HEARING
JOHN CHARLES MCCLUSKEY,	Defendant.	START: 2:57 P.M.

APPEARANCES: Victoria Stazio, Deputy County Attorney; Stephen R. Glazer, Attorney for and with the Defendant Welch; John A. Pecchia and Jason Steffen, Attorneys for and with the Defendant McCluskey.

This is the time set for hearing on the Motion to Remand to the Grand Jury, filed by Counsel for Defendant McCluskey; the Court reviews the file.

Mr. Steffen advises the Court even though this is a joint hearing Defense McCluskey is not consenting to a joint trial and presents arguments.

The Court finds that Mr. Steffen received the affidavit signed by [REDACTED], filed by the State.

Mr. Steffen objects to the affidavit and requests that the Court not consider it.

The Court will consider the affidavit as evidence for the purpose of this hearing only.

Mr. Glazer presents arguments.



Ms. Stazio presents arguments.

Mr. Steffen presents final arguments.

Mr. Glazer presents final arguments.

The Court will review the record and will enter an order in writing addressing the Motion to Remand to the Grand Jury.

The Court finds that Counsel for defendant McCluskey has filed a Motion for Complex Case Designation.

The State objects the Motion and advises the Court that a written response is forthcoming.

The Court will defer the motion; advises the parties that the Motion for Complex Case Designation will be addressed separately and if necessary will set a separate hearing.

The Court recesses at 3:21 p.m.

cc:

MOHAVE COUNTY ATTORNEY*

STEPHEN R. GLAZER*

Attorney for Defendant Welch

MOHAVE COUNTY PUBLIC DEFENDER*

Attorney for Defendant McCluskey

MOHAVE COUNTY JAIL*

HONORABLE STEVEN F. CONN *

Division 3