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Defendant was represented by the following lawyers at: (provide name of counsel and counsel's address, if known)

Trial or change of plea: **Mohave County Public Defender**

Sentencing hearing: **SAA**

Restitution hearing:

Appeal (if any): Jill L. Evans, Mohave County Appellate Defender.

Previous Rule 32 proceedings (if any):

6. Defendant is presently represented by a lawyer. Yes No (If yes, provide name and address.) **Jill L. Evans, Mohave County Appellate Defender**

Does the defendant request the court to appoint a lawyer for this proceeding? Yes No

7. Respond to this section only if this is an untimely notice or the defendant has filed a previous Rule 32 petition in this case.

(A) Is a claim pursuant to Rule 32.1(d), (e), (f), (g) or (h) being raised in this petition?
Yes No

(B) If yes, state the specific exception:

The defendant is being held in custody after the sentence imposed has expired.

Newly discovered material facts exist which probably would have changed the verdict of sentence.

The defendant's failure to file a timely notice of appeal was without fault on the defendant's part.

There has been a significant change in the law that would probably overturn the conviction or sentence.

Facts exist which establish by clear and convincing evidence that the defendant is actually innocent.

(C) State the facts that support the claim and the reasons for not raising the claim in the previous petition or in a timely manner:

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RESPECTFULLY SUBMITTED this 29 day of Oct, 2012.

**JILL L. EVANS
STATE BAR MEMBERSHIP #015051
MOHAVE COUNTY APPELLATE DEFENDER**

By: 
Jill L. Evans

**John Charles McCluskey, CJ-4065
Penitentiary of N.M.
B-3-V-103 North
P.O. Box 1059
Santa Fe, N.M. 87504**