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FILED
BY
2015 MAY 22 AM 10:04
VIRLYNN TINNELL
SUPERIOR COURT CLERK

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.

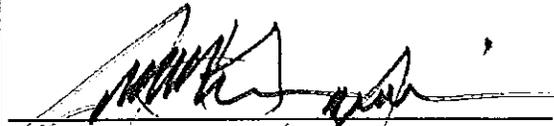
NO: CR 2014-01193

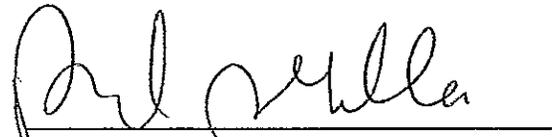
DEFENDANT'S REPLY TO STATE'S
RESPONSE TO DEFENDANT'S MOTION
TO IDENTIFY INFORMANTS

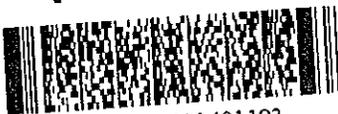
(ASSIGNED TO THE HON. LEE JANTZEN)

16 Defendant Justin James Rector, by and through undersigned counsel, replies to
17 the States Response to Defendant's Motion to Preclude Overly Emotional Testimony,
18 for the reasons contained in the Memorandum attached hereto and incorporated herein.

21 RESPECTFULLY SUBMITTED This 20th day of May, 2015.

23 
24 _____
25 **GERALD T. GAVIN**
26 **Co-Counsel for Mr. Rector**

23 
24 _____
25 **RON GILLEO**
26 **Co-Counsel for Mr. Rector**



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M E M O R A N D U M

The State cites no authority in response to the Defense's cited authority to take common-sense precautions against a potential outburst causing a mistrial, or if a mistrial is not granted...from having a reviewing court remand the entire proceeding back on this issue. The defense does not want to do this trial twice; its goal is to do it once, and hopefully have the defendant found not guilty.

If...after all the time, expense and effort it takes to vet an acceptable, death-eligible jury from a large jury pool, to have all those efforts wasted, and the citizens of Mohave County forced to fund a new trial, simply because nobody took one minute to respectfully warn the Victim's pretrial to avoid emotional outbursts, is foolhardy and abdicates the fiduciary duty to county citizens, and ignores the concerns of justice and judicial economy. This trial will likely be very emotional...obviously impacting the victim's family the most. To avoid any easily-avoided problems, and further litigation, a simple prophylactic instruction to them to avoid any outbursts protects the integrity of the process and is in all parties interests....including the victims. They also shouldn't be subjected to starting everything all over again...simply because they didn't know such an outburst would be fatal to continuing the trial at that point.

The States assertion that the motion is not ripe misses the point entirely; it will only become ripe once an outburst takes place. At that point, it is impossible to unring the bell. The defense asks for a modicum of common sense to protect the integrity of these life and death proceedings.

1 ORIGINAL of the foregoing filed
2 this 22 day of May, 2015 with:

3 Clerk of Court
4 401 E Spring Street
5 Kingman Arizona 86401

6
7 COPY of the forgoing
8 Delivered this 22 day
9 Of May, 2015, to:

10 Honorable Lee Jantzen
11 Judge of the Superior Court
12 Mohave County Courthouse
13 2nd floor
14 Kingman Arizona 86401

15 Greg McPhillips
16 Assigned Deputy County Attorney
17 PO Box 7000
18 Kingman Arizona 86401

19 Ron Gilleo
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22 313 Pine Street
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25 Client Justin James Rector
26 Mohave County Jail

27 File

28 BY: 