

FILED
TIME 10:02 AM

DEC 10 2014

IN THE SUPERIOR COURT
MOHAVE COUNTY, STATE OF ARIZONA

By: VIRLYNN TINNELL
CLERK SUPERIOR COURT
DEPUTY

Judge: Lee F. Jantzen
Division: 4 Courtroom: D
Court Reporter: Theresa Salsberry

Virlynn Tinnell, Clerk of Superior Court
By: Lacie Robbins, Deputy Clerk
Hearing Date: December 9, 2014

STATE OF ARIZONA,

Plaintiff,

vs.

JUSTIN JAMES RECTOR,

Defendant.

CASE NO: CR-2014-01193

STATUS CONFERENCE

START: 3:13 P.M.

APPEARANCES: Gregory McPhillips, Deputy County Attorney; Harry Moore, Attorney for and with the Defendant.

This is the time set for a Status Conference.

The Court has received a copy of the Rule 11 Pre-Screen Evaluation from Dr. Harvancik and has sent that out to Counsel.

Mr. Moore states that he is satisfied with the deciding of competency of the Defendant based on this report.

The Court requested that a second counsel be appointed to represent the Defendant and thought that they would have been appointed prior to today's hearing.

Mr. Moore advises the Court that he talked to Blake Schritter at Indigent Defense Services; when the Defendant requested to represent himself, Mr. Moore put the appointment of second chair on hold; the Defendant informed Mr. Moore yesterday that he would like to withdraw his motion to represent himself. With that being said, Mr. Moore needs to talk to Blake Schritter, County Manager Mike Hendrix and may need to take this matter to the Board of Supervisors to find out where the funding is going to come from to be able to enable the Mohave County Public Defender's Office to be able to do that representation. Mr. Moore requests that the Court hold off on appointing the second chair at this time until he can figure out the financial arrangements of Mohave County funding it.

The Court addresses the Defendant and finds that the Defendant is requesting to withdraw his Motion to Represent Himself at this time.



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IT IS ORDERED withdrawing the Defendant's Motion to Represent Himself.

The Court will send out a minute entry in the next couple days that orders pursuant to A.R.S. §13-753 that the Defendant undergo IQ Competency Evaluations, it is a mandatory process.

Mr. Moore does not object to both of the Motions being filed.

The State has filed a Motion for Pre-Screen of the Defendant on November 21, 2014; in that Motion the State noted that the IQ test would be completed by Dr. Harvancik and feels like it has been done as well as the pre-screen for competency has been done; the State feels that part that has not been completed was the sanity of the Defendant at the time of the offense.

Mr. Moore feels that the evaluations for the sanity at the time of the offense and the IQ of the statutory processes should be done by someone separately where that is the key of the evaluation.

The Court has received a Request for Court Determination of Autopsy as Public Record by the State; no response has been filed.

Mr. Moore understands the State's concerns and doesn't object to it being sealed in the Court file.

The Court has read the case Schoeneweis v. Hammer, 223 Ariz. 169 and states its findings on the record.

The Court finds that the autopsy itself can be disclosed to the media by the State. The pictures will be sealed and will *not* be disclosed to the media. Further, the autopsy and pictures are sealed in the Courts file.

The Court did receive a kite from the Defendant and it will remain sealed in the Court file.

Mr. Moore requests to set this matter for another Status Conference in six weeks.

The State inquires about nominating someone for the further mental health examination; discussion ensues; if the State nominates someone to complete the mental health examination, the Court will take that issue up at that time.

IT IS ORDERED setting this matter for a Status Conference on Wednesday, February 4, 2015 at 1:30 p.m.

The Defendant is admonished.

IT IS ORDERED affirming prior release orders.

The Court recesses at 3:28 p.m.

LATER....

IT IS ORDERED resetting the Status Conference to Wednesday, January 28, 2015 at 1:30 p.m.

cc:

MOHAVE COUNTY ATTORNEY*

MOHAVE COUNTY PUBLIC DEFENDER*

MOHAVE COUNTY JAIL*

HONORABLE LEE F. JANTZEN*

Division 4