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IN THE SUPERIOR COURT, DIVISION III OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MOHAVE

STATE OF ARIZONA,

Plaintiff,

vs.

JOHN CHARLES MCCLUSKEY,

Defendant.

Case No.: CR-2010-00823

MOTION FOR COMPLEX CASE
DESIGNATION

The Defendant, through counsel undersigned and pursuant to Arizona Rules of Criminal Procedure, Rule 8.2(a)(3)(iii), moves the Court to designate this case as complex, and urges the Court to consider the following facts in support of this motion:

- To date, the State has disclosed approximately 600 pages of written reports concerning this case, in addition to an audio CD.
- The State has also provided the Defense with a witness list that includes 163 named witnesses. Although the assigned prosecutor has indicated she does not intend to call every one of those individuals at trial, it is clear that the interviewing process in this case will be lengthy.
- The Defense sent the prosecutor a discovery request for numerous additional materials not already disclosed. The State has indicated that at least some of



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these items will be disclosed shortly, to include video evidence. The Defense anticipates that litigation may be required to resolve other discovery issues.

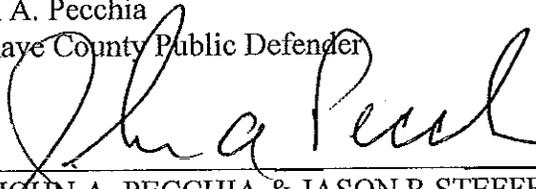
- This case is factually related to several co-defendants' or other defendants' cases. Furthermore, Mr. McCluskey is already facing serious charges in other jurisdictions.

In summary, the discovery and investigation phase of this case is expected to take significantly longer than average. This case is also unique in that it requires disclosure from different agencies and different jurisdictions; these factors further complicate the investigation of this case. The Defense does not believe it will be able fully to investigate this case and prepare to bring it to trial within the normal 150 day speedy trial limit.

WHEREFORE, the Defendant requests that the Court designate this case as complex.

DATED THIS 14TH DAY OF OCTOBER, 2010.

John A. Pecchia
Mohave County Public Defender



By: JOHN A. PECCHIA & JASON R STEFFEN
ATTORNEYS FOR DEFENDANT

A copy of the foregoing sent
this 14 day of October 2010 to:

Victoria Stazio, Deputy
Mohave County Attorney's Office

John Charles McCluskey, Defendant

Honorable Steven F. Conn

By: 