

- BULLHEAD CITY JUSTICE
- BULLHEAD CITY MUNICIPAL
- MOHAVE COUNTY SUPERIOR

- KINGMAN/CERBAT JUSTICE
- KINGMAN MUNICIPAL
- MOCCASIN JUSTICE

- LAKE HAVASU CITY JUSTICE
- LAKE HAVASU CITY MUNICIPAL

FILED

STATE OF ARIZONA
VS.

John Charles McCluskey

DEFENDANT

CASE NO. _____ TIME _____

AUG 23 2010

BOOKING NO: _____

VIRLYNN TINNELI

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RELEASE QUESTIONNAIRE
PART I

INFORMATION TO BE SUPPLIED BY LAW ENFORCEMENT OFFICER
CLERK SUPERIOR COURT

GENERAL	<p>1. CHARGE(S) AGAINST DEFENDANT: Kidnapping, C2F X2, Armed Robbery, C2F X2, Aggravated Assault, C3F X2, Misconduct involving weapons, C3F X2, Escape in the second degree C5F</p> <p>2. MAXIMUM PENALTY FOR THE CHARGE(S): C2F X2, C3F X4, C5F</p> <p>3. DEFENDANT IS HERE PURSUANT TO: <input checked="" type="checkbox"/> AN ARREST <input type="checkbox"/> A SUMMONS.</p> <p>4. IF DEFENDANT WAS ARRESTED, TELL WHEN AND WHERE TAKEN INTO CUSTODY: August 20, 2010, 1700 hours; St. Johns, Arizona</p> <p>5. LIST ANY OTHER CHARGES OUSTANDING AGAINST DEFENDANT:</p>
OFFENSE	<p>6. TIME AND PLACE OF OFFENSE: July 30, 2010 2100 hours</p> <p>7. WAS DEFENDANT ARMED AT THE TIME OF OFFENSE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DESCRIBE WEAPON: Handgun</p> <p>8. WAS PROPERTY TAKEN OR DESTROYED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, HAS IT BEEN RECOVERED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>9. WAS ANYONE INJURED OR THREATENED WITH PERSONAL INJURY BY DEFENDANT DURING THE COURSE OF THE OFFENSE OR SUBSEQUENT THERETO? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, LIST THE EXTENT AND NATURE OF ANY INJURIES: Threat of Death to truck drivers</p>
ARREST	<p>10. DID DEFENDANT ATTEMPT TO AVOID OR RESIST? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>11. WAS DEFENDANT ARMED AT THE TIME OF ARREST? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>12. WAS EVIDENCE OF THE OFFENSE FOUND IN DEFENDANT'S POSSESSION? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>13. HAS THE DEFENDANT ADMITTED INVOLVEMENT IN THE OFFENSE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
OTHER	<p>14. HAS THE DEFENDANT MADE ANY THREATS AGAINST POTENTIAL WITNESSES OR OTHER PARTIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, EXPLAIN:</p> <p>15. IS THERE ANY INDICATION THAT DEFENDANT IS <input type="checkbox"/> AN ALCOHOLIC, <input type="checkbox"/> AN ADDICT, <input type="checkbox"/> MENTALLY DISTURBED OR <input type="checkbox"/> PHYSICALLY ILL? IF YES, PLEASE EXPLAIN:</p> <p>16. PROVIDE INFORMATION WHICH INDICATES DEFENDANT MAY FLEE IF RELEASED: Defendant escaped from prison and has committed several serious crimes while out of prison. Also there is a Az DOC hold on Defendant BASED ON THE INFORMATION AVAILABLE, DOES THE STATE OPPOSE AN UNSECURED RELEASE AT THIS TIME? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>
VICTIM	<p>17. VICTIM'S NAME: Prajhbeet Bains and Gurdeep Singh</p> <p>18. HAS VICTIM BEEN NOTIFIED OF THE DEFENDANT'S INITIAL APPEARANCE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NOT, WHAT EFFORTS HAVE BEEN MADE TO NOTIFY THE VICTIM?</p> <p>19. STATE ANY RELEVANT INFORMATION THE VICTIM WANTS THE COURT TO CONSIDER?</p>

DATED: 08/20/2010

SIGNATURE:

AGENCY: Mohave County Sheriff's Office

NOTE: PART III MUST ALSO BE COMPLETED BY LAW ENFORCEMENT

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PART III

INFORMATION TO BE SUPPLIED BY LAW ENFORCEMENT OFFICER

20. IF DEFENDANT ARRESTED WITHOUT A WARRANT, SPECIFY PROBABLE CAUSE FOR DEFENDANT'S

ARREST:

Defendant John Charles McCluskey was arrested for an outstanding warrant, which had been issued following his escape on July 30, 2010, from the Arizona State prison located at 4626 W. English Dr, Golden Valley, Az. McCluskey escaped with two other inmates with the assistance of Casslyn May Welch. Following the escape McCluskey, Welch and the other two inmates kidnapped a pair of truck drivers who were stopped at I-40 and Shinarump Road, in Golden Valley. Both McCluskey and Welch were positively identified in the kidnapping and armed robbery of the truck drivers. McCluskey and Welch were both armed with handguns.

McCluskey and Welch were taken into custody in Apache County, Arizona on August 19, 2010. At that time they were both armed with handguns.

PROBABLE CAUSE

21. HAS THE PERSON ENTERED OR REMAINED IN THE UNITED STATES ILLEGALLY? YES NO

IF YES, PROBABLE CAUSE IS ESTABLISHED FOR THE FOLLOWING REASONS:

(Explain in detail e.g., admission of the person, statements of co-defendants at the time of arrest, verification of illegal presence, information provided at the issuance of a warrant in conjunction with a direct complaint or grand jury proceeding establishing illegal presence.)

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NOTE: Question 22 only needs to be answered if the answer to question 21 is YES.

22. IS THE ALLEGED OFFENSE A CLASS 1,2, 3 OR 4 FELONY OR VIOLATION OF A.R.S. § 28-1383: YES NO

IF YES, AS TO GUILT PROOF IS EVIDENT OR PRESUMPTION IS GREAT FOR THE FOLLOWING REASONS:

Explain in detail (e.g., arresting officer or other law enforcement officers witnessed offense, physical evidence directly connects defendant to offense, multiple eye-witnesses, defendant admissions, victim statements, nature of injuries, incriminating photographic, audio, visual, or computer evidence, defendant attempted to flee or resist arrest.)

DATED: 08/20/2010

SIGNATURE: _____
Arresting Officer

AGENCY: Mohave County Sheriff's Office

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RELEASE QUESTIONNAIRE
PART II

INFORMATION TO BE COMPLETED BY THE DEFENDANT*

Instructions to the Defendant: The following information is for the purpose of determining the conditions under which you may be released at this time. The answers you give to the following questions will be used by the Court for the purpose of determining the conditions of your release. You are not required to answer any questions if you feel the answer might be harmful to you. Your answers will be checked against the information supplied by the police, and with the reference you yourself give on the form. Any discrepancies may result in higher bail or harsher conditions of release. Any information you give may be used against you in this or any other matter.

GENERAL	1. FULL NAME <u>McCLUSKEY, JOHN</u> SOCIAL SECURITY # _____
	2. SEX <input type="checkbox"/> M <input type="checkbox"/> F RACE _____ DATE OF BIRTH _____ PLACE OF BIRTH _____
	3. PRESENT CITIZENRY _____ IF NOT A CITIZEN, HOW LONG HAVE YOU BEEN IN THIS COUNTRY? _____
	4. WHAT LEGAL STATUS DO YOU HAVE IN THE UNITED STATES? _____ DO YOU HAVE THE DOCUMENTATION TO SUPPORT THIS STATUS? <input type="checkbox"/> YES <input type="checkbox"/> NO WHAT DOCUMENTATION DO YOU HAVE? _____
	5. PRESENT STREET ADDRESS _____ CITY _____ STATE _____ ZIP _____ PHONE _____ LENGTH OF RESIDENCE AT THIS ADDRESS? _____ WHERE ELSE HAVE YOU LIVED IN THE PAST YEAR AND FOR HOW LONG? _____
	6. MAILING ADDRESS _____ CITY _____ STATE _____ ZIP _____
	7. OTHER NAMES USED _____
FAMILY	8. ARE YOU MARRIED? <input type="checkbox"/> YES <input type="checkbox"/> NO ARE YOU LIVING WITH YOUR SPOUSE? <input type="checkbox"/> YES <input type="checkbox"/> NO
	9. HOW MANY OTHER PERSONS (INCLUDING YOUR CHILDREN) ARE LIVING WITH YOU? _____
	10. HOW MUCH DO YOU CONTRIBUTE TO THEIR SUPPORT? _____
WORK	11. DO YOU HAVE REGULAR CONTACT WITH OTHER RELATIVES? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, EXPLAIN: _____
	12. ARE YOU EMPLOYED? <input type="checkbox"/> YES <input type="checkbox"/> NO IF NOT, WHAT IS YOUR PRINCIPAL MEANS OF SUPPORT? _____
	13. EMPLOYER'S NAME _____ HOW LONG HAVE YOU WORKED THERE? _____ EMPLOYER'S ADDRESS _____ PHONE: _____ WHAT IS THE NATURE OF YOUR JOB? _____
RECORD	14. DO YOU HAVE ANY PREVIOUS CRIMINAL CONVICTIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, EXPLAIN: _____
	15. HAVE YOU EVER BEEN ARRESTED AND RELEASED ON BAIL OR OTHER CONDITIONS PENDING TRIAL? <input type="checkbox"/> YES <input type="checkbox"/> NO
	16. ARE YOU CURRENTLY RELEASED ON BAIL FROM ANY COURT, ON ANY COURT MATTER? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, EXPLAIN: _____
	17. HAVE YOU EVER FAILED TO APPEAR AS REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, EXPLAIN: _____
OTHER	18. DOES THIS ALLEGED INCIDENT INVOLVE ANY MEMBER OF YOUR HOUSEHOLD? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, AS A <input type="checkbox"/> VICTIM, <input type="checkbox"/> CODEFENDANT, <input type="checkbox"/> BOTH
	19. ARE YOU WELCOME TO RETURN HOME? <input type="checkbox"/> YES <input type="checkbox"/> NO IF NO, WHERE WILL YOU GO IF RELEASED TODAY? _____
	20. IS THERE ANY ORGANIZATION, CHURCH, OR PERSON WHO MIGHT AGREE TO SUPERVISE YOU AND BE RESPONSIBLE FOR YOUR RETURN TO COURT AS REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO NAME _____ ADDRESS _____ PHONE _____
	21. ARE THERE ANY OTHER MATTERS (SUCH AS PHYSICAL OR MENTAL HEALTH, USE OF ANY MIND ALTERING SUBSTANCE OR ILLNESS IN YOUR FAMILY) WHICH YOU FEEL THE COURT SHOULD CONSIDER IN MAKING ITS DECISION? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, EXPLAIN: _____
	22. IS THERE ANY OTHER FRIEND, RELATIVE, NEIGHBOR, MINISTER OR OTHER PERSON WHO CAN BE CALLED AS A REFERENCE FOR THIS INFORMATION? <input type="checkbox"/> YES <input type="checkbox"/> NO NAME _____ ADDRESS _____ PHONE: _____

Oath under penalty of perjury, I have truthfully given the information that appears in this statement. I have not knowingly concealed, or in any way misrepresented myself. I am aware that I can be held in contempt of court, or prosecuted for perjury if I have made any false statement or misrepresentation or concealment.

I make these representations under PENALTY of PERJURY,

DATED: _____

UNABLE TO COMPLETE JTS
DEFENDANT

* The information requested on this form are the answers of the defendant as understood and transcribed onto this form by: _____

**MOHAVE COUNTY SHERIFF'S OFFICE
ARREST & BOOKING SHEET**

BOOKING #	NAME #	DATE	TIME	DAY	PROPERTY #	BOOKING TYPE
202781	367437	08/20/10	2215	FRI	186	<input type="checkbox"/> REGULAR <input type="checkbox"/> COURT COMMIT <input type="checkbox"/> COURT CONFINED <input type="checkbox"/> P&P

SUBJECT INFORMATION									
LAST McCLUSKEY			FIRST JOHN			MIDDLE CHARLES		SUFFIX	
ADDRESS 4626 W. English Dr.					CITY Golden Valley		STATE AZ	ZIP 86413	
DR. LIC. OR ID #		STATE	HOME PHONE		WORK PHONE		SSN [REDACTED]	D.O.B. 02-27-65	
RACE W-White	SEX M-Male	HEIGHT 6'01"	WEIGHT 160	EYE COLOR blue	HAIR COLOR brown	GLASSES	HAIR STYLE short	BEARD YES	
HOLD INFORMATION: DOES SUBJECT HAVE A HOLD <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO					IF YES, STATE WHERE AZ DOC				

SCARS / MARKS / TATTOOS									
TYPE TATTOO	POSITION STOMACH	BODY PART	DESCRIPTION ARIZONA						
POB		POB STATE	CITIZENSHIP	RELIGION	MARTIAL STATUS <input type="checkbox"/> MARRIED <input checked="" type="checkbox"/> SINGLE <input type="checkbox"/> SEPARATED <input type="checkbox"/> DIVORCED				
EMERGENCY CONTACT			RELATIONSHIP	STREET / MAILING ADDRESS					
CITY		STATE	ZIP		PHONE #				
EMPLOYER		EMPLOYER ADDRESS			CITY	STATE	OCCUPATION		
AGENCY DR # 10-027072	DATE 08/20/10	TIME 1700	ARRESTING OFFICER MATTHEWS	BADGE # 91	LOCATION OF ARREST ST. JOHNS, AZ			ARRESTING AGENCY MOH	

CHARGES									
STATUTE	OFFENSE / CHARGE	F	M	CTS	FFJ	COURT	WARRANT #	BOND	
13-1304	KIDNAPPING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2		KJC	FR10578	1,000,000.00	
13-1904	ARMED ROBBERY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2		KJC	FR10578		
13-1204A2	AGGRAVATED ASSAULT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2		KJC	FR10578		
13-3102	MISCONDUCT INVOLVING WEAPONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2		KJC	FR10578		
13-2503	ESCAPE IN THE SECOND DEGREE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1		KJC	FR10578		
		<input type="checkbox"/>	<input type="checkbox"/>						

VEHICLE IMPOUNDED: YES NO LOCATION:

CORRECTIONS USE ONLY	
BOOKING OFFICER NAME & J #:	
ARRESTEE'S AMOUNT OF CASH AT TIME OF BOOKING:	DOLLARS: CENTS:
IF ARRESTEE IS A WARRANT ARREST, PRINT THE FBI & SID #:	
LIST ANY ADDITIONAL INFORMATION:	

RELEASE INFORMATION	
RELEASE DATE & TIME	
SPILLMAN RELEASE BY (INITIALS & J / N #):	
10-29 RUN BY (J/N #):	
REASON FOR RELEASE:	<input type="checkbox"/> BOND <input type="checkbox"/> TIME SERVED <input type="checkbox"/> ROR <input type="checkbox"/> D.O.C. <input type="checkbox"/> OTHER AGENCY:

RELEASING OFFICER INITIALS & J #: SUPERVISOR APPROVED RELEASE:

"SUBMIT ADDITIONAL ARRESTS OR INFORMATION ON SUPPLEMENTAL BOOKING SHEET"

09-15-00 / JDG

McCLUSKEY, JOHN

BULLHEAD MUNICIPAL COURT
KINGMAN/CERBAT JUSTICE COURT
KINGMAN MUNICIPAL COURT
LAKE HAVASU CITY JUSTICE COURT
LAKE HAVASU CITY MUNICIPAL COURT
BULLHEAD CITY JUSTICE COURT

**Defendant's Constitutional Rights form and Video Arraignment Information For
Felony Initial Appearances and Misdemeanor Arraignments.**

This form is provided for your Court appearance.

Directly below are your basic Constitutional Rights and in addition you may be required to view a video outlining rights and procedures.

A] You have the right to a trial, or jury trial, depending on what you have been charged with:

B] You have the right to the assistance of an attorney at all stages of the proceedings and in the certain cases to an appointed attorney to be furnished free of charge if you cannot afford one;

C] You have the right to confront the witnesses against you and to cross examine them;

D] You have the right to present evidence on your own behalf and to have the state compel witnesses of your choosing to appear and testify;

E] You have the right to remain silent and to be presumed innocent until proven guilty beyond a reasonable doubt;

F] Your Court appearance will normally be accomplished by utilizing the Video Arraignment System as long as you knowingly, intelligently, and voluntarily agree to do so.

When the Judge appears, you will be asked, "Did you read the defendants rights form, do you understand your rights?" *If you do not understand any portion of the form, tell the Judge and then the Judge will explain your rights to your again OR you will be asked to view the video again outlining your rights, procedures and instructions.*

I HAVE READ THE ABOVE INFORMATION AND/OR VIEWED THE RIGHTS VIDEO AND FULLY UNDERSTAND MY RIGHTS.

Date: _____ Defendant's Signature UNABLE TO COMPLETE JTS

McCLUSKEY, JOHN

WARNING TO DEFENDANT

You have the right to be present at your trial and a number of proceedings of which you will be notified. If you do not appear at the time set by the Court, a warrant will be issued for your arrest and the proceedings will begin without you.

CONSEQUENCES OF VIOLATING THIS ORDER

If the Defendant violates any conditions of this release order, the court may order the bond and any security deposited in connection therewith forfeited to the State of Arizona.

In addition, the Court may issue a warrant for the Defendant's arrest upon learning of the violation of conditions of release. After a hearing, if the Court finds that the Defendant has not complied with the conditions of release it may modify the conditions or revoke the Defendant's release altogether.

If the Defendant was released on a felony charge and the Court finds the proof evident or the presumption great that the Defendant committed a felony during the period of release, the Court SHALL revoke the release. Such Defendant would also be subject to an additional charge, and upon conviction could be punished by imprisonment for not more than five years in the state prison, in addition to the punishment which would otherwise be imposed for the crime committed during the period of the release.

Upon finding, that the Defendant or any other person named in this order has willfully violated its terms, the Court may also find the Defendant or other person in Contempt of Court and sentence that person to a term of imprisonment, a fine, or both.

McCLUSKEY, JOHN
Defendant's Signature

Date

UNABLE TO COMPLETE J173

(For Kingman/Cerbat Justice Court Video Custodies)