

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MOHAVE

HONORABLE STEVEN F. CONN

DIVISION 3

DATE: JUNE 9, 2010

SC\*

VIRLYNN TINNELL, CLERK

COURT NOTICE/ORDER/RULING

STATE OF ARIZONA,

Plaintiff,

vs.

WARREN STEED JEFFS,

Defendant.

No. CR-2007-0743 & CR-2007-0953

TJ

The State has filed a Motion to Dismiss in each of these cases asking that all charges be dismissed with prejudice. Counsel for the Defendant, unsurprisingly, has indicated that he has no opposition.

The Court signs the Order Dismissing Charges as to each cause number.

The Court enters this separate Order to address what may appear to be a separate issue regarding extradition to Texas. The Court does so because the State indicates in its Motion to Dismiss that the State of Texas has already started extradition proceedings against the Defendant and because counsel for the Defendant has submitted in each of these cases a pleading entitled Non-Waiver of Extradition to Texas. The Court believes that under A.R.S. 31-481, the Interstate Agreement on Detainers, extradition proceedings cannot be initiated against the Defendant while he is in the State of Arizona and that he could not waive extradition to the State of Texas even if he wanted to. Under the Agreement the temporary custody which Mohave County assumed over the Defendant was only for the purpose of permitting prosecution on the charges contained in the untried Indictments which formed the basis of the detainers. Once those untried charges have been

resolved, he must be returned to the sending state, in this case the State of Utah, and he cannot be held to answer to a Fugitive Complaint filed in the State of Arizona alleging that he is a fugitive from the State of Texas. Any such proceeding will have to be initiated through the State of Utah.

IT IS ORDERED directing the Sheriff to transport the Defendant back to the appropriate correctional facility in the State of Utah pursuant to the Interstate Agreement on Detainers.

cc:

Mohave County Attorney\*

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Mohave County Sheriff's Office  
Transport Division

Honorable Steven F. Conn\*  
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Mohave County Jail\*