

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA FILED

IN AND FOR THE COUNTY OF MOHAVE BY: *dm*

JG

HONORABLE STEVEN F. CONN
DIVISION 3
DATE: SEPT. 3, 2009

2009 SEP -3 PM 1:16

SC*
VIRLYNN TINNELL, CLERK
SUPERIOR COURT CLERK

COURT NOTICE/ORDER/RULING

STATE OF ARIZONA,
Plaintiff,
vs.
WARREN STEED JEFFS,
Defendant.

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

Counsel for the Defendant filed on August 20, 2009, a Motion for Deposition of Witnesses Sam Brower and Dan Fischer. Also submitted with that motion were Condensed Transcripts of the prior interviews of each of those persons, which the Court has now read. The State on August 27, 2009, filed a Motion for Extension of time to File Reply to Motion for Deposition of Dr. Dan Fischer and Sam Brower asking for a one week extension and indicating that defense counsel has no opposition.

IT IS ORDERED extending to September 8, 2009, the time by which the State may file a Response to the above defense motion.

The Court also takes this opportunity to memorialize the content of an ex parte conversation the Court had with the prosecutor Mr. Smith on September 2, 2009, which he assured the Court was occurring with the prior knowledge and acquiescence of defense counsel Mr. Piccarreta. Mr. Smith was inquiring on behalf of the Utah attorneys who represent the persons sought to be deposed by the defense in these cases whether those attorneys would be required to seek application pro hac vice pursuant to the applicable Rules of the Supreme Court before they could appear and present



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argument on the above motion. The Court expressed to Mr. Smith the opinion that they would have to do so before they could appear in an Arizona court and make legal arguments to a judge on a pending matter on behalf of clients. Although the Court has not been asked to rule specifically on that issue and has not researched it at all, that is at least the Court's initial reaction to that question.

cc:

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Honorable Steven F. Conn
Division 3