

SUPERIOR COURT OF ARIZONA  
APACHE COUNTY

**FILED**

**12/22/2008**

Michael P. Roca, Judge Pro Tem COURT REPORTER: (Digitally Recorded)  JV2008065  In re the matter of:  ROMERO, CHRISTIAN RYAN  A Person under 18 years of age	SUE HALL, CLERK OF THE COURT  Hearing: December 22, 2008 Start: 9:06 AM End: 10:22 AM  Bradley W. Carlyon, Special Prosecutor [em] Navajo County Attorney's Office  Wood Law Office [em]  Apache County Juvenile Court Services [em]  Criss Candelaria, Apache County Attorney [em] Apache County Attorney's Office  Albert B Lassen [em]  Michael R Ellsworth [hc] Riggs & Ellsworth, PC 240 N White Mountain Rd, Suite A Show Low, AZ 85901  Betty Smith, Court Administrator [hc] Apache County Superior Court
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MINUTE ENTRY: Status Hearing

PRESENT IN JUVENILE COURT: Eryn Bloomfield, Parent of the Juvenile; Benjamin Brewer, Wood Law Office, Attorney for the Juvenile; Bradley W. Carlyon, Deputy County Attorney; Tatnall Rush, Deputy County Attorney; Criss Candelaria, County Attorney; Albert Lassen, Guardian Ad Litem; Michael Ellsworth and Steve Williams, Riggs and Ellsworth Law Office, Attorney for the Parent; Julie Nicholson, Juvenile Probation Counselor; Mike Caldwell and Andrew Maestes, Juvenile Probation Department.

LET THE RECORD SHOW this is the date and time set for a Status Hearing in the above-captioned matter.

The Court signs the Order Appointing Mr. Lucien C. Haag, Forensic Services, Inc., to perform a shooting incident evaluation and reconstruction and an Order for Additional Investigator Fees.

Filed: Order Appointing Mr. Lucien C. Haag, Forensic Services, Inc.; Order for Additional Investigator Fees.

Mr. Brewer inquires of the Court concerning an amended motion to appoint Betty Beaumont as therapist for the juvenile. Mr. Carlyon indicates that he did not receive a copy of the amended motion. The Court also states that there is not an amended motion in the file. Mr. Brewer reviews the amendments of his motion. The Court asks Mr. Carlyon if he has any objection to the principle of the motion as outlined. Mr. Carlyon states that he does not have an objection to the principle but does not want to commit until he has seen the actual motion. Mr. Brewer will file the amended motion today and provide a copy to the State.

The Court and Counsel discuss the Request for Additional Disclosure in regards to a recording by Lieutenant Jones and the release of the recording to Mr. Brewer. Mr. Carlyon indicates that a vendor has been contacted to restore the quality of the recording clarity.

Mr. Brewer states that the recording will provide important relevant data concerning a conflict between the two investigating officers.

The Court addresses Mr. Brewer's filing of December 16, 2008, Motion for Initial Disclosure, and asks Mr. Brewer to provide the specifics of the information that he had requested to the State and to the St. Johns Police Department.

Mr. Brewer states that they are moving ahead and would ask that the next hearing be set as a Pre-Adjudication Hearing. He understands the Court's reluctance to address substantive issue until the competency matter is decided. He will be filing Motions to Suppress on Miranda and Voluntariness grounds in addition to a Fourth Amendment Motion to Suppress.

Mr. Carlyon suggests that the Court set another Status Hearing to allow for the completion of the evaluation process. Additionally, there will be a change of leadership in the County Attorney's Office and Mr. Carlyon will need to be reaffirmed as lead counsel in this matter by the new County Attorney after the first of the year.

Mr. Brewer asks regarding the State's position on the status of the Special Action that had been filed. Mr. Brewer indicates that he had filed an objection. The Court informs parties that the objection is over-ruled. Mr. Carlyon indicates that Mr. Brewer's copy of the petition should be arriving any day.

Mr. Brewer asks who the State is characterizing as victims in the case. The State recites the names of the victims.

The Court inquires if the State has anything else to accomplish other than the items that will need to be dealt with in a closed session. The State indicates that they are waiting for the competency evaluation to be completed before proceeding further.

Mr. Brewer raises a concern regarding personal property of the juvenile that is in the possession of Ms. Tiffany Romero. Mr. Lassen as the Guardian Ad Litem will facilitate the juvenile's request for the property to Ms. Tiffany Romero. The State has no objection to this and will ask the Apache County Attorney staff to assist with this matter.

IT IS HEREBY ORDERED setting this matter for a Status Conference on Tuesday, January 06, 2009 at 9:00 AM in the Apache County Superior Court.

9:19 AM Hearing adjourns to chambers.

9:31 AM Hearing reconvenes in chambers.

PRESENT IN CHAMBERS: Eryn Bloomfield, Parent of the Juvenile; Benjamin Brewer, Wood Law Office, Attorney for the Juvenile; Bradley W. Carlyon, Deputy County Attorney; Criss Candelaria, County Attorney; Albert Lassen, Guardian Ad Litem; Michael Ellsworth and Steve Williams, Riggs and Ellsworth Law Office, Attorney for the Parent; Julie Nicholson, Juvenile Probation Counselor; Mike Caldwell and Andrew Maestes, Juvenile Probation Department.

The Court discusses with parties motions that have been submitted under seal.

Mr. Brewer presents his arguments and recommendations.

Mr. Carlyon presents his arguments and recommendations.

Mr. Ellsworth presents his arguments and recommendations.

Mr. Lassen provides the Court with a report of the juvenile and his recommendations.

Ms. Julie Nicholson provides the Court with a report of the juvenile and her recommendations.

Based upon the recommendations of the parties, the Court makes rulings and orders.

10:22 AM Hearing adjourns.