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APACHE COUNTY SUPERIOR COURT

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6 *Attorneys for Mother of Juvenile*
7 **D. Steven Williams – SBN 023859**

8 **IN THE APACHE COUNTY JUVENILE COURT**
9 **IN AND FOR THE STATE OF ARIZONA**

10 **IN THE MATTER OF**

JV 2008-065

11 **C.R.,**

**RESPONSE TO PARTIES'
STIPULATED (STATE'S) MOTION TO
CONTINUE DISPOSITION**

12 **A person under the age of eighteen years,**

13
14
15 COMES NOW Mother, by and through Counsel undersigned, and hereby responds
16 and objects to the State's Motion to Continue filed under caption "Parties' Stipulated Motion
17 to Continue Disposition."

18 After discussing the Motion with Defense Counsel, Mr. Ron Wood, mother's
19 Counsel has been informed that while Mr. Wood has no objection to the Motion to Continue,
20 the Defense is not joining the State in their motion.

21 Mother further addresses the State's numbered rationale for its requested
22 continuance:

23 1. While it is true that a new Guardian Ad Litem has recently been appointed, Mr.
24 Albert Lassen, who served as Guardian Ad Litem for the past year, has submitted, under seal,
25 his final Report to the court and all parties, included therein are his final recommendations for
26

1 Disposition. Mr. Lassen has been involved in this case from the beginning. To continue the
2 Disposition Hearing to allow the newly appointed Guardian Ad Litem to truly get up to speed
3 would take months.

4 2. The interview of Dr. Gibson has been complete for several weeks and should
5 have been provided to Dr. Uram and Dr. Scialli weeks ago.

6 3. No response.

7 4. The State has known of the Disposition date for several weeks and should have
8 notified any potential witnesses of the same. Consequently, the State should have been aware
9 of Dr. Uram's scheduling conflict, which according to the State's Motion 'was set prior to
10 this disposition.' Therefore, any notice of scheduling conflict should have been filed weeks
11 ago, not two days prior to the time appointed for Dr. Uram to appear and testify in this matter.

12 5. The issue of funding has been the underlying reason for each continuance of the
13 juvenile's disposition. This matter has been continued for months. All attorneys involved,
14 including other interested groups, have met and discussed this issue on more than one
15 occasion. The funding simply does not appear to be accessible to implement the State's
16 desired outcome at disposition. No progress has been made over the last several months on
17 this issue, and continuing the Disposition Hearing for this purpose does not appear to pose
18 any real promise for a different conclusion.

19 For all of the reasons discussed above, Mother objects to a continuance of the State's
20 Motion to Continue and requests that the court proceed as scheduled.

21 RESPECTFULLY SUBMITTED this 20th day of October, 2009.

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23 RIGGS & ELLSWORTH, P.C.

24 
25 D. Steven Williams
26 Attorney for Mother of Juvenile

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ORIGINAL/COPY of the foregoing filed with
the Clerk of the Court and mailed/faxed
this 20th day of October, 2009, to:

Apache County Superior Court
St. Johns, Arizona 85936

Mr. Ron Wood, Esq.
Attorney for Juvenile

Ms. Marsha Gregory, Esq.
Guardian Ad Litem

Apache County Juvenile Probation Department


