

state of his own accord, perhaps a violation has occurred, but if he were taken by his custodian, he should not be punished for involuntary conduct.

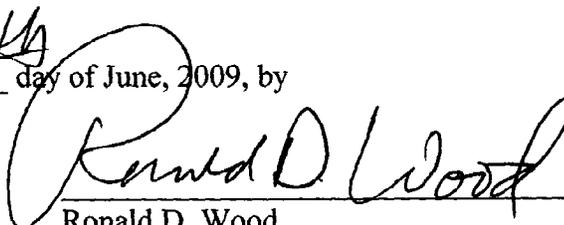
Counsel is neither aware of the record of the mother's friend, his name, or whether or not a felony is the subject of a court order directed at the child. And if it were, how could the child prevent himself from violation, being a mere child?

And finally, with much speculation, the state suggests that the victim is in fear of the child. If that were the case, then the victim would likely have said so, and the state could have been slightly less vague.

Of course the juvenile lingers long on furlough as a result of the state's inability to secure the evaluations it requires to move forward; the delay here is in no way the juvenile's problem. And as the restrictions and refusals wear on the child he finds it more difficult to simply be a child, just as his family finds the court's involvement in their lives sometimes difficult to understand.

For these reasons the matter should be set for hearing and the state should be required to bring evidence that sustains its allegations.

Respectfully Submitted this 8th day of June, 2009, by



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Copies mailed this 8th day of
June, 2008 to:
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Judge Roca, via fax