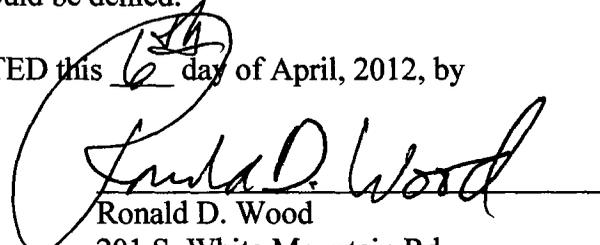


U.S. at 489. This right to confrontation ensures that a finding of a probation violation will be based on verified facts. *See Morrissey*, 408 U.S. at 484. Accordingly, in determining whether the admission of hearsay evidence violates the releasee's right to confrontation in a particular case, the court must weigh the releasee's interest in his constitutionally guaranteed right to confrontation against the Government's good cause for denying it. *U.S. v. Comito* 177 F.3d 1166, 1170 (C.A.9 (Nev.),1999) *See United States v. Walker*, 117 F.3d 417, 420 (9th Cir.1997) (citations omitted).

Here the government demonstrates no good reason why the witnesses should not be required to appear. Certainly the juvenile can subpoena them, and having received a witness list a week from the hearing, would intend to do so next week. With no more than a claim that the witnesses have other things to do, the government cannot hope to outweigh the Juvenile's right to confront and cross examine the witnesses.

The government's motion should be denied.

RESPECTFULLY SUBMITTED this 6th day of April, 2012, by


Ronald D. Wood
201 S. White Mountain Rd.
Show Low, Arizona 85901-0969

Copies to:
Hon. Monica Stauffer
Alan Perkins, Apache County Attorney
Christian Romero, Juvenile