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FILED
DOCKETED BY: mm
2009 JAN 23 PM 2:00
SUE HALL, CLERK
APACHE COUNTY SUPERIOR COURT

IN THE JUVENILE COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF APACHE

STATE OF ARIZONA, Plaintiff, vs. CHRISTIAN RYAN ROMERO, Defendant.	NO. JV2008-065 STATE'S REPLY TO ITS RENEWED MOTION TO DISMISS COUNT ONE
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As the Court of Appeals stated, there is "no provision to prevent the Court from timely addressing a motion to dismiss filed after reasonable grounds for a mental health evaluation have been found to exist but before the Court has held a hearing to determine a defendant's competency." As a result, the Court of Appeals held that it was granting "relief in part by vacating the Court's contrary ruling and returning this matter to the juvenile court for further proceedings consistent herewith." Accordingly there is nothing that prevents this court from holding a hearing and rendering a decision on the State's Motion to Dismiss Count One against the juvenile defendant, C.R. Therefore, the State respectfully requests the Court grant its motion and set a hearing on the above mentioned matter on January 29, 2009, at the time already set for other hearings in this matter.

1 RESPECTFULLY SUBMITTED this 23rd day of January, 2009.

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MICHAEL B. WHITING
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BY: _____
Michael B. Whiting
Bradley W. Carlyon

A copy of the foregoing
mailed/delivered this
23rd day of January, 2009. to:

Apache County Superior Court

The Wood Law Office
Attorney for the juvenile

