



NEWS RELEASE

APACHE COUNTY SUPERIOR COURT

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January 6, 2009

ST. JOHNS – The juvenile was present at a Status Hearing held this morning in case number JV-2008-065. Counsel provided Judge Michael P. Roca with updates on the status of the case and asked that the Court address several issues. Items discussed and issues addressed include:

- Bradley Carlyon, Navajo County Attorney will continue to serve as Special Prosecutor in this case with newly-elected Apache County Attorney Michael Whiting serving in a support role.
- The Court asked counsel to facilitate the exchange of raw data collected by the competency evaluator nominated by the Defense with the State's competency evaluator.
- At request of Defense counsel, it was clarified that the pending competency evaluation would be sent to the Court and forwarded to Defense counsel for redaction prior to distribution to the State.
- Defense counsel indicated they would file Replies to the State's Responses to their Motions to Suppress.
- The State will file a Reply to the Objection to Special Action filed by the Defense; however, the stay previously granted remains in place.
- To assist with pending disclosure issues, the Court set a future date for Defense counsel to inspect items in the possession of the County Attorney's Office.
- Defense counsel renewed their request for counseling services from a designated provider for the juvenile and asked the court to strike any objectionable language from the proposed order submitted by the Defense. Until a decision is made, the counseling services currently being provided will continue.

- Court Administration will consult with the mental health evaluators to identify a late January or early February date to schedule a Competency hearing.
- A Status Hearing has been scheduled for Wednesday, January 21, 2009 at 9:00 a.m.

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