Bill R. Hughes, SBN 019139
Deputy County Attorney
YCAO@co.yavapai.az.us

Attorneys for the STATE OF ARIZONA

2011 FEB -7 PM 4: 12
JEANNE HICKS, CLERK
BY: Ivy Rios

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA, Plaintiff, v. **JAMES ARTHUR RAY,** Defendant.	**CAUSE NO. V1300CR201080049** Division PTB **THIRTY-EIGHTH SUPPLEMENTAL DISCLOSURE BY STATE OF MATTERS RELATING TO GUILT, INNOCENCE, OR PUNISHMENT**

Office of the Yavapai County Attorney
255 E. Gurley Street, Suite 300
Prescott, AZ 86301
Phone: (928) 771-3344 Facsimile: (928) 771-3110

Pursuant to Rule 15.1(a) and (b) of the Arizona Rules of Criminal Procedure, the Yavapai County Attorney's Office hereby files the following material and information within its possession or control relative to guilt, innocence, or punishment, and further notifies the defendant(s) that said material and information is either typed on this form, is attached hereto and incorporated herein by reference (**) or is available to the defendant(s) for examination and reproduction at the office of the Yavapai County Attorney (****)or has been previously provided to defendant (++), or to be disclosed upon receipt (+++)

1. The names and addresses of all persons whom the prosecution will call as witnesses in the case-in chief and or rebuttal, together with their relevant written or recorded statements:

2. All statements of the defendant and of any person who will be tried with him:

3. All then existing original and supplemental reports prepared by a law enforcement agency in connection with the particular crime with which the defendant is charged.

4. The names and addresses of experts who have personally examined the defendant's or any evidence in this case, together with the results of physical examinations and of scientific tests, experiments of comparisons, including all written reports or statements made by them in connection with this case:

5. A list of all papers, documents, photographs or tangible objects which the prosecution will use at trial or which were obtained from or purportedly belong to the defendant(s):

Office of the Yavapai County Attorney
255 E. Gurley Street, Suite 300
Prescott, AZ 86301
Phone: (928) 771-3344 Facsimile: (928) 771-3110

Item	Comments/Bates No.	Status
(a) More legible copy of Melissa Phillip's journal originally disclosed at 4142-4163	**7318-7339**	**
(b) Weather Information for 10-8-09 received from Yavapai County Flood Control	**7340-7342**	

6. A list of all prior felony convictions of the defendant which the prosecution will use at trial:

7. A list of all prior acts of the defendant(s) which the prosecution will use to prove motive, intent, or knowledge or otherwise use at trial:

8. All material or information which tends to mitigate or negate the defendant's guilt as to the offense charged or which would tend to reduce his punishment, including all prior felony convictions or witnesses whom the prosecution expects to call at trial:

9. The results of any electronic surveillance of any conversations to which the defendant was a party, or of his business or residence:

10. All search warrants that have been executed in connection with this case:

11. The identity of any informant(s) involved in this case (if the defendant is entitled to know this fact under Rule 15.4(b) (2).

Other:

DATED this 7th day of February, 2011.

Sheila Sullivan Polk
YAVAPAI COUNTY ATTORNEY

By: Bill R. Hughes
Deputy County Attorney

COPY of the foregoing mailed February 7th, 2011 to:

Thomas Kelly

By: Kathy Darrer