FILED
DATE: 1/9/12
5:00 O'Clock P. M.
SANDRA K MARKHAM, CLERK
BY: DONNA McQUALITY
Deputy

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

DIVISION: VISITING JUDGE | **SANDRA K MARKHAM, CLERK**

HON. GARY E. DONAHOE | **By:** Donna McQuality, Deputy Clerk

CASE NO. P1300CR201001325 | **DATE:** January 9, 2012

TITLE:	**COUNSEL:**
STATE OF ARIZONA	**Yavapai County Attorney (e)**
(Plaintiff)	(For Plaintiff)
vs.	
STEVEN CARROLL DeMOCKER	**Craig Williams (e)** **Greg Parzych (e)**
(D-1)	(For Defendant)

TIME SET FOR:	**NATURE OF PROCEEDINGS**	**COURT REPORTER**
Hearing on Discovery Motions		Lisa Chaney

START TIME: **9:00 a.m.**

APPEARANCES: Jeffrey Paupore, Deputy County Attorney
Steven Young, Deputy County Attorney
Craig Williams, Counsel for the Defendant
Greg Parzych, Co-Counsel for the Defendant

Counsel for the Defendant informs the Court he discussed this hearing with the Defendant and waives the Defendant's presence.

Counsel address the State's Motion to Compel Disclosure of Defense Expert Witness Reports.

The Court and Counsel discuss the deadline for filing motions set by the Court as well as anticipated interviews to be conducted.

IT IS ORDERED all Defense experts' reports shall be disclosed no later than **January 30, 2012.** Along with the disclosure, Defense Counsel shall provide at least three dates when each expert is available to be interviewed.

Counsel for the Defendant prefers to respond in writing to the State's Request for Physical Evidence and informs the Court the response will be completed by Friday.

The Court and Counsel discuss the State's request.

The Court discusses its ruling on calling Mr. Sears as a witness.

IT IS ORDERED Counsel for the Defendant shall file a response to the State's Request for Physical Evidence shall be filed on or before Friday, January 13, 2012. The State's Reply to the Defendant's response shall be filed on or before January 18, 2012.

The Court and Counsel discuss the motion to depose James DeMocker.

IT IS ORDERED Counsel for the Defendant shall file a response to the State's Motion Pursuant to Rule 15.3 for Deposition of James DeMocker by January 13, 2012. The State's Reply shall be filed by January 18, 2012.

These two motions will be deemed submitted on the pleadings after the Court receives the State's replies.

The Court has also received and reviewed the State's Motion to Admit Defendant's July 21, 2009 Interview. The Court believes setting an Evidentiary Hearing on this motion would be appropriate. The Court advises counsel that the Court would like to hear testimony from Mr. John Sears and Mr. Joseph Butner regarding any verbal agreements they reached regarding the July 21, 2009 interview.

There being no objection, **IT IS ORDERED** setting an Evidentiary Hearing on the State's Motion to Admit Defendant's July 21, 2009 Interview on **February 8, 2012, at 1:30 p.m.** in Division 1 Courtroom, Yavapai County Courthouse, Prescott, Arizona. Defendant is to be transported to court for this hearing.

Counsel for the State informs the Court that James DeMocker is represented by Bruce Griffen. Counsel inquires whether Mr. Giffen will also be required to file a response to the State's motion by February 13.

IT IS ORDERED that if James DeMocker wants to respond to the State's Motion Pursuant to Rule 15.3 for Deposition of James DeMocker, such response shall be filed by January 13, 2012.

The Court requests Counsel for the State contact Counsel for James DeMocker via e-mail informing him of this deadline.

The Court and Counsel discuss the deadline for filing motions. Counsel will discuss the deadline and propose a stipulation for extending said deadline. The Court advises that under any new briefing schedule proposed by counsel, any replies to motions must be filed the Wednesday prior to the Final Pretrial Conference in order to give the Court sufficient time to read all the pleadings.

Because Mr. Parzych will be out-of-town on March 15, **IT IS ORDERED** that the Final Pretrial Conference is continued from March 15 to **March 19, 2012, at 9:00 a.m.**

END TIME: 9:27 a.m.

cc: The Honorable Gary E. Donahoe (via e-mail)
VS (e)
De La Torre Law Office (e), Counsel for Victim, Charlotte DeMocker
Melody Harmon (e), Counsel for Victim, Katie DeMocker
Chris Moeser, Steptoe & Johnson (e), Counsel for Western News & Info., Inc.
Division DLM (e)

Courtesy Copy (no notice of appearance on file):

James Belanger, Coppersmith, Schermer & Brockelman, PLC, Counsel for John Sears, 2800 N. Central Ave., Ste. 1200, Phoenix, AZ 85004
Bruce Griffen, Aspey, Watkins & Diesel (e), Counsel for James DeMocker

Clerk of Superior Court

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Camp Verde, Arizona 86322
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Sandra K Markham
Clerk

Renee Braner
Chief Deputy

NOTICE OF EXHIBIT DEADLINE

Deadline having been set in this matter for the submission of exhibits,

You are hereby notified that exhibits need to be received by the Clerk no later than 5:00 p.m. on the deadline indicated in the attached minute entry. Failure to comply with the Court Ordered deadline will result in the Clerk advising the Court of the failure to comply. Sanctions may be imposed including the preclusion of the exhibits. **In the event no deadline has been set, exhibits shall be submitted to the Clerk no later than 5 working days prior to any hearing at which exhibits are to be presented.**

Exhibits shall be submitted to the Clerk's office along with a formal list of exhibits. The list shall include a brief description of each exhibit and the following criteria shall be met:

- The Clerk no longer accepts items other than **paper (8.5"x11")**, **audio** or **video** for the purpose of marking, unless otherwise ordered by the Judge. **Photographs will be accepted and marked by the Clerk for any other items**.

- In the event the Judge allows larger or unwieldy items, such as large poster boards, drugs, weapons or cash, they will be accepted by the Clerk on the day of the hearing, however, **a photograph of the item shall also be submitted to be marked along with the item**. The Clerk will be requesting release of the unwieldy items at the end of the hearing but will retain the photograph for purpose of appeal.

- To make arrangements for equipment to be used in the Courtroom at the time of a hearing, please contact the assigned Division in advance.

Thank you for your cooperation in this matter.

Please feel free to contact the following Clerks if you have any questions:

Verde Valley- Exhibit Clerk @ (928) 567-7741
Prescott- Exhibit Clerk @ (928) 771-3312