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## IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

## IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA.,

Plaintiff,

VS.

MICHAEL LEE HAM,

Defendant.

Case No.: P1300CR201901558

UNOPPOSED MOTION TO MODIFY RELEASE CONDITIONS TO PERMIT INTERSTATE TRAVEL & CONSUME ALCOHOL

(EXPEDITED)

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COMES NOW Defendant, Michael Lee Ham, by and through counsel undersigned, pursuant to Arizona Rule of Criminal Procedure 7.4 and A.R.S. § 13-3967, respectfully requests the Court to modify his release conditions to permit Defendant to travel interstate.

The current release conditions prohibit Defendant from leaving the State of Arizonal Defendant requests that said release conditions be modified to permit Defendant to travel The basis for said motion is that he has a lot of family out of State, and is also interstate. working part time which requires him to leave the State from time to time.

Undersigned counsel has communicated counsel for the State of Arizona and has been informed that the State of Arizona has no objection to the requested modification of release conditions to permit Defendant to travel interstate.

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Undersigned counsel also requests that the Release Conditions be modified the which prohibits him from consuming alcohol to permit Defendant to consume alcohol, but not to excess. The Defendant makes this request as alcohol was not a factor in this matter. Defendant has been following the release conditions and has been compliant with all terms. He has no criminal history, let alone anything regarding alcohol. As a responsible adult he would simply like to enjoy a glass of wine with dinner.

Undersigned counsel has communicated with counsel for the State of Arizona and has been informed that the State of Arizona takes no position with respect to the request to modify the "no alcohol" condition of Defendant's release. The State will not be filing a response, and will simply leave it to the Court's discretion.

WHEREFORE, Defendant requests that the Court modify the release conditions imposed herein as follows:

1. Permitting Defendant to travel interstate;

Original of the foregoing filed on this 10th day of May, 2021, with:

2. Permitting Defendant to consume alcohol but not to excess.

RESPECTFULLY SUBMITTED this 10th Day of May, 2021

Prescott Law Group, PLC

J. Andrew Jolley /s/ J. Andrew Jolley, Esq.

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Copies of the foregoing hand-delivered: Judge Phelan

Clerk of the Superior Court

120 S. Cortez Street

Prescott, Arizona 85301

Copy emailed to: Brett Harames, Esq. Brett.Harames@azag.gov

By: Al Cedro /s/ Al Cedro