

Craig Williams, Attorney at Law, P.L.L.C.
State Bar #014929
P.O. Box 26692
Prescott Valley, AZ 86312
Email: craigwilliamslaw@gmail.com
tel.: (928) 759-0000
fax: (928) 441-1121

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2020 JAN 23 PM 4:50 ✓

DONNA MCCOULITY, CLERK

BY: E. SIEH

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

STATE OF ARIZONA,

Plaintiff,

vs.

ANTHONY RICHARDS,

Defendant.

) **P1300CR201600476**
)
) **MOTION FOR CERTIFICATE TO**
) **SECURE ATTENDANCE OF**
) **WITNESS FROM WITHOUT THE**
) **STATE OF ARIZONA IN THIS**
) **CRIMINAL PROCEEDING, per A.R.S.**
) **§13-4093**
)
)

(Hon. Tina Ainley, Div. 3)

The Defendant, through undersigned Counsel, pursuant to Article 23 Uniform Act to Secure the Attendance of Witnesses from Without a State in Criminal Proceedings, and A.R.S. §§ 13-4091 to 13-4096, et. seq., California Penal Code §§ 1334-1334.6., respectfully moves this Court to issue an Order and Certificate under the Seal of the Court commanding the personal appearance and attendance of Sgt. Joshua Crabtree, Calaveras County Sheriff Department, San Andreas, CA, to give testimony on March 17, 2020 at 9:00 a.m. before the Yavapai County Superior Court, Division 3, 120 S. Cortez, Prescott, Arizona 86303, and to remain until excused by further Order of the Court.

If a person in any state, which by its laws has made provision for commanding persons within its borders to attend and testify in criminal prosecutions, or grand jury investigations commenced or about to commence, in this state, is a material witness in a prosecution pending in a court of record in this state, or in a grand jury investigation which has commenced or is about to commence, a judge of such court may issue a certificate under the seal of the court stating these facts and specifying the number of days the witness will be required. This certificate shall be presented to a judge of a court of record in the county in which the witness is

found.

Sgt. Crabtree was the lead on a missing persons case regarding Larry Powers at the Calaveras County Sheriff Department, San Andreas, CA. Sgt. Crabtree spoke with the Defendant multiple times during the investigation. Sgt. Crabtree recorded some of those conversations. During those conversations the Defendant told Sgt. Crabtree about the last time the Defendant saw the victim, Larry Powers. The Defendant told Sgt. Crabtree about a guy in a mini-motorhome/camper which was mounted on a late 80's early 90's Dodge Dakota pickup truck, two-tone gray with white stripes and red pin stripping, and dual rear wheels. The camper was white with a manufacturer's name on it. The Defendant told Sgt. Crabtree that the victim was going to go camping with an unknown male, and then to Oroville. There was no tailgate and a door in the back. The man who owned the Dodge Dakota was a white guy, about the same height as L.P., medium hair length, slight build, goatee, and clean cut. The defendant believed this person to be a construction worker.

Sgt. Crabtree did a follow up investigation the Dodge Dakota camper.

This information is material to Mr. Richard's defense. Both Arizona and California are part of "Article 23. Uniform Act to Secure the Attendance of Witnesses from Without a State in Criminal Proceedings."

Previously, after much discussion, the Defense and the Calaveras County Sheriff's Office had agreed that they would honor our out of state subpoena, but on January 15, 2020 that fell through. The Calaveras County Sheriff's Office sent a demand letter for \$3,458.51, for "the costs that the County will expend for Sgt. Crabtree to be present" at the Richards Trial. (See: Letter, attached). Of those "costs," \$2,188.56 were for "hourly wages." (*Id.*) On January 17, 2020, Counsel undersigned asked Calaveras County for an explanation of the expenses, but there has been no response.

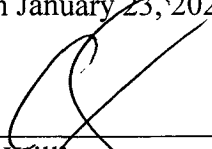
In addition, despite two subpoenas previously issued for Sgt. Crabtree – the second at their request – Calaveras County now wants a third subpoena issued specifically for March 17, 2020.

The Demand Letter ends with this: “Please submit payment and updated subpoena no later than 2/28/2020. If not received, all travel arrangements will be cancelled.”

Therefore it is respectfully requested that this Court to issue an Order and Certificate under the Seal of the Court commanding the personal appearance and attendance of Sgt. Joshua Crabtree Sgt. Joshua Crabtree, Calaveras County Sheriff Department, San Andreas, CA, to appear and give testimony on **March 17, 2020 (only)** in Yavapai County Superior Court, Division 3, Prescott, AZ, per Article 23 Uniform Act to Secure the Attendance of Witnesses from Without a State in Criminal Proceedings, and A.R.S. § 13-4093(A), California Penal Code §§ 1334-1334.6.

Reasonable travel expenses and meals shall be paid at the Yavapai County rates.

RESPECTFULLY SUBMITTED on January 23, 2020.



Craig Williams
Attorney at Law

Copies of the foregoing delivered and/or faxed this date to:
Hon. Tina Ainley, Judge of the Superior Court
Josh Fisher, Yavapai County Attorney

By  _____