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Attorneys for Plaintiff

**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.: CR2019-01558

**STATE'S ALLEGATION OF MULTIPLE
OFFENSES NOT COMMITTED ON THE
SAME OCCASION PURSUANT TO A.R.S.
§ 13-703 (A)**

(Assigned to the Honorable Debra Phelan)

Pursuant to A.R.S. § 13-703 and Rule 13.5, Arizona Rules of Criminal Procedure, the State of Arizona, by and through the undersigned counsel, amends the Indictment to allege that Counts 9, 11, 13, 15, 17, 19, 21, 23, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101, 103, 105, 107, 109, 111, 113, 115, 117, 119, 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141, and 143, are multiple offenses not committed on the same occasion but consolidated for trial. Therefore, if the Defendant is convicted of these counts, the Defendant must be sentenced pursuant to A.R.S. § 13-703. *State v. Thompson*, 200 Ariz. 439, 27 P.3d 796 (2001).

Alternatively, should any of Defendant's charges not consolidated for trial become historical prior felony convictions under A.R.S. § 13-105 the State will seek sentences enhanced with historical prior felony convictions on any remaining charges under § 13-703.

RESPECTFULLY SUBMITTED this 31st day of December, 2020.

MARK BRNOVICH
ATTORNEY GENERAL

/s/ Brett Harames
Brett Harames
Assistant Attorney General

COPY of the foregoing efiled
this 31st day of December, 2020 with:

Clerk of the Superior Court
120 S. Cortez St.
Prescott, Arizona 86303

COPY of the foregoing delivered
this 31st day of December, 2020, to:

The Honorable Debra Phelan
Yavapai County Superior Court
120 S. Cortez St.
Prescott, Arizona 86303

COPY of the foregoing delivered via email
this 31st day of December, 2020, to:

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Ed Novak
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Attorneys for MICHAEL LEE HAM

By: /s/ P. Cox