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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.

Cause No.: CR2019-01558

**STATE'S ALLEGATION OF
AGGRAVATING CIRCUMSTANCES**

(Assigned to the Honorable Debra Phelan)

Pursuant to A.R.S § 13-701(D) and 13-702(C), the State of Arizona alleges that the aggravating circumstances checked below exist in this case:

- | | |
|---|---|
| <input type="checkbox"/> 1. Threatened/actual serious physical injury | <input type="checkbox"/> 11. Previous felony within 10 years |
| <input type="checkbox"/> 2. Use/threat/possession of deadly weapon or dangerous instrument | <input type="checkbox"/> 12. Body armor worn |
| <input checked="" type="checkbox"/> 3. Value of property taken/damaged | <input type="checkbox"/> 13. Victim 65 or older, or disabled |
| <input checked="" type="checkbox"/> 4. Accomplice | <input type="checkbox"/> 14. Fiduciary duty |
| <input type="checkbox"/> 5. Heinous/cruel/depraved manner | <input type="checkbox"/> 15. Hate crime |
| <input checked="" type="checkbox"/> 6. Defendant committed the offense as consideration for the receipt, or in the expectation of the receipt, of anything of pecuniary value | <input type="checkbox"/> 16. BAC over 0.15 (homicide/agg assault) |
| <input type="checkbox"/> 7. Paid another to commit offense | <input type="checkbox"/> 17. Lying in wait/ambush |
| <input type="checkbox"/> 8. Public Servant | <input type="checkbox"/> 18. Presence of child (§ 13-3601(A)) |
| <input type="checkbox"/> 9. Physical/emotional/financial harm to victim/deceased victim's family | <input type="checkbox"/> 19. Retaliation for crime report |
| <input type="checkbox"/> 10. Death of unborn child | <input type="checkbox"/> 20. Impersonation of peace officer |
| | <input type="checkbox"/> 21. Immigration violation at time of offense |
| | <input type="checkbox"/> 22. Use of stun gun |
| | <input type="checkbox"/> 23. Violation of A.R.S. §§ 28-661, -662, or -663 |
| | <input type="checkbox"/> 24. Other: Flight, Concealing Identity |

RESPECTFULLY SUBMITTED this 31st day of December, 2020.

MARK BRNOVICH
ATTORNEY GENERAL

/s/Brett Harames

Brett Harames
Assistant Attorney General
Criminal Division

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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Attorneys for MICHAEL LEE HAM

By: /s/ P. Cox

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