

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

FILED
9:33 AM

IN AND FOR THE COUNTY OF MOHAVE

SEP 17 2009

HONORABLE STEVEN F. CONN
DIVISION 3
DATE: SEPT. 16, 2009

VIRLYNN TINNELL
CLERK SUPERIOR COURT
BY: Cmm SC DEPUTY
VIRLYNN TINNELL, CLERK

COURT NOTICE/ORDER/RULING

STATE OF ARIZONA,

Plaintiff,

vs.

WARREN STEED JEFFS,

Defendant.

No. CR-2007-0743 & CR-2007-0953

The Court acknowledges the filing of the following pleadings in these cases:

1. Memorandum of Non-Party Witness Dan Fischer in Opposition to Defendant's Motion for Deposition of Witnesses Sam Brower and Dan Fischer filed by Mr. Sipe in CR-2007-0743 and CR-2007-0953.
2. Memorandum in Opposition to Motion for Deposition of Witnesses Sam Brower and Dan Fischer filed by Mr. Novak in CR-2007-0743.

The Court also acknowledges that submitted with Mr. Sipe's pleading was a sealed envelope marked "Not to be Opened Without Court Order CR-2007-0743 CR-2007-0953". This is presumably Exhibit A, the Fee and Engagement Agreement referred to on Page 6 and in footnote 14 of Mr. Sipe's pleading. The Court has not opened and examined the contents of that sealed envelope and does not intend to do so unless convinced of the propriety and necessity of doing so. The Court does not feel comfortable with having reviewed documents that are known to some involved persons, even if persons on the far periphery of this case, that are being deliberately withheld from the attorneys who are actually trying these cases.

IT IS ORDERED directing the Clerk to file and seal the envelope in CR-2007-0743 in the manner in which sealed documents would typically be processed.

The Court has received a copy of a Request for Extension of Time to Reply to Memorandum to Opposition to Motion for Deposition of Witnesses Sam Brower and Dan Fischer and a letter from Mr. Piccarreta, both of which indicate that neither the State nor Mr. Sipe has any opposition. It is unknown to the Court whether Mr. Novak would have any opposition, but the Court suspects that he would not.

IT IS ORDERED extending to September 25, 2009, the date by which the defense may file a reply or responsive pleading to those filed by Mr. Sipe and Mr. Novak.

Following the filing of any such pleading the Court will set this matter for whatever hearing it deems appropriate.

cc:

Mohave County Attorney

Michael J. Piccarreta
145 South Sixth Avenue
Tucson, AZ 85701-2007
Attorney for Defendant

Richard A. Wright
300 S. Fourth Street, Suite 701
Las Vegas, NV 89101
Co-Counsel for Defendant

Honorable Steven F. Conn
Division 3

Kip Anderson
Mohave County Court Administrator

Mohave County Jail

Billy K. Sipe, Jr.
Attorney for Dan Fischer

Lee Novak
Attorney for Hoole & King, L.C. et al