

1 Matthew J. Smith  
2 Mohave County Attorney  
3 State Bar No. 010467  
4 315 N. 4th Street  
5 P O Box 7000  
6 Kingman, AZ 86402  
7 Telephone: (928) 753-0719  
8 Fax No.: (928) 753-2669  
9 CAO.Court@co.mohave.az.us  
10 Attorney for Plaintiff

FILED

BY: *dlw* *kg*

2009 AUG 19 PM 10:00

VIRLYN TINNELL  
SUPERIOR COURT CLERK

6 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

7 **IN AND FOR THE COUNTY OF MOHAVE**

8 STATE OF ARIZONA,

9 Plaintiff,

10 vs.

11 WARREN STEED JEFFS,

12 Defendant.

Nos. CR-2007-0953 & CR-2007-0743

**MOTION TO RELEASE RECORD OF  
AUDIO RECORDED PROCEEDINGS  
AND ORDER**

13  
14 COMES NOW, the State of Arizona, by the Mohave County Attorney, Matthew J.  
15 Smith, and hereby moves the Court to have the Clerk of the Superior Court release the  
16 CD of the audio recorded proceedings done in *State v. Warren Jeffs* on August 22<sup>nd</sup>,  
17 2008. The State is aware of Administrative Order 2004-01 in which the presiding judge  
18 ordered that any audio recordings done by the Clerk of the Court in criminal  
19 proceedings should not be released unless a court reporter was not present or was  
20 unable to provide a transcript of those proceedings. The State has requested on  
21 multiple occasions a transcript of the short hearing done that day in preparation for both  
22 this case and for another case in Colorado City being prosecuted by the County  
23 Attorney's Office, *State v. Dee Jessop*. As this Court is aware the Division 3 court  
24 reporter has been having a difficult time recently and has been unable to produce this  
25 transcript.

S8015CR20070953

Jeffs/CR-2007-0953/0743

Smith/07-F-1465

CMV

1 The State needs to have the CD of this hearing in order to argue an oral motion  
2 in *State v. Dee Jessop* that is coming up shortly. The State agrees that it will not in any  
3 way transcribe the CD and will return the original CD to the Clerk of the Court.

4 RESPECTFULLY SUBMITTED THIS 19TH DAY OF AUGUST, 2009.

5  
6 By Matthew J. Smith  
7 COUNTY ATTORNEY  
8 MATTHEW J. SMITH  
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