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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

THE STATE OF ARIZONA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
JOHN CHESTER STUART,)	CR 2008-106594-001 DT
)	
Defendant.)	STATE'S RESPONSE TO DEFENDANT'S MOTION TO CONTINUE PRE-TRIAL MOTIONS DEADLINE
)	
)	(Assigned to the Honorable Paul J. McMurdie, Saj04)
)	

The State of Arizona, by and through undersigned counsel, opposes Defendant's motion. The Court has already extended the deadline once to the current date of October 31st, 2008. Defendant's motion cites the fact that his expert has not yet tested the weapon as one of the reasons he is asking for a continuance. However, the defendant has had over seven months to arrange for the weapon to be tested by his expert. Defendant then cites the fact that he has not completed the interviews in this case as another reason to continue the deadline. Again, Defendant has had seven months to complete interviews. Two months ago, civilian witnesses told the State that defense counsel contacted them and scheduled interviews then abruptly cancelled the interviews. So, the State then was placed in a position of rushing to schedule interviews so the parties would be ready for trial on December 1st, 2008. Now the defendant is asking for a new deadline of December 1st, 2008, the day of trial. If the Court is

planning on granting the Motion, the State respectfully requests that Court order the defendant to file a Motion to Continue the trial, and have the trial reset before the Court grants this Motion.

Submitted October __, 2008.

ANDREW P. THOMAS
MARICOPA COUNTY ATTORNEY

BY: /s/
/s/ Susie Charbel
Deputy County Attorney

Copy mailed\delivered
October __, 2008,
to:

The Honorable Paul J. McMurdie, Saj04
Judge of the Superior Court

Law Offices of David Cantor
2141 East Broadway Road, Suite 220
Tempe, Arizona 85282-1705

BY: /s/
/s/ Susie Charbel
Deputy County Attorney