Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
01/21/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

01/20/2010

JUDGE PRO TEM JERRY BERNSTEIN

CLERK OF THE COURT
A. Pagel-Spaulding
Deputy

STATE OF ARIZONA

JON ELIASON

v.

ELIZABETH JOHNSON (001)

S E PUBLIC DEFENDER-

VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

The Court is advised that a Notice of Supervening Indictment has been issued in this case by the Grand Jury.

Therefore, the Preliminary Hearing set for this date for the above-entitled cause number is vacated from the Regional Court Center calendar.

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
01/26/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

01/25/2010

COMMISSIONER BRIAN S. REES

CLERK OF THE COURT
R. Miller
Deputy

STATE OF ARIZONA

LISA M AUBUCHON

v.

ELIZABETH JOANNE JOHNSON (001)

S E PUBLIC DEFENDER-

Custody Status: Jail/$1,000,000 Cash Bond

VICTIM SERVICES DIV-CA-SE

NOT GUILTY ARRAIGNMENT

8:45 a.m.

Courtroom ECB 813

State's Attorney:	JoAnn Sakato for Lisa Aubuchon
Defendant's Attorney:	Vanessa Smith and Jennifer Rock
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Pursuant to Rule 4.2, Count(s) 3 and 4,

IT IS ORDERED affirming bond in the amount of $1,000,000.00 **cash**, which applies to all counts.

IT IS ORDERED the Defendant submit to DNA testing at the arresting agency within five days of release from custody. Failure to comply with this order will result in the defendant's release being revoked.

Let the record reflect that the Defendant enters a plea of not guilty to all charges.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 01/25/2010

In preparation for the Initial Pretrial Conference (IPTC), the parties shall do the following:

1. The defense attorney shall conduct a conflicts check within the office to determine whether a conflict exists. If a conflict exists, counsel shall staff the conflict with the appropriate supervisor, and counsel shall file the appropriate Motion to Withdraw so new counsel can appear at the Initial Pretrial Conference.

2. Motions to Modify Release Conditions shall be heard at the Initial Pretrial Conference. Motions shall be filed with the assigned Commissioner not later than 10 days prior to the Initial Pretrial Conference.

3. If a plea agreement is extended by the State, the State shall extend the plea not later than 10 days before the Initial Pretrial Conference. Defense Counsel shall make reasonable efforts to present the plea to in custody defendants before the Initial Pretrial Conference.

4. Motion for Rule 11 Evaluations shall be heard at the Initial Pretrial Conference. Motions shall be filed with the assigned Commissioner not less than 10 days before the Initial Pretrial Conference.

5. Defense Counsel shall prepare and file a List of Specific Items of Discovery required under Rule 15.1 (b), but which were not disclosed. See Rule 15.2(e). Such list shall be filed with the assigned Commissioner not less than 5 days before the Initial Pretrial Conference.

6. All electronic media (audio tapes, CD's, etc.) or documents which require language translation shall be submitted to the Court Interpretation and Translation Department (CITS) on or before the IPTC hearing date.

ANY MOTION TO MODIFY RELEASE CONDITIONS, OR RULE 11 MOTIONS NOT FILED BEFORE THE INITIAL PRETRIAL CONFERENCE WILL BE HEARD AT THE COMPREHENSIVE PRETRIAL CONFERENCE BEFORE THE DESIGNATED MASTER CALENDAR JUDICIAL OFFICER. ALL MOTIONS SHALL BE IN WRITING WITH SPECIFIC FACTS TO SUPPORT THE MOTIONS.

This case is assigned to Master Calendar.

IT IS FURTHER ORDERED setting Initial Pretrial Conference for March 9, 2010, at 8:15 a.m. before Commissioner Lisa Roberts.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 01/25/2010

IT IS ORDERED that the Defendant shall contact and meet with his/her attorney in person no later than three weeks from this date, for the purpose of preparing for the Initial Pretrial Conference.

NOTICE TO DEFENDANTS:

Failure to comply with the above orders may result in revocation of Defendant's release from custody and/or the imposition of other sanctions.

The Defendant may be tried in his/her absence if he/she fails to appear for trial.

LAST DAY: 06/24/2010

IT IS ORDERED the docket be updated to reflect the Defendant's true name as Elizabeth Joanne Johnson (from Elizabeth Johnson).

8:46 a.m. Matter concludes.

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
03/04/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

03/03/2010

HONORABLE TIMOTHY J. RYAN

CLERK OF THE COURT
B. Navarro
Deputy

STATE OF ARIZONA

ANGELA KAY ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

VANESSA N SMITH

COMM. LISA ROBERTS
VICTIM SERVICES DIV-CA-SE

ORAL ARGUMENT SET

IT IS ORDERED setting oral argument on **Defendant's Motion for Complex Case Designation** for **March 9, 2010 at 9:30 a.m.** before Judge Ryan.

IT IS FURTHER ORDERED vacating the Initial Pretrial Conference set for March 9, 2010 before Comm. Roberts.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
03/10/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

03/08/2010

HONORABLE CARI A. HARRISON

CLERK OF THE COURT
C. Smith
Deputy

STATE OF ARIZONA

ANGELA KAY ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

VANESSA N SMITH

VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

The Court having reviewed Defendant's Request for Extension of Time to Challenge the Grand Jury Proceedings and good cause appearing,

IT IS ORDERED granting Defendant's Request for Extension of Time to Challenge the Grand Jury Proceedings to April 7, 2010.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
03/10/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

03/09/2010

HONORABLE TIMOTHY J. RYAN

CLERK OF THE COURT
B. Navarro
Deputy

STATE OF ARIZONA

ANGELA KAY ANDREWS
BELLE WHITNEY

v.

ELIZABETH JOANNE JOHNSON (001)

VANESSA N SMITH
JENNIFER S ROCK

VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

LET THE RECORD REFLECT that prior to calling this matter on the record, a bench conference is held between Court and counsel. Said bench conference is recorded by audio and/or videotape only in lieu of a court reporter.

9:22 a.m. This is the time set for oral argument on Defendant's Motion for Complex Case Designation and Defense counsel's request to determine counsel.

State's Attorney:	Angela K. Andrews and Belle Whitney
Defendant's Attorney:	Vanessa N. Smith and Jennifer Rock
Defendant:	Not Present (in custody – refused to be transported)
Court Reporter:	Karen Dawson

Since the Defendant must be present in order to address the issue of determination of counsel,

IT IS ORDERED that the Defendant shall be present at the next court date.

IT IS FURTHER ORDERED vacating oral argument on **Defendant's Motion for Complex Case Designation** set for March 9, 2010 and resetting same along with the **determination of counsel** for **March 17, 2010 at 10:00 a.m.** before Judge Ryan.

IT IS FURTHER ORDERED that the Maricopa County Sheriff's Office shall use any means necessary to transport the Defendant to court on March 17, 2010.

The Defense objects to the presence of media cameras in the courtroom.

The Court suggests that Defense counsel confer with Mr. Bodney, who he believes is the attorney of record for the entity submitting the camera requests.

The issue of exclusion of time will be addressed on March 17, 2010.

IT IS FURTHER ORDERED that no time be excluded.

LAST DAY REMAINS: June 24, 2010.

By agreement of the parties, Defendant's Motion for Complex Case Designation cannot be ruled upon until the motion for determination of counsel is ruled on.

IT IS FURTHER ORDERED affirming prior custody orders.

9:24 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

cc: MCSO via fax

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
03/23/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

03/17/2010

HONORABLE TIMOTHY J. RYAN

CLERK OF THE COURT
B. Navarro
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA KAY ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

VANESSA N SMITH
JENNIFER S ROCK
DAVID JEREMY BODNEY
MONICA A LIMON-WYNN
AMY LYNN NGUYEN

COURT ADMIN-CRIMINAL-CCC
JUDGE MCMURDIE
VICTIM SERVICES DIV-CA-SE

COMPLEX CASE ORDER

10:22 a.m. This is the time set for oral argument on Defendant's Motion for Complex Case Designation and Ms. Johnson's Motion to Change Counsel.

State's Attorney:	Belle Whitney and Angela Andrews
Defendant's Attorney:	Vanessa N. Smith and Jennifer S. Rock
Defendant:	Present
KPHO-TV CBS 5's Attorney:	Monica A. Limon-Wynn
KPNX Broadcasting Company's Attorney:	David J. Bodney
Court Reporter:	Melody O'Donnell

The Court is in receipt of KPHO-TV CBS 5's Motion to Permit Television Camera and Video Coverage.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 03/17/2010

Oral argument is presented on KPHO-TV CBS 5's Motion to Permit Television Camera and Video Coverage.

For the reasons set forth on the record.

IT IS ORDERED granting KPHO-TV CBS 5's Motion and allowing camera coverage as well as the print media.

10:33 a.m. Court stands at recess in order to allow cameras to set up.

IT IS ORDERED camera coverage is permitted only in the courtroom in which a proceeding is being held. All authorized persons with cameras shall comply with all provisions of Rule 122, whether court is in session or not. There shall be no use of flashbulbs, strobe lights or other artificial lights anywhere in the courthouse. There shall be no use of cameras in any hallway, stairwell, elevator, cafeteria, or other public or private area of the courthouse, without specific judicial approval, all in accordance with the formal written Order re: Still and Electronic Cameras signed by the Court on March 17, 2010 and filed (entered) by the Clerk on March 17, 2010.

10:42 a.m. Court reconvenes.

State's Attorney:	Belle Whitney and Angela Andrews
Defendant's Attorney:	Vanessa N. Smith and Jennifer S. Rock
Defendant:	Present
KPHO-TV CBS 5's Attorney:	Monica A. Limon-Wynn
KPNX Broadcasting Company's Attorney:	David J. Bodney
Court Reporter:	Melody O'Donnell

Discussion is held regarding Defendant's Motion for Complex Case Designation.

There being no objection,

IT IS ORDERED granting Defendant's Motion and designating this case a complex case.

Pursuant to the parties' stipulation under Rule 10.2(d), Arizona Rules of Criminal Procedure,

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 03/17/2010

IT IS ORDERED reassigning this case from the Master Calendar to Judge McMurdie for all further proceedings.

SCHEDULING CONFERENCE & JOINT CASE MANAGEMENT PLAN:

IT IS ORDERED setting a **Scheduling Conference** for **April 16, 2010 at 8:30 a.m.** before Judge McMurdie.

Pursuant to the Defendant's request,

IT IS ORDERED that the Defendant shall not be transported to any pretrial hearings until such time the Defendant needs to appear in court or it is required to appear in court for some purpose, which includes, but is not limited, to trial.

The State requests that the do-not-transport order only apply if the Defendant remains in custody. If the Defendant is able to post the bond, the State requests that an affidavit be submitted stating that the Defendant acknowledges each and every court date.

No less than two working days before the first Scheduling Conference, the state and defendant(s) shall file a Joint Case Management Plan expressly addressing the following issues:

1. Proposed trial date;
2. Length of trial and number of witnesses;
3. Final Trial Management Conference date;
4. Brief summary of alleged facts;
5. Discovery production schedule;
6. Witness interview schedule;
7. List of motions needing evidentiary hearing (length of hearing);
8. Schedule for filing motions, responses and replies;
9. Schedule for Motions in Limine;
10. Expert witness issues (dates for defense to disclose experts and opinions, if different date than called for in Rule 15);
11. Special investigative needs;
12. General status of plea negotiations;
13. Plea cutoff date;
14. Settlement conference date;
15. Interpreter needs;
16. Schedule of regular Case Management Conferences.

At the Scheduling Conference, the court will set a Trial Date and Case Management Conference schedule. Case Management Conferences will be presumptively set every 30 to 45 days, or more or less frequently as circumstances dictate.

The lawyers who will try the case and the defendant(s) shall attend each Case Management Conference. The purpose of the Case Management Conference will be to review pretrial preparation to date, resolve issues, and schedule activities to be accomplished before the next Case Management Conference.

JOINT CASE MANAGEMENT REPORTS:

No less than two working days before each Case Management Conference, the parties shall submit a Joint Case Management Report. This report will inform the court of:

1. The specific progress made since the last Case Management Conference in completing activities previously established by the court and the parties;
2. Specific case preparation to be completed before the next Case Management Conference;
3. Witnesses who have been interviewed in the preceding month;
4. Witnesses who will be interviewed in the upcoming month;
5. Pending issues to be resolved.

NEW LAST DAY: October 22, 2010.

If the parties have any objections to the new Last Day, they shall address the issue with Judge McMurdie on April 16, 2010, or the parties will deemed to have waived their right to any objections to the new Last Day.

IT IS FURTHER ORDERED deferring to Judge McMurdie to reset trial within the new Last Day of October 22, 2010, set any additional complex case management conferences, and set a final trial management conference at least one week prior to the new trial date.

Ms. Johnson's Motion to Change Counsel is addressed.

For the reasons set forth on the record.

IT IS ORDERED denying said Motion and affirming the appointment of current counsel.

The State suggests that this case be consolidated with Co-Defendant 002's (Tammi Smith) matter before Judge McMurdie for case management purposes only.

IT IS FURTHER ORDERED affirming prior custody orders.

10:51 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
04/08/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

04/06/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA KAY ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

NICHOLAS M ALCOCK
VANESSA N SMITH
JENNIFER S ROCK

OFFICE OF PUBLIC DEFENSE
SERVICES-CCC
VICTIM SERVICES DIV-CA-SE

STATUS CONFERENCE

8:45 a.m.

Courtroom ECB 413

State's Attorney: Belle Whitney
Defendant's Attorney: Vanessa Smith, Jennifer Rock and Nicholas Alcock
Defendant: Not Present, presence waived

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Counsel approach the bench.

Discussion is held.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

04/06/2010

Pursuant to the Stipulation of the parties,

IT IS ORDERED allowing Jennifer Rock to withdraw as counsel of record and substituting Nicholas Alcock as attorney of record for all further matters.

IT IS ORDERED affirming the Complex Case Management Conference set on April 16, 2010 at 8:30 a.m. in this division. Defendant's presence is waived.

IT IS ORDERED that no time be excluded. LAST DAY REMAINS: October 22, 2010.

IT IS FURTHER ORDERED affirming prior custody orders.

8:47 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
04/14/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

04/12/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA KAY ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

NICHOLAS M ALCOCK

VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

By stipulation of the parties,

IT IS ORDERED vacating the Complex Case Management conference set on April 16, 2010 and resetting same for April 23, 2010 at 8:30 a.m. in this division.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
04/15/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

04/13/2010

HONORABLE CARI A. HARRISON

CLERK OF THE COURT
C. Smith
Deputy

STATE OF ARIZONA

ANGELA KAY ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

NICHOLAS M ALCOCK

VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

The Court having reviewed Defendant's Request for Extension of Time to Challenge the Grand Jury Proceedings and good cause appearing,

IT IS ORDERED granting Defendant's Request for Extension of Time to Challenge the Grand Jury Proceedings to May 13, 2010.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
04/22/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

04/21/2010

HONORABLE CARI A. HARRISON

CLERK OF THE COURT
K. Schermerhorn
Deputy

STATE OF ARIZONA

BELLE WHITNEY

v.

ELIZABETH JOANNE JOHNSON (001)

NICHOLAS M ALCOCK

RULING

The Court has received and reviewed Defendant's Request for Extension of Time to Challenge the Grand Jury Proceedings.

IT IS ORDERED granting the request for Extension of Time to Challenge the Grand Jury Proceedings and extending time up to and including 30 days from the date of this minute entry.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
04/29/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

04/27/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY

v.

ELIZABETH JOANNE JOHNSON (001)

DOB: July 24, 1986
Booking No.: P620922

NICHOLAS M ALCOCK
ADAM FELDMAN

CORRECTIONAL HEALTH SERVICES
COURT FORENSIC SERVICES UNIT
VICTIM SERVICES DIV-CA-SE

RULE 11 ORDER GRANTING FULL RULE 11 EVALUATION

8:59 a.m.

Courtroom ECB 413

State's Attorney:	Belle Whitney
Defendant's Attorney:	Nicholas Alcock and Adam Feldman
Defendant:	Not Present, presence waived

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

IT IS ORDERED transferring this case to the Rule 11 Commissioner's Court for all further proceedings relating to Defendant's competency.

All time pursuant to Rule 8.4, Rules of Criminal Procedure, shall be excluded by the Judge/Judge Pro Tem at the time the Defendant's competency is determined.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 04/27/2010

CURRENT LAST DAY: October 22, 2010.

IT IS ORDERED setting a Status Conference on June 7, 2010 at 8:30 a.m. in this division.

No less than two working days before Status Conference, the state and defendant(s) shall file a Joint Case Management Plan.

9:02 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
05/19/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

05/18/2010

JUDGE PRO TEM STEVEN K. HOLDING

CLERK OF THE COURT
P. M. Espinoza
Deputy

STATE OF ARIZONA

BELLE WHITNEY

v.

ELIZABETH JOANNE JOHNSON (001)
DOB: 07/14/1986
Booking No.: P620922

NICHOLAS M ALCOCK

COMPETENCY EVALUATION
PROGRAM / CORRECTIONAL
HEALTH SERVICES
CORRECTIONAL HEALTH SERVICES
COURT ADMIN-CRIMINAL-CCC
COURT FORENSIC SERVICES UNIT
VICTIM SERVICES DIV-CA-SE
GWEN LEVITT D O
3104 EAST CAMELBACK ROAD
#856
PHOENIX AZ 85016

RULE 11 - NOTICE OF APPOINTMENT

IT IS ORDERED appointing Dr. Gwen Levitt and Dr. Bruce Kushner to conduct an evaluation of the above named defendant pursuant to Arizona Rules of Criminal Procedure 11.3 and A.R.S. § 13-4509.

The Defendant is charged with the crime(s) of: Count 1: Kidnap, a class 2 felony, Count 2: Child/Vulnerable Adult Abuse, Count 3: Conspiracy to Commit Custodial Interference and Count 4: Custodial Interference, class 4 felonies, committed on or between 12/18/09 & 12/30/09.

The Defendant is represented by: Nicholas Alcock, (602) 404-6000.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 05/18/2010

The Defendant is in custody and housed at the Estrella Facility and the booking number is P620922.

IT IS ORDERED that counsel for the defendant shall provide the above-named experts with all police reports, charging documents, the competency screening evaluation report, and all other available medical, mental health and criminal history records within three judicial days of this date.

IT IS FURTHER ORDERED that the experts submit their **signed original** reports to the Superior Court Forensic Unit no later than **05/27/10**.

IT IS FURTHER ORDERED that a competency hearing is set before **Judge Pro Tem Steven Holding on June 3, 2010 at 1:30 p.m.** in courtroom #1303 of the Central Court Building at 201 W. Jefferson, Phoenix, AZ.

IT IS FURTHER ORDERED that Correctional Health Services permit the mental health expert(s) to view the Defendant's medical file retained in the Maricopa County Jail.

Michael K. Jeanes, Clerk of Court
*** Filed ***
06/09/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

06/03/2010

JUDGE PRO TEM STEVEN K. HOLDING

CLERK OF THE COURT
P. M. Espinoza
Deputy

STATE OF ARIZONA

BELLE WHITNEY

v.

ELIZABETH JOANNE JOHNSON (001)
DOB: 07/24/1986
Booking No.: P620922

NICHOLAS M ALCOCK

CORRECTIONAL HEALTH SERVICES
CORRECTIONAL HEALTH SERVICES-
RESTORE TO COMPETENCY
COURT FORENSIC SERVICES UNIT
D & C MATERIALS-CSC
MAGELLAN HEALTH SERVICES
VICTIM SERVICES DIV-CA-SE

DEFENDANT INCOMPETENT - A.R.S. § 13-4510 (C) -
SUBMISSION ORDER FOR RESTORATION TREATMENT

1:44 p.m.

Courtroom CCB-1303

State's Attorney:	Juli Warzynski
Defendant's Attorney:	Nicholas Alcock
Defendant:	Not Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

This is the time set for the Initial Rule 11 Competency Hearing.

It appearing that the Defendant refused transport, and at the request of defense counsel,

IT IS ORDERED waiving the Defendant's presence for purposes of today's hearing only.

LET THE RECORD REFLECT that the RTC/CHS Court Liaison, Erin Cohen, discloses that her husband, Mitch Cohen, represents the Defendant in Family Court.

Defense counsel states for the record that there is no conflict and no issue with that disclosure.

There is a written stipulation for submission to the Court of the matter of Defendant's competency based on the written reports by Dr. Gwen Levitt dated 06/01/10 and Dr. Bruce Kushner dated 05/20/10.

The report(s) having been considered,

THE COURT FINDS the Defendant is unable to understand the nature of the proceedings and/or is unable to assist counsel in Defendant's defense, and is therefore criminally incompetent pursuant to A.R.S. § 13-4510.

THE COURT FURTHER FINDS that there is no clear and convincing evidence that the Defendant will not be restored to competency within 15 months pursuant to A.R.S. § 13-4510(C).

THE COURT FURTHER FINDS that the Defendant is incompetent to refuse treatment and should be subject to involuntary treatment pursuant to A.R.S. §§ 13-4511 and 13-4512(B).

THE COURT FURTHER FINDS that confinement is necessary for treatment and/or the Defendant is a threat to public safety.

IT IS ORDERED committing the Defendant to the Maricopa County Correctional Health Services Restoration Program to receive treatment necessary to restore the Defendant's competency. Furthermore, said facility/program shall submit to the Court a written status report on **08/05/10** stating the Defendant's progress and prognosis, unless prior to that date the treatment facility concludes that competency has been restored or that there is no substantial probability that the Defendant will be restored within 21 months after the date of the original finding of incompetency. The written report shall reflect the estimated time period for restoration and any recommendations for treatment modifications if competency is restored. The report shall state what limitations are imposed by medications used to restore competency. The treatment facility shall submit its written report to the Court's Forensic Services Administrator

who shall provide a copy to defense counsel. Defense counsel shall provide a copy to the prosecutor pursuant to Rule 11.4(a), Arizona Rules of Criminal Procedure.

IT IS FURTHER ORDERED setting a nonevidentiary Status Hearing on **August 12, 2010 at 1:30 p.m.** before Judge Pro Tem Holding. If the parties wish an evidentiary hearing, they are to contact the assigned Judge/Judge Pro Tem and request an evidentiary hearing.

IT IS FURTHER ORDERED that copies of the experts' reports and police reports are to be furnished by the Maricopa County Attorney's office to the Court's Forensic Services Administrator who will cause them to be sent to the treatment provider to be used by the treatment provider in diagnosis and treatment and not to be released or copied without further Court order.

IT IS FURTHER ORDERED that within three (3) judicial days of receipt of a request by the RTC for specifically identified medical and/or mental health records (records), counsel for the Defendant shall request said records and, where necessary, a court order to obtain said records, and shall contemporaneously provide the RTC with notice of said request(s).

IT IS FURTHER ORDERED that within five (5) judicial days of receipt of any records, counsel for the Defendant shall provide a copy of said records to the RTC or shall advise the RTC of any special circumstances that may require additional time, not to exceed five (5) days, for disclosure. Counsel for the Defendant may make redactions where disclosure would be prejudicial to the Defendant and not relevant to the restoration process. In the event of a dispute over redactions, upon request, the Court will conduct an in camera inspection in order to resolve such dispute.

IT IS FURTHER ORDERED that the original report(s) of the mental health expert(s) shall be sealed and maintained in a confidential manner by the Clerk of the Superior Court; said report(s) are not to be disclosed to anyone except as provided for in A.R.S. § 36-509.

IT IS FURTHERORDERED revoking previous custody/release orders. The Defendant shall be held without bond for Rule 11 purposes pending further order of the Court.

ISSUED: Order of Confinement.

IT IS FURTHER ORDERED Magellan Health Services shall conduct a jail evaluation to assess the Defendant for services and provide a report to the Court at the above-scheduled hearing.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 06/03/2010

SEALED AND FILED: Medical report(s) by the expert(s).

1:46 p.m. Matter concludes.

/ s / JUDGE PRO TEM STEVEN K. HOLDING

JUDICIAL OFFICER OF THE SUPERIOR COURT

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
06/09/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

06/07/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY

v.

ELIZABETH JOANNE JOHNSON (001)

NICHOLAS M ALCOCK

VICTIM SERVICES DIV-CA-SE

STATUS CONFERENCE SET

8:43 a.m.

Courtroom ECB 413

State's Attorney:	Belle Whitney
Defendant's Attorney:	Nicholas Alcock
Defendant:	Not Present, presence waived

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Court and counsel discuss pretrial matters.

The Court has received Co-Defendant's (002) Motion to Extend Time in which to file Rule 12.9 Motion to Remand.

IT IS ORDERED granting the motion and extending the time until August 16, 2010.

IT IS ORDERED setting a Status Conference on August 16, 2010 at 8:30 a.m. in this division. Defendant's presence is waived.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 06/07/2010

JOINT CASE MANAGEMENT REPORTS:

No less than two working days before each Status Conference, the parties shall submit a Joint Case Management Report. This report will inform the court of:

1. The specific progress made since the last Case Management Conference in completing activities previously established by the court and the parties;
2. Specific case preparation to be completed before the next Case Management Conference;
3. Witnesses who have been interviewed in the preceding month;
4. Witnesses who will be interviewed in the upcoming month;
5. Pending issues to be resolved.

IT IS ORDERED that no time be excluded. LAST DAY REMAINS: October 22, 2010.

IT IS FURTHER ORDERED affirming prior custody orders.

8:47 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
07/01/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

06/29/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY

v.

ELIZABETH JOANNE JOHNSON (001)

NICHOLAS M ALCOCK

VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

IT IS ORDERED that the Maricopa County Sheriff's Office shall provide the identity of the individuals who were present during the interview of Defendant, Elizabeth Johnson. Said interview took place on May 10, 2010 in the Maricopa County Estrella Jail Facility in the presence of Detective Salame with the San Antonio Police Department.

IT IS FURTHER ORDERED that these individuals shall submit to an interview on July 9, 2010 at 1:30 p.m. at the law offices of Alcock and Associates, 2 North Central Avenue, 26th Floor, Phoenix, Arizona 85004, all in accordance with the formal written order signed by the Court and filed by the Clerk on June 29, 2010.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
08/18/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

08/12/2010

JUDGE PRO TEM STEVEN K. HOLDING

CLERK OF THE COURT
P. M. Espinoza
Deputy

STATE OF ARIZONA

BELLE WHITNEY
JULI S WARZYNSKI

v.

ELIZABETH JOANNE JOHNSON (001)
DOB: 07/24/1986
Booking No.: P620922

NICHOLAS M ALCOCK

CORRECTIONAL HEALTH SERVICES
CORRECTIONAL HEALTH SERVICES-
RESTORE TO COMPETENCY
COURT FORENSIC SERVICES UNIT
JUDGE MCMURDIE
VICTIM SERVICES DIV-CA-SE

CRIMINAL COMPETENCY HEARING CONTINUANCE

EVIDENTIARY HEARING SET

2:02 p.m.

Courtroom CCB-1303

State's Attorney: Juli Warzynski
Defendant's Attorney: Adam Feldman
Defendant: Not Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 08/12/2010

This is the time set for Rule 11 Hearing re: Restoration to Competency Review.

The Court is in receipt of the final competency report submitted by Dr. Thomas Gen dated August 5, 2010.

Defense counsel requests that an Evidentiary hearing be set.

Discussion is held.

Upon oral motion by counsel for the Defense, and good cause appearing based on the following grounds:

Evidentiary Hearing requested,

IT IS ORDERED granting the Motion for Continuance.

IT IS FURTHER ORDERED continuing Criminal Competency Hearing from August 12, 2010 and resetting as a Rule 11 Status Conference re: Evidentiary Hearing for **September 23, 2010 at 1:30 p.m.** before the Judge Pro Tem Steven Holding, CCB-13th Floor, Courtroom 1303.

Defense counsel having waived the 30-day rule time limit for hearing purposes,

IT IS FURTHER ORDERED setting Rule 11 Evidentiary Hearing on **September 27, 2010 at 9:00 a.m.** before Judge Pro Tem Holding, 201 W. Jefferson St., CCB-13th Floor, Courtroom 1302, Phoenix, AZ 85003.

IT IS FURTHER ORDERED that the Restoration to Competency Program (hereinafter the "RTC") and Correctional Health Services (hereinafter "CHS") shall provide to defense counsel copies of all records, including raw data and testing materials, and all notes pertaining to their treatment of the Defendant no later than 5:00 p.m. on 08/26/10.

IT IS FURTHER ORDERED that counsel for Defendant shall provide written notice to the RTC of any specific collateral records that he/she is requesting.

IT IS FURTHER ORDERED that within 10 days of receipt of said notice, the RTC shall provide to defense counsel copies of said records.

IT IS FURTHER ORDERED upon receipt of said records, counsel for Defendant shall execute a receipt and provide a copy of same to the RTC.

Should counsel for Defendant wish to proceed with the Evidentiary Hearing,

IT IS FURTHER ORDERED that defense counsel shall be prepared to disclose the names of any expert witnesses and provide counsel for the State with the RTC and CHS records, including raw data and testing materials, DVD's and CD's if applicable, and all notes pertaining to Defendant's treatment at the above-scheduled Status Conference. Orders regarding disclosure of any expert reports from counsel for Defendant shall be entered at the Status Conference.

IT IS FURTHER ORDERED that the State shall be prepared to disclose the names of any expert witnesses to defense, and jail tapes if applicable. Orders regarding disclosure of any expert reports from counsel for the State shall be entered at the Status Conference.

IT IS FURTHER ORDERED vacating the Status Conference currently set for August 16, 2010 at 8:30 a.m. before Judge McMurdie.

IT IS FURTHER ORDERED affirming prior custody orders.

2:04 p.m. Matter concludes.

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
09/15/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 09/13/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA BELLE WHITNEY

v.

ELIZABETH JOANNE JOHNSON (001) NICHOLAS M ALCOCK

EXHIBITS-SE
VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

Pursuant to the motion filed by the Defense,

IT IS ORDERED sealing the Defendant's Motion to Modify Release Conditions, and all proceedings associated with such motion, all in accordance with the formal written order signed by the Court and filed by the Clerk on September 13, 2010.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
09/24/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 09/23/2010

JUDGE PRO TEM STEVEN K. HOLDING

CLERK OF THE COURT
P. M. Espinoza
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)
DOB: 07/24/1986
Booking No.: P620922

NICHOLAS M ALCOCK

CORRECTIONAL HEALTH SERVICES
CORRECTIONAL HEALTH SERVICES-RESTORE TO COMPETENCY
COURT FORENSIC SERVICES UNIT
D & C MATERIALS-CSC
JUDGE MCMURDIE
VICTIM SERVICES DIV-CA-SE

REDETERMINATION OF COMPETENCY AFTER RESTORATION A.R.S. Section 4510(B) - SUBMISSION

1:39 p.m.

Courtroom CCB-1303

State's Attorney: Angela Andrews and Belle Whitney
Defendant's Attorney: Adam Feldman
Defendant: Not Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 09/23/2010

This is the time set for Status Conference re: Rule 11 Evidentiary Hearing.

The Defendant having refused transport,

IT IS ORDERED waiving the Defendant's presence for purposes of today's hearing only.

The Court having received a written stipulation for submission of the Defendant's competency based upon the written report(s) by Dr. Thomas Geen dated August 5, 2010;

IT IS ORDERED vacating Status Conference set this date.

IT IS FURTHER ORDERED vacating Rule 11 Evidentiary Hearing currently set for September 27, 2010 before this court.

The stipulation having been accepted and the report(s) having been considered,

THE COURT FINDS the Defendant understands the proceedings and is able to assist counsel with Defendant's defense.

THE COURT FURTHER FINDS the Defendant competent pursuant to A.R.S. Section 13-4510(B).

The Court is informed at staffing that the Defendant is currently not enrolled with Magellan Health Services/assigned provider and is not receiving services.

IT IS FURTHER ORDERED transferring this matter to Judge McMurdie for further proceedings.

At the request and upon agreement of counsel,

IT IS FURTHER ORDERED setting Status Conference on **September 27, 2010 at 8:30 a.m.** before Judge McMurdie.

IT IS FURTHER ORDERED excluding the time from 04/27/10 through 09/23/10 pursuant to Rule 8.4 (149 days).

New Last Day: March 20, 2011.

Counsel are directed by the Court to recompute the new last day and advise the Court within three (3) judicial days of notification if the computation is in error.

Defendant's motion currently before the court is **denied**.

IT IS FURTHER ORDERED setting no bond status conditions.

FILED: Release Order

IT IS FURTHER ORDERED that the written report(s) of the expert(s) be sealed and maintained in a confidential manner by the Clerk of the Superior Court; said report(s) shall not be disclosed to anyone except by written order of the Court.

SEALED AND FILED: Medical report(s) by the expert(s).

1:42 p.m. Matter concludes.

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
09/29/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

09/27/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

NICHOLAS M ALCOCK

VICTIM SERVICES DIV-CA-SE

STATUS CONFERENCE

Prior to the Status Conference, Court and counsel meet in chambers off the record.

9:03 a.m.

Courtroom ECB 413

State's Attorney:	Belle Whitney and Angela Andrews
Defendant's Attorney:	Nicholas Alcock and Adam Feldman
Defendant:	Present
Court Reporter:	Cindy Benner

Court and counsel discuss pretrial matters.

IT IS ORDERED setting a Status Conference on October 25, 2010 at 8:30 a.m. in this division.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 09/27/2010

IT IS ORDERED that no time be excluded. LAST DAY REMAINS: March 20, 2011.

IT IS FURTHER ORDERED affirming prior custody orders.

9:09 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
10/05/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 10/01/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA BELLE WHITNEY

v.

ELIZABETH JOANNE JOHNSON (001) NICHOLAS M ALCOCK

VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

The Court has received Defendant's Motion to Withdraw Motion for Change of Counsel.

IT IS ORDERED granting the motion.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
10/29/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 10/27/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

VANESSA N SMITH
NICHOLAS M ALCOCK

PUBLIC DEFENDER - CCC
VICTIM SERVICES DIV-CA-SE

STATUS CONFERENCE

8:51 a.m.

Courtroom ECB 413

State's Attorney:	Belle Whitney and Angela Andrews
Defendant's Attorney:	Nicholas Alcock and Adam Feldman
Defendant:	Present
Court Reporter:	Karen Dawson

This is the time set for Status Conference.

Court and counsel discuss pretrial matters.

The Court has received Defendant's Motion to Compel Interview.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 10/27/2010

IT IS ORDERED granting the motion, all in accordance with the formal written order signed by the Court and filed by the Clerk on October 27, 2010.

The Court has received Defendant's Motion to Modify Release Conditions.

IT IS ORDERED denying the motion.

The Court has received State's Motion to Extend Time to Respond to Defendant's Motion to Dismiss.

IT IS ORDERED granting the State's motion and extending time until November 1, 2010 to file a response.

IT IS ORDERED that any reply shall be due no later than November 8, 2010.

IT IS ORDERED setting this matter for Oral Argument on November 22, 2010 at 9:30 a.m. in this division.

The Court has received Defendant's *pro se* Motion to Withdraw Counsel of Record.

IT IS ORDERED granting the motion and allowing Nicholas Alcock to withdraw as counsel of record but to remain as Knapp counsel.

IT IS ORDERED re-appointing Vanessa Smith as counsel of record for the above named Defendant in all further matters.

IT IS ORDERED setting a Status Conference on November 2, 2010 at 8:30 a.m. in this division.

IT IS ORDERED that no time be excluded. LAST DAY REMAINS: March 20, 2011.

IT IS FURTHER ORDERED affirming prior custody orders.

8:59 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
11/04/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

11/02/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

VANESSA N SMITH
JENNIFER S ROCK
ADAM FELDMAN
NICHOLAS M ALCOCK

OFFICE OF PUBLIC DEFENSE
SERVICES-CCC
VICTIM SERVICES DIV-CA-SE

TRIAL SETTING

8:33 a.m.

Courtroom ECB 413

State's Attorney:	Belle Whitney and Angela Andrews
Defendant's Attorney:	Vanessa Smith and Jennifer Rock
Knapp Counsel:	Nicholas Alcock and Adam Feldman
Defendant:	Not Present, presence waived

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 11/02/2010

Court and counsel discuss pretrial matters.

IT IS ORDERED that the Office of Public Defense Services shall appoint Vanessa Smith to represent the above-named Defendant in all further matters.

The Defendant having waived the applicable time limits,

IT IS ORDERED setting this matter for Trial on May 9, 2011 at 8:30 a.m. in this division.

IT IS ORDERED setting a Trial Management Conference on May 3, 2011 at 8:30 a.m. in this division.

IT IS ORDERED setting a Status Conference on April 29, 2011 and January 10, 2011 at 8:30 a.m. in this division. Defendant's presence is waived for these matters.

IT IS ORDERED affirming the Oral Argument on Defendant's Motion to Dismiss on November 22, 2010 at 9:30 a.m. in this division.

IT IS ORDERED extending the time for filing pretrial motions to April 29, 2011.

IT IS FURTHER ORDERED excluding all time from November 2, 2010 through May 9, 2011 (188 days). NEW LAST DAY: September 24, 2011.

IT IS FURTHER ORDERED affirming prior custody orders.

8:41 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
11/19/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

11/18/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

VANESSA N SMITH
JENNIFER S ROCK
ADAM FELDMAN
NICHOLAS M ALCOCK

VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

The Court has received Defendant's Motion to Continue Oral Argument on Motion to Dismiss.

IT IS ORDERED granting the motion and vacating the Oral Argument set on November 22, 2010 and resetting as a Status Conference on December 1, 2010 at 8:30 a.m. in this division.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
11/19/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

11/18/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

VANESSA N SMITH
NICHOLAS M ALCOCK
ADAM FELDMAN
JENNIFER S ROCK

EXHIBITS-SE
VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

IT IS ORDERED that all transcripts attached to the State's Response to Defendant's Request for Motion to Dismiss, shall be filed under seal, all in accordance with the formal written order signed by the Court and filed by the Clerk on November 10, 2010.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
11/24/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

11/22/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

VANESSA N SMITH
ADAM FELDMAN
NICHOLAS M ALCOCK

VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

The Court has received Knapp Counsel's Motion to Withdraw.

IT IS ORDERED granting the motion and allowing Adam Feldman and Nicholas Alcock to withdraw as Knapp counsel for the above-named Defendant.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
12/14/2010 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

12/09/2010

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

DANIEL R RAYNAK
MARCI A KRATTER
VANESSA N SMITH

VICTIM SERVICES DIV-CA-SE

STATUS CONFERENCE

8:47 a.m.

Courtroom ECB 413

State's Attorney:	Belle Whitney and Angela Andrews
Defendant's Attorney:	Daniel Raynak, Marci Kratter and Vanessa Smith
Defendant:	Not Present, presence waived

Court Reporter, Cindy Benner, is present.

A record of the proceeding is also made by audio and/or videotape.

LET THE RECORD REFLECT that a Notice of Substitution of Counsel has been filed. Daniel Raynak and Marci Kratter are substituted in place of Vanessa Smith.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 12/09/2010

The Court has received a letter from the Defendant.

FILED: Letter.

Court and counsel discuss pretrial matters.

The Court has received Defendant's Motion to Depose Detective John Salame Pursuant to Rule 15.3 A.R.C.P.

IT IS ORDERED granting the motion.

The Court has received Defendant's Request to Extend Time to File Reply to State's Response to Motion to Dismiss.

IT IS ORDERED granting the motion.

IT IS ORDERED affirming the Trial date of May 9, 2011 at 8:30 a.m. in this division.

IT IS ORDERED affirming the Status Conference set on April 29, 2011 at 8:30 a.m. in this division.

IT IS ORDERED vacating the Final Trial Management Conference set on May 3, 2011 and resetting same for May 2, 2011 at 8:30 a.m. in this division.

IT IS ORDERED setting a Status Conference on January 24, 2011 at 8:30 a.m. in this division. Defendant's presence is waived.

IT IS ORDERED that no time be excluded. LAST DAY REMAINS: September 24, 2011.

IT IS FURTHER ORDERED affirming prior custody orders.

9:00 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
01/20/2011 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 01/18/2011

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

DANIEL R RAYNAK
MARCI A KRATTER

VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

Due to a calendar conflict,

IT IS ORDERED vacating the Oral Argument set on January 24, 2011 and resetting same for January 30, 2011 at 8:30 a.m. in this division.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
02/02/2011 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

01/31/2011

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

DANIEL R RAYNAK
MARCI A KRATTER

D & C MATERIALS-CSC
VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

Upon motion of the State and good cause appearing,

IT IS ORDERED sealing the State's Supplement to State's Response to Defendant's Motion to Dismiss and State's Objection to Defendant's Waiver of Appearance at Court Hearings, all in accordance with the formal written order signed by the Court and filed by the Clerk on January 31, 2011.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
02/02/2011 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

01/31/2011

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

DANIEL R RAYNAK
MARCI A KRATTER

OFFICE OF PUBLIC DEFENSE
SERVICES-CCC
VICTIM SERVICES DIV-CA-SE

STATUS CONFERENCE

8:55 a.m.

Courtroom ECB 413

State's Attorney: Belle Whitney and Angela Andrews
Defendant's Attorney: Daniel Raynak
Defendant: Not Present

Court Reporter, Cindy Benner, is present.

A record of the proceeding is also made by audio and/or videotape.

LET THE RECORD REFLECT that the Defendant refused to be transported.

Court and counsel discuss pretrial matters.

The Court has received a handwritten letter from the Defendant.

FILED: Letter

The Court has received State's Request for Defense Particular Bases for Rule 15.1 Request for Discovery and the Defendant's Response.

IT IS ORDERED granting the request without prejudice to be considered once the detective has been interviewed.

The Court has received Defendant's Motion to have Investigator Appointed.

IT IS ORDERED granting the motion.

IT IS FURTHER ORDERED the Office of Public Defense Services shall appoint an investigator for the above-named Defendant.

IT IS ORDERED affirming the Trial date of May 9, 2011 at 8:30 a.m. in this division.

IT IS ORDERED affirming the Trial Management Conference on May 2, 2011 at 8:30 a.m. in this division.

IT IS ORDERED affirming the Status Conference set on April 29, 2011 at 8:30 a.m. in this division.

IT IS ORDERED setting a Status Conference on March 1, 2011 at 8:30 a.m. in this division.

JOINT CASE MANAGEMENT REPORTS:

No less than two working days before each Status Conference, the parties shall submit a Joint Case Management Report. This report will inform the court of:

1. The specific progress made since the last Case Management Conference in completing activities previously established by the court and the parties;
2. Specific case preparation to be completed before the next Case Management Conference;
3. Witnesses who have been interviewed in the preceding month;
4. Witnesses who will be interviewed in the upcoming month;

5. Pending issues to be resolved.

IT IS ORDERED that no time be excluded. LAST DAY REMAINS: September 24, 2011.

IT IS FURTHER ORDERED affirming prior custody orders.

6:20 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
02/25/2011 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

02/23/2011

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

DANIEL R RAYNAK
MARCI A KRATTER

VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

At the request of counsel for the State, with no objection from the Defense,

IT IS ORDERED vacating the Status Conference set on March 1, 2011 and resetting same to March 8, 2011 at 8:30 a.m. in this division.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
03/10/2011 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

03/08/2011

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

DANIEL R RAYNAK
MARCI A KRATTER

VICTIM SERVICES DIV-CA-SE

STATUS CONFERENCE

9:02 a.m.

Courtroom ECB 413

State's Attorney:	Belle Whitney and Angela Andrews
Defendant's Attorney:	Daniel Raynak and Marci Kratter
Defendant:	Not Present

Court Reporter, Marge Harcarik, is present.

A record of the proceeding is also made by audio and/or videotape.

Court and counsel discuss matters as stated on the record.

IT IS ORDERED setting a Status Conference on April 12, 2011 at 8:30 a.m. in this division.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 03/08/2011

IT IS ORDERED affirming the Trial date of May 9, 2011 at 8:30 a.m. in this division.

IT IS ORDERED affirming the Trial Management Conference on May 2, 2011 at 8:30 a.m. in this division.

IT IS ORDERED affirming the Status Conference set on April 29, 2011 at 8:30 a.m. in this division.

IT IS ORDERED that no time be excluded. LAST DAY REMAINS: September 24, 2011.

IT IS FURTHER ORDERED affirming prior custody orders.

9:10 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
04/14/2011 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 04/12/2011

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS
BRADLEY HOWARD ASTROWSKY
KATHLEEN L WIENEKE

v.

ELIZABETH JOANNE JOHNSON (001)

DANIEL R RAYNAK
MARCI A KRATTER

VICTIM SERVICES DIV-CA-SE

STATUS CONFERENCE

8:49 a.m.

Courtroom ECB 413

State's Attorney:	Belle Whitney, Angela Andrews and Bradley Astrowsky
San Antonio's Attorney:	Kathleen Wieneke
Defendant's Attorney:	Daniel Raynak and Marci Kratter
Defendant:	Not Present, Defendant's presence waived

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Court and counsel discuss pretrial matters.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 04/12/2011

IT IS ORDERED affirming the Pretrial Conference on May 2, 2011 at 8:30 a.m. in this division. Defendant must be present. Should the Defendant refuse to be transported to Court, the Maricopa County Sheriff's Office shall transport the Defendant by any means necessary.

IT IS ORDERED affirming the Trial date of May 9, 2011 at 8:30 a.m. in this division.

IT IS ORDERED that no time be excluded. LAST DAY REMAINS: September 24, 2011.

IT IS FURTHER ORDERED affirming prior custody orders.

9:13 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
04/20/2011 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

04/18/2011

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS
KATHLEEN L WIENEKE
BRADLEY HOWARD ASTROWSKY

v.

ELIZABETH JOANNE JOHNSON (001)

DANIEL R RAYNAK
MARCI A KRATTER

VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

10:21 a.m.

Courtroom ECB 413

State's Attorney:	Not Present
Defendant's Attorney:	Dan Raynak, telephonically
San Antonio's Attorney:	Kathleen Wieneke, telephonically
Defendant:	Not Present
Court Reporter:	Karen Dawson

This is the time set for Informal Telephonic Conference.

Court and counsel discuss matters as stated on the record.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 04/18/2011

LET THE RECORD REFLECT above counsel are appearing telephonically at the law office of Dan Raynak for a deposition hearing.

Discussion is held regarding sealing of the deposition held this date.

IT IS ORDERED that counsel shall not disclose the deposition for at least two weeks after the hearing.

10:32 a.m. Matter concludes.

12:18 p.m. The matter recalled.

Brad Astrowsky is appearing telephonically on behalf of the State; Dan Raynak and Marci Kratter are appearing telephonically on behalf of the Defendant. Defendant's presence is waived.

Court Reporter, Karen Dawson, is present.

Court and counsel discuss matters as stated on the record.

12:32 p.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
05/04/2011 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

05/02/2011

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
BRADLEY HOWARD ASTROWSKY
ANGELA K ANDREWS

v.

ELIZABETH JOANNE JOHNSON (001)

DANIEL R RAYNAK
MARCI A KRATTER

VICTIM SERVICES DIV-CA-SE

STATUS CONFERENCE

9:07 a.m.

Courtroom ECB 413

State's Attorney: Belle Whitney, Angela Andrews and Brad Astrowsky
Defendant's Attorney: Daniel Raynak and Marci Kratter
Defendant: Present

Court Reporter, Cindy Benner, is present.

A record of the proceeding is also made by audio and/or videotape.

Court and counsel discuss pretrial matters as stated on the record.

The Court has received Defendant's Motion to Dismiss.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE 05/02/2011

IT IS ORDERED setting this matter for a hearing on May 25, 2011 at 10:30 a.m. in this division.

The Court has received Co-Defendant's Motion to Sever.

Discussion is held.

IT IS ORDERED granting the motion.

For the reasons stated on the record,

IT IS ORDERED vacating the current trial setting of May 9, 2011 and resetting same to August 8, 2011 at 8:30 a.m. in this division.

IT IS ORDERED setting a Trial Management Conference on August 1, 2011 at 8:30 a.m. in this division.

IT IS ORDERED setting a Status Conference on July 1, 2011 at 8:30 a.m. in this division.

JOINT CASE MANAGEMENT REPORTS:

No less than two working days before each Case Management Conference, the parties shall submit a Joint Case Management Report. This report will inform the court of:

1. The specific progress made since the last Case Management Conference in completing activities previously established by the court and the parties;
2. Specific case preparation to be completed before the next Case Management Conference;
3. Witnesses who have been interviewed in the preceding month;
4. Witnesses who will be interviewed in the upcoming month;
5. Pending issues to be resolved.

IT IS ORDERED extending the time for filing pretrial motions to July 1, 2011.

IT IS ORDERED that no time be excluded. LAST DAY REMAINS: September 24, 2011.

IT IS FURTHER ORDERED affirming prior custody orders.

9:22 a.m. Matter concludes.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
05/20/2011 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

05/17/2011

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

STATE OF ARIZONA

BELLE WHITNEY
ANGELA K ANDREWS
BRADLEY HOWARD ASTROWSKY
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DANIEL R RAYNAK
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VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

The Court has received Sergeant Cole's Motion to Quash Trial Subpoena filed by counsel, Kathleen Wieneke.

IT IS ORDERED denying the motion. Sergeant Cole need not attend the evidentiary hearing on May 25, 2011 in this division.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.

Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
05/20/2011 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-101760-001 SE

05/18/2011

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
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STATE OF ARIZONA

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VICTIM SERVICES DIV-CA-SE

MINUTE ENTRY

The Court has received Defendant's Motion to Compel Attendance of Witness at Evidentiary Hearing.

IT IS ORDERED denying the motion.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.