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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. **JODI ANN ARIAS,** Defendant.	CR 2008-031021-001 **RESPONSE TO MOTION TO EXCLUDE WITNESSES FROM THE COURTROOM AND FROM VIEWING MEDIA COVERAGE OF THE TRIAL** (Assigned to the Honorable Sherry K. Stephens, Div. Crj21)

The State of Arizona, by the undersigned Deputy County Attorney, objects to defendant's request that "all witnesses in her case be precluded from watching live coverage of her trial that seemingly will be broadcast by TruTV as well as any other news accounts of the trial".

Neither Rule 9.3, Ariz. R. Crim. Pro., nor Rule 615, Ariz. R. Evid., support granting the relief sought by defendant. Rule 9.3 deals with the exclusion of witnesses from the courtroom and prohibiting conversations between witnesses prior to their testimony. Likewise, Rule 615 only deals with exclusion of witnesses from the courtroom.

Therefore, the court should deny defendant's request to prohibit witnesses from viewing any accounts of the trial. This issue is one more properly addressed on cross examination not by a court order which may prove to be unenforceable.

Submitted February _____, 2012.

WILLIAM G. MONTGOMERY
MARICOPA COUNTY ATTORNEY

BY: /s/
/s/ Juan M. Martinez
Deputy County Attorney

Copy mailed\delivered
February _____, 2012,
to:

The Honorable Sherry K. Stephens, Div. Crj21
Judge of the Superior Court

Laurence Kirk Nurmi
2314 East Osborn Road
Phoenix, AZ 85016

BY: /s/
/s/ Juan M. Martinez
Deputy County Attorney