Michael K. Jeanes, Clerk of Court
*** Electronically Filed ***
10/21/2013 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-031021-001 DT 10/18/2013

HON. SHERRY K. STEPHENS

CLERK OF THE COURT
K. L. Johnson
Deputy

STATE OF ARIZONA JUAN M MARTINEZ

v.

JODI ANN ARIAS (001) KIRK NURMI
JENNIFER L WILLMOTT

MINUTE ENTRY

The parties have agreed the settlement conference scheduled for October 24, 2013 should be closed to the public and the media. The settlement conference was scheduled by agreement of the parties and is subject to the provisions of Rule 17.4, *Arizona Rules of Criminal Procedure*, and Rule 410, *Arizona Rules of Evidence*.

The court finds an open proceeding for the settlement conference presents a clear and present threat to the due administration of justice, specifically, the right of the parties to a fair penalty phase trial by an impartial jury. See Rule 9.3, *Arizona Rules of Criminal Procedure*. The court finds there is a compelling interest that overcomes the right of public access. Specifically, there is a substantial probability that publication of information provided during this settlement conference could taint the jury pool and significantly impact the parties' ability to effectively present matters at trial. In addition, the presence of the public or media may inhibit the free flow of information, including statements by the victims and/or the defendant. This is especially important here since the only issue for the jury will be penalty. The court also finds that, in light of the intense media coverage of this case, there is no less restrictive means to achieve these compelling interests. Good cause appearing,

IT IS ORDERED closing the settlement conference scheduled for October 24, 2013 to the public and the media.

IT IS FURTHER ORDERED any agreement reached by the parties will be entered in open court with prior notice to the public and the media.

IT IS FURTHER ORDERED sealing the transcript of the settlement conference pending further order of the court.

Cc: Mike Babicky

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.