

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2005-030514-001 SE

01/07/2011

HON. SHERRY K. STEPHENS

CLERK OF THE COURT  
T. Henninger  
Deputy

STATE OF ARIZONA

ANGELA K ANDREWS

v.

ARTHUR L VITASEK (001)

ARTHUR L VITASEK  
P312405  
201 S 4TH AVE 2E218  
PHOENIX AZ 85003  
MARVIN L DAVIS

INMATE LEGAL SERVICES  
VICTIM SERVICES DIV-CA-SE

STATUS CONFERENCE ON PENDING MOTIONS

2:05 p.m.

Courtroom ECB 412

State's Attorney: Angela Andrews  
Defendant's Attorney: Marvin Davis, Advisory Counsel (Present at 2:28 p.m.)  
Defendant: Present

Court Reporter, Michael Babicky, is present.

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

Counsel for victim, Matt Brown, is also present.

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Discussion is held regarding victims medications.

IT IS ORDERED Deborah Kruger submit to a deposition on **02/08/2011 at 10:00 a.m.** at the 4<sup>th</sup> Avenue Jail.

IT IS FURTHER ORDERED Ms. Kruger contact counsel for the State to coordinate appearance.

IT IS FURTHER ORDERED Ms. Kruger bring with her any and all records related to prescription medications taken by Chris, Cory and Shawn Kruger between 01/01/1995-12/31/2005.

Discussion is held regarding Defendant's Motions for Order of Contempt in relation to Child Protective Services, St. Joseph's Hospital and Arizona Attorney General's Office,

IT IS ORDERED denying Defendant's motions.

Discussion is held on Defendant's Motion to declare ARS 13-1415 Unconstitutional,

IT IS ORDERED denying motion as moot.

2:28 p.m. Marvin Davis is now present.

IT IS ORDERED David Springer, last known address, 3740 E Southern Avenue, Mesa, Arizona 85206 produce any and/all notes, reports and interviews relating to counseling sessions relating to Brandon Moore conducted by him between the years of 2002 through 2005. These records are to be provided to this Court for an in camera inspection on or before **02/04/2011 at 5:00 p.m.**

Discussion is held on Defendant's Motion to Strike Response Pursuant to AZ Rules Criminal Proc 16.1(b),

IT IS ORDERED denying Defendant's Motion.

Argument is heard on Defendant's Motion to Introduce 404(b) Evidence of Shawn Kruger.

After argument,

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IT IS ORDERED denying motion as 404(b) evidence, however may inquire during cross examination.

Defendant's exhibits 1 and 2 is marked for identification and received into evidence.

Discussion is held regarding Defendant's Motion in Limine to Preclude Any Evidence, Statement or Instruction of Flight.

IT IS ORDERED denying Defendant's Motion in Limine to Preclude Any Evidence regarding statement of flight. Motion regarding the Instruction on Flight is not timely and the Court will consider at appropriate time at end of trial.

IT IS ORDERED setting Status Conference on **02/11/2011 at 1:30 p.m.** in this division.

Discussion is held regarding CPS records. State's counsel is advised to submit correspondence from CPS advising all records have been turned over to counsel.

IT IS ORDERED affirming Trial on 03/07/2011 at 8:00 a.m. before the Master Calendar Assignment Judge, Central Court Building, Courtroom 703.

LAST DAY REMAINS: 04/19/2011

FILED: Exhibit Worksheet

IT IS FURTHER ORDERED affirming prior custody orders.

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

3:46 p.m. Matter concludes.