

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2007-111635-001 DT

04/17/2014

HONORABLE JOSEPH KREAMER

CLERK OF THE COURT
S. Yoder
Deputy

STATE OF ARIZONA

JUAN M MARTINEZ

v.

BRYAN WAYNE HULSEY (001)

MICHAEL S REEVES
PATRICIA A HUBBARD

CAPITAL CASE MANAGER

CAPITAL CASE MANAGEMENT CONFERENCE
ORAL ARGUMENT

1:33 p.m.

Courtroom SCT 5B

State's Attorney: Juan M. Martinez
Defendant's Attorney: Michael S. Reeves and Patricia A. Hubbard
Defendant: Present

Court Reporter, Laura Ashbrook, is present.

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

This is the time set for Capital Case Management Conference and Oral Argument on pending motions.

The parties are advised that the Court will instruct Media Relations staff to ask the media to submit a current camera request.

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For the reasons stated on the record,

IT IS ORDERED entering rulings on pending motions as follows:

1. State's Motion *in Limine* to Preclude Argument of Residual Doubt as a Mitigating Factor (filed October 4, 2012) is GRANTED.
2. Defendant's Motion for Deposition of Officer David Goitia (filed September 25, 2012) and the Supplement thereto (filed January 29, 2014) is DENIED. Defendant's request for the Court to maintain and preserve Officer Goitia's records is also denied.
3. State's Motion to Preclude Defense from Calling Prosecutor as Witness (filed April 8, 2014) is tabled until the Court can consider Defendant's Response.
4. Defendant's Motion to Compel Address (filed April 8, 2014) is GRANTED. Patsy Jones' address is to be provided only to Mr. Reeves, Ms. Hubbard and the OPDS investigator. Defendant is expressly excluded from having the address disclosed to him.
5. State's Motion to Unseal *Ex Parte* Proceedings (filed April 9, 2014) is DENIED. The question of whether the State may ask Dr. Cunningham what he was told by defense counsel is tabled until the State can provide a transcript to the Court.
6. The State's oral motion for an additional two hours to interview Dr. Cunningham is GRANTED.
7. Defendant's Motion to Compel (filed April 16, 2014) is DENIED as moot.

The Court has received the State's Notice of Photographs.

IT IS ORDERED that Defendant's Notice of Photographs and any objection to the State's Notice of Photographs is due on or before **April 24, 2014**.

The juror questionnaire is discussed. The questionnaire will be finalized at the next hearing.

Expert witnesses interviews and reports are discussed. The Court agrees that the State should be permitted to finish the interview of Dr. Cunningham and interview Dr. Globus and

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Dr. Wicks before the State's rebuttal expert provides her opinions. A deadline for disclosure of the State's rebuttal expert's opinions will be discussed at the next conference.

Scheduling is discussed.

IT IS ORDERED vacating Final Trial Management Conference set for May 1, 2014 and resetting same to **May 8, 2014 at 1:30 p.m.** in this Division.

Defendant's Correctional Health Services medical records have not yet been obtained. Defendant does not intend to utilize those records at trial. Therefore, the Court withdraws the order for the defense to obtain/disclose CHS medical records.

IT IS ORDERED affirming Firm Trial Date of May 12, 2014 at 10:30 a.m.

IT IS FURTHER ORDERED affirming prior custody orders.

CURRENT LAST DAY: June 20, 2014.

2:50 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 Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.