

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2009-030306-001 SE

06/06/2014

HON. ROLAND J. STEINLE

CLERK OF THE COURT

A. Chee

Deputy

STATE OF ARIZONA

ERIC BASTA

MICHELLE ARINO

WENDY L MAYS

v.

MARISSA SUZANNE DEVAULT (001)

ALAN ISSA TAVASSOLI

R J PARKER

DOB: 11/6/1977

APO-SENTENCE IMPRISON-SE

APPEALS-CCC

AZ DOC

CAPITAL CASE MANAGER

DISPOSITION CLERK-CSC

SENTENCE OF IMPRISONMENT

1:08 p.m.

Courtroom CCB 1301

State's Attorney: Eric Basta and Michelle Arino

Victims' Attorney: Wendy Mays

Defendant's Attorney: Alan Tavassoli and RJ Parker

Defendant: Present

Court Reporter, Janelle Rose, is present.

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

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Prior to the commencement of the sentencing, State's Exhibits 1 – 9 are marked for identification for the State.

Counsel for the State requests an Aggravation Hearing.

For reasons stated on the record,

IT IS ORDERED denying the State's request for an Aggravated Hearing.

Counsel for the State notices the Court for cause.

THE COURT FINDS that the State's oral notice is not appropriate and therefore, denies the State oral motion.

LET THE RECORD REFLECT the following persons make statements to the Court: Melinda Artup, Rebecca Montt, Barry Montt, Khiernam Devault-Harrell, Rhiannon Devault-Harrell, Daihannon-Nyte Devault-Harrell, Samantha Carlson, and Geraldine Carlson.

Count(s) 1: The Defendant was found guilty after a trial by jury.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 FIRST DEGREE MURDER
Class 1 DANGEROUS FELONY AND A DOMESTIC VIOLENCE OFFENSE
A.R.S. § 13-1101, 1105, 3601, 751, 702.01, 801
Date of Offense: 1/14/2009
Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

For the reasons stated on the record,

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: NATURAL LIFE from 6/6/2014
Presentence Incarceration Credit: 1933 day(s)

Community Supervision: Count 1 - Waived due to length of imprisonment in COUNT 1.

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IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The Court is advised that West Coast Life Insurance is requesting \$750,000.00 and AIG Life Insurance is requesting \$500,000.00 in restitution.

The Court directs the State to file a Motion for Restitution and formal Order.

Upon request of the State,

IT IS ORDERED receiving State's Exhibits 1-9 for appellate purposes only.

The Court has waived the preparation of a presentence report.

1:53 p.m. Matter concludes.

LATER:

The Court has received several emails regarding Sanction Hearings the Court deferred until after trial.

The Court does not intend to pursue the sanction issue.

If counsel for either party wishes to pursue sanctions the parties are directed to file any complaints with the State Bar of Arizona. The Court feels that is a more appropriate forum.

FILED: Exhibit Worksheet

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.

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ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HON. ROLAND J. STEINLE
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)