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FILED

9 **IN THE SUPERIOR COURT, THE STATE OF ARIZONA**

10 **IN AND FOR THE COUNTY OF COCONINO**

12 STATE OF ARIZONA,

13 Plaintiff,

14 vs.

15 STEVEN EDWARD JONES,

16 Defendant.

No. CR2015-00862

**REPLY RE: DEFENDANT'S MOTION FOR
IN CHAMBERS ORAL ARGUMENT ON
STATE'S MOTION TO RELEASE JAIL
MEDICAL RECORDS FOR STEVEN
JONES**

Hon. Dan Slayton – Div. 2

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19
20 COMES NOW the State of Arizona, by and through the undersigned deputy, and
21 submits the following Reply regarding Defendant's Motion for In Chambers Oral Argument
22 on State's Motion for Release of Jail Medical Records for Steven Jones.
23

24 "Justice in all cases shall be administered *openly*, and without unnecessary
25 delay." A.R.S. Const. Art. 2 §11 (emphasis added). "[T]he public has a constitutional and
26 common law right of access to observe court proceedings." KPNX-TV Channel 12 v.
Stephens, 236 Ariz. 367, 370 (App. 2014).

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1 The State objects to Defendant's request for in chamber's oral argument relative
2 to the State's request for release of jail medical records for Steven Jones. There is no
3 justification to remove this argument from open court, and the defense offers no law to
4 support its request. Indeed, the only reason offered is a bizarrely speculative argument
5 that somehow the jury pool would be poisoned by the argument on this issue. This
6 argument is bizarre because the legal positions, and bases therefore, are already
7 available to the public by way of the filings on this matter.
8

9 It is no secret that the State does not credit the defendant's claims of self-defense.
10 It is no secret that the defense is attempting to claim that injuries he may or may not have
11 received before, during or after he shot several unarmed college students are the basis
12 of their justification defense. It is, therefore, not surprising that the State would want
13 access to records that would either support or discredit defendant's heretofore
14 unsupported claims of significant injury. The public will learn nothing from the argument
15 of these motions that is not already contained within these filings.
16

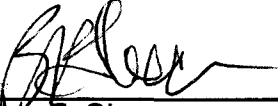
17 The State is not in possession, nor has it reviewed the defendant's jail medical
18 records. It is not unreasonable for the State to believe that those records, if any, will
19 support or rebut the defendant's claims of a concussion or having had his teeth knocked
20 out. There is currently no evidence to support these claims. The suggestions of more
21 significant injuries were made by either defense counsel during questioning of state
22 witnesses, or defense witnesses who indicated that they spoke to the defendant. The
23 State is squarely within its rights to request such records. The records are clearly relevant
24 to an argument the defense certainly seems intent on making. It is not unusual for the
25 State to want to be prepared to debunk a spurious defense claim. That the defense
26 attempts to characterize the State's request as "highly unusual" or as "unprecedented"

1 suggests that it is the defense, and not the State, that is attempting to control the narrative
2 on this issue, and to "poison the jury pool."

3
4 The defense has offered nothing, apart from unsupported speculation, to suggest
5 that this argument taking place in open court versus in chambers will somehow poison
6 the jury pool. The defense motion should be denied.

7 RESPECTFULLY SUBMITTED this 10th day of March, 2017.

8 WILLIAM P. RING
9 COCONINO COUNTY ATTORNEY

10 By: 
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1 COPY of the foregoing mailed/delivered this
2 day of March, 2017, to:

3 The Honorable Dan Slayton
4 Division 2
5 Coconino County Courthouse
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8 Burges McCowan
9 Joshua Davidson
10 Counsel for Defendant

11 By:

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