

RICHARD M. ROMLEY
MARICOPA COUNTY ATTORNEY

JUDITH ALLEN, CLERK
BY *M. Romley* DEP
FILED

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Alan Kuffner
Deputy County Attorney
Bar ID #: 015860
301 W Jefferson St Ste 800
Phoenix, AZ 85003-2143
Telephone: 602 506-5852
Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA,)	
	)	NO. CR 96-13124
Plaintiff,)	
	)	NOTICE OF DISCOVERY,
vs.	)	INTERVIEWS, EVIDENCE,
	)	AND PLEA OFFER
SANFORD LAWRENCE LOVE,)	
	)	(Assigned to the Honorable
Defendant.	)	Michael O. Wilkinson, Div. S)
)	

The State of Arizona hereby files the Notice of Discovery, Interviews, Evidence and Plea Offer.

Pursuant to Rule 15 of the Arizona Rules of Criminal Procedure, all discovery materials presently available were made available to Defendant or his attorney on January 3, 1997. If any additional discovery materials are received, they will also be made available.

1. The State will arrange and attend interviews for the following witnesses:

PHOENIX POLICE DEPARTMENT

Timothy Hallahan, #3701

Ricky Harbaugh, #2342

Duncan Downing, #1316

Jerry Duncan, #3661

Criminalist/Custodian of Records, including but not limited to John Knell #A3492

OTHER

Mickey Lee Schlachter

Robert Zamora

Phoenix Fire Department Personnel, Engine EP-24, Shift C
Custodian of Records, MCSO

Within ten (10) days, the State should be provided with dates and times you will be available to interview the above-listed witnesses.

2. The defense is free to contact and interview all remaining potential State's witnesses without the presence of a Deputy County Attorney.

3. With regard to all interviews conducted without the presence of a Deputy County Attorney, the State requests a copy of any tape recording or transcript made of these interviews.

4. Names and addresses of additional witnesses will be provided as required by the Arizona Rules of Criminal Procedure and unless indicated otherwise, interviews will be the sole responsibility of the defense.

5. The State may use at trial any of the evidence listed below:

Any and all evidence listed in Phoenix Police Department DR# 50823854 and supplements, including but not limited to: cellophane baggie, lighter, metal tool, crack pipe, lab analysis, booking photo and records.

The State also avows that a written plea offer has been submitted to the Defendant or his attorney.

The offer will terminate if it is not accepted and a plea entered by March 12, 1997.

Submitted January 3, 1997.

RICHARD M. ROMLEY
MARICOPA COUNTY ATTORNEY

BY Alan Kuffner
Alan Kuffner
Deputy County Attorney

Copy mailed\delivered
January 3, 1997,
to:

The Honorable Michael O. Wilkinson
Judge of the Superior Court

Clark L. Derrick
Kimerer & LaVelle, P.L.C.
100 W. Clarendon, Suite 2100
Phoenix, Arizona 85013-3515

BY Alan Kuffner
Alan Kuffner
Deputy County Attorney

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RICHARD M. ROMLEY
MARICOPA COUNTY ATTORNEY

JUDITH ALLEN, CLERK
BY *J. Lawrence* DEF
FILED

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DA

97 MAR 25 PM 3:42

Alan Kuffner
Deputy County Attorney
BAR ID #: 015860
301 W Jefferson St Ste 800
Phoenix, AZ 85003-2143
Telephone: 602 506-5852
Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA,)	
	)	NO. CR 96-13124
Plaintiff,)	
	)	STATE'S MOTION FOR SUSPENSION
vs.	)	OF PROSECUTION AND ORDER
)	
SANFORD LAWRENCE LOVE,	)	(Assigned to the Honorable
	)	Michael O. Wilkinson, Div. S)
Defendant.)	
)	

The State of Arizona requests the Court to suspend the above-captioned cause for a period of two years to allow the Defendant to participate in the Maricopa County Attorney\TASC Drug Diversion Program, pursuant to Arizona Rules of Criminal Procedure, Rule 38.

The Maricopa County Attorney alleges that SANFORD LAWRENCE LOVE is legally eligible for participation in the Maricopa County Attorney\TASC Drug Diversion Program, pursuant to A.R.S. § 11-361, for the reason that:

1. SANFORD LAWRENCE LOVE is accused of committing Possession or Use of Narcotic Drugs, a class 4 felony and Possession of Drug Paraphernalia, a class 6 felony, not involving

use of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury; and

2. SANFORD LAWRENCE LOVE has no prior felony conviction; and
3. SANFORD LAWRENCE LOVE has not previously completed a deferred prosecution program.

This Motion is accompanied by the written consent of SANFORD LAWRENCE LOVE to participate in the Maricopa County Attorney\TASC Drug Diversion Program.

Filed March 21, 1997.

RICHARD M. ROMLEY
MARICOPA COUNTY ATTORNEY

BY Alan Kuffner
Alan Kuffner
Deputy County Attorney

Copy mailed\delivered
March 21, 1997,
to:

The Honorable Michael O. Wilkinson
Judge of the Superior Court

Clark L. Derrick
Kimerer & LaVelle, P.L.C.
100 W. Clarendon, Suite 2100
Phoenix, Arizona 85013-3515

BY Alan Kuffner
Alan Kuffner
Deputy County Attorney

aps:\CRTRIAL\BUR-E\KUFFNER\9613124\DIV1



2234 North 7th Street
Phoenix, Arizona 85006-1656 Tel. (602) 254-7328

MARICOPA COUNTY ATTORNEY/TASC DRUG DIVERSION PROGRAM
STATEMENT OF FACTS

INSTRUCTIONS: All information on this form is to be completed in defendant's handwriting. Those participants with attorneys must be sure that the signature of attorney is notarized and the attorney is to complete the DR# and Submittal#. Statement of Facts which are not complete in either content or any areas of this form will cause a rejection and a new form will be given to the defendant.

DATE: JAN. 8th 1997
APPLICANT'S NAME: SANFORD LOVE DATE OF BIRTH: 9-17-32
ADDRESS: 325 EAST FLOWER ST. PHOENIX, AZ 85012
DR# 50823854-A SUBMITTAL# CR96-13124

You have the right to remain silent. Anything you say can be used against you in a court of law. You have the right to the presence of an attorney to assist you prior to questioning and to be with you during questioning if you so desire. If you cannot afford an attorney, you have the right to have an attorney appointed for you prior to questioning.

Do you understand these rights? YES
Offense under investigation? POSSESSION OF NARCOTIC DRUGS + PARAPHENALIA
Date of offense? MAY 19th 1995
Location and county? 3400 W. POLK ST. / MARICOPA COUNTY
What substance did you possess or use? CRACK COCAINE
Did you knowingly possess or use the substance? YES
Was it a usable amount? YES
Did you have a valid doctor's prescription for the substance? NO - I WAS
What are the facts of the offense? ON THE DATE ABOVE IN KNOWING POSSESSION OF A SMALL QUANTITY OF CRACK COCAINE FOR PERSONAL USE FOUND IN POCKET (\$)

I HAVE MADE THIS STATEMENT WITHOUT COERCION AND OF MY OWN FREE WILL. I FULLY UNDERSTAND THAT WHAT I HAVE WRITTEN HERE MAY BE USED AGAINST ME IN A COURT OF LAW SHOULD I FAIL TO SATISFACTORILY COMPLETE THE TASC PROGRAM.

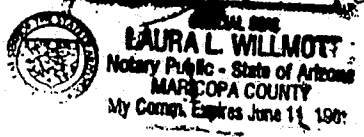
APPLICANT'S SIGNATURE: Sanford Love DATE: 1-8-97
ATTORNEY'S SIGNATURE: Clark S. Dennis DATE: 1-8-97

I HAVE WAIVED MY RIGHT TO AN ATTORNEY AND HAVE ANSWERED ALL QUESTIONS:

DATE: _____
(APPLICANT'S SIGNATURE)

TASC SIGNATURE: [Signature] DATE: 5/10/97

NOTARY STAMP: Laura L. Willmott My Commission Expires: 6-11-99



HARRIETT E. CHAVEZ
by Edd Sellinger, Pro Tem

DISTRIBUTION
:.....
: MCSI.....
: PUB. DEF.....
: DOCKET.....
: PSA.....
: OCI.....
: FILE ROOM.....

ARIZONA SUPERIOR COURT
MARICOPA COUNTY

MONDAY DECEMBER 23, 1996
AT 8:30 AM
NOT GUILTY ARRAIGNMENT

DEPUTY COURT CLERK... *M. Carfoss*

COUNTY ATTORNEY IS REPRESENTED INFO 12/19/96

* CR9613124 * STATE OF ARIZONA
* *
***** VS

F1215596 VWA: *Linda Powers*
COURT REPORTER....

LOVE, SANFORD LAWRENCE

CNT 001 POSS CRACK COCAINE F4N
CNT 002 POS DRG PARAPHERNLIA F6N
ATTY: DERRICK, CLARK L by *Cynthia Johnson*
ARR: 12/20/96 CONT: DEF 1
RELEASE OR
INITIAL 11/22/96 NOT IN CUST

CASE ASSIGNED TO CRIMINAL DIVISION 5, JUDGE *Wilkinson*
DEFENDANT IS PRESENT AND ENTERS A PLEA OF NOT GUILTY TO ALL CHARGES.
IT IS ORDERED:

- 1. DEFENDANT SHALL MEET AND CONFER WITH COUNSEL AFTER THIS DATE FOR THE PURPOSE OF PREPARING FOR THE EVENTS SCHEDULED BELOW;
- 2. DEFENSE COUNSEL SHALL NOTIFY THE COURT IF SAID CONFERENCE WITH DEFENDANT HAS NOT OCCURRED;
- 3. SETTING FINAL STATUS CONFERENCE

FOR, 1997 AT ~~8:45 A.M.~~ ;

- 4. SETTING TRIAL FOR *March 12*, 1997 AT *8:30 Am* ;
- 5. DIRECTING THE CLERK TO AMEND THE CHARGE TO REFLECT THE TRUE NAME.

NOTICE TO DEFENDANTS:
FAILURE TO COMPLY WITH THE ABOVE ORDERS MAY RESULT IN REVOCATION OF DEFENDANT'S RELEASE FROM CUSTODY AND/OR THE IMPOSITION OF OTHER SANCTIONS.
THE DEFENDANT MAY BE TRIED IN HIS/HER ABSENCE IF HE/SHE FAILS TO APPEAR FOR TRIAL.

COPIES OF THIS MINUTE ORDER AND A CASE STATUS REPORT FORM ARE GIVEN TO ALL PARTIES THIS DATE.
(152)