

WILLIAM G MONTGOMERY
MARICOPA COUNTY ATTORNEY

Tracey L Gleason
Deputy County Attorney
Bar ID #: 031444
301 West Jefferson, 5th Floor
Phoenix, AZ 85003
Telephone: (602) 506-5999
mcaosvd@mcao.maricopa.gov
MCAO Firm #: 00032000
Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

THE STATE OF ARIZONA,

Plaintiff,

vs.

ARLENA M WILLES,

Defendant.

CR2019-005397-001

STATE'S NOTICE OF DISCLOSURE AND
REQUEST FOR DISCLOSURE

(Master Calendar)

The State of Arizona, by and through undersigned counsel, hereby gives notice of disclosure pursuant to Rule 15.1, Arizona Rules of Criminal Procedure, and requests disclosure pursuant to Rule 15.2. If this case involves a victim, the State has made every attempt to comply with A.R.S. § 13-4434 and Rule 39 of the Rules of Criminal Procedure by redacting the victim's "identifying and locating information." If, for any reason, victim identifying or locating information has inadvertently been disclosed the State requests that defense counsel immediately notify the State so that it may substitute the disclosure

with a copy that conforms to the requirements of A.R.S. § 13-4434 and Rule 39. The State further requests that any copies of documents containing victim identifying or locating information not be further disseminated to anyone, including the Defendant.

Rule 15.1(b) Witnesses

The State may call the following witnesses in the case in chief or as rebuttal witnesses:

**Glendale Police Department
6835 N. 57th Drive, Glendale AZ 85301**

- Christine Britt Badge: 15962
- Michael Cobbley Badge: 11177
- Karen Ferullo Badge: 12129

Criminalists

None at this time.

Expert Witnesses

- Child Abuse Expert

Civilians

The addresses of victims have been withheld pursuant to Rule 39(10).

- Tatum Renaud- Victim Guardian
- Victim A

Witness

- Sasha Ball
1919 E Thomas Road
Phoenix, AZ 85016

- Julie Baumgarth, CPCP-AC
Phoenix Children's Hospital – Childhelp
- Kimberly Demchak, PNP
1919 E Thomas Road
Phoenix, AZ 85016
- Olivia Douma
23976 W Grove St
Buckeye, AZ 85326
- Ebele Emenike
PCH-1919 E Thomas Rd
Phoenix, AZ 85016
- Patrick Goodman, LPC
Phoenix Children's Hospital
- Elizabeth Metcalf, SW
1919 W Thomas Road
Phoenix, AZ 85016
- Erica Mitchell, RD
Phoenix Children's Hospital
1919 E Thomas Rd
Phoenix, AZ 85016
- Heather Newman
1919 E Thomas Rd
Phoenix, AZ 85016
- Patty Thompson
5555 W. Thunderbird Rd.
Glendale, AZ 85306
- Lori Wagner, FNP
1919 E Thomas Rd
Phoenix, AZ 85016

- Jeffrey Dean Willes
7771 N 56 Dr
Glendale, AZ 85301
- Meghan Wilson
PCH-1919 E Thomas Rd
Phoenix, AZ 85016
- Billy Zeek
5220 W Northern Ave, 1006
Glendale, AZ 85301
- Jessie Hillhouse- DCS Caseworker
- Belinda Torres- DCS Caseworker

Medical Personnel

- Griselda Avalos Grijalva, RN
- Sultan Ayoub
- Jeo-O Bea, MD
- Shelly Batra
- Kenneth Best, RN
- Melissa Blay, RN
- Kristi Boles, RN
- Molly Branco, RN
- Jolene Briner, RN
- Caree Brotski, RN
- Ryann Camargo, RN

- Joshua Carroll, MD
- Jodi Carter, MD
- Alexis Chaffins, RN
- Tammy Christianson, RN
- Ashant'e Clayborne Roberson
- Elizabeth Collyer, MD
- Jessica Dehnert, RN
- Molly Derouchey, RN
- Megan Dietrich, RN
- Blazen Draguljic, MD
- Hailey Duncan, RN
- Ashtlyn Dunn, RN
- John Egan, MD
- Gianna Eskstrom
- Anne Friedl, MD
- Lysette Gallegos, RN
- Erin Garvey, MD
- Jeffrey Hanson, MD
- Megan Hefflinger, RN
- Ana Hernandez, RN

- Katelyn Kinkin, RN
- Hannah Hosner, RN
- Kristan Hubbs, RN
- Heather Huennekens, RN
- Kristy Ingebo, MD
- Janet Lurilli, RD
- Heather Jacobski, RN
- Ramin Janshidi, MD
- Rachel Kazemi
- Casey Kinney, RN
- Kayla Kinzer, RN
- Stephanie Klett, RN
- Laurie Kunkel, RN
- Justin Lee, MD
- Jessica Mackie, RN
- Julie Malkowski, RN
- James Marker, RN
- Jessica Martinez
- Jorge Masuello, MD

- Ellen Mcconnell, RN
- Nora McMullan ,RN
- Heidi Mellberg, RN
- Colleen Mennie, RN
- Italia Merin, RN
- Maria Morataya, RN
- Audra Munchback, RN
- Michelle Myron, RN
- David Notrica, MD
- Ena Ortizo, RN
- Elesa Pabuna, RN
- Brad Pasternak, MD
- Melissa Patterson, RN
- Araceli Pena, RN
- Amber Petculescu, RN
- Amita Pradham, Rn
- Jessica Ramos, RN
- Betty Rodriguez, RN
- Bonie Rogers, RN
- Monica Rubio, RN

- Amanda Scott, DO
- Nicole Sharrad, RN
- Natasha Shouse, RN
- Sarjita Shukla, MC
- Casey Smith, RN
- Nichole Smith, RN
- David Solomon, MD
- Mark Solomon, RN
- Jennifer Stevens, MD
- Juan Tarango, RN
- Vincy Tomy, RN
- Slavica Tupanoska, RN
- Kathleen Van Leeuwen, MD
- Craig Vander Wyst, MD
- Jillian Wall, MD
- Michelle Wloch, RN
- Brittany Wold, MD
- Rhoda Zonn, RN

Other Witnesses

1. Any custodian of records for any disclosed item or document.
2. Any witness from the defense disclosure.
3. Any individual named or referred to in the preliminary hearing transcript, grand jury transcript, police report, or other State's disclosure.
4. Hospital: Phoenix Children's Hospital, Banner Health, Dignity Health Urgent Care.

Rule 15.1(b) Evidence

The State may introduce into evidence:

Crime/Crime Scene Evidence

1. Pictures, reproductions, PowerPoint presentations, charts or diagrams of the crime, crime scene, or any damage or injuries that were a result of the crime.
2. All physical evidence taken from the defendant.
3. Any fingerprints, footprints, hairs, fibers, blood, bodily fluids, chemicals or other forensic evidence found as a result of the investigation of the crime and their analyses.
4. All physical evidence taken as a result of medical exams and the analysis of that evidence.

Identification Evidence

1. Any arrest/booking report or photograph of the defendant related to the charged offenses.
2. Any photographic line-ups.
3. Any DNA and related examinations or statistical analyses.

Victim Evidence

1. Photographs of the victim.
2. All medical records of the victims, if relevant to the crime charged.
3. All statements made by witnesses for purposes of medical diagnosis or treatment, if relevant or applicable.

Other Evidence

1. Any statements of the defendant or of any co-conspirators mentioned or contained in the police reports or other disclosed materials.
2. Any writing or recording of the defendant or witnesses.
3. Any object, representation of an object, thing, or document referred to in the defense disclosure or disclosed by the defense or used or referred to at trial by the defense.
4. Any grand jury, preliminary hearing, or deposition transcript.
5. Any object, representation of an object, thing, or document referred to in the preliminary hearing transcript, grand jury transcript, police report, or in any of the State's disclosure, including but not limited to:
 - a. Any evidence arising out of DR(s):
DR 18129405 - Glendale Police Department
DR 18129405 - Glendale Police Department
and any supplements.
6. Any video and/or audio recording obtained from on-officer camera.
7. Any surveillance video.
8. The State gives notice that it may introduce FTR recordings of testimony in this case in evidence or use them during closing arguments.

Rule 15.1(b) Notices

1. Any other witnesses or evidence will be disclosed seasonably according to Rule 15.6.
2. The State has no obligation to provide witness telephone numbers. The only witness telephone numbers to be disclosed are those that are already included in police reports or other disclosure materials.
3. All of the listed witnesses' existing relevant written statements have already been provided in the police reports or are provided with this notice. Any other statement of a witness that any witness may remember may be obtained through witness interviews.
4. All existing written statements of the Defendant have already been provided in the police reports or are provided with this notice. Any other statement of the defendant that any witness may remember may be obtained through witness interviews.
5. Audio, video, or digitally recorded statements or images are available for review, and copies of such recorded statements or images will be provided upon request after sufficient arrangements are made, including providing blank tapes or compact disks and paying any reasonable costs associated with making copies.
6. Any exhibit presented to the grand jury has already been disclosed to the defense except insofar as disclosure may be prohibited by A.R.S. § 13-2812 or any other statute or rule. The State cannot identify for disclosure exhibits that were not admitted or presented to the grand jury.

7. Defense counsel shall be responsible for recording any witness statement made at an interview of the witness.
8. Experts to be called as witnesses in this case are listed in the witness list. The names and addresses of experts along with completed results of physical examinations, scientific tests, experiments, or comparisons have already been provided, are provided with this notice, or will be provided upon completion.
9. Any police officer listed above may be called as an expert witness with respect to an area within the officer's training and experience, including expert knowledge of illegal drugs, their possession or sale, useable amounts, or any other topic.
10. Any criminalist, fingerprint analyst, identification technician, crime scene specialist, lab technician, forensic scientist and or other similar witness will be called as an expert in his/her respective field.
11. If a witness becomes unavailable pursuant to Rule 804(a), Arizona Rules of Evidence, the State will attempt to introduce prior statements under Rules 803(24) and 804(b)(5).
12. Unless otherwise indicated, the State wishes to be present during the interviews of all potential State's witnesses. The State's witnesses will be made available for defense interviews, except those who testified at a preliminary hearing or juvenile transfer hearing.

13. There was no electronic surveillance. There was no search warrant. There was no informant whose existence the defendant is entitled to know under Rule 15.4(b)(2).

14. All existing original and supplemental reports prepared by a law enforcement agency in connection with this case have already been provided or are provided with this notice.

15. The State is unaware of any existing material or information, unknown to the defense, that would tend to mitigate the defendant's guilt or punishment. Pursuant to *Kyles v. Whitley*, 514 U.S. 419, 437-438, 115 S. ct. 1555, 1567-1568 (1995), the State will review any evidence in its possession, determine if any of it is exculpatory, and, if so, turn such evidence over to the defense.

Rule 15.1(d) Prior Felony Convictions

1. The State intends to use at trial any prior felony convictions of the defendant or defense witness for impeachment purposes pursuant to Rule 609, Arizona Rules of Evidence. Furthermore, the State intends to use defendant's prior felony convictions as aggravating circumstances pursuant to A.R.S. § 13-701 and for sentence enhancement under §13-703 and §13-704.

2. The State has provided a list of the defendant's prior felony convictions in a separate allegation.

3. The State will provide a list of prior felony convictions of witnesses the state intends to impeach or call at trial thirty days before trial or thirty days after a request.

The State cannot provide a list of felony convictions for defense witnesses without an accurate name, date of birth, and social security number for each defense witness.

4. The following witnesses may be called, and the following exhibits may be used to prove any prior conviction(s):

- a. A fingerprint technician/analyst.
- b. The fingerprints of the defendant.
- c. The original court files on the priors.
- d. The custodian of the original court files.
- e. The defendant's defense attorney on the prior(s).
- f. The arresting officers on the prior offenses.
- g. Any present/past Adult Probation Officers or Parole Officers of the Defendant.
- h. Any probation/parole files on the prior(s).
- i. Any booking photographs on the prior(s).
- j. Any prior fingerprints taken of the defendant.
- k. Any certified copies.
- l. Any "pen packs" from a State/Federal Prison/Penitentiary.
- m. Department of Corrections records custodian.
- n. MCSO Detention Officers.
- o. MCSO Custodian of Records.

- p. MCSO Booking Records/ Booking Photo(s).

Other Evidence Upon Request

1. The State will make recordings of existing 911 calls available to defense after a written request by providing an authorization form to be presented to the appropriate custodian of record.
2. Examination notes made by experts listed in Rule 15.1(b)(1) and 15.1(b)(4) shall be provided within thirty days of a written request.
3. All requests to examine or scientifically test items of evidence must be in writing.

Evidence of Other Acts


Pursuant to Rule 404(b), Arizona Rules of Evidence, the State intends to use evidence of other crimes, wrongs, or acts to prove motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident, or for any other relevant purpose and for impeachment purposes that is not otherwise contained in the police reports. It is the State's position that any acts mentioned in the police reports are intrinsic to the charged crimes and evidence of such are admissible separate and apart from the provisions of Rule 404(b). If matters contained in the police reports are deemed evidence of other crimes, wrongs, or acts the State gives notice that it may use such evidence pursuant to Rule 404(b). The State will provide notice of specific acts not contained in the police reports and the witnesses it intends to call at trial in a separate notice.

State's Request for Disclosure

1. The State requests a list of all papers, documents, photographs, and other tangible objects that the defendant intends to use at trial.
2. The State requests any completed written reports, statements and examination notes made by experts the defense intends to call at trial.
3. The State requests copies of any recorded statements made during interviews conducted without the presence of a Deputy County Attorney.
4. The State requests, pursuant to Rule 15.2(a)(3), (4) and (6), that defendant submit to being fingerprinted, palm-printed, foot-printed, photographed or permit the taking of samples of his/her hair, blood or saliva at any scheduled court hearing.

Submitted August 20th, 2019.

WILLIAM G MONTGOMERY
MARICOPA COUNTY ATTORNEY

BY: 

/s/ Tracey L Gleason
Deputy County Attorney

Copy mailed/delivered August 20th, 2019, to:

The Honorable Master Calendar,
Judge of the Superior Court

Laura Anderson
620 W Jackson St Ste 4015
Phoenix, AZ 85003
Attorney for Defendant

BY: Tracey L Gleason
/s/ Tracey L Gleason
Deputy County Attorney

TG/mr