

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2019-001522-001 DT

01/23/2020

HONORABLE KATHERINE COOPER

CLERK OF THE COURT
T. Sherwin
Deputy

STATE OF ARIZONA

TRACEY GLEASON
JAMIE A. BALSON

v.

MELISSA SUZANNE DIEGEL (001)

ZACHARY V PIERCE
MIRANDA STARK

DOB: 12/12/1974

Booking No.: T557461

CORRECTIONAL HEALTH SERVICES
COURT FORENSIC SERVICES UNIT
D&C MATERIALS-CSC
JUDGE COOPER

RULE 11 ORDER GRANTING FULL RULE 11 EVALUATION

8:31 a.m.

Courtroom SCT - 7D

State's Attorney:	Tracey Gleason
Defendant's Attorney:	Zachary Pierce and Miranda Stark
Defendant:	Present
Victim's Attorney:	Jamie Balson

Court Reporter, Monica Hill-Morrisette, is present.

A record of the proceedings is also made digitally.

This is the time set for Complex Case Management Conference.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2019-001522-001 DT

01/23/2020

The Defendant makes an oral pro per Motion for Change of Counsel.

IT IS ORDERED directing the Defendant to file a written Motion with this Court.

The Court has received and reviewed counsel's Complex Case Management Report.

LET THE RECORD REFLECT from 8:32 a.m. through 8:38 a.m., a bench conference was held.

The Court has received and reviewed Defense counsel's Motion for Rule 11 Examination; Motion to Seal This Motion, the Attached Motion for Rule 11 Examination, and Proposed Orders; and the Order to File Motion for Rule 11 Examination, Motion to Seal, and Proposed Orders Under Seal.

LET THE RECORD REFLECT the Defendant objects to Defense counsel's Motion for Rule 11 Examination.

Over the Defendant's objection, and good cause appearing,

IT IS ORDERED granting Defense counsel's Motion for Rule 11 Examination; Motion to Seal This Motion, the Attached Motion for Rule 11 Examination, and Proposed Orders, all in accordance with the formal, written Order signed in open Court on 01/23/2020 and filed under seal by the Clerk on 01/23/2020.

IT IS ORDERED granting the Defense's Motion for Rule 11 Evaluation.

IT IS FURTHER ORDERED filing Defense counsel's Motion for Rule 11 Examination; Motion to Seal This Motion, the Attached Motion for Rule 11 Examination, and Proposed Orders; and the Order to File Motion for Rule 11 Examination, Motion to Seal, and Proposed Orders Under Seal, not to be opened without further Order from the Court.

IT IS ORDERED transferring this case to the Rule 11 Commissioner's Court for all further proceedings relating to Defendant's competency.

IT IS FURTHER ORDERED that pursuant to Arizona Criminal Rule 11.2 counsel for the State and counsel for Defendant provide to Maricopa County Correctional Health Services (CHS) all of the Defendant's available medical and criminal history records within three (3) days. Unless otherwise already available in the court records or already in the possession of CHS, the documents should include at least (1) police reports, (2) charging documents, (3) the competency

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2019-001522-001 DT

01/23/2020

screening report (if one exists), and (4) all other available medical, mental health, criminal history records and collateral records. See Maricopa County Superior Court Administrative Order No. 2018-116. Counsel are directed to send electronic versions of the information to CHSForensicRecords@mail.maricopa.gov.

IT IS FURTHER ORDERED that two (2) qualified mental health experts be appointed to conduct an examination and complete a mental health evaluation report on the Defendant's competency. See Ariz. R. Crim. P. 11.3(a); Maricopa County Superior Court Administrative Order No. 2008-117.

IT IS ORDERED that CHS permit each court-appointed mental health expert to view the Defendant's medical and criminal record(s). CHS may release the records to a court-appointed mental health expert electronically to facilitate review of the records.

IT IS ORDERED that each court-appointed mental health expert is authorized to access, review and summarize from the CHS-maintained files for this Defendant. Access is authorized only for so long as the court-appointment exists.

IT IS FURTHER ORDERED vacating Settlement Conference on 02/07/2020.

IT IS FURTHER ORDERED **affirming Final Trial Management Conference on 06/01/2020 at 8:30 a.m.** before this division.

IT IS FURTHER ORDERED **affirming Trial on 06/08/2020 at 8:00 a.m.** before the Master Calendar Assignment Judge.

All time pursuant to Arizona Rule 8.4, shall be excluded by the Judicial Officer at the time the Defendant's competency is determined.

IT IS FURTHER ORDERED affirming prior release orders.

CURRENT LAST DAY: 10/03/2020.

8:45 a.m. Matter concludes.