

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

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STATE OF ARIZONA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
ARLENA WILLES,	)	CR2019-157439-001
	)	
Defendant.	)	MOTION IN LIMINE: STATEMENTS OF
	)	DEFENDANT
	)	
	)	(Assigned to the Hon. Geoffrey Fish)
	)	
	)	

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The State of Arizona, by and through undersigned counsel, hereby moves the Court for an Order precluding the defendant from testifying regarding any unfounded conspiracy theory.

**Facts**

Defendant has a substantial media presence and has promoted conspiracy theories relating to “Medical Kidnapping”, “Kids for Cash”, and other unfounded extremist theories that argue the minor victim was the target of a vast conspiracy involving medical providers at Phoenix Children’s Hospital personnel, law enforcement, the courts, and the Department

of Children's Services employees to remove children from their parents' custody for financial gain. As the Court is aware Defendant has been active on social media promoting these theories due to her activity repeatedly posting confidential medical records. The State will provide substantial records from social media involving these posts in a separate filing. The State anticipates that Defendant if she decides to testify at trial, will testify claiming these conspiracy theories are fact. Defendant cannot produce credible evidence regarding a conspiracy; therefore, she should not be allowed to testify to conjecture, theories, and unfounded conspiracies.

### **Applicable Law**

The admission of evidence is governed by the following rules of evidence: (1) Ariz. R. Evid. 402 requires that the evidence be relevant; (2) Rule 404(b) requires that the evidence be admitted for a proper purpose; (3) Rule 403 requires that the danger of unfair prejudice not substantially outweigh probative value. Defendant's claims violate all these applicable rules. Questions regarding State removal of Victim is not relevant to the charged allegations. The behavior of Defendant preceded Victim's removal. Any theory of "medical kidnapping" or "cash for kids" is not being presented for a proper purpose and is not grounded in fact. It clearly creates a danger of unfair prejudice to the State and all witnesses to be presented by the State. It has no balancing probative value. For these theories to have probative value they would need to be based in some reasonable facts or evidence. It is not the State's position that Defense counsel intends to present these theories, instead it is Defendant on her own who is likely to attempt to insert these unrealistic claims into the trial during her testimony.

**Conclusion**

Therefore, the State asks the court to preclude the defendant from attempting to introduce evidence or testify to any conspiracy theory referencing “Medical Kidnapping”, “Kids for Cash” or similar claim at trial.

Respectfully submitted this 2<sup>nd</sup> day of April, 2021.

ALLISTER ADEL  
MARICOPA COUNTY ATTORNEY

By: /s/



Frankie Grimsman  
Deputy County Attorney

Copy of the foregoing e-filed/emailed,  
this 2nd day of April, 2021, to:

The Honorable Geoffrey Fish  
Judge of the Superior Court

Rick Tosto  
Attorney for Defendant

By /s/



Frankie Grimsman  
Deputy County Attorney