

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2019-001522-001 DT

07/27/2021

HONORABLE BARBARA L. SPENCER

CLERK OF THE COURT
O. Hernandez
Deputy

STATE OF ARIZONA

FRANKIE LYNN GRIMSMAN

v.

MELISSA SUZANNE DIEGEL (001)
DOB: 12/12/1974
Booking No.: NIC

ZACHARY DANIEL SLOMAN
COMM. SPENCER
CORRECTIONAL HEALTH SERVICES
COURT FORENSIC SERVICES UNIT
D&C MATERIALS-CSC
M DAVID MCGADY
WAYNE GENERAL

HEARING - RULE 11 - NOTICE OF APPOINTMENT
(Third Expert Appointed)

8:59 a.m.

Courtroom CCB10D

State's Attorney:	Katie Staab - appears virtually
Defendant's Attorney:	Zach Sloman - appears virtually
Defendant:	Present – appears virtually
Victim Representative:	Jamie Balson – appears virtually

A record of the proceedings is made digitally in lieu of a court reporter.

Pursuant to Administrative Order; In the Matter of Restricting Access to Court Facilities
Due to a Public Health Emergency,

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2019-001522-001 DT

07/27/2021

IT IS ORDERED waiving the in courtroom appearance of counsel and the defendant for today's hearing.

Discussion held regarding records reviewed by Dr. Walker.

The Court having been informed that the experts' opinions are split in this matter and over the objection of the defendant,

IT IS ORDERED appointing Dr. McGady to conduct a third evaluation of the above named defendant pursuant to Arizona Rules of Criminal Procedure 11.3 and A.R.S. § 13-4509.

At the request of the defense,

IT IS FURTHER ORDERED directing Dr. General to provide a supplemental report to the Court to indicate all documents and everything that was review in order to prepare the initial report.

The Defendant is represented by: Zachary Sloman, 602-506-7711

The Defendant is not in custody.

IT IS ORDERED that counsel for the defendant shall provide CHS Forensic Services with all police reports, charging documents, the competency screening evaluation report, and all other available medical, mental health and criminal history records within three judicial days of this date.

In the interim, prior to receiving the charging documents from counsel for the Defendant, the expert(s) can find the Defendant's charges by searching the case number(s) at the following website:

<https://apps.supremecourt.az.gov/publicaccess/caselookup.aspx>

IT IS FURTHER ORDERED that Correctional Health Services permit the mental health expert(s) to view the Defendant's medical file retained in Maricopa County Jail. CHS may release the records to the mental health expert(s) electronically to facilitate review of said records.

IT IS FURTHER ORDERED directing the Clerk of the Court to unseal all medical records and reports previously sealed in CR 2019-001522-001 and make said reports available to the above-appointed evaluating doctors, defense counsel, or their authorized representatives for review and copying.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2019-001522-001 DT

07/27/2021

Upon completion of the above,

IT IS FURTHER ORDERED directing the Clerk of the Court to reseal the above-referenced records. These records shall be treated as confidential in accordance with Rules 11 and 11.8.

IT IS FURTHER ORDERED that counsel shall make appointments on the Defendant's behalf with the above-named expert(s) if not in custody.

IT IS FURTHER ORDERED that the expert(s) submit the signed original report(s) to the Superior Court Forensic Unit no later than 9/3/2021.

IT IS FURTHER ORDERED that a competency hearing is set before Judge Pro Tem Barbara Spencer on 9/9/2021 at 11:00 a.m. in CCB, 10D. (virtual hearing)

IT IS FURTHER ORDERED affirming prior release orders.

9:20 a.m. Matter concludes.

FOR ALL IN-PERSON APPEARANCES. Due to the spread of COVID-19, the Arizona Supreme Court Administrative Order 2021-077 and Superior Court Administrative Order 2021-073 require all individuals entering a court facility to wear a face mask in designated Mask Mandatory Areas. Any individual attempting to enter the court facility must have an appropriate mask to be allowed entry to the court facility. In addition, all individuals entering a court facility will be subject to a health screening protocol. Any person who does not pass the health screening protocol will be denied entrance to the court facility.

All persons entering a court facility who are fully vaccinated (14 days from final vaccination) have the option of wearing a mask or face covering in any area of a court facility that is not a posted Mask Mandated Area. The Court recommends that all unvaccinated persons who enter a court facility wear a mask or face covering within any area of a court facility. Any person who refuses to wear a mask or face covering as directed by court personnel will be denied entrance or removed from the facility. If a participant is denied physical access to the courthouse for refusing to wear a face covering, the participant must contact the assigned judicial division to determine whether the person can participate in the proceeding using an audio or video connection.

Until Phase III, judicial leadership has limited any required in-person proceedings to attorneys, parties, victims, witnesses, jurors, judicial officers, court employees, and other necessary persons, where necessary to maintain the recommended social distancing within the courthouse, including each courtroom.