



# Gila County Superior Court

## PUBLIC INTEREST CASES

**UPDATED: 11/19/2014**

---

**DISCLAIMER:** The defendant named in each of the cases listed, is presumed innocent until and unless proven guilty; the information provided is intended for community information purposes only and should not be used to threaten, intimidate, or harass. Misuse of this information may result in criminal prosecution.

---

### **Supreme Court Public Access**

The Public/media representatives may obtain general information about non-confidential statewide court cases by accessing the Supreme Court's Public Access to Court Information website at the following link:

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

By using this website, the public/media representatives who are interested in finding out what cases have been filed for a specific individual can enter that person's name to find all cases in the system that are associated with that person. A specific case can also be viewed by entering the case number.

Once the case is selected, general information will appear, and includes the pleadings filed, hearings held, and status of the case. For more information about the case than the website displays, you may contact the office of the Clerk of Court.

### **Gila County Court Public Access**

If an agency of the media is interested in following the progress of a particular Gila County case or a public interest case, the media representative may identify that case to the office of the Court Administrator. Information about the case may still be obtained from the Public Access to Court Information website, as the direct link will save the media time when researching the case. This Court's website can be accessed by clicking on the following link:

<http://www.gilacountyaz.gov/government/courts/index.php>

## Superior Court Calendar Access

The Superior Court calendar is also available via the Internet at the following link:

[http://72.24.204.138:8080/gila\\_public/ev\\_srch.action](http://72.24.204.138:8080/gila_public/ev_srch.action)

Media representatives may look for information on a court calendar by selecting a calendar and the dates of interest. Information about the cases, times, and types of hearings set on those dates will be displayed.

The Gila County Superior Court Public Interest List is also available via the Internet at the following link:

<http://www.gilacountyaz.gov/government/courts/index.php>

**For general questions regarding cases on the Public Interest Case List or any other case, please contact: Terri Griego, Public Information Officer, at: [tgriego@courts.az.gov](mailto:tgriego@courts.az.gov), or (928) 402-8673.**

In the event that you want to view court records or obtain a copy of court documents, a request is first to be made to the Clerk of Court's office.

***Please Note:*** Prior to releasing any documents, the Clerk's office will review files before releasing them to the public/media, in case the document contains confidential material. If the document contains such confidential information, the Clerk's office will redact this information before releasing it. If the document is confidential, the public/media are not permitted to view it, such as with a Pre-sentence report. **There is also a 50 cent charge per page.**

---

## NOTE:

### **Diversion/Deferred Program**

It is the policy of the Gila County Attorney's Office to offer some first time felony offenders an opportunity to avoid having a felony conviction on their permanent criminal history if they successfully participate and complete the Diversion or Deferred Prosecution Program.

For a full explanation of this program, please visit the County Attorney's web page at the following link:

[http://www.gilacountyaz.gov/government/county\\_attorney/diversion\\_deferred\\_program.php](http://www.gilacountyaz.gov/government/county_attorney/diversion_deferred_program.php)

## PENDING CASES

### CIVIL

Case	Status as of:	Plaintiff/Defendant
------	---------------	---------------------

### CRIMINAL

<a href="#">CR201400391</a>	11/03/2014	Carlos Nestor OZUNA
<a href="#">CR201400379</a>	10/27/2014	Brady Ray ACUFF
<a href="#">CR201400363</a>	11/03/2014	Ashley Ann ROBERTS
<a href="#">CR201400316</a>	11/03/2014	Brian Lon APPS
<a href="#">CR201400349</a>	11/03/2014	Russell Allen WHEETMAN
<a href="#">CR201400247</a>	11/03/2014	Ray James GILBERT
<a href="#">CR201400033</a>	10/23/2014	William Harris POLK
<a href="#">CR201400037</a>	11/17/2014	Corey Dewayne GREEN
<a href="#">CR201300462</a>	10/25/2014	Joe Louis CANO aka Jerry Lewis CANO

## CASES SET FOR TRIAL

Case No.	Set for	Defendant
<a href="#">CR201300195</a>	02/11/2015	Phillip Daniel MOSELEY
<a href="#">CR201300240</a>	01/21/2015	Scott Dwain BRIDGES
<a href="#">CR201300569</a>	01/21/2015	Michael Alan VODEN
<a href="#">CR201300594</a>	02/03/2015	Robert Joe DYER

## CASES SET FOR SENTENCING

Case No.	Set for	Defendant
----------	---------	-----------

## DIVERSION CASES

Case No.	as of	Defendant
----------	-------	-----------

## RECENT DISPOSITIONS

Case No.	as of	Defendant
<a href="#">CR201300214</a>	11/17/2014	Marcelina Angela Naomi RICH nee SPURGEON

**PENDING CASES  
- CRIMINAL CASES -**

<b>Defendant:</b> Carlos Nestor OZUNA	<b>Case #:</b> <a href="#">CR201400391</a> (Globe Case)
<b>Prosecutor:</b> Joy Riddle	<b>Defense:</b> Anna Ortiz
<b>Judge:</b> Honorable Peter J. Cahill	<b>Superior Court:</b> Gila County
<b>Case Status:</b> Case Management set for Mon. 12/1/14 @ 3:30 p.m., before the Hon. Gary V. Scales for Division One, sitting in GLOBE.	
<b>Case Notes:</b> Defendant is charged w/four counts of Sexual Abuse- (Person Under 15).	

**PENDING CASES  
- CRIMINAL CASES -**

**Defendant:** Brady Ray ACUFF

**Case #:** [CR201400379](#) (Payson Case)

**Prosecutor:** June Ava Florescue

**Defense:** Ronald DeBrigida

**Judge:** Honorable Peter J. Cahill

**Superior Court:** Gila County

**Case Status:** Case Management Conference set for Mon. 12/1/14 @ 10:00 a.m., before the Hon. Gary V. Scales, for Division One, in GLOBE.

**Case Notes:** Defendant is charged with Nine Counts of Sexual Conduct with a Minor; Two Counts of Sexual Abuse; Luring a Minor for Sexual Exploitation.

**PENDING CASES  
- CRIMINAL CASES -**

**Defendant:** Ashley Ann ROBERTS

**Case #:** [CR201400363](#) (Globe Case)

**Prosecutor:** Joy Riddle

**Defense:** Michael Freeman

**Judge:** Honorable Gary V. Scales

**Superior Court:** Gila County

**Case Status:** Case assigned to the Honorable Gary V. Scales on 10/23/14.  
Case Management Conference continued to Mon. 12/1/14 at 9:00 a.m., before the Honorable Gary V. Scales sitting in Globe.

**Case Notes:** Defendant is charged with Attempted Second Degree Murder.

**PENDING CASES  
- CRIMINAL CASES -**

<b>Defendant:</b> Brian Lon APPS	<b>Case #:</b> <a href="#">CR201400316</a> (Payson Case)
<b>Prosecutor:</b> Shawn Fuller	<b>Defense:</b> Ron DeBrigida
<b>Judge:</b> Honorable Peter J. Cahill	<b>Superior Court:</b> Gila County
<b>Case Status:</b> Change of Plea Hearing conducted on 11/03/14. Sentencing set for Mon., 12/1/14 at 10:00 a.m., before the Honorable Gary V. Scales sitting in Globe for Division One.	
<b>Case Notes:</b> Defendant is charged with Aggravated Assault Causing Temporary but Substantial Injury; Aggravated Assault Upon a Victim Who is Bound or Restrained; Driving Under the Influence-Impaired; Driving Under the Influence-B.A.C. of 0.08 or Above; Extreme Driving Under the Influence –B.A.C. of 0.15 or Above	

**PENDING CASES  
- CRIMINAL CASES -**

<b>Defendant:</b> Russell Allen WHEETMAN	<b>Case #:</b> <a href="#">CR201400349</a> (Payson Case)
<b>Prosecutor:</b> Shawn Fuller	<b>Defense:</b> Michael Bernays
<b>Judge:</b> Honorable Peter J. Cahill	<b>Superior Court:</b> Gila County
<b>Case Status:</b> Case Management Conference continued to Mon. 12/1/14 at 10:00 a.m. before the Honorable Gary V. Scales sitting in Globe, for Division One.	
<b>Case Notes:</b> Defendant is charged with Kidnapping; Sexual Abuse; Attempted Sexual Assault	

**PENDING CASES  
- CRIMINAL CASES -**

<b>Defendant:</b> Ray James GILBERT	<b>Case #:</b> <a href="#">CR 201400247</a> (Payson Case)
<b>Prosecutor:</b> Duncan Rose	<b>Defense:</b> Barry Standifird
<b>Judge:</b> Peter J. Cahill	<b>Superior Court:</b> Division I
<b>Case Status:</b> Change of Plea Hearing conducted on 11/3/14. Sentencing set for Mon. 12/1/14 at 11:00 a.m., before the Hon. Peter J. Cahill, in Division One, sitting in PAYSON.	
<b>Case Notes:</b> Defendant is charged with Aggravated Assault-After Entering Home of Another; Aggravated Assault-Victim Bound/Otherwise Restrained; Threatening and Intimidating; Criminal Damage Less than \$250; Preventing the Use of a Telephone in an Emergency	

**PENDING CASES  
- CRIMINAL CASES -**

<b>Defendant:</b> William Harris POLK	<b>Case #:</b> <a href="#">CR 201400033</a> (Globe Case)
<b>Prosecutor:</b> Joy Riddle	<b>Defense:</b> Michael Bernays
<b>Judge:</b> Honorable R. Douglas Holt (Visiting Judge)	<b>Superior Court:</b> Gila County
<b>Case Status:</b> Settlement Conference set for Wed. 11/26/14 @11:00 a.m., before the Honorable Gary V. Scales for Hon. R. Douglas Holt sitting in GLOBE. Pretrial Conference/Donald Hearing and Review Hearing set for Thurs. 12/11/14 @ 1:45 p.m., before the Hon. R. Douglas Holt, sitting in GLOBE.	
<b>Case Notes:</b> Defendant is charged with Attempted First Degree Murder, attempting to the cause the death of another person, to wit: Dominic Matthew Ontiveros; 3 counts of Aggravated Assault; 2 counts of Threatening and Intimidating.	

**PENDING CASES  
- CRIMINAL CASES -**

<b>Defendant:</b> Corey Dewayne GREEN	<b>Case #:</b> <a href="#">CR 201400037</a> (Globe Case)
<b>Prosecutor:</b> June Ava Florescue	<b>Defense:</b> Michael Bernays
<b>Judge:</b> Hon. Robert Duber, II.	<b>Superior Court:</b> Division II
<b>Case Status:</b>	Status Hearing conducted on 11/17/2014. The Honorable Robert Duber, II returns the matter over to the presiding judge for assignment of a trial judge and to address the request to establish a trial date. Hearing date is forthcoming.
<b>Case Notes:</b>	Defendant is charged with four counts of Molestation of a Child; two counts of Bestiality.

**PENDING CASES  
- CRIMINAL CASES -**

<b>Defendant:</b> Joe Louis CANO aka Jerry Lewis CANO	<b>Case #:</b> <a href="#">CR201300462</a> (Globe Case)
<b>Prosecutor:</b> June Ava Florescue	<b>Defense:</b> Paul Ramos
<b>Judge:</b> Honorable Peter J. Cahill	<b>Superior Court:</b> Division I
<b>Case Status:</b> Case Management Conference is set for Mon. 12/01/14 @ 9:00 a.m., before the Honorable Gary V. Scales for Division One, sitting in GLOBE.	
<b>Case Notes:</b> Defendant is charged with three counts of Molestation of a Child.	

**- CASES SET FOR TRIAL  
- CRIMINAL CASES -**

<b>Defendant:</b> Phillip Daniel MOSELEY	<b>Case #:</b> <a href="#">CR201300195</a> (Payson Case)
<b>Prosecutor:</b> June Ava Florescue	<b>Defense:</b> Michael Bernays
<b>Judge:</b> Peter J. Cahill	<b>Superior Court:</b> Division I
<b>Case Status:</b>	<b>Jury Trial reset to Wed. 2/11/15 @ 9:30 a.m., before the Hon. Peter J. Cahill, in Division One sitting in GLOBE.</b>
Defendant is charged with two counts of Aggravated Assault-Impeding Breathing.	

**- CASES SET FOR TRIAL  
- CRIMINAL CASES -**

<b>Defendant:</b> Scott Dwain Bridges	<b>Case #:</b> <a href="#">CR201300240</a> (Payson Case)
<b>Prosecutor:</b> June Ava Florescue	<b>Defense:</b> Michael Bernays
<b>Judge:</b> Peter J. Cahill	<b>Superior Court:</b> Division I
<b>Case Status:</b>	<p>Trial date of 10/7/14 is vacated. Settlement Conference/Possible Change of Plea was held on Friday, October 24, 2014 before the Honorable Gary V. Scales, for Division One. No agreement was reached.</p> <p>Jury Trial is now set for Wed., January 21, 2015 (3 days) at 9:30 a.m., before the Honorable Peter J. Cahill, Division One, sitting in Globe.</p> <p>Pretrial Conference set for Mon., December 8, 2014 @ 10:30 a.m., before the Honorable Peter J. Cahill in Division One, sitting in Payson.</p>
<p>The Defendant is charged with four counts of Child Abuse-Domestic Violence; three counts of Aggravated Assault-Adult Upon Child Under 15; one count of Aggravated Assault-Deadly Weapon/Dangerous Instrument.</p>	

**- CASES SET FOR TRIAL  
- CRIMINAL CASES -**

<b>Defendant:</b> Michael Alan VODEN	<b>Case #:</b> <a href="#">CR201300569</a> (Payson Case)
<b>Prosecutor:</b> Gila County Attorney's Office Shawn Fuller	<b>Defense:</b> Michael Bernays
<b>Judge:</b> Gary V. Scales	<b>Superior Court:</b> Gila County
<b>Case Status:</b> Case assigned to the Honorable Gary V. Scales on 9/5/14.  Ordered vacating the trial presently set for Wed. 1/21/15 at 9:30 a.m., before Division Two and resetting same for Wed. 1/21/15 at 9:30 a.m., before the Honorable Gary V. Scales, sitting in GLOBE.  Trial Readiness Conference is set for Friday, 12/5/14 at 9:30 a.m., before the Honorable Gary V. Scales, in PAYSON.	
<b>Case Notes:</b> The Defendant is accused of causing the death of Randall Burnett, by use of a handgun, without premeditation, but knowing that his conduct would cause death or serious physical injury.	
<b>Indictment:</b> Ct. 1 - Second Degree Murder  <b>Filed</b> <b>11/13/13</b>	

**- CASES SET FOR TRIAL  
- CRIMINAL CASES -**

<b>Defendant:</b> Robert Joe DYER	<b>Case #:</b> <a href="#">CR201300594</a> (D1) (Globe Case)
<b>Prosecutor:</b> June Ava Florescue	<b>Defense:</b> Michael Bernays
<b>Judge:</b> Peter J. Cahill	<b>Superior Court:</b> Division I
<b>Case Status:</b> Jury Trial continued to Tues. 02/03/15 @ 9:30 a.m. before the Honorable Peter J. Cahill in Division One, sitting in GLOBE.	
The Defendant is charged with 2 Counts of Sexual Abuse, 3 Counts of Sexual Conduct with a Minor, Threatening and Intimidating, Child Molestation, Furnishing Harmful Items to Minors, 4 counts of Aggravated Assault.	

# RECENT CASE DISPOSITIONS

<b>Defendant:</b> Marcelina Angela Naomi Rich nee Spurgeon	<b>Case#:</b> CR201300214 (Globe Case)
<b>Prosecutor:</b> Shawn Fuller	<b>Defense:</b> Michael Bernays
<b>Judge:</b> Hon. Robert Duber, II	<b>Superior Court:</b> Division Two

**SENTENCING:** Held 11/17/14 at 11:00 a.m., before the Honorable Robert Duber, II, in Division Two, sitting in Globe.

**CONVICTION:** Count 2, Child Abuse/Domestic Violence Offense, as amended – Sentenced to the presumptive term of 3.5 years in the custody of the Arizona Department of Corrections with credit for 596 days presentence incarceration credit. Provisions of community supervision do not apply. Ordered a term of probation will be consecutive to the term of imprisonment.

-----

Count 3, Hindering Prosecution in the First Degree - Sentenced to the presumptive term of 1.5 years in the custody of the Arizona Department of Corrections. This sentence of imprisonment is to run consecutive to the sentence imposed in Count Two. The Court will not impose credit for time served for this crime. The community supervision requirements of Arizona law are waived.

-----

Count 4, Child Abuse/Domestic Violence, as amended- Ordered Defendant is sentenced to a term of probation for a period of ten (10) years commencing upon Defendant's absolute discharge from the Arizona Department of Corrections. Defendant will be under the supervision of the probation department after Defendant's term of imprisonment pursuant to A.R.S. 13-603(K).

-----

Standard terms of probation imposed.

Ordered Defendant may not live in a residence in which children reside without written permission from the Adult Probation Department.

Ordered Defendant may not share a residence with an adult who has children under age fifteen (15) without written permission from the Adult Probation Department.

Ordered Defendant may not have unsupervised care of a child under the age of fifteen (15) without written permission from the Adult Probation Department.

Financial obligations imposed.

All other counts are dismissed.