Gila County Superior Court

PUBLIC INTEREST CASES

UPDATED: 07/14/2014

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

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, 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

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PENDING CASES

CIVIL

Case	Status as of:	Plaintiff/Defendant
CV201300032	05/15/2013	Deborah NICHOLS – Vs- Michael LOWE, Peak Medical Care, PLLC

CRIMINAL

CR201300213	06/19/2014	William Harris POLK
CR201400163	05/27/2014	Corey Dewayne GREEN
CR201300569	05/19/2014	Michael Alan VODEN

CASES SET FOR TRIAL

Case No.	Set for	Defendant
CR201300240	10/07/2014	Scott Dwain BRIDGES
CR201300195	09/17/2014	Phillip Daniel MOSELEY

CASES SET FOR SENTENCING

Case No.	Set for	Defendant
CR201300214	07/07/2014	Marcelina Angela Naomi Rich nee Spurgeon
CR201300213	07/17/2014	Kyron Dale GROW
CR201300431	07/03/2014	Scott Christopher LAMAN

DIVERSION CASES

Case No.	as of	Defendant

RECENT DISPOSITIONS

Case No.	as of	Defendant
CR201300552	07/03/2014	David Allen RICHARDS

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PENDING CASES
- CIVIL CASES -

Plaintiff:	**DEBORAH NICHOLS**	**Defendant:**	**MICHAEL LOWE, PEAK MEDICAL CARE, PLLC**
Case #:	**CV201300032**	**(Payson Case)**	
Attorney for Plaintiff:	Neal H. Bookspan Laura A. Rogal Jaburg & Wilk, P.C.	**Attorney for Defendant:**	Pro Per
Judge:	Peter Cahill	**Superior Court:**	Division I
Case Status:	**NO HEARING DATE AT THIS TIME** **Plaintiff's Motion to Compel Defendant's Responses to Written Discovery filed 6/23/14**		
Case Notes:	Complainant alleges that the Defendant's actions breached his fiduciary and contractual duties and terms. Defendant is also said to have deliberately obstructed Plaintiff is seeking judgment be entered for compensatory damages and costs.		
Complaint:	Ct. 1 Breach of Fiduciary Duty – Dr. Michael Lowe Ct. 2 Intentional Interference With business Expectancy – Dr. Michael Lowe Ct. 3 Breach of Contract Ct. 4 Statutory Accounting Ct. 5 Issuance of a Temporary Restraining Order; Preliminary Injunction; Permanent Injunction		

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PENDING CASES
- CRIMINAL CASES -

Defendant:	**William Harris POLK**	**Case #:**	**CR 201400033** **(Globe Case)**
Prosecutor:	**Joy Riddle**	**Defense:**	**Michael Bernays**
Judge:	Honorable R. Douglas Holt (Visiting Judge)	**Superior Court:**	Gila County
Case Status:	**Case Management Conference set for Wed. 8/13/14 @ 11:15 a.m. before the Honorable R. Douglas Holt, with the court sitting in GLOBE.**		
Case Notes:	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.		

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PENDING CASES
- CRIMINAL CASES -

Defendant:	**Corey Dewayne GREEN**	**Case #:**	**CR 201400163**	**(Globe Case)**
Prosecutor:	**June Ava Florescue**	**Defense:**	**Michael Bernays**	
Judge:	Hon. Peter J. Cahill	**Superior Court:**	Division I	
Case Status:	**Hearing re Defendant's Opposition to Ex -Parte Order Dismissing CR201400037 and Opposition to Change of Judge in CR201400163 is set for Thurs. 7/24/14 @ 9:00 a.m., before the Hon. Peter J. Cahill in Division One, in GLOBE.**			
Case Notes:	Defendant is charged with four counts of Molestation of a Child; two counts of Bestiality.			

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PENDING CASES
- CRIMINAL CASES -

Defendant:	**Michael Alan VODEN**	**Case #:**	**CR201300569** **(Payson Case)**
Prosecutor:	**Gila County Attorney's Office** **Shawn Fuller**	**Defense:**	**Michael Bernays**
Judge:	Robert Duber, II	**Superior Court:**	Division II

Case Status:

Hearing on State's Motion to Revoke Defendant's Release Conditions was held on 6/12/14; the Court denied the State's Motion to Revoke Defendant's Release Conditions.

PTC reset to 7/24/14 @ 1:00 p.m., with the Court sitting in PAYSON.

Case Notes:

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.

12/12/13 – Defendant's Bond amount was modified from $1m to $200,000, with other release conditions.

12/19/13- Order Accepting Security Bond was signed by Hon. Robert Duber, II and filed with the Court 12/19/13. Defendant was released subject to previously ordered conditions of release and his promise to appear contained in the submitted documents.

Indictment: Ct. 1 - Second Degree Murder

Filed 11/13/13

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- CASES SET FOR TRIAL
- CRIMINAL CASES -

Defendant:	**Scott Dwain Bridges**	**Case #:**	**CR201300240 (Payson Case)**
Prosecutor:	June Ava Florescue	**Defense:**	Michael Bernays
Judge:	Peter J. Cahill	**Superior Court:**	Division I

Case Status: **Jury Trial set for Tues. 10/7/14 @ 9:30 a.m. before the Honorable Peter J. Cahill sitting in GLOBE.**

Pretrial Conference set for Mon. 9/22/14 @ 2:00 p.m. before the Hon. Peter J. Cahill, in PAYSON.

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.

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- CASES SET FOR TRIAL
- CRIMINAL CASES -

Defendant:	**Phillip Daniel MOSELEY**	**Case #:**	**CR201300195 (Payson Case)**
Prosecutor:	June Ava Florescue	**Defense:**	Michael Bernays
Judge:	Peter J. Cahill	**Superior Court:**	Division I

Case Status: **Defendant was found NOT GUILTY of Counts 1 and 2 at Jury Trial held on 6/3/14.**

Case Management Conference as to Counts 3 and 4 was held on 6/9/14 @10:00a.m., before the Hon. Peter J. Cahill sitting in PAYSON.

Jury Trial as to Counts 3 and 4 set for 9/17/2014 @ 9:30 a.m., before the Peter J. Cahill in Division One in GLOBE.

Pretrial Conference set for 7/28/14 at 10:00 a.m., before the Honorable Peter J. Cahill, Division One, sitting in PAYSON.

The Defendant is charged with intentionally or knowingly engaging in or caused a person to engage in sexual conduct with a minor, a child who was under fifteen years of age. Defendant is also charged with assault by knowingly touching another person with the intent to injure the person and he intentionally or knowingly impeded the normal breathing or circulation of blood of another person.

Indictment Filed 4/3/13

Ct. 1 Molestation of a Child

Ct. 2 Molestation of a Child

Ct. 3 Aggravated Assault – Impeding Breathing

Ct. 4 Aggravated Assault-Impeding Breathing

*Note- On 4/18/14 the Court granted Defendant's Motion to Sever Counts 1 and 2 from Counts 3 and 4. The jury trial held on 6/3/14 only addressed Counts 1 and 2. Counts 3 & 4 will be addressed at a later date.

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CASES SET FOR SENTENCING
- CRIMINAL CASES -

Defendant:	**Marcelina Angela Naomi Rich nee Spurgeon**	**Case #:**	**CR201300214 (Globe Case)**
Prosecutor:	**Shawn Fuller**	**Defense:**	**Michael Bernays**
Judge:	Honorable Robert Duber, II.	**Superior Court:**	Division II
Case Status:	**Change of Plea Hearing held 3/13/14. Sentencing is set for Tues. 9/2/14 @ 3:30 p.m. before the Honorable Robert Duber, II, in Division Two, in GLOBE.**		
Case Notes:	The Defendant is accused of 2 counts of Child Abuse/Domestic Violence under circumstances likely to produce death or serious physical injury; Hindering Prosecution in the First Degree with the intent to hinder the apprehension, prosecution, conviction or punishment of Kyron Dale Grow for any felony, rendered assistance to Kyron Dale Grow. Defendant is in custody. Bond has been set at $75,000.00.		

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CASES SET FOR SENTENCING
- CRIMINAL CASES -

Defendant:	**Kyron Dale GROW**	**Case #:**	**CR201300213 (Globe Case)**
Prosecutor:	**Shawn Fuller**	**Defense:**	**Anna Ortiz**
Judge:	Honorable Monica L. Stauffer (Visiting Judge)	**Superior Court:**	Division I
Case Status:	**Jury Trial was held 6/11 thru 6/20/2014. Defendant was found guilty on all counts.** **Sentencing is set for Thursday, 7/17/2014 @ 1:00 p.m. before the Honorable Monica L. Stauffer sitting in GLOBE.**		
Case Notes:	The Defendant is accused of First Degree Murder, 2 counts of Child Abuse-Death or Substantial Physical Injury, Aggravated Assault-Serious Physical Injury. Defendant is in custody without bond.		
Indictment: **Filed 4/10/2013**	Ct. 1 - First Degree Murder, Ct. 2 - Child Abuse-Death or Substantial Physical Injury, a dangerous crime against children Ct. 3 - Aggravated Assault-Serious Physical Injury, a dangerous crime against children Ct. 4 - Child Abuse-Death or Substantial Physical Injury, a dangerous crime against children		

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CASES SET FOR SENTENCING
- CRIMINAL CASES -

Defendant:	**Scott Christopher LAMAN**	**Case #:**	**CR201300431** **(Globe Case)**
Prosecutor:	**Shawn Fuller**	**Defense:**	**Anna Ortiz**
Judge:	Honorable Monica L. Stauffer (Visiting Judge)	**Superior Court:**	Gila
Case Status:	**Change of Plea Hearing held 7/3/14. Sentencing is set for Tuesday, 7/29/14 at 8:30 a.m., before the Honorable Monica L. Stauffer sitting in GLOBE.**		

The Defendant is accused of First Degree Murder; Attempted First Degree Murder; Discharging a Firearm at a Structure; Misconduct Involving Weapons-Prohibited Possessor; Unlawful Flight from Law Enforcement; Resisting Arrest; Possession of Drug Paraphernalia.

Bond has been set at $1Million.

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RECENT CASE DISPOSITIONS

Defendant:	**DAVID ALLEN RICHARDS**	**Case#:**	**CR201300552(D2) (Globe Case)**
Prosecutor:	**Shawn Fuller**	**Defense:**	**Raymond Geiser**
Judge:	Hon. Boyd T. Johnson (Visiting Judge)	**Superior Court:**	Gila

Case Notes: The Defendant is accused of Drive By Shooting, eight (8) counts of Aggravated Assault-Deadly Weapon/Dangerous Instrument, three (3) counts of Discharging a Firearm at a Structure, 2 counts of Misconduct Involving Weapons, Unlawful Discharge of Firearm.

10/30/13 Bond has been set at $100,000.00.

SENTENCING: **Sentencing held July 3, 2014 before Honorable Boyd T. Johnson in GLOBE.**

CONVICTION/ SENTENCE:

Count Two-Aggravated Assault-Deadly Weapon/Dangerous Instrument/Nature Nature; a class 3 felony; sentenced to 9 years w/the Arizona Department of Corrections to run consecutive to Maricopa County Cause No. CR2013-453029.

Count Eight-Discharging a Firearm at a Structure with one prior felony conviction; a class 3 felony; sentenced to 6.5 years w/the Arizona Department of Corrections to run consecutively to Count Two.

Count Twelve-Misconduct Involving Weapons; a class 4 felony; sentenced to 2.5 years w/the Arizona Department of Corrections to run concurrently with Count Eight and consecutively to Count Two.

Fines and fees imposed.

All other remaining counts were dismissed.

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