

# **Exhibit 1**



10. I observed that upon Mr. Beasley nearing Stuart's vehicle Stuart reached for what I would later learn was a gun. I saw that when Stuart showed the gun to Mr. Beasley, Mr. Beasley walked away from the vehicle with his hands in the air.
11. I watched Stuart use his handgun to fire a fatal shot at Mr. Beasley, Stuart then raced away.
12. At the time I witnessed my husband's death, I was only a few feet away and experienced fear, extreme shock, pain, grief, emotional agitation, anger and other emotions.
13. I immediately exited the vehicle, went to my husband's side, and watched him die in the road.
14. Since the shooting, I have experienced the same emotions as well as prolonged grief, loss of sleep, loss of appetite and other disturbances.

I declare under the penalty of perjury that the foregoing is true and correct.

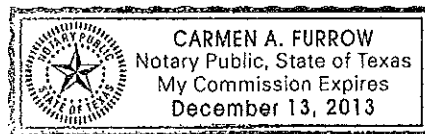
DATED this 6 day of October, 2010.

By: Rebecca Beasley  
Rebecca Beasley

SUBSCRIBED AND SWORN to me under oath this 6 day of October, 2010, by Rebecca Beasley.

Carmen A. Furrow  
Notary Public

My Commission expires:



## **Exhibit 2**

PHOENIX POLICE DEPARTMENT REPORT  
ORIGINAL PAGE NUMBER: 1 DR NUMBER: 2008 80169255

REPORT DATE: 20080130 TIME: 0454  
TYPE OF REPORT: HOMICIDE  
PROSECUTION DESIRED: YES  
BOOKING VICTIM NOTIFIED: YES  
LOCATION: N TATUM BOULEVARD BEAT: 0635 GRID: EF39  
E PINNACLE PEAK ROAD  
DATE/TIME OF OCCURRENCE: TUE 012908 2111 / TUE 012908 2129  
REPORTING OFFICER(S): PAUL DALTON 5174 UNIT: C34  
PREMISES: STREET/ROADWAY/ALLEY OCCUPIED: NO  
OFFENSE INVOLVED: BIAS - NONE (NO BIAS)  
PHOTOGRAPHS TAKEN: YES BY: A4014  
REPORT DISPOSITION: CLEARED BY ARREST OVER AGE 18: YES  
REPORT STATUS AT PRESENT: CLOSED

\*\*\*\* SUSPECT INFORMATION \*\*\*\*  
ARRESTED PERSON-01: NAME: STUART, JOHN CHESTER [\*\*FLED\*\*]  
SPEAKING: ENGLISH  
SUSPECTED OF USING: NOT APPLICABLE

RACE: W SEX: M AGE: 45 DOB: [REDACTED] 62 HT: 508 WT: 190  
HAIR: BRO EYES: BLU SSN: [REDACTED]  
HOME: 003540 E EXPEDITION WAY APT/SUITE:  
PHOENIX AZ ZIP CODE: 85050  
LEVEL OF FORCE : RESTRAINT, JOINT LOCKS, PRESSURE PTS, OR CUFFS

ARREST: DATE: 012908 TIME: 2120 DAY: TUE GRID: EF33  
LOC: 023400 N CAVE CREEK ROAD PHOENIX AZ  
REP.P.D. BOOKING NO: 200801300180  
RIGHTS ADVISED: YES TIME: 0300 OFFICER: 5174  
\*\*\*\* VICTIM INFORMATION \*\*\*\*

VICTIM -01: NAME: BEASLEY, ORVILLE THOMAS [\*\*DECEASED\*\*]  
2008 80169255

Continued.

PHOENIX POLICE DEPARTMENT REPORT  
ORIGINAL PAGE NUMBER: 2 DR NUMBER: 2008 80169255

AXA: BEASLEY, THOMAS  
SPEAKING: ENGLISH  
RACE: W SEX: M AGE: 49 DOB: [REDACTED] HT: 511 WT: 200  
HAIR: BRO EYES: HAZ SSN: 000000000  
AGGRAVATED ASSAULT HOMICIDE: ARGUMENT  
VICTIM OF:  
MURDER/NONMALIGNANT MANSLETR - COMPLETED  
HOME: NOT APPLICABLE/UNKNOWN APT/SUITE:  
PHOENIX AZ ZIP CODE:  
VICTIM DECLINES NOTIFICATION

\*\*\*\* WITNESS INFORMATION \*\*\*\*  
WITNESS -01: NAME: CANTRELL, CYNTHIA JEANETTE  
AKA: CANTRELL, CINDY  
SPEAKING: ENGLISH  
RACE: W SEX: F AGE: 42 DOB: [REDACTED] HT: 000 WT: 000  
CLOTHING DESC & MISC:  
JOHN ESTERLING STANCE  
HOME: [REDACTED] PHOENIX AZ APT/SUITE:  
RES. NAME: [REDACTED] AZ ZIP CODE: 85050  
MORE PHONE: CELLULAR PHONE: [REDACTED]

WITNESS -02: NAME: ESPINOZA, ANGELO  
SPEAKING: ENGLISH  
RACE: H SEX: M AGE: 51 DOB: [REDACTED] HT: 506 WT: 165  
HAIR: BRO EYES: BRO SSN: 000000000  
HOME: [REDACTED] PHOENIX AZ APT/SUITE:  
RES. NAME: [REDACTED] AZ ZIP CODE: 85054  
MORE PHONE: CELLULAR PHONE: [REDACTED]  
WORK: [REDACTED] MESA AZ APT/SUITE:  
ZIP CODE:

2008 80169255

Continued.

ORIGINAL  
WITNESS -03: NAME: JENSEN, SHELLANE RAE  
RES. NAME: PHOENIX AZ  
PHONE: (480)473-2884 EXT.

ORIGINAL  
WITNESS -03: NAME: JENSEN, SHELLANE RAE  
RES. NAME: PHOENIX AZ  
PHONE: (480)473-2884 EXT.

SPEAKING: ENGLISH  
RACE: W SEX: F AGE: 36 DOB: HT: 000 WT: 000  
HAIR: BRN EYES: BRN APT/SUITE: 1  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

SPEAKING: ENGLISH  
RACE: W SEX: F AGE: 36 DOB: HT: 000 WT: 000  
HAIR: BRN EYES: BRN APT/SUITE: 1  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -04: NAME: SPADE, JOSHUA PAUL  
SPEAKING: ENGLISH  
RACE: W SEX: M AGE: 25 DOB: HT: 600 WT: 155  
HAIR: BLN EYES: HAZ SSN: 000000000  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -04: NAME: SPADE, JOSHUA PAUL  
SPEAKING: ENGLISH  
RACE: W SEX: M AGE: 25 DOB: HT: 600 WT: 155  
HAIR: BLN EYES: HAZ SSN: 000000000  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -05: NAME: MILLER, ROSS  
SPEAKING: ENGLISH  
RACE: W SEX: M AGE: 18 DOB: HT: 500 WT: 171  
HAIR: BLK EYES: HAZ SSN: 000000000  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -05: NAME: MILLER, ROSS  
SPEAKING: ENGLISH  
RACE: W SEX: M AGE: 18 DOB: HT: 500 WT: 171  
HAIR: BLK EYES: HAZ SSN: 000000000  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -06: NAME: PITIQU, ASHUR  
SPEAKING: ENGLISH  
RACE: W SEX: M AGE: 47 DOB: HT: 603 WT: 215  
HAIR: BRO EYES: BLU SSN: 000000000  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -06: NAME: PITIQU, ASHUR  
SPEAKING: ENGLISH  
RACE: W SEX: M AGE: 47 DOB: HT: 603 WT: 215  
HAIR: BRO EYES: BLU SSN: 000000000  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -07: NAME: JBOORGIS, JOLIEE  
SPEAKING: ENGLISH  
RACE: W SEX: F AGE: 40 DOB: HT: 000 WT: 000  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -07: NAME: JBOORGIS, JOLIEE  
SPEAKING: ENGLISH  
RACE: W SEX: F AGE: 40 DOB: HT: 000 WT: 000  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -08: NAME: POUICHEK, BAILEY  
SPEAKING: ENGLISH  
RACE: W SEX: F AGE: 77 DOB: HT: 501 WT: 120  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -08: NAME: POUICHEK, BAILEY  
SPEAKING: ENGLISH  
RACE: W SEX: F AGE: 77 DOB: HT: 501 WT: 120  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -09: NAME: SANGHA, BALDEV KAUR  
SPEAKING: ENGLISH  
RACE: A SEX: F AGE: 52 DOB: HT: 000 WT: 000  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -09: NAME: SANGHA, BALDEV KAUR  
SPEAKING: ENGLISH  
RACE: A SEX: F AGE: 52 DOB: HT: 000 WT: 000  
HOME: PHOENIX AZ ZIP CODE: 85255  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -10: NAME: STELL, ALASTAIR GEORGE  
SPEAKING: ENGLISH  
RACE: W SEX: M AGE: 51 DOB: HT: 000 WT: 000  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

WITNESS -10: NAME: STELL, ALASTAIR GEORGE  
SPEAKING: ENGLISH  
RACE: W SEX: M AGE: 51 DOB: HT: 000 WT: 000  
RES. NAME: PHOENIX AZ  
MORE PHONE: CELLULI  
WORK: PHOENIX AZ

PHOENIX POLICE DEPARTMENT REPORT  
PAGE NUMBER: 5 DR NUMBER: 2008 80169255

ORIGINAL  
PAGE NUMBER: 6 DR NUMBER: 2008 80169255

VEHICLE YEAR: MAKE: MODEL: STYLE:  
COLOR: TOP/SOLID-WHI  
LICENSE PLATE: 880XSX STATE: AZ TYPE: PC YEAR: 08

CLOTHING DESC & MISC:  
FOLLOWED SUSPECT TO HIS RESIDENCE AFTER SHOOTING  
HOME: 0...  
PHOENIX AZ

\*\*\*\* NARRATIVE \*\*\*\*  
SERIAL NUMBER: 5174  
RESPONDING OFFICERS:  
OFFICER RINGON #8639  
OFFICER HO #8977  
OFFICER BUNDY #5563  
OFFICER MORRIS #8833  
OFFICER VOGLER #8756  
OFFICER STUART #7133  
OFFICER WOHLMAN #8907  
OFFICER OJEDA #7918  
OFFICER REED #8440  
OFFICER PRICE #8603  
OFFICER HONEYCUTT #8750  
OFFICER WHITE #8154  
OFFICER HAYEK #8360  
OFFICER REDDING #8488  
PARK RANGER DIMAS P0206  
PARK RANGER DICARLO P0260  
OFF DUTY SGT. BROWN 645 (SCOTTSDALE PD)

\*\*\*\* NEXT OF KIN INFORMATION \*\*\*\*  
NEXT OF KIN -01: NAME: BEASLEY, REBECCA MARIE  
SPEAKING: ENGLISH  
RACE: W SEX: F AGE: 44 DOB: L HT: 000 WT: 000  
HOME: PHOENIX AZ APT/SUITE: WT: 000  
RES NAME: PHONE: ZIP CODE: 85...  
CLOTHING DESC & MISC:  
ALSO A WITNESS  
PHOENIX AZ  
MORE PHONE: CELL...  
\*\*\*\* SUSPECT VEHICLE \*\*\*\*  
VEHICLE NUMBER: 01 INVOLVED PERSON: AP-01 STUART JOHN CHESTER  
LAST KNOWN DIRECTION OF TRAVEL: WEST ON PINNACLE PEAK ROAD  
VEHICLE YEAR: 07 MAKE: TOYT MODEL: FJ CRUISER STYLE: 4D  
LICENSE PLATE: 764VEB STATE: AZ TYPE: PC YEAR: 08  
\*\*\*\* VEHICLE \*\*\*\*  
VEHICLE NUMBER: 02 INVOLVED PERSON: V-01 BEASLEY ORVILLE THOMAS

HOMICIDE DETECTIVES  
DETECTIVE PAUL DALTON #5174  
CASE AGENT  
DETECTIVE RAY ROE #3962  
INTERVIEWS  
DETECTIVE JOSE CISNEROS #4657  
INTERVIEWS  
SERGEANT KAREN VANCE #4557  
CASE SUPERVISOR

NIGHT DETECTIVES:  
DETECTIVE ELISE LEWIS #4751  
INTERVIEWS  
DETECTIVE BRYAN KORUS #6597  
SEARCH WARRANT; SUSPECT VEHICLE  
DETECTIVE ADAM URIBE #7357  
INTERVIEWS, GSR ON STUART  
DETECTIVE MICHAEL CODDINGTON #6898  
SEARCH WARRANT; STUART'S RESIDENCE  
SERGEANT ERIC LUMLEY #5097

Continued.

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Continued.

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NIGHT SUPERVISOR

CRIME SCENE SPECIALISTS;

WILLIAM MCMAHON #A4014

SCENE

DANIELLE BARRAGAN #A4515  
SCENE

RICHARD KERGER #A3455

PHOTOS OF STUART

ENGINE 52 B-SHIFT

PHOENIX FIRE:

CAPTAIN SKINNER PRONOUNCED VICTIM AT 2129 HOURS

RESCUE 931 B-SHIFT

COUNTY ATTORNEY:

SUSIE CHEMBEL

\*\* MORE NARRATIVE CONTINUED ON NEXT PAGE.

\*\*\*\* NARRATIVE \*\*\*\*

ON 01-29-08 AT 2200 HOURS, I WAS CONTACTED AT HOME BY SERGEANT KAREN VANCE #4557 TO RESPOND TO TATUM BOULEVARD AND PINNACLE PEAK ROAD TO CONDUCT A HOMICIDE INVESTIGATION. I ARRIVED AT 2245 HOURS AND WE WERE EVENTUALLY BRIEFED BY SERGEANT IN TRAINING (STI) KEVIN JOHNSON #5176 OF THE CIRCUMSTANCES OF EVENTS UP TO THAT POINT. AFTER THE BRIEFING SERGEANT VANCE ASSIGNED ME AS THE CASE AGENT. I INTERVIEWED REBECCA BEASLEY AND CYNTHIA CANTRELL.

DURING THE BRIEFING, I LEARNED THAT VICTIM ORVILLE (TOM) BEASLEY WAS SHOT AND KILLED BY JOHN STUART DURING AN ARGUMENT BETWEEN THE TWO. THIS ARGUMENT STEMMED FROM WORDS BEING EXCHANGED FROM EACH VEHICLE WHILE WAITING FOR THE LIGHT TO CHANGE AT TATUM AND PINNACLE PEAK ROAD.

AFTER THE SHOOTING, STUART LEFT THE SCENE WITH HIS FIANCÉE CYNTHIA (CINDY) CANTRELL TO THEIR RESIDENCE LOCATED AT 3540 EAST EXPEDITION WAY. WITNESSES BALDEU SANGHA AND ALASTAIR STELL FOLLOWED THEM THERE. STUART WENT IN THE HOUSE AND THEN LEFT. HE WAS STOPPED AND PLACED IN CUSTODY AT PINNACLE PEAK AND CAVE CREEK ROAD BY RESPONDING OFFICERS. CANTRELL LEFT THE HOUSE PRIOR TO STUART IN HER VEHICLE AND LATER CALLED 911 WHILE TRAVELING TO HER FATHER'S HOUSE. SHE WAS CONTACTED AT THE 101 AND SCOTTSDALE ROAD.

REBECCA BEASLEY WAS WITH TOM BEASLEY WHEN THE SHOOTING OCCURRED. I INTERVIEWED HER FIRST IN THE MOBILE COMMAND VAN AT THE SCENE. AT 0021 HOURS, I STARTED THE INTERVIEW WITH REBECCA. THE INTERVIEW WAS AUDIO TAPED AND THE FOLLOWING IS A BRIEF SYNOPSIS OF THAT INTERVIEW.

REBECCA SAID HER AND TOM WERE COMING HOME FROM A RESTAURANT NAMED GREASEWOOD FLAT WHERE THEY HAD A HAMBURGER WITH SOME FRIENDS. THEY WERE TRAVELING WEST ON PINNACLE PEAK ROAD WHEN A VEHICLE (THAT SHOT MY HUSBAND) PASSED THEM IN THE LEFT LANE CROSSING THE DOUBLE YELLOW LINES. REBECCA SAID THEY WERE TRAVELING 55 MILES PER HOUR BECAUSE SHE NOTED THAT AFTER THE (SUSPECT) VEHICLE PASSED THEM, THE SPEED LIMIT IS 50 MPH ON PINNACLE PEAK ROAD AND THEY WERE TRAVELING 5 MPH OVER THE SPEED LIMIT.

REBECCA SAID THEY GOT TO TATUM WHERE THEY WERE GOING TO TURN LEFT (SOUTH). SHE SAW THE VEHICLE THAT PASSED THEM ON THEIR (HER) RIGHT. SHE SAID SHE LOOKED OVER TO THE DRIVER AND HE ROLLED DOWN HIS WINDOW AND GAVE HER THE FINGER. HER HUSBAND ROLLED DOWN HER WINDOW AND THE SUSPECT SAID, "YOUR WIFE IS A CUNT". REBECCA SAID TOM GOT UPSET AND OPENED HIS DOOR. REBECCA GRABBED TOM AND TOLD HIM, "NO, NO, NO". HE TOLD HER TO LET GO OF HIM.

REBECCA SAID THE SUSPECT THEN PULLED HIS VEHICLE (TOYOTA FJ CRUISER) DIAGONALLY IN FRONT OF THEIR ISUZU. TOM WENT AROUND THEIR CAR TO HIS (STUART'S) WINDOW AND GOT SHOT. I ASKED REBECCA IF SHE SAW WHAT HER HUSBAND DID. SHE SAID TOM DID NOT GET TO HIS (STUART'S) CAR BEFORE HE GOT SHOT. REBECCA GOT OUT SCREAMING. STUART PULLED HIS CAR BACK AND DROVE WEST ON PINNACLE PEAK. SHE DESCRIBED THE STUART'S VEHICLE AS A BIG DARK VEHICLE. REBECCA THOUGHT SHE HEARD SOMEONE IN THE SUSPECT VEHICLE SAY,



"NO!". REBECCA SAID IT HAPPENED TOO FAST.

REBECCA SAID ALMOST IMMEDIATELY SOMEONE CAME UP TO HER WITH THE LICENSE PLATE NUMBER AND THE MAKE OF THE SUSPECT VEHICLE. SHE WROTE IT DOWN ON A CHECK IN HER CHECK BOOK. ANOTHER PERSON CAME UP AND GAVE THE SAME INFORMATION SHE APOLOGIZED FOR NOT GETTING ANY NAMES.

REBECCA SAID SHE STARTED TO CALL 911 WHEN ANOTHER PERSON CAME UP AND TOLD HER IT WAS ALREADY DONE. REBECCA WENT TO TOM AND STARTED TO TELL HIM TO STAY WITH HER AND PLEASE DON'T DIE. THE PARAMEDICS AND POLICE CAME QUICKLY AND TOOK HER AWAY FROM THE SCENE.

I ASKED HER IF SHE SAW THE DRIVER OF THE (SUSPECT) VEHICLE. SHE SAID SHE DID AND WAS TAKEN FROM THE SCENE TO WHERE THE POLICE HAD SOMEONE IN CUSTODY. SHE IDENTIFIED HIM, BUT TOLD ME THAT SHE WANTED TO SEE HIS EYES BECAUSE SHE LOOKED AT HIM IN HIS EYES. SHE WAS TOO FAR AWAY TO SEE HIS EYES. I CONFIRMED WITH REBECCA THAT THE PERSON THE POLICE HAD IN CUSTODY LOOKED LIKE THE PERSON THAT SHOT HER HUSBAND. SHE SAID HE DID. I ASKED REBECCA AFTER STUART PASSED THEM, IF TOM SPED UP OR TAILGATED HIM. SHE SAID NO. SHE DID SAY THEY CHAUGHT UP TO THEM AT THE LIGHT BECAUSE THE LIGHT WAS RED. I WENT OVER HER STATEMENT WITH HER AND ASKED HER WHY WOULD HE (STUART) CALL HER A "CUNT". I ASKED IF SHE OR HER HUSBAND FLIPPED HIM OFF OR SAID SOME WORDS. REBECCA SAID SHE FELT LIKE THAT THE GUY (STUART) WANTED TO "FLIP MY HUSBAND OFF, HE (STUART) WANTED TO SAY SOMETHING LIKE YOUR MOTHER'S A WHORE".

I ASKED HER IF SHE REACTED TO STUART CALLING HER A "CUNT". SHE SAID NO, BECAUSE TOM WAS LEAVING THE VEHICLE AND SHE WAS TRYING TO RESTRAIN HIM. THAT IS WHEN STUART RULLED IN FRONT OF HER VEHICLE AND THEN SHOT HIM. REBECCA SAID THIS IS HOW SHE REMEMBERED THE INCIDENT. SHE DID REMEMBER A VEHICLE BEEPING HIS HORN DURING THE INTERCATION, SO THE LIGHT MUST HAVE TURNED GREEN AT ONE POINT.

I ASKED REBECCA IF TOM HAD ANYTHING IN HIS HANDS WHEN HE WENT TOWARDS STUART'S VEHICLE. SHE SAID NO. I ASKED HER IF TOM WAS SAYING ANYTHING WHILE GOING TOWARD STUART. SHE REMEMBERED, "YOU CAN'T TALK TO MY WIFE LIKE THAT". SHE SAID IT ALL HAPPENED TOO FAST AND TOM WAS "MAD, REALLY MAD". SHE CONTINUED TO SAY HE WAS NOT A "FIGHTING MAN".

I ASKED REBECCA IF THEY WERE DRINKING AT GREASEWOOD FLAT. SHE SAID YES AND TOLD ME THEY EACH HAD ONE AND A HALF JACK AND SODAS. THEY EACH HAD ONE AND THEY SPLIT THE LAST ONE. THEY WERE WITH A TOM WEEMS AND SOME PEOPLE THEY MET AT THE PHOENIX OPEN FROM IOWA. SHE DID NOT REMEMBER THEIR NAMES. REBECCA SAID TOM WORKED ALL DAY FROM 8 AM TO 2:30 PM SHIFT AT CHARLES SWAB. HE CAME HOME AND GOT HER AND THEY ARRIVED AT THE PHOENIX OPEN AROUND 3:30 PM. SHE SAID THEY LEFT BEFORE THE SUN SET AND WERE PULLING INTO GREASEWOOD FLAT AS THE SUN WAS SETTING.

I ASKED HER IF TOM SAID SOMETHING TO HER ABOUT STUART'S CAR PRIOR TO PASSING THEM; IE TAILGATING, SPEEDING. SHE SAID, "NO HE JUST FLEW PAST US". SHE REMEMBERED HEARING A VOICE PRIOR TO THE SHOOTING FROM STUART'S

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Continued.

VEHICLE YELLING, "NO, DON'T".

REBECCA SAID WHEN SHE LOOKED AT THE DRIVER (STUART), HE LOOKED ANGRY. REBECCA COULD NOT PROVIDE ANY OTHER INFORMATION. I ENDED THE INTERVIEW AT 0042 HOURS. PLEASE REFER TO HER AUDIO RECORDING FOR COMPLETE DETAILS OF HER INTERVIEW.

AFTER THE INTERVIEW, I WENT TO HER VEHICLE TO RETRIEVE HER PURSE AND GARAGE DOOR REMOTE SO SHE COULD GET INTO HER HOUSE. I SAW IN THE FRONT PASSENGER SEAT A CHECK BOOK BELONGING TO REBECCA BEASLEY WITH #764-VHB TOYOTA FU CRUISER\* WRITTEN ON A CHECK.

I DROVE TO 620 WEST WASHINGTON STREET WHERE I INTERVIEWED CYNTHIA CANTRELL. HER INTERVIEW WAS AUDIO/VIDEO RECORDED AND THE FOLLOWING IS A BRIEF SYNOPSIS OF THAT INTERVIEW. THE INTERVIEW STARTED ON 1-30-08 AT 0150 HOURS.

CINDY SAID HER AND STUART WERE HANGING "RON PAUL FOR PRESIDENT" SIGNS AND WERE GOING HOME ON PINNACLE PEAK ROAD WESTBOUND. SHE SAID STUART WAS DRIVING AND SHE WAS THE PASSENGER. THEY CAME UP TO TWO CARS DRIVING SLOWLY. SHE ESTIMATED THEM GOING "20 TO 25" MPH IN A "45-55 MPH ZONE". STUART PASSED THEM AND SHE NOTICED BRIGHT LIGHTS COMING FROM ONE OF THE VEHICLES THAT PASSED THEM. SHE SAID HE KEPT THEM ON ALL THE WAY TO PINNACLE PEAK. SHE HEARD STUART SAY, "WHAT AN ASSHOLE".

THEY STOPPED AT A RED LIGHT AT PINNACLE PEAK AND TATUM. THEY WERE IN THE LANE TO GO WEST ON PINNACLE PEAK. CINDY SAID THE ISUZU PULLED RIGHT UP TO THEM, SO CLOSE THAT STUART WOULD NOT BE ABLE TO OPEN HIS DOOR. AT THIS POINT IN THE INTERVIEW, I HAD CINDY DRAW A DIAGRAM WITH MY ASSISTANCE OF HOW THE VICTIM PULLED UP NEXT TO THEM.

CINDY CONTINUED TO SAY THAT THE BEASLEY CAME OUT OF HIS VEHICLE AND STARTED TO APPROACH THEIR VEHICLE. HE (BEASLEY) SCREAMED "YOUR WIFE'S A CUNT" AND STUART CALLED HIM AN "ASSHOLE". SHE SAID THEY HAD WORDS BETWEEN THEM. I ASKED HER IF SHE COULD REMEMBER WHAT WAS BEING SAID. SHE SAID SHE HEARD (BEASLEY) SAY, "I'M GONNA KICK YOUR ASS; YOU NEED YOUR ASS KICKED... YOU'RE GOING TO DIE, I'M GONNA PULL MY GUN ON YOU AND I'M GOING TO DRAW MY GUN". I ASKED HER IF STUART WAS CALM DURING THIS. SHE SAID, "YES, PRETTY CALM".

CINDY SAID STUART TRIED TO OPEN HIS DOOR, BUT COULD NOT BECAUSE THE OTHER VEHICLE WAS TOO CLOSE TO THEM. SHE SAID BEASLEY WAS TRYING TO REACH INTO THE WINDOW AND STUART WAS YELLING HIM TO "STOP NOW AND GET BACK". SHE SAID THE GUY (BEASLEY) REACHED INTO THE WINDOW AND "JOHN SHOT HIM".

CINDY SAID THEY HAD A CRAZY GUY AT THE WINDOW TRYING TO HIT THEM. SHE SAID, "WE WERE IN FEAR OF OUR LIVES". I ASKED CINDY WHAT WAS SAID IN THE CAR WHEN THEY LEFT. SHE SAID SHE WAS JUST SCREAMING TO GET OUT OF THERE BECAUSE SHE SAW A WOMEN GO TO THE GUY (BEASLEY) AND SHE THOUGHT SHE WAS GOING TO GET A GUN AND SHOOT THEM. I ASKED HER IF SHE EVER SAW A GUN ON BEASLEY. SHE SAID, NO; SHE SAW HIS HANDS IN THE WINDOW. SHE THEN SAID

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Continued.

ORIGINAL

BEASLEY WAS HITTING STUART SAYING, "I'M GOING TO KILL YOU BOTH, I'M GONNA PULL MY GUN ON YOU AND KILL YOU BOTH".

CINDY SAID WHEN THEY GOT HOME, STUART TOLD HER TO LEAVE TO HER DAD'S HOUSE AND CALL THE POLICE. I ASKED HER WHY STUART DID NOT CALL THE POLICE. SHE DID NOT KNOW. CINDY DESCRIBED THE GUN STUART USED AS A SMALLER GLOCK THAT HE KEPT IN A COMPARTMENT ABOVE THE STEERING WHEEL. SHE SAID STUART IS VERY GOOD WITH GUNS AND KNOWS GUNS. SHE ENDED BY SAYING HE LEFT THE SCENE BECAUSE OF HER.

DURING THIS INTERVIEW I CONFRONTED CINDY THAT IT WAS STUART THAT BLOCKED BEASLEY'S VEHICLE. SHE SAID SHE COULD NOT RECALL THAT. I ALSO TOLD HER THAT SEVERAL WITNESSES AT THE SCENE WERE SAYING THAT BEASLEY WAS AWAY FROM THEIR VEHICLE WHEN STUART SHOT HIM. SHE SAID THIS IS WHAT SHE REMEMBERED. CINDY COULD NOT PROVIDE ANY OTHER INFORMATION. I ENDED THE INTERVIEW AT 0247 HOURS. PLEASE REFER TO HER AUDIO/VIDEO RECORDING FOR COMPLETE DETAILS OF HER INTERVIEW.

AT 0500 HOURS, I READ JOHN STUART HIS MIRANDA RIGHTS VERBATIM PER MY DEPARTMENT ISSUED CARD. HE REPLIED, "YES" TO UNDERSTANDING HIS RIGHTS. JOHN REQUESTED "CO-COUNSEL" AND DID NOT MAKE A STATEMENT.

I HAD CINDY CANTRELL BROUGHT INTO HIS INTERVIEW ROOM WHILE IT WAS BEING AUDIO/VIDEO RECORDED. SHE TOLD HIM WHAT SHE SAID IN MY INTERVIEW AND HE TOLD HER AT ONE POINT THAT HE BELIEVED THAT THEY WERE BEING RECORDED. STUART TOLD HER THAT HE (BEASLEY) HAD HIT OR POKED HIM IN THE EYES AND HIT HIS NECK. HE TOLD HER THAT THE REASON HE WENT HOME WAS BECAUSE HE HAD "SHIT HIS PANTS". HE CHANGED THEM AND THEN THREW THEM OUT THE WINDOW AT A PASSING TRUCK. IT SHOULD BE NOTED THAT THERE WERE NO SOILED PANTS/UNDERWEAR FOUND AT HIS HOUSE AND HE DID NOT SMELL LIKE HE HAD SOILED HIS PANTS. PLEASE REVIEW THE AUDIO/VIDEO RECORDING FOR COMPLETE DETAILS OF THESE STATEMENTS.

I LATER REMOVED CINDY FROM THE ROOM AND HAD HER BROUGHT BACK TO HER VEHICLE. CRIME SCENE SPECIALIST RICK KERGER TOOK PHOTOGRAPHS OF STUART. THERE WERE NO VISIBLE INJURIES TO HIS EYES OR NECK. STUART WAS BOOKED INTO MCSO JAIL.

ON 1-31-08, I ATTENDED THE AUTOPSY OF THOMAS BEASLEY. DOCTOR ROBERT LYON PERFORMED THE AUTOPSY AND DETERMINED THE CAUSE OF DEATH TO BE A GUNSHOT WOUND TO THE HEAD AND THE MANNER OF DEATH TO BE A HOMICIDE. PLEASE REFER TO THE AUTOPSY PROTOCOL FOR COMPLETE DETAILS OF HIS EXAMINATION.

THIS CASE WILL BE CLEARED BY ARREST AND CLOSED...

VICTIM RECEIVED RIGHTS INFORMATION; YES MAIL-IN SUPPLEMENT: INVOICES:

DR ENTERED BY : 5174 DR FINALIZED BY : 5174

2008 80169255 Continued.

## **Exhibit 3**

PHOENIX POLICE DEPARTMENT REPORT

PAGE NUMBER: 2 DR NUMBER: 2008 80169255 1

SUPPLEMENT

PAGE NUMBER: 1 DR NUMBER: 2008 80169255 1

STACEY SAID THAT THE ENTIRE INCIDENT TOOK AT LEAST THREE MINUTES. THERE WAS A SMALL WHITE CAR THAT TURNED SOUTH ABOUT THE SAME TIME SHE DID, BUT IT KEPT GOING SOUTH. THERE WERE CARS AT EVERY PART OF THE INTERSECTION.

VICTIM RECEIVED RIGHTS INFORMATION: NO MAIL-IN SUPPLEMENT:

INVOICES:

DR ENTERED BY : 3962 DR FINALIZED BY : 3962

END OF REPORT

DR NO: 2008 80169255 001

PHOENIX POLICE DEPARTMENT REPORT

PAGE NUMBER: 1 DR NUMBER: 2008 80169255 1

REPORT DATE: 20080130 TIME: 0210

TYPE OF REPORT: HOMICIDE

LOCATION: N TATUM BOULEVARD BEAT: 0635 GRID: EF39  
E PINNACLE PEAK ROAD OFFENSE: 451

DATE/TIME OF OCCURRENCE: TUE 012908 2111

REPORTING OFFICER[S]: RAYMOND ROE 3962 UNIT: C34

PREMISES: STREET/ROADWAY/ALLEY VEHICLE

OFFENSE INVOLVED: BIAS - NONE (NO BIAS)

\*\*\*\* NARRATIVE \*\*\*\*

SERIAL NUMBER: 3962

INTERVIEW OF STACEY STRACHAN:

ON 1-30-08 AT 0008, I CONDUCTED AN AUDIO RECORDED INTERVIEW OF STACEY STRACHAN IN MY DETECTIVE VEHICLE SOUTH OF THE INTERSECTION OF TATUM AND PINNACLE PEAK ROAD. STACEY HAD BEEN IDENTIFIED AS A WITNESS TO THIS HOMICIDE IN THE SCENE BRIEFING. THE FOLLOWING IS A SUMMARY OF THAT INTERVIEW.

STACEY TOLD ME THAT SHE WAS DRIVING HER WHITE PORSCHE CAYENNE EAST ON PINNACLE PEAK ROAD. SHE STOPPED FOR THE LIGHT AT TATUM BOULEVARD IN THE CENTER LANE TO CONTINUE EAST. SHE WAS NUMBER ONE AT THE LIGHT AND HAD A CLEAR VIEW OF THE INTERSECTION.

SHE NOTICED A WHITE SUV IN THE CENTER LANE FACING WEST WAITING FOR THE SAME LIGHT BUT ON THE OPPOSITE SIDE OF THE INTERSECTION. SHE SAW A TOYOTA NORTH OF THE WHITE SUV FACING THE SAME DIRECTION AND HEARD MEN YELLING, ALTHOUGH SHE COULD NOT TELL WHAT WAS BEING SAID. THE TOYOTA WAS INCHING FORWARD AND BRAKING HARD ENOUGH TO MAKE THE LIGHTS DIP. THIS HAPPENED ABOUT THREE TIMES.

STACEY SAW A MAN GET OUT OF THE WHITE SUV ON THE DRIVER'S SIDE AND CROSS IN FRONT OF HIS VEHICLE WALKING TOWARD THE TOYOTA. THE TOYOTA TURNED SHARPLY TOWARD THE MAN AS HE STOOD NEAR THE DRIVER'S SIDE FENDER OF THE TOYOTA. THE MAN APPEARED LIKE HE WAS REACHING FOR THE HANDLE OF THE DRIVER'S DOOR OF THE TOYOTA.

STACEY SAID THAT AT ABOUT THE SAME TIME, SHE SAW SPARKS COME OUT OF THE DRIVER'S WINDOW OF THE TOYOTA AND HEARD A LOUD POP. THE MAN SPUN AROUND AND FELL TO THE PAVEMENT NEAR THE FRONT OF THE WHITE SUV. SHE HEARD A WOMAN SCREAMING AND THE TOYOTA ACCELERATED SHARPLY THROUGH THE INTERSECTION PAST HER AND SHE TURNED SOUTH ON TATUM.

2008 80169255 1

Continued.

## **Exhibit 4**

PHOENIX POLICE DEPARTMENT REPORT

PAGE NUMBER: 1 DR NUMBER: 2008 80169255 2

SUPPLEMENT

PAGE NUMBER: 2 DR NUMBER: 2008 80169255 2

SUPPLEMENT

REPORT DATE: 20080130 TIME: 0252  
TYPE OF REPORT: HOMICIDE  
OFFENSE: 451

LOCATION: N TATUM BOULEVARD  
E PINNACLE PEAK ROAD  
BEAT: 0635 GRID: EFS9

DATE/TIME OF OCCURRENCE: TUE 012908 2111  
REPORTING OFFICER(S): RAYMOND ROE  
3962 UNIT: C34

PREMISES: STREET/ROADWAY/ALLEY VEHICLE

OFFENSE INVOLVED: LIQUOR SERVED/SOLD  
INTOXICATION -  
BIAS - NONE (NO BIAS)

SERIAL NUMBER: 3962

\*\*\*\*\* NARRATIVE \*\*\*\*\*

INTERVIEW OF BAILEY POLCHER:

ON 1-30-08 AT APPROXIMATELY 0030, I CONDUCTED AN AUDIO RECORDED INTERVIEW OF BAILEY POLCHER IN MY UNMARKED DEFECTIVE VEHICLE PARKED SOUTH OF PINNACLE PEAK ON TATUM. BAILEY WAS IDENTIFIED AS A WITNESS IN THE SCENE BRIEFING. THE FOLLOWING IS A SUMMARY OF THAT INTERVIEW.

BAILEY WAS DRIVING HER HONDA SUV NORTH ON TATUM APPROACHING PINNACLE PEAK. SHE WAS IN THE LEFT TURN LANE BOUND WAITING TO TURN LEFT ONTO PINNACLE PEAK AND NOTICED A MAN GET OUT OF A WHITE SUV THAT WAS AT THE INTERSECTION EAST OF HER. SHE SAW A WHITE MALE GET OUT OF THE SUV AND WALK AROUND THE FRONT OF THE VEHICLE IN A NORTHERN DIRECTION TOWARD A PURPLE TOYOTA THAT WAS STOPPED NORTH OF HIM.

ALTHOUGH SHE COULD NOT HEAR ANY VOICES, SHE ASSUMED THAT THE MAN WAS YELLING BY HIS HAND MOTIONS. THE TOYOTA TURNED TO THE SOUTH TOWARD WHERE THE MAN WAS STANDING AND HE RAISED HIS HANDS AND STARTED TO BACK AWAY. SHE HEARD A SHOT AND THE MAN FELL DOWN TO HIS KNEES IN THE ROADWAY AND THEN TO HIS FACE.

A WOMAN GOT OUT OF THE PASSENGER SEAT OF THE WHITE SUV AND BEGAN SCREAMING. THE TOYOTA CONTINUED WEST ON PINNACLE PEAK AND SHE PULLED TO THE CURB ON THE NORTH WEST CORNER AND GOT OUT OF HER CAR. SHE WENT BACK TO THE INTERSECTION AND SAW THE WOMAN CRYING OVER THE FALLEN MAN.

BAILEY SAID THAT SHE WAS SURPRISED THAT MORE PEOPLE DID NOT STAY AROUND TO GIVE A STATEMENT BECAUSE THERE WAS A LOT MORE VEHICLES AT THE INTERSECTION WHEN THIS HAPPENED. SHE BELIEVED THAT THE TOYOTA WAS DRIVEN BY AN OLDER WHITE MALE WITH GLASSES.

## Exhibit 5

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

REBECCA BEASLEY, Individually as the )  
surviving spouse of ORVILLE THOMAS )  
BEASLEY III, and as personal )  
representative of the ESTATE OF ORVILLE )  
THOMAS BEASLEY III; and ORVILLE THOMAS )  
(I and ANNA ELIZABETH BEASLEY, husband )  
and wife, and parents of ORVILLE THOMAS )  
BEASLEY III, )

Plaintiffs, )

vs. ) No. CV2010-050624 )

JOHN C. STUART and JANE DOE STUART, a )  
married couple; JOHN and JANE DOES I-V; )  
BLACK & WHITE CORPORATIONS VI-X; and )  
ABC PARTNERSHIPS XI-XV, )

Defendants. )

DEPOSITION OF JOHN CHESTER STUART

Phoenix, Arizona  
September 16, 2010

MARY BARRY REPORTING  
350 East Virginia  
Suite 150  
Phoenix, Arizona 85004

By: MARY BARRY, RPR, CRR  
Certified Reporter  
Certificate No. 50260

Prepared for:  
THE COURT

1 DEPOSITION OF JOHN CHESTER STUART  
2 was taken on September 16, 2010, commencing at 9:08 a.m.,  
3 at the Northeast Regional Court Center, 18380 North 40th  
4 Street, Conference Room 305, Phoenix, Arizona, before MARY  
5 BARRY, Certified Reporter No. 50260 for the State of  
6 Arizona.  
7

8 APPEARANCES:

9 For the Plaintiffs:

10 DOYLE LAW GROUP  
By Mr. John C. Doyle  
11 5010 East Shea Boulevard, Suite A-106  
Scottsdale, Arizona 85254  
12

13 For the Defendant:

14 ALLEN & LEWIS, P.L.C.  
By Ms. Shannon M. O'Connell  
3300 North Central Avenue, Suite 2500  
15 Phoenix, Arizona 85012-0001  
16

17 ALSO PRESENT:

18 Deputy D.J. McFarland  
19  
20  
21  
22  
23  
24  
25

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4	Examination by Mr. Doyle	4
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8 INDEX TO EXHIBITS

9	NO.	DESCRIPTION	MARKED
10		NONE	
11			
12			
13			
14			
15			
16			
17			
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19			
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21			
22			
23			
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25			

1 JOHN CHESTER STUART,  
2 called as a witness herein, having been first duly  
3 affirmed by the Certified Reporter to speak the truth and  
4 nothing but the truth, was examined and testified as  
5 follows:  
6

7 EXAMINATION

8  
9 Q. BY MR. DOYLE: Would you state your name, please.

10 A. I go by John Chester Stuart.

11 Q. Mr. Stuart, have you ever been through a  
12 deposition before?

13 A. Yes.

14 Q. When was that?

15 A. Long time ago. I don't remember exactly what it  
16 was for, for somebody else's case. Somebody got injured  
17 or something.

18 Q. Okay.

19 I assume you have had time to speak with  
20 your attorney today, and probably your criminal attorney  
21 as well, but let me go through some of the rules of the  
22 deposition for you.

23 A deposition is a statement taken under  
24 oath. Do you understand that?

25 A. I don't really understand anything concerning



1 A. Not to my memory.  
 2 Q. Is that the home that you went to after the  
 3 shooting?  
 4 A. I'll take the Fifth.  
 5 Q. The home on Flower, do you still own it?  
 6 A. No.  
 7 Q. What happened to your ownership in that?  
 8 A. It was foreclosed.  
 9 Q. Do you own any property, real property in the  
 10 State of Arizona?  
 11 A. No.  
 12 Q. Any other state?  
 13 A. No.  
 14 Q. Do you have an interest in any property?  
 15 A. No.  
 16 Q. Do you have an interest in any trust?  
 17 A. No.  
 18 Q. Do you have a life insurance policy?  
 19 A. No. Wait, let me correct that. I used to; I  
 20 think it's gone. I haven't checked on it in three years.  
 21 I would think it's gone by now. It may be hanging out  
 22 there in the breeze somewhere, but...  
 23 Q. Do you owe anybody any money?  
 24 MS. O'CONNELL: Form.  
 25 THE WITNESS: I'll take the Fifth on that.

1 Q. BY MR. DOYLE: You are taking the Fifth on  
 2 whether you owe anybody money?  
 3 A. It's argumentative. Somebody might think I do  
 4 and I don't think --  
 5 MS. O'CONNELL: Can you be more specific?  
 6 Q. BY MR. DOYLE: Is there anybody that you believe  
 7 you owe money to, of any nature?  
 8 A. No.  
 9 Q. Okay.  
 10 Do you have any bank loans?  
 11 A. No. Everything is gone. I don't know how to  
 12 make that any clearer. Everything...  
 13 Q. Was bail posted for you in this matter?  
 14 A. Yes.  
 15 Q. Is that bail in the form of cash?  
 16 A. No.  
 17 Q. Okay. What was the bail that was posted for  
 18 you?  
 19 A. A friend's house.  
 20 Q. Okay. What is the friend's name?  
 21 A. I will -- that's a matter of public record.  
 22 Q. Then therefore you can tell me.  
 23 A. Okay. Their last name is Kane, K-a-n-e.  
 24 Q. Do you currently owe the IRS any money?  
 25 A. I don't have a viable answer on that.

1 Q. What do you mean by that?  
 2 A. Because we are still working it out, so...  
 3 Q. Well, does the IRS say that you do owe them  
 4 money?  
 5 A. Apparently not. They said I did. They said they  
 6 got it corrected. So I am waiting. I don't have a  
 7 determination yet, no determination.  
 8 Q. Have you ever stated in any document that you  
 9 filed in this case that Mr. Beasley tried to grab the gun  
 10 that was in your car?  
 11 A. I'll plead the Fifth on that.  
 12 Q. Have you ever stated at anytime in any document  
 13 in this case that Mr. Beasley -- that the weapon that was  
 14 used to shoot Mr. Beasley was accidentally discharged in  
 15 your car?  
 16 A. I'll plead the Fifth on that.  
 17 Q. Have you ever stated at anytime in any pleading  
 18 in this case that Mr. Beasley was holding onto the gun  
 19 when it went off?  
 20 A. I'll plead the Fifth on that.  
 21 Q. Have you ever stated at anytime that the shooting  
 22 of Mr. Beasley was actually caused by him rather than by  
 23 you?  
 24 A. I'll plead the Fifth on that.  
 25 Q. Do you recognize that when you file pleadings

1 with the court that you are certifying that they are true  
 2 and correct?  
 3 MS. O'CONNELL: Form.  
 4 Q. BY MR. DOYLE: Do you know that?  
 5 A. I'll plead the Fifth on that.  
 6 Q. Did you ever verify any of your pleadings by  
 7 saying that your pleadings were true and correct?  
 8 MS. O'CONNELL: Form, foundation.  
 9 THE WITNESS: I'll plead the Fifth on that.  
 10 Q. BY MR. DOYLE: Have you ever stated at anytime  
 11 that Mr. Beasley was reaching into your car --  
 12 A. I'll plead --  
 13 Q. -- and trying to kidnap you?  
 14 A. I'll plead the Fifth on that.  
 15 Q. Did you ever state at anytime that Mr. Beasley  
 16 was attempting to kidnap your fiancée?  
 17 A. I'll plead the Fifth on that.  
 18 Q. When you were doing these pleadings, you put a  
 19 little something at the bottom of your pleadings and I  
 20 want to read it to you. My Latin is gone from my days as  
 21 an altar boy, but we will try. You said tertius  
 22 interveniens rectus in curia. What does that mean?  
 23 MS. O'CONNELL: Form.  
 24 THE WITNESS: I'll plead the Fifth on that.  
 25 Q. BY MR. DOYLE: Did you know what it meant at the

1 time you wrote it?  
 2 MS. O'CONNELL: Form.  
 3 THE WITNESS: I'll plead the Fifth on that.  
 4 Q. BY MR. DOYLE: Would you agree with me that on  
 5 the date in question Mrs. Beasley never left her car?  
 6 A. I'll plead the Fifth on that.  
 7 Q. Would you agree with me that after you shot  
 8 Mr. Beasley, you immediately left the scene?  
 9 A. I'll plead the Fifth on that.  
 10 Q. Would you agree with me that you have told the  
 11 police officers that at the time that you shot Mr. Beasley  
 12 and left the scene, that you soiled your underwear?  
 13 A. I'll plead the Fifth on that.  
 14 Q. That you took your underwear off and threw it at  
 15 a truck going by in the opposite direction? Do you  
 16 remember telling that to the police?  
 17 A. I'll plead the Fifth on that.  
 18 Q. Would you agree with me that you told the police  
 19 that you went back to your home, took as much cash as you  
 20 could find, and left the home?  
 21 A. I'll plead the Fifth on that.  
 22 MS. O'CONNELL: Form.  
 23 Q. BY MR. DOYLE: Would you agree with me you had  
 24 \$2100 in \$100 bills at the time that the police arrested  
 25 you?

1 A. I'll plead the Fifth on that.  
 2 Q. Where were you going after you went home --  
 3 A. I'll plead the Fifth on that.  
 4 MS. O'CONNELL: Were you going to finish?  
 5 MR. DOYLE: I was going to finish.  
 6 Q. BY MR. DOYLE: After you went home, after you  
 7 went home and got your cash, where were you going?  
 8 A. I'll plead the Fifth on that.  
 9 Q. When did you call the police about Mr. Beasley  
 10 attacking you?  
 11 A. I'll plead the Fifth on that.  
 12 Q. Is it true you never called the police regarding  
 13 him attacking you?  
 14 A. I'll plead the Fifth on that.  
 15 Q. Is it your belief Mr. Beasley got shot as a  
 16 result of an accident from him grabbing the gun that you  
 17 pointed at him?  
 18 A. I'll plead the Fifth on that.  
 19 Q. Is it your belief that you shot Mr. Beasley in  
 20 self-defense?  
 21 A. I'll plead the Fifth on that.  
 22 Q. Have you pled self-defense in your criminal  
 23 case?  
 24 A. I'll plead the Fifth on that.  
 25 Q. Was it your belief Mr. Beasley was driving too

1 slowly that night and that's why you passed him?  
 2 A. I plead the Fifth on that.  
 3 Q. You had driven on Pinnacle Peak Road on numerous  
 4 occasions, isn't that what you told people?  
 5 MS. O'CONNELL: Form.  
 6 THE WITNESS: I'll plead the Fifth on that.  
 7 Sorry.  
 8 MS. O'CONNELL: That's okay.  
 9 Q. BY MR. DOYLE: The stretch of Pinnacle Peak  
 10 between Scottsdale and Tatum does not have a passing  
 11 lane on it, does it? It's double yellow lines the whole  
 12 way?  
 13 A. I'll plead the Fifth on that.  
 14 Q. What do double yellow lines mean to you?  
 15 THE WITNESS: Can I take a break and talk to  
 16 you for a second?  
 17 MS. O'CONNELL: Sure. Just respond to the  
 18 pending question.  
 19 THE WITNESS: Oh, I started talking before he  
 20 did.  
 21 Q. BY MR. DOYLE: What do double yellow lines mean  
 22 to you?  
 23 A. I'll plead the Fifth on that.  
 24 I'd like to make a correction there. That is  
 25 an incorrect statement that there is no passing lane

1 there. There is a very long passing lane there. And  
 2 double yellow lines on a surface street means no passing.  
 3 At least not going into the opposite direction to pass.  
 4 But there is plenty of passing lanes there. There is an  
 5 abundance of it.  
 6 Q. BY MR. DOYLE: You believe on that two-lane  
 7 stretch of road between Scottsdale Road and Tatum that  
 8 there are passing lanes?  
 9 MS. O'CONNELL: Form.  
 10 Q. BY MR. DOYLE: I mean, I'm sorry, there are  
 11 passing zones?  
 12 A. There is broken yellow lines allowing passing,  
 13 yes, there is. There was at the time. Yes, there was.  
 14 Q. When you passed my client that night did you pass  
 15 him in a passing lane or passing zone?  
 16 A. I will have to take the Fifth on that.  
 17 Q. Have you read the statement in this case given  
 18 by, I think his last name is Mr. Espinoza?  
 19 A. I'll take the Fifth on that.  
 20 Q. Do you believe there's a conspiracy to convict  
 21 you in this case?  
 22 A. I'll take the Fifth.  
 23 MS. O'CONNELL: Form.  
 24 Q. BY MR. DOYLE: In the criminal case?  
 25 MS. O'CONNELL: Form.

## Exhibit 6

1 JOHN STUART, *Pro per*  
2 10407 W. Trumbull Road  
3 Tolleson, Arizona (85353)  
4 Phone # (480) 232-0606  
5 <themobinem@aol.com>

6 John Stuart, *Sui Juris*  
7 Authorized Representative

8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
9 **IN AND FOR THE COUNTY OF MARICOPA**

10 REBECCA BEASLEY, individually as the  
11 surviving spouse of ORVILLE THOMAS  
12 BEASLEY III, and as personal  
13 Representative of the ESTATE OF  
14 ORVILLE THOMAS BEALSEY III; and  
15 ANNA ELIZABETH BEASLEY, husband  
16 and wife, and parents of ORVILEE  
17 THOMAS BEASLEY III,  
18 Plaintiff,

19 vs.

20 JOHN C. STUART, and JANE DOE  
21 STUART, a married couple; JOHN and  
22 JANE DOES I-V; BLACK & WHITE  
23 CORPORATIONS VI-X; and ABC  
24 PARTENRSHIPS XI-XV;  
25 Defendants

Case No. CV2010-050624

**ANSWER AND/OR RESPONSE TO  
PLAINTIFF'S BASELESS,**

**FRIVOLOUS, AND UNLAWFUL  
COMPAINT SUBMITTED UNDER**

**DURESS AND VI ET ARMIS AND NOT  
GRANTING JURISDICTION**

**DEFEDANT IS ONLY APPEARING  
SPECIALLY AND NOT GENERALLY**

(Assigned to the Hon. )

26 *In the name of God, with the gaze of Our Lord, JOHN STUART, ens legis, by*  
27 and through his Authorized Representative, a separate entity, John Stuart, a **civilian,**  
28 Authorized Representative and beneficiary for JOHN STUART, appearing specially and  
not generally, *vi et armis*, claiming, exercising and invoking ALL RIGHTS including but

1 In fact, Plaintiff assisted Mr. Beasley in consuming inconceivable amounts alcohol  
2 and drugs and then allowed Mr. Beasley to drive, all on a day after Mr. Beasley broke up  
3 with her. It is distinctly possible Plaintiff succeeded in a misguided attempt to "teach Mr.  
4 Beasley" a lesson, as Mr. Beasley may have consumed enough poison in the few hours  
5 before the incident that Mr. Beasley may have been dying of alcohol poisoning at the time  
6 of the incident.  
7

8 32. Denied. Defendant committed NO wrongful conduct. It was not Defendant that  
9 allowed a drug addicted alcoholic to drive a vehicle with a B.A.C. of .19. The ONLY  
10 wrongful conduct was that of Plaintiff and Mr. Beasley. Defendant's conduct led to the  
11 survival of Himself and that of His fiancé, even though they were attacked in their vehicle  
12 by a drunken, drugged crazed, psychotic on a murderous rampage.  
13  
14

### 15 COUNT V

#### 16 Negligent infliction of Emotional Distress

17 Defendant incorporates by reference all denials and/or statements set forth in the  
18 preceding paragraphs as if fully set forth herein.  
19

20 33. Denied. Defendant's behavior was ONLY that which was necessary to survive in a  
21 situation created by Plaintiff's gross negligence and criminal acts and in no way breached  
22 any common law and/or statutory concepts.

23 34. Denied. Plaintiff's criminal acts caused Plaintiff to experience, hangover, shock  
24 and mental anguish.  
25

26 35. Denied. Plaintiff's criminal acts caused great and unnecessary risk to Defendant,  
27 Defendant's fiancé, and the public in general.  
28

1 36. Denied. Plaintiff's criminal acts caused Plaintiff's emotional distress, and  
2 Plaintiff's continued disavowing of the truth is destroying Plaintiff's body, as doing evil  
3 things to innocent people often does. Plaintiff would be better served by telling the truth  
4 and facing what she has done to her own life and how her issues with alcohol eventually  
5 led to her husband's death.

7 37. Denied. All of Plaintiff's emotional distress and physical illnesses are a direct result  
8 of Plaintiff's heinous and criminal activity and Plaintiff's unwillingness to face the truth  
9 and face the consequences of her heinous acts. Plaintiff should consider telling the truth, if  
10 she can remember anything from that night, as the "soul cleansing" may heal her.  
11 Plaintiff's ongoing life built on lies to conceal her guilt will probably continue to erode her  
12 health.  
13

## 14 COUNT VI

### 15 Assault

16 Defendant incorporates by reference all denials and/or statements set forth in the  
17 preceding paragraphs as if fully set forth herein.  
18

19 38. Denied. Defendant never left Defendant's vehicle. In fact, Defendant never even  
20 had time to remove Defendant's seat belt as Mr. Beasley's drug induced assault and  
21 kidnapping on Defendant was quickened due to Mr. Beasley's heightened physical  
22 abilities due to the effects of the drugs Mr. Beasley ingested. Defendant's vehicle never  
23 struck Mr. Beasley nor Mrs. Beasley, nor was there any attempt to strike either.  
24 Defendant's vehicle moved ONLY in response to Defendant's loss of control of the  
25 vehicle during the savage assault and gaining control of the vehicle by Mr. Beasley.  
26  
27  
28

## Exhibit 7

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

REBECCA BEASLEY, Individually as the )  
surviving spouse of ORVILLE THOMAS )  
BEASLEY III, and as personal )  
representative of the ESTATE OF ORVILLE )  
THOMAS BEASLEY III; and ORVILLE THOMAS )  
(I and ANNA ELIZABETH BEASLEY, husband )  
and wife, and parents of ORVILLE THOMAS )  
BEASLEY III, )

Plaintiffs, )

vs. ) No. CV2010-050624

JOHN C. STUART and JANE DOE STUART, a )  
married couple; JOHN and JANE DOES I-V; )  
BLACK & WHITE CORPORATIONS VI-X; and )  
ABC PARTNERSHIPS XI-XV, )

Defendants. )

DEPOSITION OF JOHN CHESTER STUART

Phoenix, Arizona  
September 18, 2010

MARY BARRY REPORTING  
350 East Virginia  
Suite 160  
Phoenix, Arizona 85004

By: MARY BARRY, RPR, CRR  
Certified Reporter  
Certificate No. 50260

Prepared for:  
THE COURT

1 DEPOSITION OF JOHN CHESTER STUART  
2 was taken on September 16, 2010, commencing at 9:08 a.m.,  
3 at the Northeast Regional Court Center, 18380 North 40th  
4 Street, Conference Room 305, Phoenix, Arizona, before MARY  
5 BARRY, Certified Reporter No. 50260 for the State of  
6 Arizona.

7 APPEARANCES:

8  
9 For the Plaintiffs:  
10 DOYLE LAW GROUP  
By Mr. John C. Doyle  
11 5010 East Shea Boulevard, Suite A-106  
Scottsdale, Arizona 85254

12 For the Defendant:

13 ALLEN & LEWIS, P.L.C.  
14 By Ms. Shannon M. O'Connell  
3300 North Central Avenue, Suite 2500  
15 Phoenix, Arizona 85012-0001

16  
17  
18 ALSO PRESENT:  
19 Deputy D.J. McFarland  
20  
21  
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24  
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8	INDEX TO EXHIBITS		
9	NO.	DESCRIPTION	MARKED
10		NONE	
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1 JOHN CHESTER STUART,  
2 called as a witness herein, having been first duly  
3 affirmed by the Certified Reporter to speak the truth and  
4 nothing but the truth, was examined and testified as  
5 follows:

6 EXAMINATION

7  
8  
9 Q. BY MR. DOYLE: Would you state your name, please.

10 A. I go by John Chester Stuart.

11 Q. Mr. Stuart, have you ever been through a  
12 deposition before?

13 A. Yes.

14 Q. When was that?

15 A. Long time ago. I don't remember exactly what it  
16 was for, for somebody else's case. Somebody got injured  
17 or something.

18 Q. Okay.

19 I assume you have had time to speak with  
20 your attorney today, and probably your criminal attorney  
21 as well, but let me go through some of the rules of the  
22 deposition for you.

23 A deposition is a statement taken under  
24 oath. Do you understand that?

25 A. I don't really understand anything concerning



1 not my signature.  
 2 Q. Is that a copy of your signature, sir?  
 3 A. Could be, or it could be an artful forgery, I  
 4 don't know. I would have to sit down and read the whole  
 5 thing.  
 6 Q. Take a second and go through it.  
 7 A. And, you know, compare it to any documents I may  
 8 have written. I don't know if this has been altered. I  
 9 know nothing about this document. This is the first time  
 10 I have seen you with this document, and I don't have any  
 11 of the documents that I have done with me.  
 12 Q. So you are saying your signature may in fact be  
 13 just an artful forgery on this?  
 14 MS. O'CONNELL: Object to form.  
 15 Q. BY MR. DOYLE: Is that what you said?  
 16 A. No. I said it may be a copy of my signature, it  
 17 may be an artful forgery. I don't have my documents to  
 18 compare with what you are presenting to know whether there  
 19 has been any changes.  
 20 You have already misread one of the words  
 21 purposely where it says "specially" and you said  
 22 "specilly", so I'm not sure of your intent on this. So  
 23 therefore I can't be sure that is the correct document.  
 24 Q. Well, let's take a look at Page 16 of that  
 25 document, if you would.

1 MS. O'CONNELL: Do you have a copy?  
 2 MR. DOYLE: He can read it for you.  
 3 Q. BY MR. DOYLE: Take a look at it. Did you write  
 4 any of those paragraphs?  
 5 A. I'm going to have --  
 6 Q. 5th through 16th.  
 7 A. I have to take the Fifth on anything to do with  
 8 these documents. How is that?  
 9 Q. You are not going to answer any questions with  
 10 regard to anything you filed with the court?  
 11 A. I have to take the Fifth on this line of  
 12 questioning.  
 13 Q. Again, you're not going to answer any  
 14 questions --  
 15 A. I have -- asked and answered. I'm going to have  
 16 to take the Fifth.  
 17 Q. Let me finish my questions first. One person  
 18 speaking at a time with the court reporter.  
 19 A. You keep asking me the same question.  
 20 Q. One person at a time.  
 21 With regard to the document that I put in  
 22 front of you which was your answer and response in this  
 23 matter, you are not going to answer any questions on it  
 24 with regard to what you filed with the court, correct?  
 25 MS. O'CONNELL: Object to form.

1 THE WITNESS: I'm going to take the Fifth on  
 2 this line of questioning. And since it's been asked and  
 3 answered, if we could please move on.  
 4 Q. BY MR. DOYLE: Did you write in that document,  
 5 Mrs. Beasley also attacked and threatened defendant and  
 6 defendant's fiancée? Page 16, Paragraph 40.  
 7 Did you write that, sir?  
 8 A. I'm going to have to take the Fifth. This has  
 9 been asked and answered. Can we please move on?  
 10 Q. As to Paragraph 41, did you write on there,  
 11 Page 16, Mrs. Beasley attacked defendant's vehicle?  
 12 A. I have to take the Fifth. Asked and answered.  
 13 Can we please move on?  
 14 Q. Did you write on Paragraph 44, defendant believes  
 15 and believed at the time of the incident Mr. Beasley would  
 16 have continued assaulting defendant until Mr. Beasley  
 17 killed or gravely injured defendant, and then Mr. Beasley  
 18 would have attacked defendant's fiancée.  
 19 Did you write that, sir?  
 20 A. I'm taking the Fifth. This has been asked and  
 21 answered. Can we please move on?  
 22 Q. Have you put forth a defense in your criminal  
 23 case of self-defense?  
 24 A. I'm taking the Fifth.  
 25 Q. Page 13 of the same document, did you write on

1 Paragraph 7, Mr. Beasley strangled defendant immediately  
 2 before Mr. Beasley's death?  
 3 A. I'm taking the Fifth. Asked and answered. Can  
 4 we please move on?  
 5 Q. With regard to Paragraph 8, did you write,  
 6 Mr. Beasley gouged defendant's eye immediately before  
 7 Mr. Beasley's death?  
 8 A. I'm taking the Fifth. Asked and answered. Can  
 9 we please move on?  
 10 Q. Did you ever receive medical treatment for your  
 11 gouged eye?  
 12 A. I'm taking the Fifth. Can we please move on?  
 13 Q. Did you ever have anyone take pictures of your  
 14 eye to show that it was gouged in any way?  
 15 A. Taking the Fifth. Can we please move on?  
 16 Q. You stated Mr. Beasley repeatedly punched  
 17 defendant immediately before defendant Beasley's death.  
 18 Is that what you wrote, Paragraph 9?  
 19 A. Taking the Fifth. Asked and answered concerning  
 20 the documents. Can we please move on?  
 21 Q. Is there any witness that will testify you were  
 22 actually punched?  
 23 A. Taking the Fifth. Can we please move on?  
 24 Q. Was Mrs. Beasley in the vehicle next to you at  
 25 the time of the shooting?

1 A. Taking the Fifth.  
 2 Q. Did you intend to scare Mrs. Beasley by shooting  
 3 her husband?  
 4 A. Taking the Fifth.  
 5 Q. Was it just an accident that you scared  
 6 Mrs. Beasley by shooting her husband?  
 7 MS. O'CONNELL: Object to form, foundation.  
 8 THE WITNESS: I am taking the Fifth.  
 9 Q. BY MR. DOYLE: Did you intend to do any harm to  
 10 Mrs. Beasley at the time that you shot her husband?  
 11 MS. O'CONNELL: Form.  
 12 THE WITNESS: Fifth.  
 13 Q. BY MR. DOYLE: Did you ever intend to do any harm  
 14 to Mrs. Beasley?  
 15 MS. O'CONNELL: Form.  
 16 THE WITNESS: Fifth.  
 17 Q. BY MR. DOYLE: Is it your belief that  
 18 Mrs. Beasley was not harmed by her husband being shot in  
 19 front of her?  
 20 MS. O'CONNELL: Foundation, form.  
 21 THE WITNESS: Fifth.  
 22 Q. BY MR. DOYLE: That means you are taking the  
 23 Fifth, sir?  
 24 A. Yes. I'm just trying to speed things up for the  
 25 benefit of all parties.

1 MS. O'CONNELL: And for the record, anything  
 2 on the date of the accident he will be taking the Fifth  
 3 on, if that saves us time.  
 4 MR. DOYLE: It won't.  
 5 Q. BY MR. DOYLE: At the time that you -- that this  
 6 occurred, you believed you were performing a political  
 7 function, is that correct?  
 8 A. Fifth.  
 9 Q. Were you performing a political function on that  
 10 day?  
 11 A. I would have to object to that, so take the  
 12 Fifth.  
 13 Q. What statement did Mr. Beasley make to you that  
 14 inferred interrogatory beliefs against the presidential  
 15 candidate defendant was assisting at the time of the  
 16 incident?  
 17 MS. O'CONNELL: Form.  
 18 THE WITNESS: Fifth.  
 19 Q. BY MR. DOYLE: Did you write, the defendant was  
 20 performing a political function on the direct request by a  
 21 presidential candidate during the incident?  
 22 A. Fifth.  
 23 Q. Did Ron Paul ever call you at anytime prior to  
 24 the incident?  
 25 A. Fifth.

1 Q. Did you ever speak to Ron Paul --  
 2 MS. O'CONNELL: Form and foundation.  
 3 THE WITNESS: Could I get a drink of water and  
 4 talk to you for a minute?  
 5 MS. O'CONNELL: Sure.  
 6 (A recess ensued.)  
 7 Q. BY MR. DOYLE: Let me show you another document  
 8 that's been filed called a verified affidavit.  
 9 Mr. Stuart, is this your verified affidavit or a copy  
 10 thereof?  
 11 A. I will take the Fifth.  
 12 Q. Why do you believe you have to take the Fifth  
 13 regarding this document?  
 14 MS. O'CONNELL: You do not need to answer.  
 15 Q. BY MR. DOYLE: This is your signature or a copy  
 16 thereof on that document?  
 17 A. I will take the Fifth.  
 18 Q. Who was your fiancée at the time of the incident?  
 19 A. I will take the Fifth.  
 20 Q. What is your reason for taking the Fifth on a  
 21 question regarding your fiancée?  
 22 MS. O'CONNELL: You do not need to answer  
 23 that.  
 24 MR. DOYLE: That is an improper form of  
 25 objection, Counsel.

1 MS. O'CONNELL: He's not...  
 2 Q. BY MR. DOYLE: With regard to your fiancée, are  
 3 you still engaged?  
 4 A. I will take the Fifth.  
 5 MR. DOYLE: I thought your client was only  
 6 going to take the Fifth as to issues on that day, Counsel.  
 7 MS. O'CONNELL: He said anything that his  
 8 criminal, well --  
 9 Q. BY MR. DOYLE: Who was your fiancée the day  
 10 before the shooting?  
 11 A. I will take the Fifth on that.  
 12 Q. Do you currently own weapons of any type?  
 13 A. No.  
 14 Q. Has anybody lent you a weapon, or do you have any  
 15 weapon that is in your possession or your home at this  
 16 time?  
 17 A. No.  
 18 Q. No firearms of any type?  
 19 A. No.  
 20 Q. Cattle prods?  
 21 A. I'll take the Fifth on this. This is getting a  
 22 bit silly.  
 23 Q. BY MR. DOYLE: Why do you believe that  
 24 Mr. Beasley had 50 Jack and Cokes in a four-hour period on  
 25 the date of the accident?