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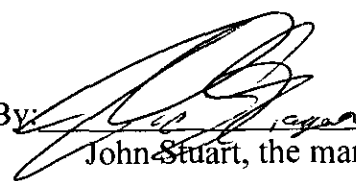
IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

<p>THE STATE OF ARIZONA,  Plaintiff,  vs.  JOHN STUART,  Defendant.  John Stuart, Real Party in Interest/Third Party Intervener. Having all rights</p>	<p>No. CR2008-006332-001  PETITION TO SET FOR EVIDENTIARY HEARING ON BAIL ELIGIBILITY  _____</p>
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Third Party Intervener appears and petitions, in the nature of a motion, specially and not generally.

The Defendant requests this Court set an evidentiary hearing on bail eligibility as soon as practicable to ensure the defendant is afforded due process and to preserve the presumption of innocence. U.S.C.A. Const.Amends. 5, 14; A.R.S. Const. Art. 2, § 15; *Simpson v. Owens*, 207 Ariz. 261, 85 P.3d 478, 420 Ariz. Adv. Rep. 23 (Ariz.App. Div. 1 Feb 26, 2004) (NO. 1 CA-SA 03-0188) (holding State has burden of proving exception to presumption in favor of bail).

RESPECTFULLY SUBMITTED this 30 day of April, 2008.

By:   
John Stuart, the man

ORIGINAL of the foregoing  
filed this 30 day of April,  
2008 with the Clerk of the Court

COPY of the foregoing hand-  
delivered this 30 day of  
April, 2008, to:

The Honorable Roland J. STEINLE, III  
Maricopa County Superior Court  
101/201 W. Jefferson  
Phoenix, Arizona 85003

COPY of the foregoing mailed  
this 30 day of April, 2008,  
to:

Deputy County Attorney  
101/201 W. Jefferson  
Phoenix, Arizona 85003

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