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JACKSON WHITE
ATTORNEYS AT LAW
A Professional Corporation

40 North Center, Suite 200
Mesa, Arizona 85201
(480) 464-1111
Attorneys for Defendant
By: Jeremy S. Geigle, No. 021786

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

THE STATE OF ARIZONA,

Plaintiff,

vs.

JOHN CHESTER STUART,

Defendant.

No. CR2008-006332-001

NOTICE OF DEFENSES

Assigned to the Honorable:
Paul McMurdie

Defendant, through counsel undersigned, gives notice that the following defenses may be raised at trial:

1. A.R.S. § 39-161 is unconstitutionally vague and overbroad;
2. The facts as alleged do not constitute a crime;
3. No Criminal Intent/lack of knowledge;
4. Insufficiency of State's Evidence;
5. Mistake;
6. Third Party Culpability;

In support of each of the defenses, the Defendant may call the following witnesses:

- (1) The Defendant;

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1 (2) Any and all individuals named or referred to in the State's Disclosure made pursuant to
2 the Arizona Rules of Criminal Procedure, Rule 15;

3 (3) Any investigator hired by this office.

4 Defendant reserves the right to supplement this list as further witnesses become known.

5 Pursuant to ARCP, Rule 15.1(f), the Defendant hereby requests disclosure of the names and
6 addresses of all persons who will be called as rebuttal witnesses, together with their written or recorded
7 statements.

8 The Defendant may introduce at trial the following tangible objects:

9 (1) Photographs of the alleged crime scene;

10 (2) Diagram of the alleged crime scene;

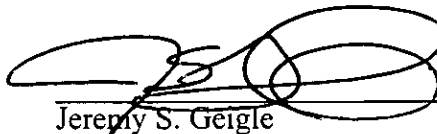
11 (3) Any object, thing or document disclosed by the State or used or referred to at trial by the
12 State;

13 (4) Any written or electronically recorded statements by a witness.

14 Defendant further notifies the state in accordance with ARCP, Rule 15, that at this point in time it
15 is uncertain which witnesses will be testifying at trial or what the gist of their testimony will be. Further,
16 it is uncertain which experts, if any, will be called at trial or what their testimony might be. Likewise, it is
17 uncertain what papers, documents, photographs or other tangible objects might be used at trial.

18
19 RESPECTFULLY SUBMITTED this 12th day of June, 2008.

20
21 JACKSON WHITE, P.C.

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24 _____
25 Jeremy S. Geigle
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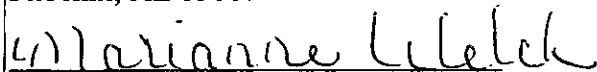
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ORIGINAL filed with the court on
this 12th day of June, 2008.

COPY of the foregoing
mailed this same date to:

The Honorable Paul McMurdie
Maricopa County Superior Court
101/201 W. Jefferson
Phoenix, Arizona 85003

Deputy County Attorney
301 W. Jefferson, 6th Floor
Phoenix, AZ 85007



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