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Attorneys for Defendant ARIAS

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

THE STATE OF ARIZONA

Plaintiff,

Vs.

JODI ANN ARIAS,

Defendant.

No. CR 2008-031021-001DT

MOTION TO DISMISS STATE'S

NOTICE OF INTENT TO SEEK

THE DEATH PENALTY DUE TO

CONTINUED STATE

MISCONDUCT;

SUPPLEMENT # 1

(Hon. Sherry Stephens)

Ms. Arias, through undersigned counsel, pursuant to the rights due her via the Fifth, Eighth and Fourteenth Amendments of the United States Constitution, as well as Art. II, § 4 and Art. III of the Arizona Constitution, hereby supplements her original request that this Court dismiss the "State's Notice of Intent to Seek the Death Penalty" that the State filed against her on October 31, 2008, with the additional information included in this motion with further documents the State's decision to disclose

information about precluded evidence into the public discourse through social media. As she did in her original motion, Ms. Arias takes the position that the State's choice to engage in a persistent pattern of misconduct over the pendency of this case has left Ms. Arias in a position where she cannot receive the full benefit of the rights she is due pursuant to the authorities mentioned in her original motion. Furthermore, given the ever changing nature of the case and the evolving scope of the State's misconduct Ms. Arias reserves the right to supplement this motion as circumstances currently unforeseen dictate.

RESPECTFULLY SUBMITTED this 24th day of October, 2014.

By: /s/ L. Kirk Nurmi
L. KIRK NURMI
Counsel for Ms. Arias

Copy of the foregoing Filed/delivered this 24 th day of October, 2014, to:

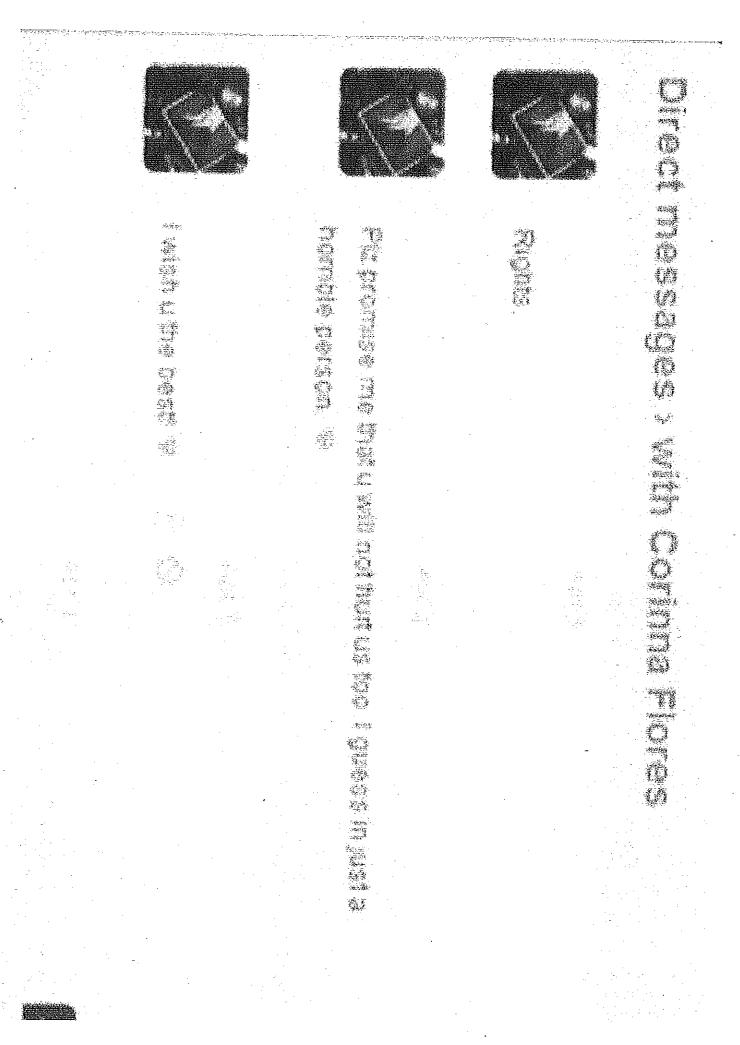
THE HONORABLE SHERRY STEPHENS Judge of the Superior Court

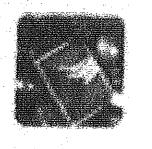
JUAN MARTINEZ
Deputy County Attorney

By /s/ <u>L. Kirk Nurmi</u>
L. Kirk Nurmi
Counsel for Ms. Arias











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