

ORIGINAL FILED THIS 21  
DAY OF June 1995  
NORBERT G. WEDEFOHL  
Clerk Superior Court  
By Salp...  
Deputy

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State Bar Number 004338

Attorney for Petitioner

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

RECEIVED  
JUL 25 1995  
Ans d.....

EDWARD H. SCHAD, JR.,	)	
	)	Division 1
Petitioner,	)	
	)	No. CR 8752
vs.	)	
	)	EX PARTE REQUEST
STATE OF ARIZONA,	)	FOR APPOINTMENT OF
	)	EXPERT WITNESS
Respondent.	)	

Petitioner, EDWARD HAROLD SCHAD, by his attorney RHONDA L. REPP, hereby requests this Honorable Court to enter an Order appointing an expert witness, to be compensated by Yavapai County, to assist in his defense. This request is made for the following reasons:

1. Edward Schad was tried and convicted of the murder of Lorimer Leroy Grove, and has been sentenced to death. Through no fault of any party, counsel believes that the trial court did not have the opportunity to consider all of the mitigating factors in passing sentence.

2. Counsel has reason to believe that Edward Schad has not been interviewed completely regarding mitigating factors concerning the abusive relationship between Edward Schad and his abusive father. Counsel's investigator

1 believes that Edward Schad was responsible for his father's incarceration and that,  
2 as a result, Edward Schad was disowned by his family.

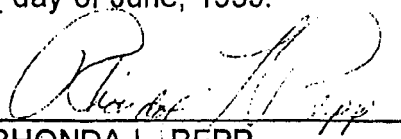
3 3. Counsel believes that an expert in the area of mitigation will not  
4 only be helpful to the Court in reaching a fair and just result, but such expert is  
5 essential to a complete presentation of mitigating factors regarding Edward Schad's  
6 actions before and after the killing, as well as other statutory factors.

7 4. Counsel has contacted a mitigation expert to assist with Mr.  
8 Schad's defense. The expert is Holly K. Wake, and her credentials, letters of  
9 recommendation, etc., are attached as Exhibit 1 for the Court's review. Ms. Wake has  
10 significant experience working on capital cases.  
11

12 5. Counsel has asked Ms. Wake for an estimate of the time it would  
13 take her to work on a case such as this. Ms. Wake estimates that it would take over  
14 100 hours of her time, depending on how much information is already available.  
15 Given Ms. Wake's hourly rate of \$30.00 per hour, the Defendant requests an initial  
16 authorization of \$3,000.00 for Ms. Wake's expert services. Additional authorizations  
17 will be sought at such time as the expert nears the \$3,000.00 amount.  
18

19 6. Because this is a capital case, it is in the interest of justice that  
20 the Court enter an Order pursuant to A.R.S. § 13-4013 authorizing the employment  
21 of an expert witness to be paid at the expense of Yavapai County.  
22

23 RESPECTFULLY SUBMITTED this 21<sup>st</sup> day of June, 1995.

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25 \_\_\_\_\_  
26 RHONDA L. REPP  
Attorney for Petitioner

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COPIES of the foregoing  
mailed/delivered this 21<sup>st</sup>  
day of June, 1995, to:

Honorable Raymond Weaver  
Judge of the Superior Court  
Division 4  
Prescott, AZ 86301

Honorable Richard Anderson  
Judge of the Superior Court  
Division 1  
P.O. Box 3730  
Camp Verde, AZ 86322

Edward Schad, Jr.  
#40496  
ASP Florence  
P.O. Box 8600  
Florence, AZ 85232

By: Lupe Enriquez  
Lupe Enriquez