IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

FILED
O'Clock, A M
MAR 27 1996
NORBERT G. WEDEPOHL, Clerk
By [signature] Deputy

STATE OF ARIZONA,

Plaintiff,

vs.

EDWARD H. SCHAD, JR.,

Defendant.

CR 8752

ORDER

MAR 2 4 REC'D

Having considered the Defendant's preliminary petition, Defendant's Supplemental Petition, the State's Response and the Defendant's Reply,

This Court makes the following findings with respect to Defendant's petitions for post-conviction relief:

In the preliminary petition, this Court finds the following claims are procedurally precluded under Rule 32.2(a) as a matter of law:

Claims 8.1; 8.2; 8.3; 8.4; 8.5; 8.6; 8.7; 8.9; 8.10; 8.11; 8.12; 8.13; 8.14; 8.15; 8.16; 8.17.

In the supplemental petition, this Court finds the following claims are procedurally precluded under Rule 32.2(a) as a matter of law:

Claims 1; 2; 4.

IT IS ORDERED denying relief and dismissing each of the above claims as procedurally precluded.

IT IS FURTHER ORDERED that the following claims survive the

[✓] ~~County Atty~~ [✓] Def Atty Repp
[ ] Victim Witness
[ ] APD [ ] YCSO/Jail [ ] YCSO/Warrants
[ ] DOC [ ] Div _____ w/file TOTAL _____
[ ] Other _____ [✓] Other Nicoma

COPY MAILED TO CLIENT
3/29/96 to Polly Wake
Barney Volz Sheila

preclusion and dismissal order:

Claims: Preliminary Petition for Post-Conviction Relief Claims 8.8 and 8.18; Supplemental Statement of Grounds for Relief, Claim 3.

FURTHER ORDERED that the State shall have 30 days from the receipt of this order to file a supplemental response addressing the merits of the following claims:

Claims: Preliminary Petition for Post-Conviction Relief Claims 8.8 and 8.18: Supplemental Statement of Grounds for Relief Claim 3.

FURTHER ORDERED Defendant shall then have 15 days to respond to the merits of the State's supplemental response.

Thereafter, this Court will take the matter under advisement and determine whether an evidentiary hearing is necessary and on what grounds.

DATED this 27 day of March, 1996.

Richard Anderson
Judge of Superior Court
Division One