

ARIZONA SUPREME COURT

STATE OF ARIZONA,

Appellee

v.

FRANK JARVIS ATWOOD,

Appellant.

No. CR-87-0135-AP

Pima County Superior Court
Nos. CR14065 and CR15397

Ninth Circuit No. 14-99002

U.S. District Court No. CV-98-116-
TUC-JCC

**NOTICE OF FILING SUPPLEMENTAL
EXHIBIT TO REPLY IN SUPPORT OF
MOTION TO SET BRIEFING
SCHEDULE**

(Capital Case)

The State hereby notices the filing of the attached Exhibit, consisting of a letter from Pima County Attorney Laura Conover to Atwood’s counsel advising counsel that she lacks jurisdiction to intervene in Atwood’s case. The State received a copy of this letter after its reply was filed. The letter is relevant to Atwood’s argument in his response that the State’s requested briefing schedule should not issue because to do so would prevent County Attorney Conover from reviewing the case.

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DATED this 30th day of April, 2021.

Respectfully submitted,

Mark Brnovich
Attorney General
(Firm State Bar No. 14000)

s/Lacey Stover Gard
Deputy Solicitor General/Chief of Capital
Litigation Section
Laura P. Chiasson
Assistant Attorney General
Capital Litigation Section
400 West Congress, Bldg. S-215
Tucson, Arizona 85701-1367
Lacey.Gard@azag.gov
Laura.Chiasson@azag.gov
CLDocket@azag.gov
Telephone: (520) 628-6520
(State Bar Number 22714)
Attorneys for Appellee

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Exhibit

Laura Conover
Pima County Attorney



(520) 724-5600
pcao.pima.gov
32 N. Stone Avenue, Suite 800
Tucson, AZ 85701

Criminal Division

April 19, 2021

Natman Schaye
Sam Kooistra
Joe Perkovich

Counsel,

I thank you for your thorough and passionate letter received April 16. This new administration at the Pima County Attorney's Office has shown no lack of backbone in making the most excruciating decisions in the name of justice. But we did so with the cases before us, the cases clearly under our jurisdiction and authority.

I am unconvinced in the case at hand that the Pima County Attorney's Office has any legal footing, any legal standing, to make any impact whatsoever on a case being handled by another agency which has been pending 39 years. I took the strongest and most effective step I could in a direct communication with the Attorney General, and he has demurred.

Any further legal filing at this stage would be nothing but political theatre, and it would likely be received as such by the Court. And I know you understand this, which is why in your letter you appealed to passion instead of logic by repeatedly claiming my failure to intervene would be a moral, ethical failure.

You have done your job, and so have I.

Be well,

A handwritten signature in black ink, appearing to read 'Laura Conover', written in a cursive style.

Laura Conover
Pima County Attorney