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11 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

12 **IN AND FOR THE COUNTY OF COCONINO**

13 ALFRED A. MOYA, a single man,
14 Plaintiff,

15 vs.

16 THE ROMAN CATHOLIC CHURCH
17 OF THE DIOCESE OF GALLUP, a
18 corporation sole; THE ROMAN
19 CATHOLIC CHURCH OF THE
20 ARCHDIOCESE OF SANTA FE, a
21 corporation sole; THE ROMAN
22 CATHOLIC CHURCH OF THE
23 DIOCESE OF CORPUS CHRISTI, a
24 corpora sole; OUR LADY OF
25 GUADALUPE CHURCH & PARISH,
26 an Arizona corporation; THE ESTATE
27 OF FATHER CLEMENT A.
28 HAGEMAN, deceased; JOHN DOE I-
X; JANE DOE I-X; and BLACK &
WHITE CORPORATIONS I-X,

Defendants.

No. CV2010-00713

COMPLAINT

Assigned to MORAN

Plaintiff, for his complaint, states and alleges the following:

JURISDICTION

1. Plaintiff, Alfred W. Moya, is a resident of Maricopa County, Arizona.

1 The acts, events, and or omissions occurred in Arizona. The cause of
2 action arose in Navajo County, Arizona.

3
4 2. Defendant The Roman Catholic Church of the Diocese of Gallup
5 (Gallup) is a corporation sole. The presiding Bishops of the Diocese
6 of Gallup during the relevant times at issue in this Complaint were
7 Bishop Bernard T. Espelage (1940-1969), Bishop Jerome J. Hastrich
8 (1969 – 1990), Bishop Donald Edmond Pelotte (1990 – 2008), and
9 Bishop James S. Wall (2009 – present). Bishop Wall is presently
10 governing Bishop of the Diocese of Gallup.
11

12
13 3. The Diocese of Gallup is incorporated in the State of New Mexico
14 and has its principle place of business in Gallup, New Mexico. The
15 territory of the Diocese of Gallup encompasses 55,000 square miles
16 including the Northeastern portion of Arizona. At the time of the
17 alleged acts or omission, the Diocese of Gallup included portions of
18 North Central Arizona. The Diocese of Gallup was canonically
19 erected on December 16, 1939.
20

21
22 4. Defendant Gallup, acting through its priests, Bishops, Archbishops,
23 employees, and agents of any kind caused acts, events, or omissions
24 to occur in Holbrook, Navajo County, Arizona out of which these
25 claims arise.
26

27
28 5. Defendant The Roman Catholic Church for the Archdiocese of Santa

1 Fe (Santa Fe) is a corporation sole. The presiding Archbishops of the
2 Archdiocese of Santa Fe during the relevant times at issue in this
3 Complaint were Archbishop Rudolf A. Gerken (1933 – 1943).

4
5 Archbishop Michael J. Sheehan is presently governing Archbishop of
6 the Archdiocese of Santa Fe.

7
8 6. The Diocese of Gallup is subordinate to the Archdiocese of Santa Fe.

9 7. Defendant Santa Fe, acting through its priests, Bishops, Archbishops,
10 employees, and agents of any kind caused acts, events, or omissions
11 to occur in Holbrook, Navajo County, Arizona out of which these
12 claims arise.

13
14 8. Defendant The Roman Catholic Church of the Diocese of Corpus
15 Christi (Corpus Christi) is a corporation sole. The presiding Bishops
16 of the Diocese of Corpus Christi during the relevant times at issue
17 in this Complaint were Bishop Emmanuel Ledvina (1921 – 1949),
18 Bishop Mariano S. Garriga (1949 – 1965), Bishop Thomas J. Drury
19 (1965 – 1983), Bishop Rene J. Gracida (1983 – 1997), Bishop
20 Roberto O. Gonzalez (1997 – 2000), Bishop Edmond Carmody
21 (2000 – 2010), Bishop Wm. Michael Mulvey (2010 – present).
22 Bishop Mulvey is presently governing Bishop of the Diocese of
23 Corpus Christi.

24
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26
27
28 9. Defendant Corpus Christi, acting through its priests, Bishops,

1 Archbishops, employees, and agents of any kind caused acts, events,
2 or omissions to occur in Holbrook, Navajo County, Arizona out of
3 which these claims arise.
4

5 10. Defendant Our Lady of Guadalupe Church and Parish (Guadalupe) is
6 an Arizona corporation. At all times alleged, Our Lady of Guadalupe
7 was owned, operated, and controlled by the Diocese of Gallup. Our
8 Lady of Guadalupe Church and Parish are located in Navajo County,
9 Holbrook, Arizona.
10

11 11. Defendant Guadalupe, acting through its priests, Bishops,
12 Archbishops, employees and agents of any kind caused acts, events,
13 or omissions to occur in Holbrook, Navajo County, Arizona out of
14 which these claims arise.
15

16 12. Defendant Father Hageman was ordained as a Roman Catholic on
17 June 10, 1930 and was incardinated in the Diocese of Corpus Christi
18 by Bishop Emmanuel B. Ledvina.
19

20 13. At all times alleged, Defendant Father Clement A. Hageman was a
21 Roman Catholic priest who caused acts, events, or omissions to occur
22 in Holbrook, Navajo County, Arizona out of which these claims arise.
23 At all times alleged, Defendant Hageman was employed by and was
24 the actual or apparent agent of Defendants Gallup, Santa Fe, Corpus
25 Christi and Guadalupe.
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1 14. Defendant Hageman was under the supervision, employ, or control of
2 Defendants Gallup, Santa Fe, Corpus Christi and Guadalupe when he
3 committed the wrongful acts, events, and omission alleged.
4

5 15. Defendant Father Clement A. Hageman died on July 2, 1975 while
6 serving as the administrator of the Madre de Dios Parish in Winslow,
7 Navajo County, Arizona.
8

9 16. At all times alleged, the priests, Bishops, Archbishops, employees and
10 agents were acting within their course and scope of employment or
11 alternatively, acting within their actual or apparent authority. The
12 wrongful acts, events, or omissions committed by Defendant
13 Hageman and by those priests, Bishops, Archbishops, employees and
14 agents who acted individually and in concert with the other to hide
15 and cover up Hageman's history, pattern, and propensity to abuse
16 young boys were done within the course and scope of their authority
17 with their employing entities, or incidental to that authority and were
18 acquiesced in, affirmed, and ratified by those entities.
19
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21

22 17. Defendants JOHN DOE I-X, JANE DOE I-X, and BLACK AND
23 WHITE CORPORATIONS I-X, are fictitious names designating an
24 individual or individuals or legal entities not yet identified who have
25 acted in concert with the named Defendants either as principals,
26 agents, or co-participants whose true names Plaintiffs may insert when
27
28

1 identified.

2 **GENERAL ALLEGATIONS**

3 **Defendants Gallup, Santa Fe, Guadalupe, and Corpus Christi**
4 **allowed Hageman to relocate to a remote part of Arizona after**
5 **Hageman sexually abused boys in Texas.**
6

7
8 18. Plaintiff incorporates all other paragraphs.

9 19. Father Hageman was ordained a Roman Catholic priest on June 10,
10 1930. He was incardinated in the Diocese of Corpus Christi by
11 Bishop Emmanuel B. Ledvina.
12

13 20. As a Roman Catholic Priest incardinated in the Diocese of Corpus
14 Christi, Father Hageman was required to have the permission of the
15 Bishop of the Diocese of Corpus Christi (Bishop Ledvina) before
16 being allowed to serve another order of priests or Diocese.
17

18 21. Upon information and belief, as early as 1936 Corpus Christi knew or
19 should have known that Father Hageman was sexually abusing /
20 molesting young boys with whom he had a trusting relationship.
21

22 22. Upon information and belief, by April 1939, the pastor at St. Peter's
23 Catholic Church in Loreda, Texas, Father Daniel Laning, informed
24 Bishop Ledvina (Bishop of the Diocese of Corpus Christi) that Father
25 Hageman sexual abused boys. Father Laning urged Father Hageman
26 to request assignment to a monastery for the balance of his life or to
27
28

1 request secularization.

2 23. Father Laning assured Bishop Ledvina that the boys were kept close
3 to him and that news of the affair was kept from public knowledge.
4

5 24. Upon information and belief, in April 1939 Bishop Ledvina did not
6 have any confidence that Father Hageman would be able to overcome
7 or control his "weakness." Bishop Ledvina agreed with Father Laning
8 that the best course of action would be for Father Hageman to enter a
9 monastery for the remainder of his life or to apply to the Holy See for
10 laicization (to defrock or remove a priest's right to exercise the
11 functions of ordained ministry).
12

13
14 25. As a result of the sexual abuse in Loredo, Texas, Bishop Ledvina
15 banished Father Hageman from the Diocese of Corpus Christi.
16

17 26. Upon information and belief, in September 1939, Father Hageman
18 requested permission from Bishop Ledvina to serve in the Alexian
19 Brother's hospital located in Oshkosh, Wisconsin. Bishop Ledvina
20 advised the rector of the Alexian Brother's hospital of his justified
21 apprehensions, informing the rector that Father Hageman "can put up
22 a good front and will apparently show signs of repentance and reform;
23 but, as was proven by his past record he forgets his resolutions and
24 falls into his old habits, when he seems to think he is no longer
25 suspected, and cleverly hides his gradual fall into his old
26
27
28

1 transgressions.” Aware of Father Hageman’s prior sexual abuse and
2 cunning ability to fool others, Bishop Ledvina told the rector that he
3 would not trust him.
4

5 27. Father Hageman relocated to Connecticut after the Alexian Brother’s
6 denied him the opportunity to serve in the hospital.
7

8 28. Upon information and belief, in September 1940, a priest in
9 Connecticut begged Bishop Ledvina to give Father Hageman another
10 chance. Bishop Ledvina informed Bishop McCauliff of the Diocese
11 of Hartford, Connecticut that the subordinate priest was out of order.
12 According to Bishop Ledvina, Father Hageman had already been
13 given a second chance when he was assigned to an older priest as an
14 assistant. During that assignment, Bishop Ledvina warned that Father
15 Hageman should be watched closely and nothing should be taken for
16 granted. Bishop Ledvina eventually learned that Father Hageman had
17 fallen back into his old sinful habits. Bishop Ledvina informed Bishop
18 McCauliff that Father Hageman could not return to the two cities he
19 was previously assigned because he may experience “bodily violence
20 from outraged parents.” Bishop Ledvina again shared his belief that
21 Father Hageman should request laicization.
22
23
24
25

26 29. In November 1940, Archbishop Rudolf A. Gerken (Archdiocese of
27 Santa Fe) sent Father Hageman to the mission at Smith Lake in
28

1 Thorough, New Mexico in the newly created Diocese of Gallup.

2
3 30. Upon information and belief, on or about December 1940, Archbishop
4 Gerken informed the newly installed Bishop of the Diocese of Gallup,
5 Bishop Bernard T. Espelage, that Father Hageman was guilty of
6 playing with boys.

7
8 31. Upon information and belief, in December 1940, Bishop Espelage
9 requested information about Father Hageman from Bishop Ledvina.
10 Bishop Ledvina confirmed that Father Hageman was guilty of playing
11 with boys. Without explanation, however, Bishop Ledvina
12 recommended that Bishop Espelage “try him out, maybe [he] might
13 prove trustworthy at last.”

14
15
16 32. Upon information and belief, Bishop Ledvina did not inform Bishop
17 Espelage of the prior incidents of sexual abuse or Father Hageman’s
18 ability to fool others into believing that he was remorseful and
19 reformed.

20
21 33. Upon information and belief, in October 1941, Bishop Espelage
22 informed Bishop Ledvina that there were no reports of Father
23 Hageman sexually abusing young boys. Instead of informing Bishop
24 Espelage that Father Hageman had previously fooled another priest
25 into believing he was reformed only to discover that he sexual abused
26 more boys, Bishop Ledvina led Bishop Espelage to believe Hageman
27
28

1 was fit to serve as a Roman Catholic priest who would minister to
2 young boys including plaintiff.

3
4 34. On August 1, 1942, Bishop Espelage, relying on the assurances and
5 blessings of Bishop Ledvina, assigned Father Hageman to Our Lady
6 of Guadalupe Church and Parish in Holbrook, Arizona.

7
8 35. Defendants Gallup, Santa Fe, Guadalupe, and Corpus Christi, through
9 their respective priests, Bishops, Archbishops, employees, or agents
10 knew or should have known that Hageman would have contact with
11 Catholic parishoners including young children creating an
12 unreasonable and unjustifiable risk of harm to young children,
13 including Plaintiff.

14
15
16 36. Upon information and belief, in October 1952 a group of men from
17 Defendant Our Lady of Guadalupe Church and Parish confronted
18 Hageman and accused him of sexually abusing boys in the parish.
19 The men informed Bishop Espelage who contacted Hageman.

20
21 37. Upon information and belief, Father Hageman responded to the
22 charges by admitting that he was "imprudent in [his] dealings with
23 boys."

24
25 **Hageman sexually abused Alfred W. Moya**

26 **When Moya was a young boy in Holbrook, Arizona**

27
28 38. Plaintiff incorporates all other paragraphs.

- 1 39. To cope with the trauma of sexual abuse, Alfred W. Moya
2 involuntarily and unconsciously blocked the memories of sexual
3 abuse from his mind. In July 2007, Moya drove through Gallup, New
4 Mexico while returning home from a vacation. While at a local
5 restaurant, Moya began to experience flashback memories of sexual
6 abuse. Moya contacted a therapist when he returned to Phoenix.
7
8 Through counseling, Moya recovered memories of sexual abuse.
9
- 10 40. In 1952, Alfred Moya turned 12 years old. Mr. Moya participated in
11 the Catholic tradition of serving as an altar boy at Our Lady of
12 Guadalupe Church and Parish. Father Clement A. Hageman provided
13 religious instruction to the altar boys.
14
- 15 41. After attending altar boy classes, Father Hageman invited Alfred
16 Moya to his home. Hageman gave Moya comic books to read. As he
17 stood to leave, Hageman grabbed Moya from behind and rubbed his
18 erect penis against Moya's butt and back.
19
- 20 42. While playing on the merry-go-round, Hageman invited Moya to his
21 home. Hageman lured Moya into his home by offering him comic
22 books he recently purchased. Hageman rubbed his erect penis against
23 Moya's butt and back. Hageman then took Moya to his bedroom
24 where he pulled down his pants and forced Moya to stroke his penis.
25
26 Hageman ejaculated.
27
28

1 43. Hageman forced Moya and another boy to lie naked in his bed.
2 Hageman was wearing only a t-shirt. Moya and the other boy were
3 forced to take turns stroking Hageman's penis. Moya was forced to
4 perform oral sex. Hageman ejaculated.
5

6 44. Hageman called Moya to his bathroom. Hageman was seated with his
7 pants at his ankles and penis exposed. Hageman forced Moya to his
8 knees and demanded oral sex. Moya resisted. Hageman continued to
9 force Moya to perform oral sex and stroke his penis. Hageman
10 ejaculated.
11

12 45. Hageman forced Moya to lie naked on top of him as Hageman put his
13 penis between his legs and scrotum.
14

15 46. Hageman forced Moya to bend over naked while he satisfied himself
16 from behind.
17

18 **Defendants Gallup, Santa Fe, Guadalupe, and Corpus Christi covered**
19 **up Hageman's history and propensity of sexual abuse**
20

21 47. Plaintiff incorporates all other paragraphs.
22

23 48. Defendants Gallup, Santa Fe, Corpus Christi, and Guadalupe through
24 its priests, Bishops, Archbishops, employees, or agents of any kind
25 knew or should have known that Hageman sexually abused young
26 boys. Defendants Gallup, Santa Fe, Corpus Christi, and Guadalupe
27 also knew or should have known of his propensity to commit sexual
28

1 abuse.

2 49. Defendants Gallup, Santa Fe, Corpus Christi, and Guadalupe did not
3 disclose or report the sexual abuse. Instead, acting individual and in
4 concert with the other, Defendants kept the news of Hageman's sexual
5 abuse from the church members, including Plaintiff and his family.
6

7
8 50. Upon information and belief, Defendants Gallup, Santa Fe,
9 Guadalupe, and Corpus Christi, and Hageman, their priests, Bishops,
10 Archbishops, and agents of any kind followed the orders,
11 commandments, directives, policies, or procedures of the Roman
12 Catholic Church mandated by the priests, Bishops, Archbishops,
13 Cardinals, Vatican, the Holy See, the Holy Office, and the Holy Father
14 requiring that all matters and details regarding clergy sexual abuse be
15 kept absolutely secret. The secrets of priest sexual abuse were
16 commonly regarded as a secret of the Holy Office.
17

18
19
20 51. Upon information and belief, Defendants Gallup, Santa Fe,
21 Guadalupe, and Corpus Christi, and Hageman, their priests, Bishops,
22 Archbishops, and agents of any kind also followed the orders,
23 commandments, directives, policies, or procedures of the Roman
24 Catholic Church mandated by the Vatican, the Holy See, the Holy
25 Office, Bishops, Archbishops, Cardinals and the Holy Father allowing
26 a priest accused of sexual abuse to be transferred to a new assignment.
27
28

1 52. Defendants Gallup, Santa Fe, Guadalupe, Corpus Christi, and
2 Hageman acted individually and in concert with one another to engage
3 in a pattern and practice of protecting priests who sexually abused
4 parishoners and children by ratifying, concealing, failing to report, or
5 investigate clergy sexual abuse, molestation, and sexual misconduct.
6
7

8 **Defendants are estopped from alleging the statute of limitations as a**
9 **defense**

10 53. Plaintiff incorporates all other paragraphs.

11
12 54. After passing through Gallup, New Mexico, Alfred W. Moya
13 experienced flash back memories of being sexually abused by a
14 Roman Catholic priest. Previously, Mr. Moya involuntarily and
15 unconsciously blocked the memories of sexual abuse from his
16 conscious mind to cope with the trauma of sexual abuse. Through
17 counseling, Mr. Moya discovered that Defendant Father Clement A.
18 Hageman sexual abused him when he was a young altar boy living in
19 Holbrook, Arizona.
20
21

22 55. On or about September 23, 2009, Plaintiff Alfred W. Moya discovered
23 for the first time that Defendants Gallup, Santa Fe, Guadalupe, and
24 Corpus Christi through their priests, Bishops, Archbishops,
25 employees, and agents of any kind covered up and deliberately tried
26 to hide and deny the specific incidents of Hageman's sexual abuse,
27
28

1 Hageman's history of sexual abuse, and Hageman's propensity for
2 sexual abuse.

3
4 56. Defendants are equitably estopped from alleging the statute of
5 limitations as a defense in this case because of the inequitable conduct
6 of Defendants, because of their fraud, breach of fiduciary duties, and
7 promises to toll the statute of limitations to investigate and settle the
8 allegations of sexual abuse.
9

10 **COUNT I**

11 **SEXUAL ASSAULT / SEXUAL ABUSE / MOLESTATION**

12 **(Father Clement A. Hageman)**

13
14 57. Plaintiff incorporates all other paragraphs.

15
16 58. Defendant Father Clement A. Hageman intentionally, knowingly,
17 recklessly, or negligently engaged in sexual conduct, including but not
18 limited to oral sex, with Plaintiff Alfred W. Moya.

19
20 59. As a direct and proximate cause of Defendant Hageman's wrongful
21 acts Plaintiff suffered and will continue to suffer in the future great
22 pain of mind and body, shock, emotional distress, embarrassment, loss
23 of self-esteem, disgrace, humiliation, anger, rage, frustration, loss of
24 enjoyment of life, loss of consortium, loss of love and affection,
25 sexual dysfunction, past and future medical expenses for
26 psychological treatment, therapy, and counseling.
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COUNT II

BREACH OF FIDUCIARY DUTY

(All Defendants)

60. Plaintiff incorporates all other paragraphs.

61. Defendants' relationship with Plaintiff Alfred W. Moya was one of spiritual guide, counselor, and shepherd. As a fiduciary to Plaintiff, Defendants owed a duty to investigate, obtain, and disclose sexual misconduct, sexual assault, sexual abuse, molestation, sexual propensities, and other inappropriate acts of its priests, including Defendant Clement A. Hageman. As fiduciary, counselor and spiritual guide, Defendants owed Plaintiff a duty to work solely for his benefit.

62. Defendants breached their fiduciary duties owed to Plaintiff.

63. As a direct and proximate cause of Defendants' breach Plaintiff suffered and will continue to suffer in the future great pain of mind and body, shock, emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, anger, rage, frustration, loss of enjoyment of life, loss of consortium, loss of love and affection, sexual dysfunction, past and future medical expenses for psychological treatment, therapy, and counseling.

COUNT III

1 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

2 64. Plaintiff incorporates all other paragraphs.

3
4 65. Defendants' wrongful conduct, including sexual abuse, conspiracy to
5 conceal sexual abuse, failure to report Hageman's sexual abuse of
6 children, acquiescence, affirmance, and ratification of Hageman's
7 sexual abuse exceeded the bounds of decency and were extreme and
8 outrageous causing Plaintiffs to suffer severe emotional and
9 psychological distress.

10
11 **COUNT IV**

12 **INTENTIONAL / NEGLIGENT MISREPRESENTATION**

13 **(Gallup, Santa Fe, Guadalupe, and Corpus Christi)**

14
15
16 66. Plaintiff incorporates all other paragraphs.

17 67. Defendants Gallup, Santa Fe, Guadalupe, and Corpus Christi, have a
18 duty to provide true, accurate, and or complete information to prevent
19 a substantial and foreseeable risk of injury to young Catholic children,
20 including Plaintiff.

21
22 68. Instead of reporting and disclosing the incidents of sexual abuse,
23 Hageman's history of sexual abuse, or Hageman's propensity to
24 sexually abuse young boys, Defendants breached their duties to
25 Plaintiff by providing vague, incomplete, and inconsistent information
26 regarding Hageman's ability to serve as a Roman Catholic priest.
27
28

1 69. As a direct and proximate cause of Defendants' breach Plaintiff
2 suffered and will continue to suffer in the future great pain of mind
3 and body, shock, emotional distress, embarrassment, loss of self-
4 esteem, disgrace, humiliation, anger, rage, frustration, loss of
5 enjoyment of life, loss of consortium, loss of love and affection,
6 sexual dysfunction, past and future medical expenses for
7 psychological treatment, therapy, and counseling.
8

9
10 **COUNT V**

11 **NEGLIGENT SUPERVISION / RETENTION**

12 **(Defendants Gallup, Santa Fe, Guadalupe, Corpus Christi)**

13
14 70. Plaintiff incorporates all other paragraphs.

15
16 71. Defendants Gallup, Santa Fe, Guadalupe, or Corpus Christi had a duty
17 to hire, fire, train, retain, supervise, and or counsel employees or
18 priests who had the knowledge, education, training, physical,
19 psychological, and spiritual ability to serve as Roman Catholic Priests.
20

21 72. As early as 1936, the Roman Catholic Church, including Defendants
22 Gallup, Santa Fe, Guadalupe, or Corpus Christi knew that Defendant
23 Hageman sexually abused children.
24

25 73. Defendants, individually and in concert with the other, breached their
26 duties to Plaintiff.
27

28 74. As a direct and proximate cause of Defendants' breach Plaintiff

1 suffered and will continue to suffer in the future great pain of mind
2 and body, shock, emotional distress, embarrassment, loss of self-
3 esteem, disgrace, humiliation, anger, rage, frustration, loss of
4 enjoyment of life, loss of consortium, loss of love and affection,
5 sexual dysfunction, past and future medical expenses for
6 psychological treatment, therapy, and counseling.
7
8

9 PRAYER FOR RELIEF

10 75. Plaintiff requests judgment in favor of Plaintiff and against
11 Defendants as follows:
12

- 13 a. For Plaintiff's general and special damages in an amount to
14 be proven at trial by jury;
- 15
16 b. For Plaintiff's incurred costs together with interest at the
17 highest lawful rate on the total amount of all sums awarded
18 from the date of judgment until paid;
- 19
20 c. For the fair and reasonable monetary value of Plaintiff's
21 past, present, and future pain and suffering in an amount to
22 be proven at trial by jury;
- 23
24 d. For the medical expenses incurred up to the date of trial and
25 any additional expenses necessary for future medical care
26 and treatment;
- 27
28 e. For punitive damages or exemplary damages to be set by a

1 jury in an amount sufficient to punish Defendants for their
2 outrageous conduct and to make an example out of them so
3 that others do not engage in similar conduct in the future;
4

5 f. For such other and further relief as this Court may deem just
6 and proper.
7

8 **DATED** this 12 day of August, 2010.
9

10 HARALSON, MILLER, PITT
11 FELDMAN & McANALLY, P.L.C.

12
13 By 

14 Robert E. Pastor
15 Attorneys for Defendant
16
17

18 ORIGINAL of the foregoing
19 filed this ____ day of August, 2010

20 Clerk of the Court
21 Coconino County Superior Court
22 200 North San Francisco
23 Flagstaff, AZ 86001
24
25
26
27
28