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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COCONINO**

STATE OF ARIZONA,

Plaintiff,

vs.

ANN MARIE MARTINEZ,

Defendant,

A.M., G.M., and N.M.,

Minor-Crime Victims.

CR2020-00632

**CRIME VICTIMS' OBJECTION TO
DEFENDANT'S MOTION TO
CONTINUE**

**(Assigned to the Honorable
Judge Ted S. Reed)**

The victims object to the defendant Ann Marie Martinez's request to continue from her *Joinder and Supplement to Defendant Anthony J. Martinez's Motion to Continue Trial* filed March 25, 2022.

At the motions hearing on March 26, 2022, this Court indicated it was severing the companion cases involving co-defendant's Anthony Martinez and co-defendant's Elizabeth Archibeque in CR2020-00631 and CR2020-00633 respectively, and continuing the trial dates for those two defendants. Additionally, this court indicated it was denying the Defendant Ann Marie Martinez's *Joinder and Supplement Motion to Continue* filed on

March 25, 2022. Undersigned counsel was not able to speak with the victim representative prior to the motions hearing and had not filed a written response prior to the motions hearing on March 26, 2022. Defendant's counsel indicated they may request a stay and seek a special action. For the record, the victims' object to any continuance and delay of the presently set trial date for Defendant Ann Marie Martinez.

A victim has the right to a speedy trial and to receive a prompt and final conclusion of the case. Ariz. Const. art. II, § 2.1(A)(10) and A.R.S. § 13-4435(A). The crime itself is not the only source of trauma for victims. In short, a victim's well-being is affected not only by the crime itself, but also the criminal justice system. Continuing the presently set trial date now would also delay the crime victims' healing process. See Jennifer Connolly and Ronit Gordon, *Co-victims of Homicide: A Systematic Review of the Literature*, 16 Trauma, Violence, & Abuse 494, 502 (2015) (involvement with the criminal justice system often "restricts or delays survivors' mourning."); Marilyn Armour & Mark Umbreit, *The Ultimate Penal Sanction and "Closure" for Survivors of Homicide Victims*, 91 Marq. L. Rev. 381, 408 (2007) (stating that the "glacial pace of capital appeals tend[s] to increase stress and delay healing of survivors who are trying to put the horror of the crime behind them."). Some delay is inevitable in a case of this magnitude. But every decision that could increase delay should be justified considering the harm it will cause victims.

For the foregoing reasons, the victims respectfully request that this Court deny the motion to continue.

Respectfully submitted this 26th day of May, 2022.

By: _____/s/_____

Robert Swinford
Attorney for Minor Crim Victim

Motion filed with the Clerk of the Court
on this 26th day of May, 2022.

Copies also e-mailed to:

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