

2007 JUN 29 PM 4:05
WASHINGTON COUNTY

IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF UTAH
WASHINGTON COUNTY, ST. GEORGE DEPARTMENT

STATE OF UTAH,

Plaintiff,

vs.

WARREN STEED JEFFS,

Defendant.

ORDER ON CLOSURE BRIEFING.

Case No. 061500526

Judge James L. Shumate

This matter comes before the Court on the Press Intervenors' Motion for Entry of Order Concerning Briefing and Hearing On Closure Motions and Request for Expedited Consideration and Ruling. The State of Utah has apparently stipulated to the Press Intervenors' Motion, but the Defense has not. The Defense has insisted that the Defendant cannot receive a fair trial if the hearings on Motions in Limine are open because the matters that may never come before the jury at trial will be widely disseminated by the press, thus polluting the Court's jury pool. The Press Intervenors assert the right to argue the closure motion required by the Defense and demand full access to the Closure Motions and Motions in Limine in order to avoid having to argue the motions "in the dark". The Court has reviewed the memoranda filed by the parties and has previously indicated that the argument now set for July 17, 2007, will begin by addressing this issue.

However, the delay addressing the briefing issue will effectively deny the Press

Intervenors' Motion and deny what may be a constitutionally protected right. Therefore, prior to the hearings on July 17, 2007 the parties will comply with the following:

ORDER

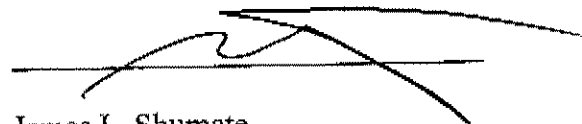
1. All parties filing Motions for Closure and Motions in Limine that are expected to be heard by the Court on July 17 and July 20, 2007, respectively, will file such motions by July 9, 2007.

2. All such motions will be filed with the Court under seal and *in camera* and will remain so until the hearing of July 17, 2007. Full, unredacted copies of the Motions and any supporting Memoranda and Exhibits will be supplied to all counsel under seal and under the Protective Order of this Court. Counsel, as officers of this Court will not disclose the contents of such filings with anyone not a direct employee of their respective law offices.

3. The Clerks office will note the filing of a sealed pleading on the Court's data base for this case, but no further reference to the pleading will be in the public file until the hearing on July 17, 2007. That hearing will be used to determine what, if any portions of the subject filings shall be opened for the public file.

DATED this 29 day of June, 2007.

BY THE COURT:



James L. Shumate
Fifth District Court Judge

CERTIFICATE OF MAILING/DELIVERY

I hereby certify that on this ____ day of _____, 2007, I provided a true and correct copy of the foregoing RULING to each of the parties/attorneys named below by placing a copy in such attorney's file in the Clerk's Office at the Fifth District Courthouse in St. George, Utah and/or by placing a copy in the United States Mail, first-class postage prepaid, and addressed as follows:

Brock R. Belnap, Esq.
Ryan J. Shaum, Esq.
Washington County Attorney
178 North 200 East
St. George, Utah 84770

Walter F. Bugden, Jr., Esq.
Tara L. Isaacson, Esq.
BUGDEN AND ISAACSON, LLC
445 East 200 South, Suite 150
Salt Lake City, Utah 84111

Richard A. Wright, Esq.
WRIGHT, JUDD & WINKLER
Bank of America Plaza
300 South Fourth Street, Suite 701
Las Vegas, Nevada 89101

David C. Reymann, Esq.
Jeffrey J. Hunt, Esq.
PARR WADDOUPS BROWN GEE & LOVELESS
Attorney for Media Intervenors
185 South State Street, Suite 1300
Salt Lake City, Utah 84111

DEPUTY CLERK OF COURT