

Douglas E. Kupel, Ph.D. (Pro Per)  
FRIENDS OF ARIZONA ARCHIVES  
P. O. Box 64532  
Phoenix, Arizona 85082-4532  
(602) 380-9900  
Petitioner

**COPY**

**APR 24 2008**



MICHAEL K. JAMES, CLERK  
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STATE OF ARIZONA

ARIZONA SUPERIOR COURT, COUNTY OF MARICOPA

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In the Matter of:

**APR 24 2008**

BARBARA R. MUNDELL  
PRESIDING JUDGE  
JUDICIAL BRANCH OF ARIZONA  
IN MARICOPA COUNTY

STATE OF ARIZONA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 THOMAS J. O'BRIEN, )  
 )  
 Defendant )  
 \_\_\_\_\_ )

No. CR 2003-016197-001 DT

**MOTION TO DESIGNATE  
CASE AS HISTORICALLY  
SIGNIFICANT**

To Presiding Judge Barbara Rodriguez Mundell:

I the undersigned request the Maricopa County Superior Court designate the above captioned case file as historically significant as permitted by Arizona Code of Judicial Administration §3-402(F)(1), and that the record be kept permanently. This request is based on the following reasons:

1. The case affected a large portion of the community and was controversial.
2. The case is generally viewed by the community as important.
3. The case involved a famous individual.

RESPECTFULLY SUBMITTED this 24<sup>th</sup> day of April, 2008.

Douglas E. Kupel  
Friends of Arizona Archives  
P. O. Box 64532  
Phoenix, Arizona 85082-4532  
(602) 380-9900

Certificate of Service

I certify that on April 24, 2008 I hand-delivered a COPY of this motion to:

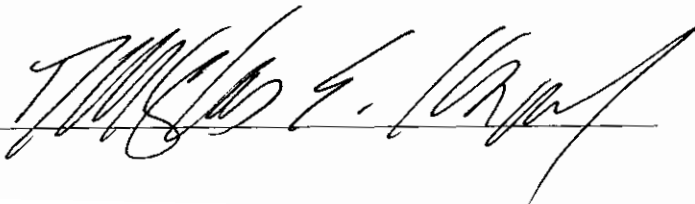
Honorable Barbara Rodriguez Mundell  
Maricopa County Presiding Judge  
Old Court House-510  
125 W. Washington  
Phoenix, AZ 85003-2243

I certify that on April 24, 2008 I mailed a COPY of this motion by regular mail (postage prepaid) to:

Anthony M. Novitsky  
Deputy County Attorney  
301 W. Jefferson, 8<sup>th</sup> Floor  
Phoenix, AZ 85003-2151

Mitchell Rand  
Deputy County Attorney  
301 W. Jefferson, 8<sup>th</sup> Floor  
Phoenix, AZ 85003-2151

Tom Henze  
Gallagher & Kennedy, P.A.  
2575 E. Camelback Road  
Phoenix, AZ 85016-9225

  
\_\_\_\_\_

In the Matter of:

STATE OF ARIZONA,

Plaintiff,

vs.

THOMAS J. O'BRIEN,

Defendant

No. CR 2003-016197-001 DT

**MOTION TO DESIGNATE  
CASE AS HISTORICALLY  
SIGNIFICANT**

**Historically Significant Case Designation**

This court has examined the motion submitted by Douglas E. Kupel to designate the above captioned case as historically significant pursuant to Arizona Code of Judicial Administration §3-402(F)(I). It is the opinion of this court that the request for historical case designation should be [granted/denied].

IT IS THEREFORE ORDERED this case [shall/shall not] be designated as historically significant and should be managed consistent with the provisions of the record retention schedule pursuant to the case type. This designation shall include all exhibits associated with the case.

IT IS FURTHER ORDERED that the motion and this order be placed in the official case record.

Signed on \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER OF THE SUPERIOR COURT

cc: Michael K. Jeanes, Clerk of the Maricopa County Superior Court