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5 **IN THE PIMA COUNTY SUPERIOR COURT,**  
6 **FOR THE STATE OF ARIZONA**

7  
8 STATE OF ARIZONA,

9 Plaintiff,

10 vs.

11 LANE JEFFERY MYERS

12 Defendant

Case No.: CR2025-1454-001

**DEFENDANT’S REPLY RE:  
REHEARING ON BAIL PURSUANT  
TO RULE 7.4(c)**

(Assigned to Hon. D. Douglas Metcalf)

Date: TBD  
Time: TBD

14  
15 Defendant, Lane Myers, by and through counsel, William J. Parven, respectfully  
16 replies to the State’s response. Mr. Myers maintains he is entitled to a rehearing pursuant  
17 to *Arizona Rule of Criminal Procedure 7.4(c)* as discussed below.

18  
19  
20 **A. Rule 7.4(c) Clearly Permits A Bond Rehearing After Transfer.**

21 “On motion... a court may reexamine bail eligibility if the case is transferred to a  
22 different court”. *Rule 7.4(c)*. “The court may hold oral argument or an evidentiary  
23 hearing.” *Id.*

1 As discussed in his motion, the bond hearing was held under the Pima County  
2 Consolidated Court case no. CR25-003692-FE. Mr. Myers had not yet been indicted or  
3 arraigned on charges. Once the indictment was issued, the file was transferred to the  
4 Pima County Superior Court for arraignment under this case number. The rules permit  
5 this request for a rehearing. This request is similar to this Court's appellate review over  
6 cases filed with Pima County Consolidated Court. The main difference is unlike a true  
7 appeal, this Court can make its own findings of fact for the rehearing.  
8

9 Mr. Myers is not asking this Court to conduct another full evidentiary hearing on  
10 everything. Limited testimony from Mr. Myers and oral argument based on the  
11 transferred record should suffice. Mr. Myers only desires review of his bail eligibility  
12 and release conditions as permitted under Rule 7.4(c)  
13

14 **B. Mr. Myers Secondary Argument Is that Rule 7.2(b)'s Statutory Prohibition**  
15 **On Release Is Unconstitutional As Applied to Him.**

16 The State correctly informs the Court that The Arizona Supreme Court upheld  
17 Arizona's strict prohibition of bail while on release. *See Morreno v. Brickner*, 243 Ariz.  
18 543 ¶38 (2018). However, because the issue was moot, the Supreme Court did not  
19 address whether the statute could be unconstitutional as applied to a specific defendant.  
20 *Id.* ¶9. For the reasons discussed in his motion, Mr. Myers maintains the poor conditions  
21 at the Pima County jail including the lack of a law library and the inability to  
22 communicate freely with people to work on his defense have deprived him of his  
23 constitutional right to represent himself. This issue has never been addressed and Mr.  
24  
25

1 Myers now makes this argument to this Court. Mr. Myers proposed the alternative of  
2 home detention if the State insists on confinement. Realistically, that should not be  
3 necessary because there are less onerous restrictions that will suffice under Rule  
4 7.2(a)(2), but it is a fair compromise for the time being.

5 **CONCLUSION**

6 Under Rule 7.4(c) a rehearing is permitted now that the case has been transferred  
7 to the Superior Court with a new case number. It is requested that this Court find that  
8 there was no proof evident that Mr. Myers committed a new felony while on pretrial  
9 release. In the alternative, it is requested that the Court agree that the prohibition on bond  
10 is unconstitutional as applied to Mr. Myers because it has deprived him of his right to  
11 self-representation. Mr. Myers has proposed home detention in lieu of confinement at  
12 the Pima County Jail as a compromise but realistically, this should not be necessary.  
13

14 RESPECTFULLY SUBMITTED this 10th day of April , 2025  
15

16 By: /s/ William J. Parven  
17 WILLIAM J. PARVEN, ESQ.  
18 Attorney for Defendant

19 Original of the foregoing filed  
20 with Clerk of Court  
21 Pima County Superior Court  
22 this 10th day of April, 2025

23 Copy of the foregoing delivered  
24 This 10th day of April, 2025

25 Pima County Attorney Office  
The Hon. D. Douglas Metcalf