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Attorney for the State

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF PIMA

THE STATE OF ARIZONA,

Plaintiff,

vs.

LANE JEFFERY MYERS,

Defendant.

CR20251060-001

NOTICE REGARDING
DEFENDANT'S ACCESS TO
LEGAL RESOURCES

Hon. D. Douglas Metcalf
Division 16

COMES NOW the State of Arizona, by and through the Pima County Attorney, LAURA CONOVER, and her Deputy, RACHEL STILES, and hereby files its notice regarding the Defendant's access to legal resources.

The Defendant's Motion to Represent Self was granted on March 20, 2025, in this cause number. William Parven, Esq. was appointed as the Defendant's Advisory Counsel on the same date.

On March 28, 2025, the Court ordered that the Defendant be permitted access to the Law Library at the Pima County Jail as to this cause number. On April 1, 2025, the Defendant informed the Court and Counsel that the jail does not have a Law Library anymore and that he had not been able to access legal resources to be able to represent himself.¹ The Defendant further stated that there was one tablet per twenty-five inmates.

The State contacted the Pima County Jail regarding the Defendant being able to access legal materials. On April 2, 2025, the State learned that each tablet is stocked with legal research resources via LexisNexis. The jail has a contract with LexisNexis, and it is free for the inmates to access. The State also learned that there is one tablet issued for every two-person cell. The jail confirmed that the law library is available to every inmate now electronically through the tablet.

On April 10, 2025, a captain at the jail confirmed that the Defendant has been consistently accessing the law library via LexisNexis on his tablet since March 21, 2025. The Defendant is able to have the material he needs printed by putting in a request with the law librarian. He is able to access writing materials by purchasing them through the commissary, or if he is indigent, by putting in a request form and they will be provided.

Furthermore, the State reached out to the Office of Court Appointed Counsel (OCAC). Counsel was informed that Mr. Parven, as the Defendant's Advisory Attorney, can request writing materials if his client is indigent and those can be provided.

¹ The Defense also referenced this in a motion filed on April 4, 2025, in CR20251454-001.

Additionally, Mr. Parven can be provided with a laptop with the applications necessary to review the electronic disclosure with the Defendant.

In *State v. Henry*, 176 Ariz. 569 (1993), the Arizona Supreme Court noted that a criminal defendant has a constitutional right to represent himself. *Id.* at 584. The Court found that when “a defendant in custody exercises that right, the Fifth Amendment guarantee of access to the courts requires that he or she be provided an adequate law library or assistance from someone trained in the law.” *Id.* The Court also noted that “Library access is only one permissible means of affording the right of meaningful self-representation. Legal help is another.” *Id.* Furthermore, the Court held that “[a]n inmate does not have the right to select his or her preferred means of access.” *Id.* “Due process rights are violated only when a defendant is denied *all* meaningful access to prepare a defense.” *Id.*

In this case, the Defendant has access to an electronic law library to do legal research in this case. He also has an advisory attorney who is able to assist him in his defense and is able to provide him access to be able to review all of the discovery in this case.

Respectfully submitted this 10th day of April, 2025.

LAURA CONOVER
PIMA COUNTY ATTORNEY

/s/ Rachel L. Stiles
Rachel L. Stiles
Deputy County Attorney
Rachel.Stiles@pcao.pima.gov

Original of the foregoing filed with the
Clerk of the Court this 10th day
of April, 2025

Copy of the foregoing delivered
this 10th day of April, 2025, to:

Honorable D. Douglas Metcalf
Division 16
Judge of the Superior Court

William Parven
Advisory Attorney for Defendant
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Tucson, AZ 85701