

IN THE SUPERIOR COURT OF THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

IN THE MATTER OF)
)
 WILLIAM BIGLEY,)

Case No. 3AN-08-247 PR

REPRESENTATION HEARING
BEFORE THE HONORABLE JACK SMITH

Friday, March 7, 2008

APPEARANCES:

FOR THE STATE: Stacy Kraly
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PROCEEDINGS

THE COURT: Mr. Gottstein, can you hear me?

MR. GOTTSTEIN: Yes.

THE COURT: And I think I have Ms. Kraly. Can you hear me?

MS. KRALY: Yes, I can.

THE COURT: This is Judge Smith. We're here in -- actually, I'm in court, and Mr. Bigley is here, as is his escort. This is 3AN-08-247 PR.

And it was added to the calendar for a representation hearing.

MS. KRALY: Is the public defender's office there, Your Honor?

THE COURT: No, they are not. We can't reach anybody at the public defender's office. I'm going to end up rescheduling this hearing because looking at the filings, I'm assuming people want to make an argument.

I don't know. I could try to decide it on the written submissions, if they want me to do that, but that's kind of what I'm trying to figure out is what's going on.

MS. KRALY: No. I think we need to reschedule because the public defender's office needs to be available.

THE COURT: Okay. Any sense from either the AG's office or Mr. Gottstein on how long you are going to need because that effects when I schedule it. I'm in the middle of a civil trial, so the mornings are pretty full.

The afternoons actually, because of that, are also pretty full, so I need a sense of how long the parties want.

MS. KRALY: Well, Your Honor, this is Stacy Kraly from the Department of Law and I'm filling in for Tim Twomey, who is the attorney of record in the matter.

The motion for representation -- the request for a representation hearing was brought by the public defender's office, so I mean, they are kind of the moving party in this matter.

I would assume that with the three parties and arguments, 20 minutes a piece. I mean, I don't think we're going to need a lot of time.

A lot of information has already been submitted to the court, if I am familiar with the record, and I am somewhat, so I think a lot of it is before you, but I think all parties would like to make an argument vis-a-vis the representation hearing.

MR. GOTTSTEIN: Your Honor, it's hard for me to say. It could end up being fairly complicated on the

representation issue, or it could -- I actually think it's very simple, but I think the public defender's office does not, and so it's hard for me to say.

THE COURT: All right. Well, here is what the court is going to do: Monday at 1:00 from 1:00 to 2:00. That means I'm going to stop my trial early, and I have a 2:00 CHINA hearing, so from 1:00 to 2:00, I'm going to give everybody 20 minutes each.

And if we need to continue it to the next day, it will be the same time, from 1:00 to 2:00. In other words, I'm going to give you each 20 minutes and if the issues appear more complicated than that, I'll give you more time the next day.

MS. KRALY: Okay. That sounds fair, Your Honor. Thank you very much.

THE COURT: So someone -- I will tell my chambers to call the PD, but if one of you happens to talk to them this weekend, you might let them know that they are going to need to be here prepared to argue Monday at 1:00.

MS. KRALY: Okay. I will send an e-mail to Kelly Gibson before I leave the office tonight.

THE COURT: Okay. I appreciate that. All right. Everybody -- and Mr. Gottstein, Mr. Bigley was here. He had indicated to the court that you had asked

him to remain here. Can he go now?

MR. GOTTSTEIN: Well, actually, I told him that I figured if nothing had happened by 4:30, he could go back, so, you know, so I was wrong about that, so I'm glad he is there.

I'm sorry I'm not there, but, yeah, he can go back, of course.

THE COURT: I just wanted to make sure he knew that it was okay to depart now, and that we'll be back here Monday at 1:00.

MR. BIGLEY: (Indiscernible) -- hotel room.

THE COURT: I'm not going to authorize a hotel room, Mr. Bigley. All right. The parties can hang up. Have a good weekend.

MS. KRALY: Thank you, Your Honor.

MR. GOTTSTEIN: Thank you.

THE COURT: Mr. Bigley can leave. Thank you.

(Off record.)

TRANSCRIBER'S CERTIFICATE

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I, SONJA L. REEVES, hereby certify that the foregoing pages numbered 1 through 6 are a true, accurate and complete transcript of proceedings in Case No. 3AN-08-247 PR transcribed by me from a copy of the electronic sound recording to the best of my knowledge and ability.

DATE SONJA L. REEVES, TRANSCRIBER