

PAUL J. MATTERN

ATTORNEY AT LAW

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EDUCATIONAL BACKGROUND

Bachelor of Arts of English, Arizona State University, May 1989

Juris Doctor, Arizona State University College of Law, December 1993

PROFESSIONAL MEMBERSHIPS AND CERTIFICATIONS

United States Supreme Court, 2008

Arizona Supreme Court, 1994

United States District Court, District of Arizona, 1994

American Bar Association, 1994

United States Court of Appeals for the Ninth Circuit, 1997

Certified Criminal Law Specialist, Arizona Board of Legal Specialization, 2000

Eligible for Appointment as Lead Trial Counsel in Death Penalty Cases Pursuant to Rule
6.8(b)(1); Arizona Rules of Criminal Procedure

Eligible for Appointment as Lead Appellate Counsel in Death Penalty Cases Pursuant to Rule
6.8(b)(1); Arizona Rules of Criminal Procedure

Arizona Attorneys for Criminal Justice

National Association of Criminal Defense Lawyers

JUDICIAL EXPERIENCE

Maricopa County Superior Court Judge *Pro Tem* (2002-2006)

City of Phoenix Municipal Court Judge *Pro Tem* (2001-2006)

Coconino County Justice of the Peace *Pro Tem* (2001-2002)

City of Flagstaff Municipal Court Judge *Pro Tem* (2002)

ATTORNEY EXPERIENCE

9/94 to Present - Private Practice

Trial experience includes over one-hundred and forty criminal trials; approximately fifty of which were heard by jury. Felony trial experience includes first degree murder in which the state sought the death penalty, second degree murder, child molestation, drive by shooting, drug conspiracy, drug sale, drug possession, drug equipment and manufacturing related charges, kidnaping, custodial interference, white collar and fraud related offenses, vehicular manslaughter, burglary, theft, armed robbery, felony DUI, and others.

In multiple cases, I have been retained by other attorneys in child molest and vehicular manslaughter cases solely to investigate and cross-examine forensic expert witnesses called by the state in trial, as well as to present defense forensic expert witnesses.

9/94 to Present - Private Practice (Continued)

Litigated Petitions for Post-Conviction Relief, Petitions for Review, Appeals from conviction at trial, and Petitions for Special Actions in Maricopa County Superior Court, Pima County Superior Court, Gila County Superior Court, Yuma County Superior Court, Division One of the Arizona Court of Appeals, Division Two of the Arizona Court of Appeals, the Arizona Supreme Court, the United States Court of Appeals for the Ninth Circuit, and the United States Supreme Court.

Appellate experience includes approximately forty felony appeals, including first degree murder in which the state sought the death penalty, non-capital first degree murder, second degree murder, manslaughter, drug manufacturing and sales, child molestation, conspiracy offenses, armed robbery and related offenses, assault with a deadly weapon and related offenses, vehicular crimes, burglary and related offenses, and others.

Post-conviction experience filed pursuant to Rule 32, Arizona Rules of Criminal Procedure includes approximately one-hundred and ten reviewed cases, in which full petitions were filed in approximately twenty of these matters. Types of cases handled is essentially identical to those listed in the description of appeal matters listed above.

Testified as an expert witness and provided expert opinions relating to defense attorney competence for the State Bar of Arizona in attorney disciplinary proceeding, as well as provide similar expert witness testimony and services in multiple counties.

Served as a Continuing Legal Education Speaker for the State Bar of Arizona in seminar relating to ethics and post-conviction litigation.

Currently litigating triple-homicide death penalty Petition in the United States Supreme Court.

7/98 to 6/08 - Criminal Justice Act Defense Panel, United States District Court, District of Arizona

Appointed by the United States District Court to provide effective representation of defendants and material witnesses who lack the financial resources necessary to retain private legal services. Representation to-date has included multi-national drug-trafficking and distribution conspiracies, multi-national alien smuggling offenses, multi-national sex-slave smuggling, illegal reentry after deportation, and federal tax fraud offenses, in addition to representing a number of material witnesses currently involved in on-going litigation. Responsible for all representation through and including appeal.

Significant experience involving major drug trafficking, sex-slave trafficking, complex international fraud cases, and other issues involving the Federal Bureau of Investigations, the Department of Homeland Security, the United States Secret Service, the Drug Enforcement Administration, and the Immigration and Naturalization Service in cases involving federal prosecution.

1/94 to 1/02 - State Bar of Arizona Community Educator and Speaker Regarding Drug, Alcohol and Substance Abuse

Spoke annually for the State Bar of Arizona regarding drug, alcohol and substance abuse issues involving teenagers. Have spoken to approximately over one-hundred audiences ranging in ages between twelve and eighteen. Groups have ranged in size from twenty to groups of well over four-hundred students.

6/01 to 6/02 - Arizona Paralegal Training Institute - Phoenix, Arizona

Responsible for teaching the criminal law and procedure portion of an American Bar Association certified paralegal training program. All courses were taught at the graduate level.

Course curriculum included the purposes and needs for criminal law, the police power of the state, principles of criminal responsibility, overview of the criminal justice system, jurisdictional issues of municipal, state and federal crimes, the juvenile justice system, constitutional criminal procedure, criminal procedure and the prosecutorial charging process, the formal initiation of criminal prosecution, purposes and theories underlying punishment, the probation and rehabilitative functions.

1/05 to Present - Miscellaneous Teaching and Speaking Experience

Approximately once a year, I have been a lecturer at Continuing Education Courses for attorneys sponsored by the State Bar of Arizona, and have conducted in-house training for the Yuma County Public Defender's Office and Yuma County Legal Defender's Office. These opportunities are sporadic by nature, although based on my practice and career achievements, I expect to speak, teach, or present seminars approximately once or twice every year.

2/96 to 6/00 - Gila County Superior Court

Provided legal representation to indigents accused of a variety of criminal offenses, including clients facing charges ranging from misdemeanors and minor drug offenses to capital murder.

2/97 to 10/98 - City of Phoenix Public Defender's Office

Represented indigent defendants in all phases of misdemeanor criminal defense in Phoenix Municipal Court. Duties included handling cases through trial and appeal.

1/96 to 11/98 - Maricopa County Office of Court Appointed Counsel

Appointed by the Court to represent persons accused of virtually every type of felony offense prosecuted in Maricopa County Superior Court ranging from minor drug charges to homicides which included death penalty litigation.

7/94 to 1/96 - See Comment on Web-Page. These three lawyer were my first employers and I believe are three of the finest lawyers in the State of Arizona. I am honored that they helped launch my career. However, I have deleted their names from this Resume so that clients searching for their web-pages would not accidentally be led to my web-page instead. Call or write and I will provide their names.

Assisted with providing representation to clients facing charges ranging from minor misdemeanor to major felony offenses. Assisted with the performance of Maricopa County Felony Trial Contracts, a City of Phoenix Public Defender Contract, as well as retained cases which included appearances in the United States District Court for the District of Arizona, Maricopa County Superior Court, Maricopa County Justice Courts, and various Municipal Courts.

12/92 to 12/93 - Intern, City of Mesa Prosecutor's Office

Pursuant to Rule 32(3), Rules of the Supreme Court, represented the City of Mesa in criminal misdemeanor trials, civil traffic hearings, and related proceedings. Appeared on behalf of the City as an intern prosecutor in approximately 50 trials; seven of which were heard by jury.

6/93 to 12/93 - Intern, Maricopa County Public Defender's Office

Pursuant to Rule 32(e), Rules of the Supreme Court, represented indigent clients facing DUI and other misdemeanor traffic charges through trial.

ADDITIONAL QUALIFICATIONS

12/92 - Arizona State University College of Law

Graduation Thesis: *The Constitutionality of Blood Alcohol Presumptions in Arizona DUI Cases*. In this thesis, identified and questioned the constitutionality of permissive presumptions contained in the Arizona Revised Statutes relating to DUI cases. The research and content of this thesis was completed two years prior to this issue being identified and litigated at the appellate level by Arizona DUI practitioners.