

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

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THE STATE OF ARIZONA,	)	
	)	
Plaintiff,	)	NO. 41947
	)	
vs.	)	STATEMENT OF FACTS ON CONVICTION
	)	
ERNEST ARTHUR MIRANDA,	)	
	)	
Defendant.	)	

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An information was filed in the Superior Court of the State of Arizona, County of Maricopa, charging the defendant with the crime of ROBBERY, a felony, on April 15, 1963.

Arraignment was held on April 23, 1963, at which time the defendant entered a plea of not guilty to the Information. Trial date was set for May 15, 1963.

On June 19, 1963, the defendant was found guilty of Robbery (by a jury), as stated in the Information.

The defendant was sentenced on June 27, 1963, in Division 10 of the Superior Court of the County of Maricopa, State of Arizona, and ordered to serve a term of not less than twenty years nor more than twenty-five years at Arizona State Prison. Said sentence is to run consecutively with that given in CR 41948.

On September 10, 1969 the Federal District Court for Arizona ordered that the case be re-tried by the Superior Court.

On September 27, 1971 in Division 24, the defendant was sentenced to serve a term of not less than twenty years nor more than twenty-five years at Arizona State Prison to date from June 27, 1963 to run concurrently.

The facts and circumstances surrounding the commission of the crime are as follows:

On or about November 27, 1962 at approximately 8:50 p.m., the defendant accosted Barbara Sue McDaniel at a parking lot in downtown Phoenix. He forced himself into her car, drove her away

from the lot and into an alley. At that point he drew a knife and attempted to rape the victim, but not succeeding he robbed her of approximately \$8.65. He then left her car and walked away from her.

The defendant states that his true name is ERNEST ARTHUR MIRANDA; that he was born in Mesa, Arizona on March 9, 1940; that his father is living in Mesa, Arizona, and that his mother is deceased; that he has five brothers and no sisters; and that he is a citizen of the United States.

The defendant further states that he has lived in the County of Maricopa for life, and the State of Arizona for life; that he makes a living as a truck driver; that he is not married, and has one child.

Respectfully submitted this 16<sup>th</sup> day of October, 1971.

MOISE BERGER  
MARICOPA COUNTY ATTORNEY

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JUDGE OF THE SUPERIOR COURT  
STATE OF ARIZONA  
COUNTY OF MARICOPA  
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LARRY CRONIN  
CHIEF COMPLAINT DEPUTY