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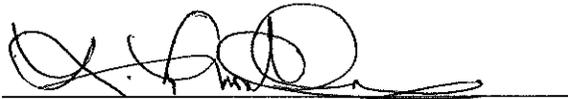
IN THE SUPREME COURT OF THE STATE OF IDAHO

RICHARD A. LEAVITT,)	
)	CASE NO. 39986
Petitioner,)	
)	
vs.)	MOTION TO TAKE JUDICIAL
)	NOTICE
THE DISTRICT COURT OF THE)	
SEVENTH JUDICIAL DISTRICT, and the)	
Honorable Jon J. Shindurling, Judge)	
Of the District Court,)	
)	
Respondents.)	

COME NOW, Respondents, The District Court of the Seventh Judicial District and the Honorable Jon J. Shindurling, Judge of the District Court (“state”), by and through their attorney, L. LaMont Anderson, Deputy Attorney General and Chief, Capital Litigation Unit, and hereby move pursuant to Rule 201, I.R.E., for an order taking

judicial notice of the Clerk's Record in State v. Leavitt, Idaho Supreme Court Docket #39941. These documents constitute the underlying record for the appeal that apparently forms the basis of Petitioner's "Verified Petition for A Preemptory Writ of Mandamus Directing Court to Vacate the Issuance of the Death Warrant and Conduct New Hearing," upon which the parties are relying in their respective pleadings before this Court in the instant case. Because the documents are readily available to the Court, the state has not attached copies to this motion.

DATED this 31st day of May, 2012.



L. LaMONT ANDERSON
Deputy Attorney General and
Chief, Capital Litigation Unit

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on or about the 31st day of May, 2012, I caused to be serviced a true and correct copy of the foregoing document by the method indicated below, postage prepaid where applicable, and addressed to the following:

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