

Given;(Complaint # 30083575)

(notes for hearing) It should be noted if the word I it means Complainant of Complaint # 30083575 in not ways means implication.



Star Valley Magistrate Court
714 S Beeline Hwy, #103
Payson, AZ 85541
Court Number: 0447

STAR VALLEY MAGISTRATE COURT, GILA COUNTY
Arizona Traffic Ticket and Complaint



Complaint # 30083575		Case #	Military	☐ Accident ☐ Fatality	☐ Serious Physical Injury	☐ Commercial ☐ Haz Material	DR #	GRID #
Driver's License Number		State UN	Class	Endorsements M H N P T X D			Agency Use	
DEFENDANT		First	Middle	Last				
Residential Address/Mailing		City				State	Zip	Telephone
Gender M	Weight	Height	Eyes	Hair	Origin	Date of Birth	Restrictions	
Business Address		City				State	Zip	Telephone
VEHICLE		Color	Year	Make	Model	Style	License Plate	State Expiration
Registered Owner		Address				Vehicle Identification Number		

ON	Month JANUARY	Day 7	Year 2011	Time 1:29 pm	AM ☐ PM ☒	SPEED 56	Approx.	Posted 45	R&P	Beat	Speed Measurement Device
AT	Location EB HWY 260 AND MILE MARKER 255.26 EB										

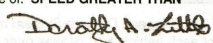
A.	Section	ARS/CC ARS 28-701A	Violation Description SPEED GREATER THAN REASONABLE AND PRUDENT	Civil Traffic
	Docket Number	Disposition Codes	Date of Disposition	Sanction

I certify upon reasonable grounds, I believe the person named herein committed the act(s) described and I have caused this complaint to be issued on: 01/13/2011.


SHARON RAPPAPORT, Complainant

SV02
ID No.

SUMMONS
You are hereby summoned and ordered to appear at the Star Valley Magistrate Court - 714 S. Beeline Hwy, #103 Payson, Arizona **at the date and times indicated: 02/14/2011 between 9:00 AM to 11:00 AM** on a complaint charging you with the offense of: **SPEED GREATER THAN REASONABLE AND PRUDENT** on 01/07/2011.


Dorothy A. Little, Justice of the Peace

If the sanction/fine and costs of \$197.00 are received by the Court prior to the above date, you do not need to appear in court.
If you are a juvenile you **MUST** appear for an arraignment with a parent/guardian at the date and time indicated, the attached options do not apply to you at this time.

WARNING TO DEFENDANT
If you waive service or you are served with the Summons and Complaint and you fail to appear as directed, a default judgment may be entered against you, a civil sanction imposed, and your driver's license suspended. Your driver's license or non-resident privileges may remain suspended until the sanction is paid in full and you satisfy Motor Vehicle Division requirements (A.R.S. 28-1557).

WAIVER NOTICE: Rules 4.1 and 4.2, Arizona Rules of Civil Procedure, require defendants living within the United States to cooperate in saving unnecessary costs of service of summons. To avoid further action and additional costs including default fees, a \$20.00 time payment fee, and a minimum \$32.00 cost if personal service is required, respond no later than 02/14/2011 by choosing one of the options on the Options Page (page 2). You must sign the reverse side of the coupon to avoid these costs. By law, you have been provided with a copy of the complaint and an enclosed envelope with which to comply.

- This is a copy of the complaint with the offense described on the enclosed complaint that has been filed in the Star Valley Magistrate Court.
- Please be advised that persons carrying weapons of any kind will not be permitted in the court building.

VIOLATOR/DEFENDANT COPY - Keep for your records

PAGE 3

6. You will be notified by mail of your hearing date. You must appear on the date assigned by the court.

Americans with Disabilities Act (ADA) Notice:
 This publication is available in large format or on audio tape.
 If you need special accommodations, due to a disability, for your appearance in court or for attendance at a defensive driving class, please call:
 For court appearances, call the Court at (928) 474-5267.
 For defensive driving classes, call ["notify the defensive driving school's registration personnel that an accommodation will be needed"].
 Please make all requests as early as possible to allow time to arrange the accommodation.

Star Valley Magistrate Court
714 S. Beeline Hwy. # 103
Payson AZ 85541

At what speed are photos taken?

<http://ci.star-valley.az.us/Documents/PhotoEnforceFAQ/Frequently%20Asked%20Questions--sv.pdf>
 Photos of speeding vehicles are taken at 11 mph or more over the posted speed limit. 

TRAFFIC

*28-702.01A 65 IN A 55 (NO POINT VIOLATION).....\$ 47.60

FOR 28-701A With accident\$177.00

28-701A SPEED SEE CHART BELOW

28-710A

28-702.01, B, C, D

SPEED UP TO 10 OVER

.....\$177.00

11 to 15 MPH OVER.....\$197.00

16 to 20 MPH OVER.....\$220.00

21 to 25 MPH OVER.....\$266.00

26 to 30 MPH OVER.....\$295.00

31 to 40 MPH OVER.....\$390.00

28-644A1.....\$157.00

28-710BFine doubles in chart above

*28-645A3A Mandatory Traffic School\$229.00

*28-647.1Mandatory Traffic School\$229.00

28-704A/28-704C\$171.00

28-721A.....\$229.00

28-726.A1/28-726.A3\$422.00

"...reasonable and prudent..." speed. It also provides a reasonable margin of error/grace for inaccurate vehicle speedometers and short-term lapses of attention by otherwise law-abiding and generally cautious drivers. <http://ci.star-valley.az.us/Documents/PhotoEnforceFAQ/Frequently%20Asked%20Questions--sv.pdf>

Our primary focus is on intentional, aggressive and negligent drivers. Statistics tell us that at 10 mph over the posted speed limit, the probability of being involved in a crash doubles. However, at 20 mph over, the probability increases to 11 times greater. We are trying to change the driving behavior of those persons who are most likely to cause crashes. Citing at 11 mph or more over the speed limit is the standard for most jurisdictions, nation-wide, that employ photo enforcement systems.

***Photos of speeding vehicles
 are taken at 11 mph or over
 the posted speed limit.***

The fine of; *\$197.00* concurs with *11 to 15 MPH OVER*. So to get a fine of \$197.00 and to have a photo taken one must be going **at least 11 mph over** the posted speed.

It is therefore my understanding if one is traveling below 11 MPH then Photos are not allowed as evidence.

Can recall going through Star Valley on Friday January 7, 2011, but **uncertain** of the **time** or **speed**.

I am **UNCERTAIN OF THE SPEED**, and the time I was traveling, and any implication otherwise would be certainly false.

How, and how often, is a fixed speed detection system calibrated and checked for accuracy?

Detection system accuracy is established at the time of installation by comparing the speed indicated by the system with a calibrated detection device. The system is configured to an accuracy of +/- 1 MPH of the calibrated detection device reading. The term "calibration" is often used inappropriately in this situation. There are no adjustments made once the initial setup is accomplished, and the only way to change the way the system detects vehicle speed is by changing one of the two constants involved (#1 the distance between the two sensors, and/or #2 the way time is measured by the computer).

A variety of devices are used to verify accuracy and include but are not limited to:

<http://ci.star-valley.az.us/Documents/PhotoEnforceFAQ/Frequently%20Asked%20Questions--sv.pdf>

- Vehicle speed test and verification
- Radar detection systems
- Certified speedometers
- Laser speed detection systems

So there is **UNCERTAINTY** in the speed traveled, by the driver since there were many drivers which travel through Star Valley on Friday January 7, 2011.

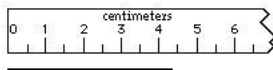
The system is configured to an accuracy of +/- 1 MPH

Uncertainty, Error, and Precision in Quantitative Measurements

Much of the work in any chemistry laboratory involves the measurement of numerical quantities. A quantitative measurement tells us three things:

1. Numerical quantity,
2. Appropriate units,
3. Uncertainty of the measurement.

The first two of these are fairly easy to understand but the last one, uncertainty, needs some explanation. There is always an uncertainty associated with physical measurements, arising not only from the care with which you take the measurement, but also from the care with which the measuring device is calibrated. If you have done all that you can to minimize error in taking measurement, your recorded values should then reflect the uncertainty (precision) of the measuring tool. This is usually the smallest numerical value that can be estimated with the measuring device. For example, imagine trying to measure the length of the following line segment using a cheap metric ruler:



Is the length of the line between 4 and 5 cm? Yes, definitely.

Is the length between 4.0 and 4.5 cm? Yes, it looks that way.

But is the length 4.3 cm? Is it 4.4 cm?

Given the precision of the ruler and our ability to estimate where between a set of marked graduations (the tick marks on the ruler) a measurement falls, we are somewhat uncertain about what number to record after the decimal. So, what we can say is that the actual length is around 4.4 cm, but it might be closer to 4.3 cm, or it might be closer to 4.5 cm. In other words, we think the length is 4.4 cm but we might be off by 0.1 cm in either direction. We would record this measurement in this way:

$$4.4 \pm 0.1 \text{ cm}$$

Keeping track of the uncertainty would be cumbersome if the uncertainty had to be reported this way each time the measurement itself were reported or used in a calculation. Therefore, we use significant figures to imply the precision of a measurement without having to state the uncertainty explicitly. In this course, we will assume an uncertainty of ± 1 in the last recorded digit unless stated otherwise. the measurement recorded above could then be recorded just as:

$$4.4 \text{ cm}$$

$\pm$ is the same as $+/-$

so given above a measurement of;

4.4cm is the same as $4.4+/-1\text{cm}$

in putting it in millimeters (mm)

44mm is $44+/-1\text{mm}$ is $44\pm 1\text{mm}$

in putting it in miles per hour (mph)

44mph is $44+/-1\text{mph}$ is $44\pm 1\text{mph}$

This concurs with;

*The system is configured to an **accuracy** of +/- 1 MPH*

First of all before it is progressed any further with the math it is felt that I will need to intercede my qualifications.

Been a professor of mathematics at the University of New Mexico, which has a criminal science program;

www.gallup.unm.edu/academicdepts/education/index.html



Education

- Description & Outcomes
- Flowchart/Checklist
- Requirements
- Faculty Information
- Facility
- Projects & Community Ties

Early Childhood Multi-Cultural Education (ECME), Pre-Professional Education, Elementary and Secondary Education, MVSO/SAND, Criminal Justice, Music Education, Child Care Center, and Special Education, Calvin Hall 124

Department Chair: Dr. Helen Zongolowicz
Administrative Assist: Eunice Harrison

Academic Advisor: Eddie Crank
Academic Advisor Paula Sayers

Programs:	Certificates:	Degrees:	Academic Advisor
ECME	C	AA	Gloria Clark
Criminal Justice		AAS	Paula Sayers
Criminal Justice - Law Enforcement		AA	Paula Sayers

Last class instructed was an algebra class.



The University of New Mexico

**LETTER OF UNDERSTANDING
EMPLOYMENT OF TEMPORARY PART-TIME FACULTY**

TO: Mark Elliot

This letter affirms our understanding of your conditional appointment as a temporary, part-time faculty member of the University of New Mexico-Gallup Campus. This appointment is contingent upon the course(s) shown below reaching a level of enrollment that is satisfactory to the department. This appointment may be cancelled or altered as late as the third week of the semester for: 1) *under enrollment*; 2) *changes in the work schedule of department, including changes to assure that a full-time employee has a complete assignment*. If the assignment is cancelled after the class has already begun meeting, your pay will be prorated according to the number of class session(s) you conducted. You also agree to the following: to teach the course according to the official course syllabus (sign below to indicate you have received the syllabus); including any student outcome assessment practices, to conduct each class session for the full amount of scheduled time; to contact your Department Chair if you need to cancel class due to an emergency or pre-arranged absence so that your class can be met and your plans can be implemented; to attend departmental meetings and inform your Department Chair if you cannot; attend at least one part-time faculty orientation a year, and to abide by the campus Inclement Weather Policy. Faculty appointments are governed by applicable policies stated in the Faculty Handbook, as amended from time to time, published and distributed by the University and available for review in your department office.

Course Assignment

Call #	Dept.	CRS #	Sec. #	CRS Title	Credits	Day(s)	Time	Bldg/Rm
28694	MATH	118	402	Algebra Stretch I	3	M W	1715-1830	CH 179

Official Course Syllabus received: ALGEBRA STRETCH I

Official Course Syllabus received:

Official Course Syllabus received:

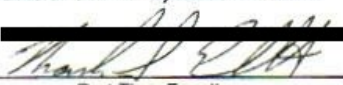
Official Course Syllabus received:

Date: / /

Date: / /

Date: / /

Date: / /


Part Time Faculty

8/18/08
Date


Department Chair

08/18/08
Date

In agreeing to teach the above class or classes during the **FALL Semester, 2008**, you understand your salary will be

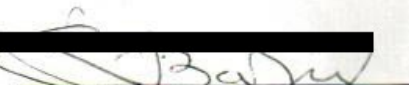
» \$2,082.00 to be paid in four installments (less applicable deductions) beginning on 09/30/2008 and ending 12/31/2008.

This appointment carries no other monetary benefits and does not alter, positively or negatively, your chances of receiving future appointments as a temporary or permanent faculty member.

Two copies of this letter have been included. Please sign one copy and return it to the Human Resources Office immediately.


Part Time Faculty

8/18/08
Date


Dr. Christine Marlow,
Dean of Instruction

8/18/08
Date

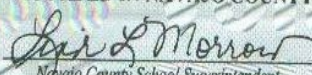
Also am currently certified by standards of the **State of Arizona**, in areas of mathematics, science, engineering, economics, and English as a second language.

6125

Arizona Department of Education CERTIFICATE				
Name MARK S ELLIOTT			Certificate Number 5349 [Educator ID: 2004189]	
Certificate	Valid Date	Expiration Date	Approved Areas	Deficiencies
Standard Secondary Education, 7-12	09/25/2007	10/22/2013	Economics** Engineering** Mathematics General Science** *English as a Second Language, K-12	
			**This certificate does not meet the requirements to teach Vocational/Career and Technical Education classes.	
			*Endorsement	
ARIZONA DEPARTMENT OF EDUCATION 1535 West Jefferson Street * Phoenix, Arizona 85007			 TOM HORNE State Superintendent of Public Instruction	

Thank you for your support of efforts to provide a quality education for Arizona's students. Although a copy of this certificate can be obtained for a fee, the Certification Unit will be unable to copy or retain documents that were provided to support your request for this certificate. Please maintain copies of all your personal and professional records for future reference or use. Also, please note that State Board of Education certification requirements are subject to change and, therefore, could affect your ability to qualify for renewals, endorsements, conversions, additional certificates, or other services. For this reason, it is essential for you to maintain your qualifications to practice in Arizona, and to be familiar with the rules and requirements that are in effect at the time future services may be requested.

RECORDED IN NAVAJO COUNTY


Lari L. Morrow
Navajo County School Superintendent

Date 10/09/07 By TMM

MARK S ELLIOTT
GALLUP NM 87301

ARIZONA DEPARTMENT OF EDUCATION CERTIFICATE

NAME		CERTIFICATE NUMBER	
MARK S ELLIOTT		5349	
CERTIFICATE	VALID DATE	EXPIRATION DATE	APPROVED AREAS
Standard Secondary Education, 7-12	02/22/2001	10/22/2007	Economics Engineering Mathematics General Science * English as a Second Language, K-12
DEFICIENCIES			

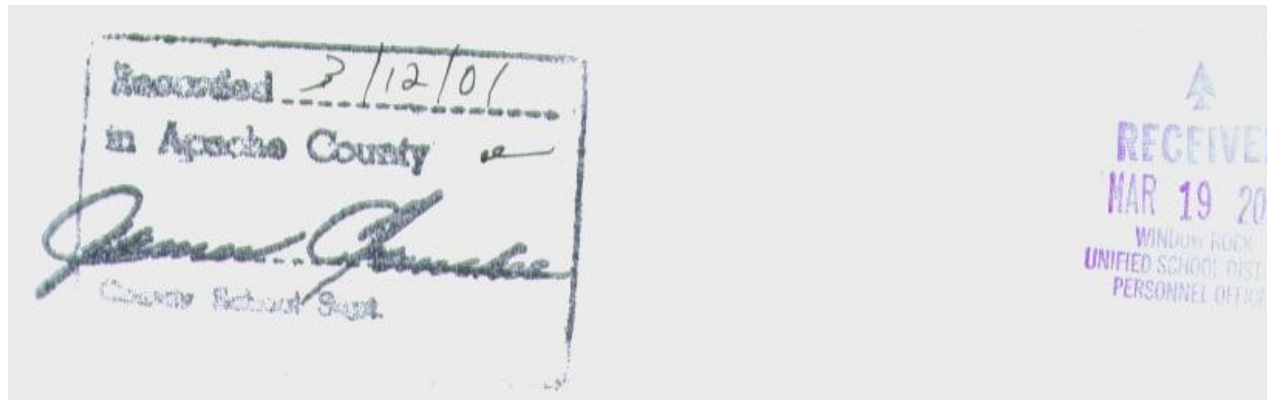
*Endorsement

ARIZONA DEPARTMENT OF EDUCATION
1535 West Jefferson Street • Phoenix, Arizona 85007


LISA GRAHAM KEEGAN
State Superintendent of Public Instruction

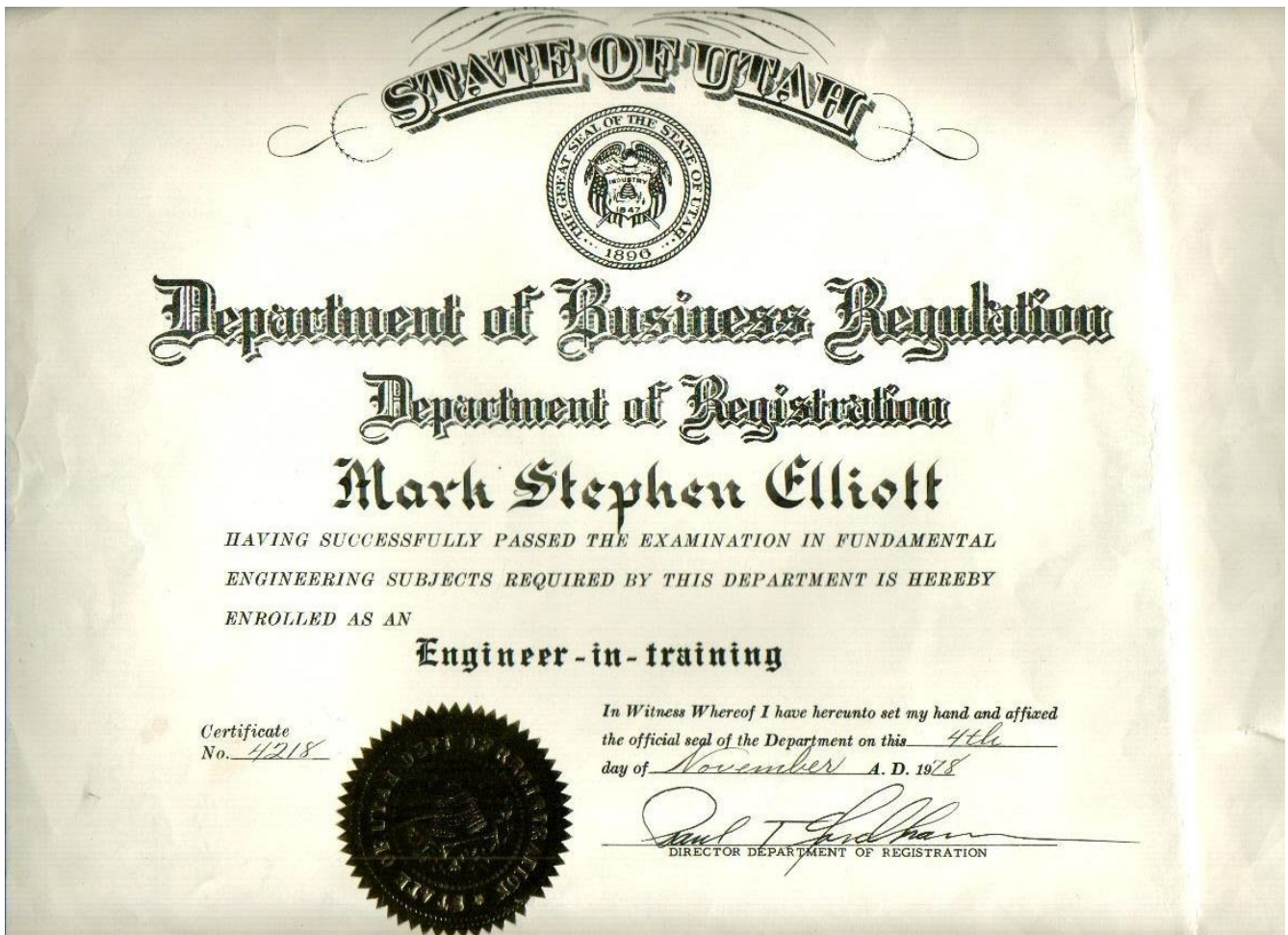
Certification requirements are subject to change. The certified professional is responsible for being knowledgeable about current requirements and for maintaining valid certification to practice in Arizona.

MARK S ELLIOTT
[REDACTED]
GALLUP NM 87301



Instructed basically mathematics and science in the **State of Arizona** for sixteen school years. Seven years at Valley High, Sanders, eight years at Window Rock High, Ft Defiance, and one year at White Cone High. At the University of New Mexico in Gallup, instructed computer engineering (calculus was listed as a prerequisite), algebra, and technical mathematics, classes for two decades.

Individuals in the criminal justice system of Arizona since Gallup is with twenty miles of the border; in which I could have been the mathematics professor of their criminal justice program were also instructed by an Arizona Certified instructor in areas of engineering, mathematics, and science.



For **four** years worked as a mine engineer in southern Indiana. Passed the State of Utah Engineer in Training Exam.

How to calculate in;

Accuracy;

The system is configured to an accuracy of +/- 1 MPH

Given;

SPEED	Approx. 56
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We have a measurement of ;

Approx. 56 MPH = 56 ± 1 MPH

for a maximum of; $56 + 1 = 57$ MPH

for a minimum of ; $56 - 1 = 55$ MPH

Now inputting the posted;

SPEED	Approx. 56	Posted 45
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Maximum over posted is; $57 - 45 = 12$ MPH

Minimum over posted is; $55 - 45 = 10$ MPH

The given numbers do not show the vehicle as traveling 11 MPH or more over the speed limit.

Given numbers show;

The vehicle is traveling **ten to twelve miles over the speed limit.**

How to calculate in;

Uncertainty;

Students in my chemistry classes would do a pencil drop lab on a target which would help to demonstrate a location of and electron around a proton in the hydrogen atom. It was Heisenberg's *Uncertainty Principle*.

From dropping pencil to a target the students would get graphs similar in shape which Heisenberg would get for the distance of an electron from the proton. This would give a bell shape curve skewed to the right.

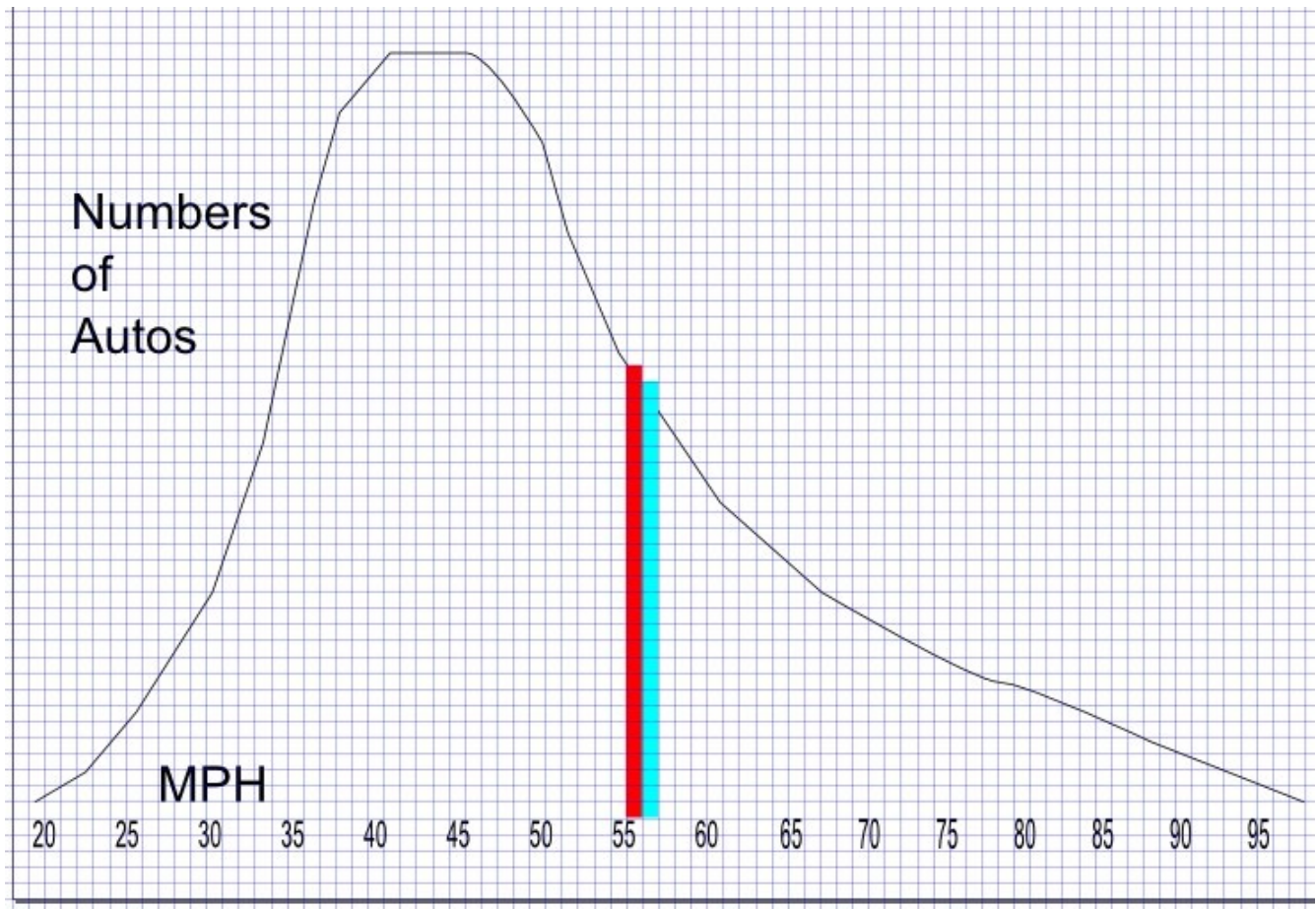
Drivers when approaching Star Valley from a posted 55MPH and seeing the posted 45 MPH in order to not incriminate are targeting the new posted speed. They will be traveling near the 45 MPH posted speed.

If non bias data is graphed it would verify a bell shape curve

skewed to the right. The more the data the better the curve.

This is the result of applied targeting mathematics.

The graph given the speeds would be a graph that would run downward left to right with a negative slope, through 55, 56, and 57MPH, and look something like this;



With utilizing a histogram, **Uncertainty** the red line represents the number of vehicles in comparison which are traveling at Approx. 56MPH, that are traveling below 56MPH, which is not 11MPH or more over the posted speed limit of 45MPH. The blue line represents the number of vehicles traveling at or above 56MPH, which is at 11MPH or above. One can see the red line is of equal width to the blue

line is longer than the blue line, therefore traveling under 11MPH over the posted speed is greater then traveling at or over 11MPH over the posted speed.

SPEED	Approx. 56
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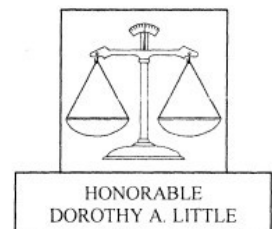
In truth at speed
Approx 56 it is most
likely the vehicle of
Complaint # 30083575
was not going
11MPH or more over
the posted speed.

So vehicle of Complaint # 30083575 is traveling at a speed where photos are not allowed in evidence.

note; Numbers are supplied by the Star Valley Website;<http://www.ci.star-valley.az.us/> and Star Valley Magistrate Court, Gila County, Arizona

Photo(s) are not evidence in this hearing.

PAYSON REGIONAL JUSTICE COURT
PAYSON MAGISTRATE COURT
STAR VALLEY COURT
714 S. BEELINE HWY. STE#103
PAYSON, AZ 85541
928-474-5267



February 3, 2011

MARK ELLIOTT

GALLUP, NM 87301

M -0447 - SP - 2011000660

The court has received your not guilty plea and a trial date has been scheduled for you on 3-2-11 @ 1:30 for the violation of 28-701A. ½ hour has been set aside for your hearing. Advise the court immediately if you have multiple witnesses or you feel this is not ample time to present your case.

Disclaimer;

Since photo(s) have been shown to be invalid and not to be evidence; questions answered to photo would also be invalid. Have chosen not answer any questions to any photo. If by chance I accidentally answer a question on the photo provided, I would like it

taken out of the court's record.

If the court should not strike out any response to photo in attempted use as evidence, in no way should any response by me should be considered validation of photo(s) as evidence.

Mark S. Elliott