

01/30/2015 Notice Filed Event ID: 000608 E-Filed: N
DEF/ HOLMES, JAMES EAGAN
DEFENSE NOTICE OF SUPPLEMENTAL DISCLOSURES PURSUANT TO RULE 16(III)(B)
(D-278) SUPPRESSED ENVELOPE #179 STD 201 1 30 15 /LKO

01/30/2015 Minute Order (print) Event ID: 000610 E-Filed: N
JURY TRIAL - DAY 9

JUDGE: SAMOUR REPORTER: J. MARTIN
THE DEFENDANT APPEARS IN CUSTODY WITH HIS ATTORNEY'S DAN KING, KRISTEN NELSON, KATHERINE SPENGLER, REBEKKA HIGGS, AND TAMARA BRADY. THE PEOPLE ARE REPRESENTED BY GEORGE BRAUCHLER, JACOB EDSON, KAREN PEARSON, RICH ORMAN, AND LISA TEESCH-MAGUIRE.
MORNING SESSION:

OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD REGARDING SEVERAL PROSPECTIVE JURORS WHO HAVE REPORTED THIS MORNING. THE FOLLOWING PROSPECTIVE JURORS ARE EXCUSED BY STIPULATION OF THE PARTIES: 3987, 3895, 3785, 3830, AND 3757. PROSPECTIVE JURORS 3979, 3776, AND 3921 WILL BE RESCHEDULED TO A LATER INTRODUCTION SESSION. PROSPECTIVE JUROR 3385, WHO REPORTED YESTERDAY MORNING, RECEIVED TWO SUMMONSES FOR THIS CASE, INCLUDING AS PROSPECTIVE JUROR 7798. THE PARTIES STIPULATE THAT THIS JUROR CAN BE RELEASED FROM THE 7798 SUMMONS. PROSPECTIVE JUROR 3134 HAS RETURNED TO COMPLETE HIS QUESTIONNAIRE. THE COURT WILL INCLUDE PROSPECTIVE JUROR 3134'S QUESTIONNAIRE ON THE JUMP DRIVE WITH THE QUESTIONNAIRES FROM THIS MORNINGS SESSION. THE COURT MAKES A RECORD REGARDING QUESTIONS SUBMITTED ON YELLOW JUROR QUESTION FORMS DURING YESTERDAY AFTERNOON'S INTRODUCTORY SESSION. THE COURT MAKES ITS INTRODUCTORY REMARKS TO THE MORNING GROUP OF PROSPECTIVE JURORS. AFTER THE PROSPECTIVE JURORS HAVE EXITED THE COURTROOM, THE FOLLOWING 91 PROSPECTIVE JURORS FROM PREVIOUS INTRODUCTORY SESSIONS ARE DISMISSED BY STIPULATION OF THE PARTIES: 1762, 1775, 1784, 1795, 1801, 1828, 1830, 1851, 1868, 1874, 1933, 1985, 2060, 2071, 2076, 2104, 2124, 2131, 2136, 2203, 2222, 2286, 2351, 2391, 2462, 2471, 2751, 2756, 2759, 2764, 2765, 2767, 2768, 2775, 2781, 2787, 2795, 2798, 2799, 2800, 2829, 2831, 2838, 2839, 2843, 2844, 2845, 2853, 2854, 2855, 2863, 2866, 2868, 2881, 2882, 2889, 2896, 2901, 2902, 2904, 2912, 2920, 2922, 2928, 2935, 2936, 2938, 2940, 2943, 2945, 2947, 2958, 2959, 2963, 2964, 2965, 2970, 2972, 2976, 2978, 2979, 2981, 2985, 2987, 2989, 2990, 2991, 2993, 2995, 2997, 3212. THE COURT MAKES A RECORD REGARDING THE INTRODUCTORY SESSIONS SCHEDULED FOR THE WEEK OF FEBRUARY 9 AND THE SCHEDULING OF INDIVIDUAL VOIR DIRE SESSIONS. THE COURT ASKS THE PARTIES TO CONSIDER ITS PROPOSAL AND BE PREPARED TO DISCUSS THEM LATER THIS AFTERNOON. THE COURT MAKES A RECORD REGARDING A YELLOW JUROR QUESTION FORM SUBMITTED BY PROSPECTIVE JUROR 3859 IMMEDIATELY AFTER THE COURT FINISHED ITS INTRODUCTORY REMARKS. PROSPECTIVE JUROR 3859 IS EXCUSED WITHOUT OBJECTION.

AFTERNOON SESSION:
THE DEFENDANT AND THE SAME ATTORNEYS ARE PRESENT. OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD REGARDING SEVERAL PROSPECTIVE JURORS WHO HAVE REPORTED THIS AFTERNOON. THE FOLLOWING PROSPECTIVE JURORS ARE EXCUSED BY STIPULATION OF THE PARTIES: 4030, 4121, AND 4003. PROSPECTIVE JUROR 3696 WROTE THE WRONG JUROR NUMBER ON HER QUESTIONNAIRE. WITH THE COURT'S PERMISSION, A STAFF MEMBER CORRECTED THE NUMBER ON THE QUESTIONNAIRE AND INITIALED IT. PROSPECTIVE JUROR 3979 HAS BEEN RESCHEDULED TO 2/6/15 PM.

PROSPECTIVE JUROR 3776 HAS BEEN RESCHEDULED TO 2/6/15 AM. PROSPECTIVE JUROR 3921 HAS BEEN RESCHEDULED TO 2/5/15 AM. PROSPECTIVE JUROR 3810, WHO IS SCHEDULED FOR THIS AFTERNOON, HAS BEEN RESCHEDULED TO 2/6/15 AM AND THE COURT MAKES AN ADDITIONAL RECORD REGARDING THIS JUROR. THE COURT MAKES ITS INTRODUCTORY REMARKS TO THE AFTERNOON GROUP OF PROSPECTIVE JURORS. THE COURT BRINGS PROSPECTIVE JUROR 4196 INTO THE COURTROOM FOR INDIVIDUAL QUESTIONING. PROSPECTIVE JUROR 4196 WILL BE RESCHEDULED TO A LATER INTRODUCTORY SESSION. PROSPECTIVE JUROR 4015 SUBMITTED A QUESTION DURING THE COURT'S INTRODUCTORY REMARKS INDICATING THAT THE SHE HAS A JOB INTERVIEW SCHEDULED THIS AFTERNOON. THE COURT WILL HAVE ITS STAFF SEE IF THIS PROSPECTIVE JUROR WOULD LIKE TO RETURN AT A LATER DATE TO COMPLETE A QUESTIONNAIRE. THE COURT TAKES A BRIEF RECESS. THE COURT RECONVENES IN DIVISION 204 OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS. PROSPECTIVE JUROR 4196 WILL COME BACK ON 2/2/15 AT 1:00 P.M. TO COMPLETE A QUESTIONNAIRE. PROSPECTIVE JUROR 4015 WILL COME BACK ON 2/6/15 AT 7:40 A.M. TO COMPLETE A QUESTIONNAIRE. THE COURT MAKES A RECORD REGARDING QUESTIONS SUBMITTED ON YELLOW JUROR QUESTION FORMS DURING THE MORNING INTRODUCTORY SESSION. THE FOLLOWING 47 PROSPECTIVE JURORS FROM PREVIOUS INTRODUCTORY SESSIONS ARE DISMISSED BY STIPULATION OF THE PARTIES: 2530, 2623, 2632, 2644, 2651, 3006, 3007, 3011, 3016, 3022, 3037, 3052, 3060, 3061, 3069, 3070, 3072, 3075, 3076, 3078, 3080, 3083, 3085, 3089, 3091, 3093, 3101, 3102, 3108, 3121, 3132, 3135, 3136, 3137, 3140, 3142, 3146, 3148, 3150, 3151, 3153, 3157, 3159, 3167, 3170, 3195, 3196. THE PARTIES DISCUSS THE COURT'S EARLIER COMMENTS REGARDING THE INTRODUCTORY SESSIONS SCHEDULED FOR THE WEEK OF FEBRUARY 9. THE DEFENSE, WITHOUT WAIVING ANY OF THE OBJECTIONS MADE IN MOTION D-206, AGREES TO CANCELLING THE INTRODUCTORY SESSIONS SCHEDULED ON FEBRUARY 10, 11, 12, AND 13 AND COMMENCING INDIVIDUAL VOIR DIRE ON FEBRUARY 11. THE DEFENSE WOULD AGREE TO SCHEDULING 12 PEOPLE PER DAY FOR INDIVIDUAL VOIR DIRE. THE PEOPLE BELIEVE THE COURT SHOULD HOLD THE INTRODUCTORY SESSIONS ON FEBRUARY 10, 11, 12, AND 13. THE PEOPLE ALSO EXPRESS CONCERNS ABOUT ONLY SCHEDULING 12 PEOPLE PER DAY FOR INDIVIDUAL VOIR DIRE. THE PEOPLE WOULD LIKE TO STICK TO THE MOST RECENT PLAN OF HAVING 18 INDIVIDUALS PER DAY FOR INDIVIDUAL VOIR DIRE. THE COURT WILL SCHEDULE 12 PEOPLE PER DAY FOR INDIVIDUAL VOIR DIRE FOR THE FIRST TWO WEEKS. HOWEVER, IF THE PARTIES ARE NOT ABLE TO QUALIFY A MINIMUM OF 9 PEOPLE DURING THAT TIME, THE COURT WILL MAKE ADJUSTMENTS TO THE INDIVIDUAL VOIR DIRE SCHEDULE. THE COURT WILL TAKE THE ISSUE OF WHEN TO END INTRODUCTORY SESSIONS UNDER ADVISEMENT. PROSPECTIVE JUROR 4134, WHO REPORTED THIS AFTERNOON, WAS UNABLE TO COMPLETE HIS QUESTIONNAIRE. THIS PROSPECTIVE JUROR WILL RETURN FOR A LATER SESSION NEXT WEEK TO COMPLETE HIS QUESTIONNAIRE. /CMR

02/02/2015 Motion Event ID: 000609 E-Filed: N
DEF/ HOLMES, JAMES EAGAN
MOTION FOR A CERTIFICATE TO COMPEL ATTENDANCE OF XXX AN OUT OF STATE
WITNESS FROM XXX (D-279) FILED BY THE DEFENSE - STD 201 2 2 15 /LKO

02/02/2015 Reply Event ID: 000611 E-Filed: N
DEF/ HOLMES, JAMES EAGAN
REPLY IN SUPPORT OF DEFENDANT'S MOTION TO SUPPRESS/EXCLUDE SPECIFIC
EXCHANGES BETWEEN DR. REID AND MR. HOLMES DURING SECOND SANITY
EXAMINATION AND TO REDACT THEM FROM ANY VIDEO RECORDING OF THE SECOND
SANITY EXMINATION INTRODUCED INTO EVIDENCE (D-264A) FILED BY DEFENSE
SUPPRESSED ENVELOPE #180 STD 201 2 2 15

02/02/2015 Certificate Filed Event ID: 000612 E-Filed: N
THE COURT ENTERS CERTIFICATE OF THE DISTRICT COURT OF COLORADO (D-279).
COPIES SENT VIA EMAIL TO KAREN PEARSON, RICH ORMAN, JACOB EDSON, LISA
TEESCH-MAGUIRE, GEORGE BRAUCHLER, SHERILYN KOSLOSKY, RHONDA CRANDALL,
DANIEL KING, TAMARA BRADY, KRISTEN NELSON, AND CHRISTINA TAYLOR. /CMR

02/02/2015 Order Event ID: 000613 E-Filed: N
THE COURT ENTERS ORDER SUPPRESSING DEFENDANT'S REPLY IN SUPPORT OF MOTION
TO SUPPRESS/EXCLUDE SPECIFIC EXCHANGES BETWEEN DR. REID AND MR. HOLMES
DURING SECOND SANITY EXAMINATION AND TO REDACT THEM FROM ANY VIDEO
RECORDING OF THE SECOND SANITY EXAMINATION INTRODUCED INTO EVIDENCE (D-
264A-2). COPIES SENT VIA EMAIL TO KAREN PEARSON, RICH ORMAN, JACOB
EDSON, LISA TEESCH-MAGUIRE, GEORGE BRAUCHLER, SHERILYN KOSLOSKY, RHONDA
CRANDALL, DANIEL KING, TAMARA BRADY, KRISTEN NELSON, AND CHRISTINA
TAYLOR. /CMR

02/02/2015 Order Event ID: 000614 E-Filed: N
THE COURT ENTERS ORDER SUPPRESSING DEFENSE NOTICE OF SUPPLEMENTAL
DISCLOSURES PURSUANT TO RULE 16 (III)(B) (D-278). COPIES SENT VIA EMAIL
TO KAREN PEARSON, RICH ORMAN, JACOB EDSON, LISA TEESCH-MAGUIRE, GEORGE
BRAUCHLER, SHERILYN KOSLOSKY, RHONDA CRANDALL, DANIEL KING, TAMARA BRADY,
KRISTEN NELSON, AND CHRISTINA TAYLOR. /CMR

02/02/2015 Minute Order (print) Event ID: 000615 E-Filed: N
JURY TRIAL - DAY 10

JUDGE: SAMOUR REPORTER: C. TROYANEK
THE DEFENDANT APPEARS IN CUSTODY WITH HIS ATTORNEY'S DAN KING, KRISTEN
NELSON, KATHERINE SPENGLER, REBEKKA HIGGS, AND TAMARA BRADY. THE PEOPLE
ARE REPRESENTED BY GEORGE BRAUCHLER, JACOB EDSON, KAREN PEARSON, RICH
ORMAN, AND LISA TEESCH-MAGUIRE.
MORNING SESSION:
OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD
REGARDING PROSPECTIVE JURORS WHO HAVE REPORTED THIS MORNING. PROSPECTIVE
JUROR 4365 IS EXCUSED BY STIPULATION OF THE PARTIES. PROSPECTIVE JUROR
4414 IS BROUGHT INTO THE COURTROOM FOR INDIVIDUAL VOIR DIRE REGARDING A
MEDICAL NOTE SHE PROVIDED TO THE COURT AND WILL PARTICIPATE IN THE
MORNING SESSION. THE COURT MAKES A RECORD REGARDING AN EMAIL FROM
PROSPECTIVE JUROR 4238. WITHOUT OBJECTION, THE COURT WILL INSTRUCT THE
JURY COMMISSIONER TO ADVISE THE JUROR THAT HE MAY COMMUNICATE WITH THE
MEDIA, BUT NOT ABOUT THIS CASE. THE COURT WILL MARK PROSPECTIVE JUROR
4238'S EMAIL PROSPECTIVE JUROR EMAIL NO. 1 AND THE COMMISSIONER'S EMAIL
RESPONSE TO PROSPECTIVE JUROR EMAIL NO. 1. THE COURT MAKES ITS
INTRODUCTORY REMARKS TO THE MORNING GROUP OF PROSPECTIVE JURORS.
THE COURT RECONVENES IN COURTROOM 204 OUTSIDE THE PRESENCE OF PROSPECTIVE
JURORS. DEFENSE WITNESSES FROM THE ARAPAHOE COUNTY SHERIFF'S OFFICE,
DEPUTY ROBISON AND DEPUTY DESHAW, APPEAR AND THEIR SUBPOENAS ARE
CONTINUED TO JULY 15, 2015 AT 8:30 AM IN DIVISION 201. ONE LAY PERSON,
MR. GIOVANNI PADILLA, AND TWO OFFICERS FROM THE DENVER POLICE DEPARTMENT,
RAJAN FORD AND PAUL CAPALUGO, HAVE FAILED TO APPEAR THIS MORNING. THE
DEFENSE ATTORNEY'S BELIEVE THIS COULD BE THE RESULT OF A MISUNDERSTANDING
AND THEY WILL CONTACT THESE WITNESSES AND WILL REQUEST FURTHER RELIEF AT
A LATER TIME IF NEEDED. FURTHER, 20 OFFICERS FROM THE AURORA POLICE
DEPARTMENT AND 25 OFFICERS FROM THE ARAPAHOE COUNTY SHERIFF'S OFFICE HAVE
NEITHER RETURNED WAIVERS OF SERVICE NOR CONTACTED THE DEFENSE ATTORNEY'S.

THE DEFENSE WILL WORK WITH THE LIAISONS AND WILL REQUEST FURTHER RELIEF AT A LATER TIME IF NEEDED. THE COURT MAKES A RECORD REGARDING QUESTIONS SUBMITTED ON YELLOW JUROR QUESTION FORMS DURING FRIDAY AFTERNOONS INTRODUCTORY SESSION. THE COURT INDICATES THAT ON FEBRUARY 9 IT WILL HOLD A HEARING ON MOTION D-275A IN THE MORNING AND WILL HAVE THE FINAL INTRODUCTORY SESSION IN THE AFTERNOON. THERE WILL BE NOTHING SCHEDULED IN THE CASE ON FEBRUARY 10. INDIVIDUAL VOIR DIRE WILL BEGIN ON FEBRUARY 11. THE PARTIES INDICATE THAT THEY HAVE GONE THROUGH THE QUESTIONNAIRES FROM THE EARLY SESSIONS MULTIPLE TIMES AND DO NOT ANTICIPATE ANY MORE STIPULATED EXCUSALS. THE COURT WILL PROVIDE THE ATTORNEY'S A LIST OF PROSPECTIVE JURORS SCHEDULED FOR INDIVIDUAL VOIR DIRE IN ADVANCE OF EACH SESSION. THE DEFENSE ASKS FOR LEAVE TO FILE AN ADDITIONAL MOTION FOR AN OUT-OF-STATE SUBPOENA. THE REQUEST IS GRANTED. THE FOLLOWING 53 PROSPECTIVE JURORS FROM PREVIOUS INTRODUCTORY SESSIONS ARE DISMISSED BY STIPULATION OF THE PARTIES: 2832, 2837, 2842, 2867, 2998, 2323, 3252, 3257, 3259, 3261, 3271, 3272, 3273, 3278, 3279, 3282, 3289, 3292, 3294, 3305, 3308, 3316, 3321, 3344, 3350, 3360, 3363, 3371, 3373, 3375, 3376, 3385, 3386, 3389, 3394, 3404, 3405, 3427, 3428, 3430, 3454, 3455, 3458, 3463, 3464, 3467, 3472, 3481, 3484, 3485, 3487, 3496, 3498.

MR. BRAUCHLER ASKS IF THE COURT HAS MADE ANY DECISIONS REGARDING WHETHER IT WILL TAKE TIME OFF AFTER INDIVIDUAL VOIR DIRE PRIOR TO GROUP VOIR DIRE, AND AFTER GROUP VOIR DIRE PRIOR TO OPENING STATEMENTS. THE COURT HAS NOT MADE ANY DECISIONS. FURTHER, THE COURT NOTES THAT IN MOTION D-275A, THE DEFENSE ASKS FOR A 1-WEEK OR 2-WEEK RECESS BETWEEN GROUP VOIR DIRE AND OPENING STATEMENTS.

AFTERNOON SESSION:

THE DEFENDANT AND THE SAME ATTORNEY'S ARE PRESENT. OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD REGARDING SEVERAL PROSPECTIVE JURORS WHO HAVE REPORTED THIS AFTERNOON. THE COURT CONDUCTS INDIVIDUAL VOIR VIRE OF PROSPECTIVE JUROR 4739 REGARDING HIS MEDICAL CONCERNS AND ABILITY TO SERVE AS A JUROR. THE COURT CONDUCTS INDIVIDUAL VOIR DIRE OF PROSPECTIVE JUROR 4618 REGARDING HER MEDICAL CONCERNS AND ABILITY TO SERVE AS A JUROR. THE FOLLOWING PROSPECTIVE JURORS ARE EXCUSED BY STIPULATION OF THE PARTIES: 4539, 4739, 4750, 4562, 4618, AND 4633. THE COURT MAKES ITS INTRODUCTORY REMARKS TO THE AFTERNOON GROUP OF PROSPECTIVE JURORS. OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD REGARDING QUESTIONS SUBMITTED ON YELLOW JUROR QUESTION FORMS DURING THE MORNING INTRODUCTORY SESSION. THE FOLLOWING 86 PROSPECTIVE JURORS FROM PREVIOUS INTRODUCTORY SESSIONS ARE DISMISSED BY STIPULATION OF THE PARTIES: 3010, 3056, 3112, 3152, 3161, 3174, 3178, 3193, 3206, 3218, 3221, 3223, 3225, 3227, 3237, 3238, 3240, 3245, 3247, 3248, 3494, 3505, 3506, 3513, 3518, 3521, 3522, 3526, 3527, 3532, 3534, 3544, 3545, 3550, 3560, 3569, 3579, 3580, 3584, 3590, 3591, 3592, 3600, 3601, 3603, 3618, 3620, 3622, 3625, 3629, 3630, 3632, 3636, 3640, 3642, 3653, 3654, 3660, 3665, 3668, 3669, 3670, 3671, 3673, 3674, 3675, 3677, 3679, 3682, 3687, 3688, 3689, 3699, 3705, 3707, 3708, 3709, 3714, 3716, 3719, 3720, 3724, 3728, 3730, 3733, 3738. THE PARTIES ANTICIPATE MAKING A RECORD ON MOTION C-182 TOMORROW. THE HEARING ON MOTION D-275A IS SET ON MONDAY, FEBRUARY 9, 2015, AT 9 AM. /CMR

02/03/2015 Exhibits - Trial/Hearing Event ID: 000616 E-Filed: N
COURT EXHIBITS 1 AND 2 FOR HEARING DATE 1 30 15. JUDGE SAMOUR AND
REPORTER MARTIN EXHIBIT ENVELOPE #15 /LKO

02/03/2015 Order Event ID: 000617 E-Filed: N
THE COURT ENTERS ORDER REGARDING MOTION TO QUASH SUBPOENA FOR LAURA NELSON (C-182). COPIES SENT VIA EMAIL TO KAREN PEARSON, RICH ORMAN, JACOB EDSON, LISA TEESCH-MAGUIRE, GEORGE BRAUCHLER, SHERILYN KOSLOSKY, RHONDA CRANDALL, DANIEL KING, TAMARA BRADY, KRISTEN NELSON, CHRISTINA TAYLOR, CYNTHIA COFFMAN, AND KATIE ALLISON. /CMR

02/03/2015 Minute Order (print) Event ID: 000618 E-Filed: N
JURY TRIAL - DAY 11

JUDGE SAMOUR REPORTER MARTIN
THE DEFENDANT APPEARS IN CUSTODY WITH HIS ATTORNEY'S DAN KING, KRISTEN NELSON, KATHERINE SPENGLER, REBEKKA HIGGS, AND TAMARA BRADY. THE PEOPLE ARE REPRESENTED BY GEORGE BRAUCHLER, JACOB EDSON, KAREN PEARSON, RICH ORMAN, AND LISA TEESCH-MAGUIRE.
MORNING SESSION:

OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD REGARDING PROSPECTIVE JURORS WHO HAVE REPORTED THIS MORNING AND OTHER ISSUES. PROSPECTIVE JURORS 4978 AND 5148 ARE EXCUSED BY STIPULATION OF THE PARTIES. PROSPECTIVE JUROR 4756 IS BROUGHT INTO THE COURTROOM FOR INDIVIDUAL VOIR DIRE REGARDING A MEDICAL NOTE SHE PROVIDED TO THE COURT AND WILL BE RESCHEDULED TO A LATER SESSION. PROSPECTIVE JUROR 4753 IS BROUGHT INTO THE COURTROOM FOR INDIVIDUAL VOIR DIRE REGARDING USE OF HER PHONE IN THE COURTROOM. PROSPECTIVE JUROR 4758 HAS ONE OF HER GRANDCHILDREN WITH HER BECAUSE SHE CANNOT OBTAIN CHILD CARE AND WILL BE RESCHEDULED TO A LATER SESSION. PROSPECTIVE JUROR 1746 HAS BEEN RESCHEDULED TO 2/9/15 PM. PROSPECTIVE JUROR 1518 WILL RETURN ON 2/6/15 AT 3:00 P.M. TO COMPLETE HER QUESTIONNAIRE. THE COURT MAKES ITS INTRODUCTORY REMARKS TO THE MORNING GROUP OF PROSPECTIVE JURORS. OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD REGARDING QUESTIONS SUBMITTED ON YELLOW JUROR QUESTION FORMS DURING MONDAY AFTERNOON'S INTRODUCTORY SESSION. THE COURT MAKES AN ADDITIONAL RECORD REGARDING PROSPECTIVE JUROR 4758. PROSPECTIVE JUROR 4758 IS RELEASED WITHOUT OBJECTION. PROSPECTIVE JUROR 4196 HAS APPEARED THIS MORNING AND WILL COMPLETE A QUESTIONNAIRE. PROSPECTIVE JUROR 3810 HAS ALSO RETURNED THIS MORNING AND WILL COMPLETE A QUESTIONNAIRE WITH THE ASSISTANCE OF COURT STAFF. THE FOLLOWING 62 PROSPECTIVE JURORS FROM PREVIOUS INTRODUCTORY SESSIONS ARE DISMISSED BY STIPULATION OF THE PARTIES: 3309, 3319, 3337, 3381, 3425, 3480, 3563, 3752, 3766, 3768, 3780, 3786, 3792, 3796, 3797, 3809, 3819, 3829, 3831, 3835, 3836, 3839, 3842, 3843, 3848, 3853, 3856, 3862, 3863, 3866, 3877, 3883, 3903, 3904, 3905, 3906, 3908, 3909, 3915, 3916, 3919, 3922, 3924, 3930, 3935, 3938, 3942, 3944, 3950, 3951, 3954, 3957, 3965, 3968, 3971, 3972, 3973, 3975, 3978, 3985, 3991, 3998. NEXT, THE COURT INFORMS THE PARTIES THAT EVERY WEEK ON FRIDAY AFTERNOON ITS STAFF WILL PROVIDE THE PARTIES WITH THE FOLLOWING WEEK'S INDIVIDUAL VOIR DIRE SCHEDULE. COURT STAFF WILL ADVISE THE PARTIES IF THERE ARE ANY CHANGES TO THE SCHEDULE.

AFTERNOON SESSION:
THE DEFENDANT AND THE SAME ATTORNEY'S ARE PRESENT. OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD REGARDING SEVERAL PROSPECTIVE JURORS WHO ARE HERE FOR THIS AFTERNOON'S SESSION AND OTHER ISSUES. PROSPECTIVE JURORS 5112 AND 5113 ARE EXCUSED BY STIPULATION OF THE PARTIES. PROSPECTIVE JUROR 5182 IS BROUGHT INTO THE COURTROOM FOR INDIVIDUAL VOIR DIRE REGARDING A MEDICAL NOTE HE PROVIDED TO THE COURT

AND WILL BE RESCHEDULED TO A LATER SESSION. PROSPECTIVE JUROR 3917 FAILED TO APPEAR ON 01/30/15 AM AND WILL PARTICIPATE IN THIS AFTERNOONS SESSION. PROSPECTIVE JUROR 4756 HAS BEEN RESCHEDULED TO 2/6/15 PM. THE COURT ADVISES THE PARTIES THAT PROSPECTIVE JUROR 4728, WHO REPORTED YESTERDAY, LEFT WITHOUT COMPLETING A QUESTIONNAIRE. THE COURT MAKES ITS INTRODUCTORY REMARKS TO THE AFTERNOON GROUP OF PROSPECTIVE JURORS. OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD REGARDING QUESTIONS SUBMITTED ON YELLOW JUROR QUESTION FORMS DURING THE MORNING'S INTRODUCTORY SESSION. THE PARTIES INFORM THE COURT THAT THEY HAVE STIPULATED TO EXCUSE 58 PROSPECTIVE JURORS WHO APPEARED FOR PREVIOUS INTRODUCTORY SESSIONS; THE PROSPECTIVE JURORS DISMISSED ARE AS FOLLOWS: 3514, 3520, 3536, 3564, 3609, 3614, 3626, 4002, 4005, 4006, 4007, 4008, 4021, 4022, 4029, 4033, 4035, 4039, 4041, 4049, 4053, 4056, 4057, 4058, 4062, 4063, 4076, 4080, 4087, 4099, 4112, 4115, 4124, 4136, 4138, 4139, 4143, 4144, 4145, 4150, 4151, 4158, 4166, 4169, 4179, 4182, 4197, 4201, 4207, 4212, 4218, 4225, 4232, 4237, 4243, 4246, 4247. THE PARTIES HAVE REACHED A STIPULATION REGARDING MOTION C-182. MS. SPENGLER TENDERS THE STIPULATION AND ATTACHED DOCUMENTS TO THE COURT. THE STIPULATION IS READ INTO THE RECORD. THE STIPULATION AND ATTACHED DOCUMENTS ARE MARKED C-TR-3. THE DOCUMENTS ATTACHED TO THE STIPULATION ARE SUPPRESSED. THE COURT WILL ISSUE AN ORDER DENYING THE MOTION FILED BY THE ATTORNEY GENERAL TO QUASH THE SUBPOENA SERVED ON LAURA NELSON BY THE DEFENDANT (MOTION C-182) AS MOOT BASED ON THE STIPULATION REACHED BY THE PARTIES. HOWEVER, IN THE UNLIKELY EVENT THE PERSON SUBPOENAED IS CALLED BY THE DEFENSE AS A WITNESS AT TRIAL, THE MOTION MAY BE RE-RAISED BY THE ATTORNEY GENERAL. MR. KING RAISES AN ISSUE REGARDING THE COURT'S SEQUESTRATION ORDER AS IT APPLIES TO EXPERT WITNESSES DURING TRIAL. THE DEFENSE WOULD LIKE TO EXEMPT EXPERT WITNESSES FROM THE SEQUESTRATION ORDER. THE PEOPLE ASK TO HAVE UNTIL TOMORROW TO TAKE A POSITION ON THE DEFENDANT'S REQUEST. THE PEOPLE'S REQUEST IS GRANTED. AFTER THE HEARING, THE COURT DISCOVERS THAT ONLY 57 PROSPECTIVE JUROR NUMBERS WERE INCLUDED ON THE LIST OF STIPULATED EXCUSALS READ INTO THE RECORD DURING THE PROCEEDINGS THIS AFTERNOON. THE COURT WILL MAKE THIS CORRECTION ON THE RECORD TOMORROW. /CMR

02/04/2015 Minute Order (print)
JURY TRIAL - DAY 12

Event ID: 000620 E-Filed: N

JUDGE SAMOUR REPORTER TROYANEK

THE DEFENDANT APPEARS IN CUSTODY WITH HIS ATTORNEYS DAN KING, KRISTEN NELSON, KATHERINE SPENGLER, REBEKKA HIGGS, AND TAMARA BRADY. THE PEOPLE ARE REPRESENTED BY GEORGE BRAUCLER, JACOB EDSON, KAREN PEARSON, RICH ORMAN, AND LISA TEESCH-MAGUIRE.

MORNING SESSION:

OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD REGARDING PROSPECTIVE JURORS WHO HAVE REPORTED THIS MORNING AND OTHER ISSUES. THE COURT CONDUCTS INDIVIDUAL VOIR DIRE OF PROSPECTIVE JUROR 5496 REGARDING HER DOCTOR'S NOTE. PROSPECTIVE JURORS 5297 AND 5496 ARE RELEASED BY STIPULATION OF THE PARTIES. PROSPECTIVE JURORS 4793, 5633, AND 4382 WERE SCHEDULED FOR OTHER SESSIONS, BUT WILL PARTICIPATE IN THIS MORNING'S INTRODUCTORY SESSION. PROSPECTIVE JUROR 3921, WHO WAS SCHEDULED FOR AN EARLIER SESSION, IS RELEASED BY STIPULATION OF THE PARTIES. PROSPECTIVE JUROR 1876, WHO WAS ORIGINALLY RESCHEDULED TO 2/12, HAS INFORMED THE JURY COMMISSIONER THAT SHE CANNOT BE RESCHEDULED TO ANY OF THE REMAINING INTRODUCTORY SESSIONS BECAUSE SHE WILL BE OUT OF TOWN.

THE COURT WILL SEE IF THIS JUROR CAN PROVIDE PROOF THAT SHE IS TRAVELING. MR. ORMAN STATES THAT HE AGREES WITH THE REQUEST MR. KING MADE YESTERDAY TO EXEMPT EXPERT WITNESS FROM THE COURT'S SEQUESTRATION ORDER. THE COURT AMENDS THE SEQUESTRATION ORDER TO ALLOW EXPERT WITNESSES TO TALK TO EACH OTHER ABOUT THE CASE AND BE PRESENT IN THE COURTROOM WHILE OTHERS ARE TESTIFYING. THE COURT WILL ALSO ISSUE A WRITTEN ORDER AMENDING THE SEQUESTRATION ORDER. THE COURT GIVES THE PARTIES COPIES OF EMAILS RECEIVED BY THE JURY COMMISSIONER FROM PROSPECTIVE JURORS WHO HAVE ALREADY COMPLETED QUESTIONNAIRES. THOSE EMAILS ARE LABELED PROSPECTIVE JUROR EMAIL #3, #4, #5, #6, AND #7. THE PARTIES WILL REVIEW THE EMAILS AND LET THE COURT KNOW HOW THEY WOULD LIKE THE JURY COMMISSIONER TO RESPOND. THE COURT MAKES ITS INTRODUCTORY REMARKS TO THE MORNING GROUP OF PROSPECTIVE JURORS. OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD REGARDING QUESTIONS SUBMITTED ON YELLOW JUROR QUESTION FORMS DURING TUESDAY AFTERNOON'S INTRODUCTORY SESSION. THE FOLLOWING 67 PROSPECTIVE JURORS FROM PREVIOUS INTRODUCTORY SESSIONS ARE DISMISSED BY STIPULATION OF THE PARTIES: 4256, 4258, 4259, 4262, 4266, 4271, 4279, 4281, 4282, 4285, 4291, 4292, 4293, 4294, 4295, 4296, 4298, 4302, 4308, 4309, 4310, 4312, 4314, 4324, 4325, 4329, 4335, 4339, 4341, 4349, 4356, 4357, 4358, 4368, 4373, 4377, 4379, 4383, 4386, 4392, 4398, 4400, 4401, 4402, 4409, 4414, 4416, 4417, 4422, 4423, 4433, 4442, 4443, 4444, 4446, 4450, 4453, 4458, 4461, 4467, 4469, 4476, 4479, 4486, 4490, 4496, 4498. MR. ORMAN REQUESTS COPIES OF PROSPECTIVE JUROR EMAILS #1 AND #2 AS WELL AS A COPY OF THE RESPONSE TO PROSPECTIVE JUROR EMAIL #1. THE COURT WILL PROVIDE COPIES OF THOSE DOCUMENTS TO THE PARTIES.

AFTERNOON SESSION:

THE DEFENDANT AND THE SAME ATTORNEY'S ARE PRESENT. OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD REGARDING SEVERAL PROSPECTIVE JURORS WHO ARE HERE FOR THIS AFTERNOON'S SESSION. THE COURT CONDUCTS INDIVIDUAL VOIR DIRE OF PROSPECTIVE JUROR 5635 REGARDING HER MEDICAL CONDITION AND ABILITY TO SERVE AS A JUROR. PROSPECTIVE JURORS 5635, 5560, 5671, 5685, 5522, 5692, AND 5586 ARE EXCUSED BY STIPULATION OF THE PARTIES. PROSPECTIVE JURORS 5362 AND 5319 WERE SCHEDULED FOR OTHER SESSIONS, BUT WILL PARTICIPATE IN THIS AFTERNOON'S INTRODUCTORY SESSION. THE COURT MAKES ITS INTRODUCTORY REMARKS TO THE AFTERNOON GROUP OF PROSPECTIVE JURORS. OUTSIDE THE PRESENCE OF PROSPECTIVE JURORS, THE COURT MAKES A RECORD REGARDING QUESTIONS SUBMITTED ON YELLOW JUROR QUESTION FORMS DURING THE MORNING'S INTRODUCTORY SESSION. PROSPECTIVE JUROR 5559 IS BROUGHT INTO THE COURTROOM FOR INDIVIDUAL VOIR DIRE REGARDING A QUESTION FORM SHE SUBMITTED AFTER THE COURT'S INTRODUCTORY REMARKS. PROSPECTIVE JUROR 5559 IS RELEASED BY STIPULATION OF THE PARTIES. THE PARTIES HAVE STIPULATED TO EXCUSE THREE PROSPECTIVE JURORS WHO EMAILED THE JURY COMMISSIONER AFTER FILLING OUT A QUESTIONNAIRE: 146, 2085, AND 1354. THE PARTIES WILL MAKE A RECORD TOMORROW REGARDING HOW THEY WISH TO RESPOND TO OTHER EMAILS RECEIVED BY THE JURY COMMISSIONER. MR. KING ASKS THE COURT TO CLARIFY A PROSPECTIVE JUROR'S NUMBER WHO WAS EXCUSED THIS MORNING: PROSPECTIVE JUROR 3921 IS EXCUSED, NOT PROSPECTIVE JUROR 3291. THE COURT MAKES A RECORD REGARDING PROSPECTIVE JUROR 5103. PROSPECTIVE JUROR 5103 WAS EXCUSED ON JANUARY 22 BY STIPULATION OF THE PARTIES DUE TO HER RELATIONSHIP WITH A VICTIM IN THIS CASE. HOWEVER, SHE APPEARED AND FILLED OUT A QUESTIONNAIRE DURING THE 2/3/15 PM INTRODUCTORY SESSION. THE PARTIES INFORM THE COURT THAT THEY HAVE STIPULATED TO EXCUSE 52 PROSPECTIVE JURORS WHO APPEARED FOR PREVIOUS INTRODUCTORY SESSIONS:

1473, 3807, 3869, 3898, 4156, 4238, 4244, 4443, 4506, 4519, 4521, 4523,
4525, 4558, 4564, 4577, 4578, 4579, 4580, 4595, 4596, 4597, 4606, 4610,
4615, 4617, 4622, 4637, 4639, 4643, 4644, 4646, 4673, 4674, 4682, 4687,
4695, 4696, 4701, 4703, 4704, 4708, 4712, 4713, 4717, 4729, 4731, 4735,
4736, 4738, 4742, 4745. AFTER THE HEARING, THE COURT DISCOVERS THAT ONLY
51 PROSPECTIVE JURORS WERE EXCUSED THIS AFTERNOON. PROSPECTIVE JUROR
NUMBER 4443 WAS ON THE PARTIES STIPULATED LIST OF EXCUSALS READ ON THE
RECORD THIS MORNING. THE COURT WILL MAKE THIS CORRECTION ON THE RECORD
TOMORROW. /CMR

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PEOPLE'S RESPONSE TO DEFENDANT'S MOTION (D-275A) STD 201 2 5 15 /JR

End of Case: 2012 CR 201522