

02/23/2015 Minute Order (No Print) Event ID: 000644 E-Filed: N
COURTROOM 202 MONITOR THIS MORNING WAS XXX AND THIS AFTERNOON WAS XXX.
/CMR

02/23/2015 Motion Event ID: 000645 E-Filed: N

DEF/ HOLMES, JAMES EAGAN
MOTION FOR A CERTIFICATE TO COMPEL ATTENDANCE OF XXX, AN OUT-OF STATE
WITNESS FROM XXX (D-280) FILED BY COUNSEL FOR THE DEFENDANT
STD 201 2 23 15 /LKO

02/23/2015 Order Event ID: 000646 E-Filed: N
THE COURT ENTERS ORDER REGARDING DEFENDANT'S AMENDED MOTION TO EXCLUDE
LATE-DISCLOSED EVIDENCE THAT WAS PREVIOUSLY WITHHELD FROM THE DEFENSE, OR
TO IMPOSE THE ALTERNATIVE SANCTION OF A RECESS (D-275A). 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. /AG

02/23/2015 Certificate Filed Event ID: 000647 E-Filed: N
THE COURT ISSUES CERTIFICATE OF THE DISTRICT COURT (D-280). 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. /AG

02/23/2015 Order Event ID: 000648 E-Filed: N
THE COURT ENTERS ORDER REGARDING 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 EXAMINATION INTRODUCED INTO EVIDENCE (D-264A-3). 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. /AG

02/23/2015 Minute Order (print) Event ID: 000650 E-Filed: N
JURY TRIAL - DAY 22
FEBRUARY 23, 2015

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

MORNING SESSION:

THE COURT GIVES THE PARTIES COPIES OF E-MAILS NUMBERED 60 TO 62 FROM
PROSPECTIVE JURORS. THE COURT ALSO GIVES THE PARTIES COPIES OF EMAIL
RESPONSES THAT WERE SENT TO PROSPECTIVE JURORS LAST THURSDAY. THE
PARTIES PROVIDE THE COURT WITH STIPULATED PROPOSED RESPONSES TO E-MAILS
NUMBERED 52 TO 59 FROM PROSPECTIVE JURORS. THE PARTIES AGREE TO RELEASE
PROSPECTIVE JURORS 6658 AND 25 DUE TO THE INFORMATION CONTAINED IN THEIR
EMAILS. WITHOUT OBJECTION FROM THE PEOPLE, THE COURT GRANTS THE DEFENSES
REQUEST FOR LEAVE TO FILE A MOTION FOR CERTIFICATE FOR AN OUT-OF-STATE
SUBPOENA. WITHOUT OBJECTION FROM THE DEFENSE, THE PEOPLE PROVIDE TO THE
COURT A REPORT WRITTEN BY ONE OF THEIR INVESTIGATORS REGARDING A
TELEPHONE CALL PROSPECTIVE JUROR 263 MADE TO THE DA'S OFFICE. THE PEOPLE

REQUEST THAT PROSPECTIVE JUROR 263 BE EXCUSED FOR CAUSE. THE DEFENSE STRONGLY OBJECTS TO PROSPECTIVE JUROR 263 BEING EXCUSED. THE COURT TAKES THE MATTER UNDER ADVISEMENT. THE COURT CONDUCTS VOIR DOIR WITH THE GROUP OF SIX PROSPECTIVE JURORS WHO APPEAR THIS MORNING. THE COURT AND THE PARTIES CONDUCT INDIVIDUAL VOIR DIRE WITH THE SIX PROSPECTIVE JURORS. BY STIPULATION OF THE PARTIES, PROSPECTIVE JURORS 89 AND 305 ARE QUALIFIED FOR GROUP VOIR DIRE. BY STIPULATION OF THE PARTIES, PROSPECTIVE JURORS 8, 59, 71, AND 289 ARE EXCUSED FROM JURY SERVICE IN THIS CASE.

AFTERNOON SESSION:

THE DEFENDANT AND THE SAME ATTORNEYS ARE PRESENT. THE COURT CONDUCTS VOIR DOIR WITH THE GROUP OF SIX PROSPECTIVE JURORS WHO APPEARED FOR THIS AFTERNOON'S SESSION. THE COURT AND PARTIES CONDUCT INDIVIDUAL VOIR DIRE WITH THE SIX PROSPECTIVE JURORS. THE COURT DENIES THE DEFENSE'S CHALLENGE FOR CAUSE FOR PROSPECTIVE JUROR 98 AND HE IS QUALIFIED FOR GROUP VOIR DIRE. PROSPECTIVE JUROR 310 IS EXCUSED BY STIPULATION OF THE PARTIES. PROSPECTIVE JURORS 307 AND 311 ARE QUALIFIED FOR GROUP VOIR DIRE WITHOUT OBJECTION. OVER THE DEFENSE'S OBJECTION, THE COURT GRANTS THE PROSECUTION'S CHALLENGE FOR CAUSE WITH RESPECT TO PROSPECTIVE JUROR 312. OUTSIDE THE PRESENCE OF THE PUBLIC AND THE MEDIA, MR. ORMAN PRESENTS ARGUMENT RELATED TO THE REQUEST MADE BY THE PEOPLE THIS MORNING TO EXCUSE PROSPECTIVE JUROR 263. WITHOUT OBJECTION, THE INVESTIGATOR'S REPORT THAT WAS TENDERED TO THE COURT THIS MORNING IS MARKED AS EXHIBIT C-TR-4. THE COURT DENIES THE PEOPLE'S CHALLENGE FOR CAUSE WITH RESPECT TO PROSPECTIVE JUROR 263.

/CMR

02/24/2015 Minute Order (No Print) Event ID: 000649 E-Filed: N
COURTROOM 202 MONITOR TODAY, ALL DAY, WAS XXX. /CMR

02/24/2015 Minute Order (print) Event ID: 000651 E-Filed: N
JURY TRIAL - DAY 23
FEBRUARY 24, 2015

JUDGE SAMOUR REPORTERS: ELMSHAEUSER MORNING; TROYANEK
AFTERNOON.

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

MORNING SESSION:

THE COURT INFORMS THE PARTIES THAT PROSPECTIVE JUROR 318 DID NOT APPEAR THIS MORNING. COURT STAFF WILL ATTEMPT TO RESCHEDULE PROSPECTIVE JUROR 318. THE COURT GIVES THE PARTIES COPIES OF PROSPECTIVE JUROR EMAILS 63 THROUGH 67. ALSO, THE COURT GIVES THE PARTIES COPIES OF FOLLOW-UP EMAILS TO EMAILS PREVIOUSLY DISCUSSED. THE COURT CONDUCTS VOIR DIRE WITH THE FIVE PROSPECTIVE JURORS WHO APPEAR THIS MORNING. THE COURT AND THE PARTIES CONDUCT INDIVIDUAL VOIR DIRE WITH THE FIVE PROSPECTIVE JURORS WHO APPEAR THIS MORNING. WITHOUT OBJECTION, PROSPECTIVE JUROR 313 IS QUALIFIED FOR GROUP VOIR DIRE. BY STIPULATION OF THE PARTIES, PROSPECTIVE JURORS 105, 316, AND 323 ARE EXCUSED FROM JURY SERVICE IN THIS CASE. OVER THE DEFENSE'S OBJECTION, THE COURT GRANTS THE PEOPLE'S REQUEST TO EXCUSE PROSPECTIVE JUROR 320 FOR CAUSE.

AFTERNOON SESSION:

THE DEFENDANT AND THE SAME ATTORNEYS ARE PRESENT. THE COURT CONDUCTS VOIR DIRE WITH THE FIVE PROSPECTIVE JURORS WHO APPEAR THIS AFTERNOON.

THE COURT AND PARTIES CONDUCT INDIVIDUAL VOIR DIRE WITH THE FIVE PROSPECTIVE JURORS WHO APPEAR FOR THIS AFTERNOON'S SESSION. PROSPECTIVE JURORS 325, 327, AND 125 ARE EXCUSED BY STIPULATION OF THE PARTIES. OVER THE DEFENSE'S OBJECTION, THE COURT QUALIFIES PROSPECTIVE JUROR 330 FOR GROUP VOIR DIRE. WITHOUT OBJECTION, PROSPECTIVE JUROR 329 IS QUALIFIED FOR GROUP VOIR DIRE.

02/24/2015 Filing Other Event ID: 000653 E-Filed: N
DEF/ HOLMES, JAMES EAGAN
DEFENDANT'S SUBMISSION OF A DISC CONTAINING ELECTRONIC VERSION OF
EXHIBITS SUBMITTED DURING THE FEBRUARY 9, 2015 MOTION HEARING (D-281
SUPPRESSED ENVELOPE #182 STD 201 2 24 15 /LKO

02/25/2015 Notice Filed Event ID: 000652 E-Filed: N
PEOPLE'S SUPPLEMENTAL AND AMENDED NOTICE OF ENDORSEMENT (P-117)
SUPPRESSED ENVELOPE #183 STD 201 2 25 15 /LKO

02/25/2015 Exhibits - Trial/Hearing Event ID: 000654 E-Filed: N
EXHIBITS C-TR-3 FOR HEARING DATE 2-3-15 - VOIR DIRE SUPPRESSED EXHIBIT
ENVELOPE #16 /LKO

02/25/2015 Exhibits - Trial/Hearing Event ID: 000655 E-Filed: N
EXHIBITS P-PT-146, D-PT-15, D-PT-16 FOR HEARING DATE 2-9-15 SUPPRESSED
EXHIBIT ENVELOPE #17 /LKO

02/25/2015 Exhibits - Trial/Hearing Event ID: 000656 E-Filed: N
EXHIBITS C-TR-4 FOR HEARING DATE 2-23-15 SUPPRESSED EXHIBIT ENVELOPE #18

02/25/2015 Minute Order (print) Event ID: 000657 E-Filed: N
JURY TRIAL DAY 24
FEBRUARY 25, 2015
JUDGE SAMOUR REPORTERS: FIKANY MORNING; AMATO AND MARTIN
AFTERNOON.

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

MORNING SESSION:
THE COURT INFORMS THE PARTIES THAT PROSPECTIVE JUROR 341 DID NOT APPEAR THIS MORNING. PROSPECTIVE JUROR 341 THEN SHOWS UP LATE AND IS RESCHEDULED FOR THIS AFTERNOON'S SESSION. THE COURT GIVES THE PARTIES COPIES OF PROSPECTIVE JUROR EMAILS 68 THROUGH 74. ALSO, THE COURT GIVES THE PARTIES COPIES OF FOLLOW-UP EMAILS TO EMAILS PREVIOUSLY DISCUSSED. THE PARTIES HAVE PREPARED STIPULATED RESPONSES TO PROSPECTIVE JUROR EMAILS 60 THROUGH 66, WHICH ARE READ INTO THE RECORD. THE DEFENSE INFORMS THE COURT THAT THE PROSECUTION HAS PROVIDED AN UPDATED GOOD FAITH WITNESS LIST WITH 27 ADDITIONAL NAMES. THREE OF THE WITNESSES ON THE LIST HAVE NOT PREVIOUSLY BEEN ENDORSED. THE DEFENSE RAISES TWO ISSUES RELATED TO THE UPDATED WITNESS LIST: (1) THE WITNESSES NAMES ARE NOT ON THE COMBINED WITNESS LIST THAT WAS GIVEN TO PROSPECTIVE JURORS; AND (2) THE DEFENSE WILL NEED ADDITIONAL TIME TO PREPARE TO CROSS-EXAMINE THE THREE WITNESSES THAT HAVE NOT PREVIOUSLY BEEN ENDORSED. THE DEFENSE ASSERTS THAT THESE ISSUES PROVIDE ADDITIONAL GROUNDS IN SUPPORT OF ITS REQUEST FOR A RECESS BETWEEN VOIR DIRE AND THE MERITS PHASE OF THE TRIAL.

THE PEOPLE INFORM THE COURT THE ADDITIONAL WITNESSES ARE RECORDS CUSTODIANS AND WILL BE CALLED FOR FOUNDATIONAL PURPOSES ONLY AND TO IDENTIFY DOCUMENTS. THE COURT FINDS: (1) THAT THE PEOPLE'S CHANGES TO THE GOOD FAITH WITNESS LIST ARE IN GOOD FAITH, (2) THAT NO SHOWING HAS BEEN MADE THAT THOSE CHANGES AFFECT THE DEFENSE'S ABILITY TO PREPARE FOR TRIAL AND PROVIDE EFFECTIVE ASSISTANCE OF COUNSEL, (3) THAT THE NEW ENDORSEMENTS ARE NOT RELATED TO SUBSTANTIVE ISSUES, AND (4) THAT NO SHOWING HAS BEEN MADE THAT THOSE ENDORSEMENTS AFFECT THE DEFENSE'S ABILITY TO PREPARE FOR TRIAL AND PROVIDE EFFECTIVE ASSISTANCE OF COUNSEL. IN ANY EVENT, AS THE COURT INDICATED IN AN ORDER ISSUED EARLIER THIS WEEK, THE COURT MAY TAKE A RECESS BETWEEN INDIVIDUAL AND GROUP VOIR DIRE. THE COURT CONDUCTS VOIR DIRE WITH THE GROUP OF FIVE PROSPECTIVE JURORS WHO APPEAR THIS MORNING. THE COURT AND THE PARTIES CONDUCT INDIVIDUAL VOIR DIRE WITH THE FIVE PROSPECTIVE JURORS WHO APPEAR THIS MORNING. BY STIPULATION OF THE PARTIES, PROSPECTIVE JURORS 143, 344, 352 AND 172 ARE EXCUSED FROM JURY SERVICE IN THIS CASE. OVER THE PEOPLE'S OBJECTION, THE COURT GRANTS THE DEFENDANT'S REQUEST TO EXCUSE PROSPECTIVE JUROR 338 FOR CAUSE.

AFTERNOON SESSION:

THE DEFENDANT AND THE SAME ATTORNEYS ARE PRESENT. PROSPECTIVE JUROR 354 FAILS TO APPEAR THIS AFTERNOON AND WILL BE RESCHEDULED. PROSPECTIVE JUROR 341 WHO WAS LATE THIS MORNING IS NOW PRESENT. THE COURT CONDUCTS VOIR DIRE WITH THE GROUP OF FOUR PROSPECTIVE JURORS WHO APPEAR THIS AFTERNOON. THE COURT AND PARTIES CONDUCT INDIVIDUAL VOIR DIRE WITH THE FIVE PROSPECTIVE JURORS WHO APPEAR FOR THIS AFTERNOON'S SESSION. PROSPECTIVE JURORS 179 AND 356 AND ARE EXCUSED BY STIPULATION OF THE PARTIES. WITHOUT OBJECTION, PROSPECTIVE JURORS 341 AND 361 ARE QUALIFIED FOR GROUP VOIR DIRE.

/AG

02/25/2015 Minute Order (No Print) Event ID: 000658 E-Filed: N
COURTROOM 202 MONITOR THIS MORNING WAS XXX AND THIS AFTERNOON WAS XXX.

/AG

End of Case: 2012 CR 201522