

4/03/2015 Order Event ID: 000730 E-Filed: N
THE COURT ENTERS ORDER REGARDING REQUEST TO SUPPRESS PEOPLE'S RESPONSE TO
DEFENDANT'S MOTION D-285A (C-191). 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

4/03/2015 Order Event ID: 000733 E-Filed: N
THE COURT ENTERS ORDER REGARDING IN CAMERA REVIEW OF RECORDS PRODUCED BY THE
UNIVERSITY OF COLORADO AT DENVER PURSUANT TO A SUBPOENA DUCES TECUM (C-192).
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

4/03/2015 Reply Event ID: 000734 E-Filed: N
DEF/ HOLMES, JAMES EAGAN
REPLY IN SUPPORT OF AMENDED MOTION TO EXCLUDE UNTIMELY ENDORSED EXPERT
REBUTTAL TESTIMONY, OR FOR ALTERNATIVE SANCTION (D-285A) FILED BY COUNSEL
FOR THE DEFENDANT STD 201 4 3 15 /LKO

4/03/2015 Motion Event ID: 000735 E-Filed: N
MOTION BY MEDIA PETITIONERS FOR MID-TRIAL ACCESS (TO MAKE COPIES) OF ALL
NON-GRAPHIC IMAGES EXHIBITS ADMITTED INTO EVIDENCE AND PUBLISHED TO THE JURY
DURING THE TRIAL FILED BY ATTORNEYS FOR NON-PARTY MOVANTS STD 201 4 3 15/LKO

4/03/2015 Motion Event ID: 000736 E-Filed: N
MOTION BY MEDIA PETITIONERS TO AMEND EMC AND STANDING DECORUM ORDERS FILED
BY ATTORNEYS FOR NON-PARTY MOVANTS STD 201 4 3 15 /LKO

4/03/2015 Filing Other Event ID: 000737 E-Filed: N
DOCUMENTS PRODUCED IN RESPONSE TO PSDT-7 SEALED ENVELOPE #197 /LKO

4/06/2015 Minute Order (print) Event ID: 000738 E-Filed: N
JURY TRIAL - DAY 49
APRIL 6, 2015
JUDGE SAMOUR REPORTERS: TROYANEK MORNING; MARTIN AFTERNOON
MORNING SESSION
DEFENDANT APPEARS IN CUSTODY WITH HIS ATTORNEYS DAN KING, REBEKKA HIGGS,
KATHERINE SPENGLER, AND KRISTEN NELSON. THE PEOPLE ARE REPRESENTED BY GEORGE
BRAUCHLER, RICH ORMAN, JACOB EDSON, AND LISA TEESCH-MAGUIRE.
THE COURT MAKES A RECORD ABOUT THE TWO MOTIONS FILED BY THE MEDIA ON FRIDAY.
THE PEOPLE AND DEFENSE WANT TO RESPOND TO THE MOTION REGARDING THE MEDIA'S
REQUEST TO PHOTOGRAPH EXHIBITS, AND WILL RESPOND BY FRIDAY, APRIL 10. THE
PARTIES DO NOT WANT TO BE HEARD ON THE MOTION REGARDING LOGISTICAL ISSUES.
THE DEFENSE REQUESTS LEAVE TO FILE TWO SHORT PLEADINGS. THE FIRST IS A
MOTION TO RECONSIDER ORDER P-109, WHICH GRANTED THE PEOPLE'S REQUEST TO
EXCLUDE CERTAIN MITIGATION EVIDENCE IF THERE IS A SENTENCING HEARING. THE
DEFENSE HAS COLLECTED AFFIDAVITS FROM SOME OF THE VIDEOTAPED WITNESSES
MENTIONED IN THEIR RESPONSE TO MOTION P-109. THE DEFENSE DOES NOT WANT THE
AFFIDAVITS TO BE MADE PUBLIC, BUT WISHES TO FILE THEM TO SUPPLEMENT THE
RECORD. THE COURT WILL HOLD A HEARING INSTEAD. THEREFORE, THE REQUEST TO
RECONSIDER BEFORE OPENING STATEMENTS IS DENIED. THE DEFENSE MAY SUBMIT ITS
AFFIDAVITS AS EXHIBITS DURING THE HEARING.
THE SECOND PLEADING IS RELATED TO THE COURT'S ORDER D-264A-4. IN THAT ORDER,

THE COURT STATED THAT THE PARTIES COULD CONFER AND SUBMIT A STIPULATED PROPOSED LIMITING INSTRUCTION REGARDING DR. REID'S EXAMINATION OF THE DEFENDANT. THE DEFENSE HAS DRAFTED A PROPOSED INSTRUCTION AND WILL SUBMIT IT TO THE PEOPLE TODAY. THE COURT GRANTS THE REQUEST TO TENDER AN INSTRUCTION WHEN THE PARTIES HAVE AN AGREEMENT. HOWEVER, IT SHOULD BE DONE IN THE COURTROOM, NOT FILED AS A PLEADING.

THE COURT DISTRIBUTES COPIES OF PROSPECTIVE JUROR EMAILS 112, 113, 114, 115, 105A, AND RESPONSES TO PROSPECTIVE JUROR EMAILS 108 AND 109A. THE COURT MAKES AN ADDITIONAL RECORD ABOUT THE EMAILS RECEIVED FROM PROSPECTIVE JURORS 920, 17, AND 1416, AND THE RESPONSES COURT STAFF SENT TO THOSE JURORS. THE COURT CONDUCTS VOIR DIRE WITH THE SIX PROSPECTIVE JURORS WHO HAVE APPEARED THIS MORNING.

THE COURT AND PARTIES CONDUCT INDIVIDUAL VOIR DIRE WITH FIVE OF THE SIX PROSPECTIVE JURORS. BY STIPULATION OF THE PARTIES, PROSPECTIVE JURORS 842 AND 1418 ARE RELEASED FROM JURY SERVICE IN THIS CASE. WITHOUT OBJECTION, PROSPECTIVE JURORS 1133, 1186 AND 1350 ARE ASKED TO RETURN FOR GROUP VOIR DIRE ON APRIL 13. PROSPECTIVE JUROR 1419 IS ASKED TO RETURN FOR THE AFTERNOON SESSION FOR INDIVIDUAL VOIR DIRE.

AFTERNOON SESSION

DEFENDANT APPEARS IN CUSTODY WITH HIS ATTORNEYS DAN KING, REBEKKA HIGGS, KATHERINE SPENGLER AND KRISTEN NELSON. THE PEOPLE ARE REPRESENTED BY GEORGE BRAUCHLER, KAREN PEARSON, JACOB EDSON, RICH ORMAN, AND LISA TEESCH MAGUIRE. THE COURT MAKES A GENERAL RECORD REGARDING THE RESPONSES BEING SENT TO EMAILS RECEIVED FROM PROSPECTIVE JURORS WHO HAVE PREVIOUSLY BEEN QUALIFIED FOR GROUP VOIR DIRE. THE RESPONSES BEING SENT BY COURT STAFF ARE BEING SENT AT THE DIRECTION OF THE COURT AND REFLECT THE COURT'S RULINGS AND RATIONALE WITH RESPECT TO REQUESTS FOR EXCUSAL BASED ON HARDSHIP.

THE COURT CONDUCTS INDIVIDUAL VOIR DIRE WITH PROSPECTIVE JUROR 1419, AND THE JUROR IS RELEASED BY STIPULATION OF THE PARTIES.

THE COURT CONDUCTS VOIR DIRE WITH THE GROUP OF SIX PROSPECTIVE JURORS WHO ARE SCHEDULED THIS AFTERNOON, ALL OF WHOM APPEAR.

THE COURT AND THE PARTIES CONDUCT INDIVIDUAL VOIR DIRE WITH FIVE OF THE SIX PROSPECTIVE JURORS. PROSPECTIVE JURORS 1239, 1240, AND 1244 ARE EXCUSED BY STIPULATION OF THE PARTIES. WITHOUT OBJECTION, PROSPECTIVE JUROR 1241 IS ASKED TO RETURN FOR GROUP VOIR DIRE ON APRIL 13. THE COURT DENIES THE DEFENSE'S CHALLENGE FOR CAUSE AS TO PROSPECTIVE JUROR 1228.

PROSPECTIVE JUROR 990 WILL RETURN FOR INDIVIDUAL VOIR DIRE TOMORROW MORNING AT 8:30. PROSPECTIVE JUROR 1435 WILL RETURN FOR INDIVIDUAL VOIR DIRE TOMORROW MORNING AT 8:45.

/CMR

4/07/2015 Order

Event ID: 000739 E-Filed: N

THE COURT ENTERS NOTICE OF LABELING AS "C-193" MOTION BY MEDIA PETITIONERS FOR MID-TRIAL ACCESS AND OF LABELING AS "C-194" MOTION BY MEDIA PETITIONERS TO AMEND EMC AND STANDING DECORUM ORDERS. COPIES SENT VIA EMAIL TO KAREN PEARSON, RICH ORMAN, JACOB EDSON, LISA TEESCH-MAGUIRE, GEORGE BRAUCHLER, SHERILYN KOSLOSKY, RHONDA CRANDALL, DANIEL KING, TAMARA BRADY, AND KRISTEN NELSON, CHRISTINA TAYLOR, AND STEVEN ZANSBERG.

/JRZ

4/07/2015 Minute Order (print)

Event ID: 000747 E-Filed: N

JURY TRIAL - DAY 50

APRIL 7, 2015

JUDGE SAMOUR

REPORTERS: CHAN MORNING; TROYANEK AFTERNOON

MORNING SESSION

DEFENDANT APPEARS IN CUSTODY WITH HIS ATTORNEYS TAMARA BRADY, REBEKKA HIGGS,

KATHERINE SPENGLER, AND KRISTEN NELSON. THE PEOPLE ARE REPRESENTED BY GEORGE BRAUCHLER, JACOB EDSON, KAREN PEARSON, AND LISA TEESCH MAGUIRE. RICH ORMAN APPEARS LATER IN THE MORNING.

PROSPECTIVE JUROR 990, WHO WAS PREVIOUSLY QUALIFIED FOR GROUP QUESTIONING, APPEARS BASED ON AN EMAIL HE SENT CLAIMING HARDSHIP. AT THE REQUEST OF PROSPECTIVE JUROR 990, THE COURT ASKS THE PUBLIC AND THE MEDIA TO EXIT THE COURTROOM WHILE THE COURT CONDUCTS ADDITIONAL INDIVIDUAL VOIR DIRE WITH PROSPECTIVE JUROR 990. THE COURT AGREES WITH THE PEOPLE THAT THIS PROSPECTIVE JUROR SHOULD NOT BE RELEASED FOR HARDSHIP. THEREFORE, THE COURT DENIES THE DEFENSE'S REQUEST TO EXCUSE THIS PROSPECTIVE JUROR FOR HARDSHIP. THE COURT DISTRIBUTES COPIES OF PROSPECTIVE JUROR EMAIL 116 AND THE RESPONSE SENT TO PROSPECTIVE JUROR EMAIL 115.

PROSPECTIVE JUROR 1435 APPEARS. BECAUSE YESTERDAY AFTERNOON'S SESSION RAN LATE, SHE WAS RESCHEDULED FOR THIS MORNING. THE COURT CONDUCTS INDIVIDUAL VOIR WITH PROSPECTIVE JUROR 1435 AND SHE IS EXCUSED BY STIPULATION OF THE PARTIES. THE COURT CONDUCTS VOIR DIRE WITH THE GROUP OF FIVE PROSPECTIVE JURORS WHO HAVE APPEARED THIS MORNING. BY STIPULATION OF THE PARTIES, PROSPECTIVE JURORS 1247, 1248, 1261, 1268, AND 1270 ARE RELEASED FROM JURY SERVICE IN THIS CASE. THE COURT REVIEWS THE GROUND RULES FOR GROUP VOIR DIRE SCHEDULED FOR APRIL 13TH AND 14TH: THE COURT WILL CONTINUE TO RELEASE ANY PROSPECTIVE JURORS THAT THE PARTIES STIPULATE TO RELEASE (AS LONG AS THE COURT APPROVES THE STIPULATIONS); THE PARTIES HAVE UNTIL TOMORROW TO INFORM THE COURT IF THEY WISH TO MAKE A BRIEF, NON-ARGUMENTATIVE STATEMENT TO THE PROSPECTIVE JURORS PURSUANT TO ORDER D-67; THE PARTIES WILL GIVE THE COURT A COMBINED SUPPLEMENTAL WITNESS LIST FOR THE COURT TO READ TO THE PROSPECTIVE JURORS; THE PEOPLE WILL PROVIDE THE COURT WITH AN UPDATED LIST OF CHARGES FOR THE COURT TO READ TO THE PROSPECTIVE JURORS; THE COURT WILL TELL THE PARTIES THE JURY INSTRUCTIONS IT WILL DISCUSS WITH THE PROSPECTIVE JURORS IN GROUP QUESTIONING; THE COURT WILL ASK THE PROSPECTIVE JURORS IF ANYTHING HAS CHANGED SINCE THEIR INDIVIDUAL QUESTIONING SESSION AND WILL TALK TO ANY PROSPECTIVE JURORS WHO RAISE THEIR HAND INDIVIDUALLY; THE COURT WILL INSTRUCT THE PROSPECTIVE JURORS THAT IT HAS LIMITED THE ATTORNEYS TO QUESTIONING THE 68 PROSPECTIVE JURORS IN THE BOX; ANY CHALLENGES FOR CAUSE GRANTED WILL REQUIRE PROSPECTIVE JURORS FROM OUTSIDE THE BOX OF 68 TO REPLACE THE EXCUSED PROSPECTIVE JURORS (THE COURT WILL PROCEED IN CHRONOLOGICAL ORDER, STARTING WITH THE PROSPECTIVE JUROR IN SEAT 69); THE COURT MAY CHANGE THE NUMBER OF ALTERNATES FROM 12 TO LESS THAN 12 (DEPENDING ON HOW MANY PROSPECTIVE JURORS ARE AVAILABLE); THE PARTIES PEREMPTORY CHALLENGES MAY ONLY BE EXERCISED WITH RESPECT TO THE FIRST 24 PROSPECTIVE JURORS, WHICH ARE THE PROSPECTIVE JURORS IN THE PRESUMPTIVE JURY; PROSPECTIVE JURORS EXCUSED PURSUANT TO A PEREMPTORY CHALLENGE WILL BE SENT TO COURTROOM 202 AND ASKED TO WAIT UNTIL THE JURY SELECTION PROCESS IS COMPLETED; PEREMPTORY CHALLENGES WILL BE DONE ORALLY, IN THE PRESENCE OF PROSPECTIVE JURORS; IF A PARTY PASSES THE GROUP OF JURORS SEATED IN THE FIRST 24 SEATS BY FAILING TO EXERCISE A PEREMPTORY CHALLENGE, THAT PARTY MAY NOT LATER USE A PEREMPTORY CHALLENGE ON ANY PROSPECTIVE JURORS IN THAT GROUP; AFTER A PARTY'S GENERAL VOIR DIRE IF A PROSPECTIVE JUROR IS ADDED TO THE FIRST 68 SEATS, THE PARTIES WILL HAVE AN OPPORTUNITY TO QUESTION THAT PROSPECTIVE JUROR; AT THE REQUEST OF THE PARTIES, THE COURT WILL PROVIDE A CHART ON FRIDAY OF THIS WEEK SHOWING THE LAYOUT OF THE SEATS IN THE COURTROOM AND WILL PROVIDE THEM WITH A FINAL SEATING CHART ON APRIL 13; THE PARTIES WILL HAVE 75 MINUTES EACH FOR GENERAL VOIR DIRE (FIVE-MINUTE WARNINGS WILL BE GIVEN TO THE ATTORNEYS); THE COURT WILL QUESTION PROSPECTIVE JUROR 990 PRIVATELY REGARDING HIS ABILITY TO CONCENTRATE; AFTER THE JURY IS

SELECTED, THE COURT WILL ISSUE AN ORDER REGARDING THE ALTERNATES, INCLUDING A LIST OF THE ALTERNATE SEATS AND THE ORDER IN WHICH THEY WILL BE CALLED, IF NECESSARY; PARTIES ARE TO REFER TO PROSPECTIVE JURORS BY NUMBER AND NOT BY NAME; THE PARTIES MUST CONDUCT THEIR GENERAL VOIR DIRE FROM THE PODIUM; IT IS VERY IMPORTANT THAT EVERYONE CAN HEAR THE PROCEEDINGS IN THE COURTROOM AND THE COURT WILL USE TWO WIRELESS MICROPHONES WITH THE PROSPECTIVE JURORS; THE COURT REMINDS THE PARTIES THIS IS GROUP QUESTIONING, NOT OPENING STATEMENTS; THERE WILL BE NO QUESTIONS ON PUBLICITY, HARDSHIP (INCLUDING GRAPHIC IMAGES AND ABILITY TO CONCENTRATE), MENTAL HEALTH, OR POTENTIAL PENALTIES; IF THE PARTIES HAVE A CHALLENGE FOR CAUSE, THEY SHOULD ASK TO APPROACH FOR A BENCH CONFERENCE; THE COURT WILL DEFER RULING ON CHALLENGES FOR CAUSE BY THE PROSECUTION IF THE DEFENSE WANTS AN OPPORTUNITY TO ATTEMPT TO REHABILITATE AFTER THE PROSECUTION'S QUESTIONS; ALL CHALLENGES FOR CAUSE MUST BE MADE IN A TIMELY FASHION; AND ALL BATSON CHALLENGES MUST BE MADE IN A TIMELY FASHION. THE PEOPLE ASK FOR COLORED COPIES OF THE DOCUMENTS RESPONSIVE TO THE P-SDT 7, WHICH WAS SERVED ON THE UNIVERSITY OF COLORADO. THE COURT THINKS THAT IT DID NOT RECEIVE COLORED COPIES, BUT WILL CHECK. THERE IS DISCUSSION REGARDING THE PROCEDURE FOR SHOWING EXHIBITS. THE DEFENSE WILL THINK ABOUT THE PEOPLE'S REQUEST FOR THE PEOPLE'S PARALEGAL TO BE SEATED IN THE CORNER BY THE JURY BOX AND WILL LET THE COURT KNOW ITS RESPONSE TOMORROW. THE DEFENSE ASKS TO BE ABLE TO TALK TO PROSPECTIVE JURORS AT GENERAL VOIR DIRE ABOUT THEIR ABILITY TO CONCENTRATE, MENTAL HEALTH, AND PENALTY. THE PEOPLE OBJECT. THE COURT WILL TAKE THE DEFENSE'S REQUEST UNDER ADVISEMENT. THE DEFENSE ASKS FOR FURTHER CLARIFICATION REGARDING THE INSTRUCTIONS THE COURT WILL GIVE TO THE PROSPECTIVE JURORS AT GROUP VOIR DIRE. THE COURT WILL GET BACK TO THE PARTIES ON THAT THIS AFTERNOON.

AFTERNOON SESSION

DEFENDANT APPEARS IN CUSTODY WITH HIS ATTORNEYS REBEKKA HIGGS, KATHERINE SPENGLER, TAMARA BRADY, AND KRISTEN NELSON. THE PEOPLE ARE REPRESENTED BY GEORGE BRAUCHLER, KAREN PEARSON, JACOB EDSON, RICH ORMAN, AND LISA TEESCH MAGUIRE. THE COURT INFORMS THE PARTIES THAT IN ITS GENERAL VOIR DIRE THE COURT WILL READ INSTRUCTIONS REGARDING PRESUMPTION OF INNOCENCE, BURDEN OF PROOF, REASONABLE DOUBT, MENS REA, INSANITY, BURDEN OF PROOF ON INSANITY, ELEMENTS OF EACH TYPE OF CHARGE (THERE WERE FIVE TYPES OF CHARGES FILED), THE 3 POSSIBLE VERDICTS, CREDIBILITY, AND THE FACT THAT DECISIONS MAY NOT BE BASED ON SYMPATHY OR PREJUDICE. THE COURT DENIES THE DEFENSE'S REQUEST TO EXPLORE JURORS' ABILITY TO CONCENTRATE AND ISSUES RELATED TO MENTAL HEALTH AND POTENTIAL PENALTIES DURING GENERAL VOIR DIRE. THE COURT SETS FORTH ITS RATIONALE FOR THIS RULING ON THE RECORD. HOWEVER, IF A JUROR RAISES ONE OF THESE ISSUES ON HIS/HER OWN, THE COURT WILL FOLLOW UP AND MAY ALLOW THE PARTIES TO QUESTION THAT PROSPECTIVE JUROR ABOUT THAT ISSUE. THE COURT CONDUCTS VOIR DIRE WITH THE GROUP OF SIX PROSPECTIVE JURORS WHO ARE SCHEDULED THIS AFTERNOON, ALL OF WHOM APPEAR. THE COURT AND THE PARTIES CONDUCT INDIVIDUAL VOIR DIRE WITH THE SIX PROSPECTIVE JURORS. PROSPECTIVE JURORS 1274, 1422, 1282, 1285, AND 1434 ARE EXCUSED BY STIPULATION OF THE PARTIES. WITHOUT OBJECTION, PROSPECTIVE JUROR 1276 IS ASKED TO RETURN FOR GROUP VOIR DIRE ON APRIL 13. /CMR

4/08/2015 Order

Event ID: 000740 E-Filed: N

THE COURT ENTERS ORDER REGARDING DEFENDANT'S AMENDED MOTION TO EXCLUDE UNTIMELY ENDORSED EXPERT REBUTTAL TESTIMONY, OR FOR ALTERNATIVE SANCTION (D-285A-1). 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

4/08/2015 Notice Filed Event ID: 000741 E-Filed: N
PEOPLES SUPPLEMENTAL AND AMENDED NOTICE OF ENDORSEMENT SUPPRESSED FILING
(PEOPLE'S MOTION P-122) SUPPRESSED ENVELOPE #198 - STD 201 4 8 15 /JR

4/08/2015 Filing Other Event ID: 000742 E-Filed: N
PEOPLES SUBMISSION OF LIST OF CHARGES (P-100A) - STD 201 4 8 15 /JR

4/08/2015 Minute Order (print) Event ID: 000748 E-Filed: N
JURY TRIAL - DAY 51

APRIL 8, 2015

JUDGE SAMOUR REPORTERS: KELLEY MORNING; RINK AFTERNOON
MORNING SESSION

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

THE COURT DISTRIBUTES COPIES OF THE RESPONSE TO PROSPECTIVE JUROR EMAIL 116. THE COURT MAKES A RECORD THAT PROSPECTIVE JURORS 773 AND 800 ARE SCHEDULED ON FRIDAY, AND THE PARTIES AGREE THAT BOTH JURORS SHOULD BE RELEASED ON APRIL 9. THE COURT NOTIFIES THE PARTIES THAT IF THEY PLAN TO USE A POWERPOINT FOR OPENING STATEMENTS, THE ELECTRONIC SYSTEM IN THE COURTROOM WILL ALLOW THEM TO DO SO WITHOUT HAVING TO SEND IT TO THE COURT FIRST. THE PARTIES SHOULD WORK WITH THE DISTRICT ADMINISTRATOR REGARDING THE LOGISTICS. THE COURT DISCUSSES ADDITIONAL GROUND RULES FOR GROUP VOIR DIRE, INCLUDING THE REQUIREMENT THAT ONLY ONE LAWYER FOR EACH SIDE WILL CONDUCT GENERAL VOIR DIRE, INCLUDING MAKING CHALLENGES AND OBJECTIONS. THE COURT MAKES A FURTHER RECORD ABOUT THE PARTIES NOT BEING ALLOWED TO ASK QUESTIONS ABOUT MENTAL ILLNESS AND POSSIBLE PENALTIES DURING GROUP VOIR DIRE. THE COURT REITERATES THAT BOTH SUBJECT MATTERS WERE CLEARLY INCLUDED IN INDIVIDUAL VOIR DIRE (AND EXPLORED AT LENGTH IN INDIVIDUAL VOIR DIRE) AND THE PARTIES WERE ON NOTICE BEFORE INDIVIDUAL VOIR DIRE THAT THEY WOULD NOT HAVE AN OPPORTUNITY TO ASK QUESTIONS ABOUT THOSE SUBJECT MATTERS IN GROUP VOIR DIRE. THE COURT NOTES THAT WHEN THE PARTIES HAVE STIPULATED TO EXCUSE SOMEONE, IT HAS AGREED WITH THE STIPULATED EXCUSALS (WHETHER BASED ONLY ON THE QUESTIONNAIRE OR ON THE QUESTIONNAIRE AND INDIVIDUAL VOIR DIRE). IF THE COURT DISAGREES WITH ANY PROPOSED STIPULATION, IT WILL MAKE A RECORD OF IT AND WILL ADDRESS IT.

THE COURT CONDUCTS VOIR DIRE WITH THE SIX PROSPECTIVE JURORS WHO HAVE APPEARED THIS MORNING.

THE COURT CONDUCTS INDIVIDUAL VOIR DIRE WITH THE SIX PROSPECTIVE JURORS. BY STIPULATION OF THE PARTIES, PROSPECTIVE JURORS 1254, 1291, 1309, 1314 AND 1413 ARE RELEASED FROM JURY SERVICE IN THIS CASE. THE COURT DENIES THE DEFENSE'S CHALLENGE FOR CAUSE WITH RESPECT TO PROSPECTIVE JUROR 1278.

AFTERNOON SESSION

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

THE COURT INFORMS THE PARTIES THAT PROSPECTIVE JUROR 1356 IS NOT AVAILABLE TOMORROW AFTERNOON AND IS RESCHEDULED FOR APRIL 10 IN THE AFTERNOON.

THE DEFENSE IS WILLING TO RELEASE PROSPECTIVE JUROR 176 BASED ON PROSPECTIVE JUROR EMAIL 117. HOWEVER, BASED ON HOW PROSPECTIVE JURORS WITH SIMILAR ISSUES HAVE BEEN HANDLED IN THE PAST, THE PEOPLE ARE NOT WILLING TO RELEASE PROSPECTIVE JUROR 176. PROSPECTIVE JUROR 176 WILL BE ASKED TO RETURN FOR GROUP VOIR DIRE BECAUSE THE COURT AGREES WITH THE PEOPLE THAT THE SITUATION EXPLAINED IN THE EMAIL DOES NOT RISE TO THE LEVEL OF UNFAIR OR UNREASONABLE

HARDSHIP. THE COURT WILL STATE ITS RATIONALE IN MORE DETAIL IN AN EMAIL ITS STAFF WILL SEND THE PROSPECTIVE JUROR. THE DEFENSE MAKES ORAL ARGUMENT REGARDING THEIR MOTION TO RECONSIDER THE COURT'S RULING IN P-109. THE DEFENSE HAS GIVEN THE PEOPLE COPIES OF TWO AFFIDAVITS RECEIVED RELATED TO THIS MOTION AND ALSO GIVES COPIES TO THE COURT. THE PEOPLE OBJECT TO THE DEFENSE'S ARGUMENT AND THE COURT TAKES THE MATTER UNDER ADVISEMENT. PROSPECTIVE JUROR 1416 DOES NOT APPEAR AS SCHEDULED THIS AFTERNOON, AND THE PARTIES STIPULATE TO RELEASE HIM. THE COURT CONDUCTS VOIR DIRE WITH THE GROUP OF SIX OF THE SEVEN PROSPECTIVE JURORS WHO ARE SCHEDULED THIS AFTERNOON. THE PEOPLE GIVE THE COURT AND THE DEFENSE A COPY OF THEIR EXHIBIT LIST, ALONG WITH THUMBNAIL PHOTOGRAPHS OF ALL THE EXHIBITS. THE COURT GRANTS THE PEOPLE'S REQUEST FOR LEAVE TO FILE A MOTION TO PRECLUDE EXPERT TESTIMONY. THE PEOPLE WILL FILE THE MOTION TOMORROW AND THE COURT WILL GIVE THE DEFENSE AN OPPORTUNITY TO RESPOND. THE COURT AND THE PARTIES CONDUCT INDIVIDUAL VOIR DIRE WITH THE SIX PROSPECTIVE JURORS. PROSPECTIVE JURORS 1081, 1269, 1323, 1326, AND 1424 ARE EXCUSED BY STIPULATION OF THE PARTIES. WITHOUT OBJECTION, PROSPECTIVE JUROR 1318 IS ASKED TO RETURN FOR GROUP VOIR DIRE ON APRIL 13. THE COURT ASKS THE DEFENSE TO THINK ABOUT ITS CHANGE OF VENUE MOTION, AND WHETHER IT WOULD LIKE THE COURT TO WAIT TO RULE ON IT UNTIL AFTER A JURY IS SEATED ON APRIL 13 OR 14. THE DEFENSE WILL CONSIDER THE QUESTION AND GET BACK TO THE COURT. THE DEFENSE REQUESTS THE MODEL INSTRUCTION NUMBERS THE COURT WILL USE IN ITS DISCUSSION WITH THE JURORS ON MONDAY. THE COURT IDENTIFIES THE INSTRUCTIONS BY SUBJECT MATTER, AND THE PARTIES SHOULD BE ABLE TO FIND THEM. THE PARTIES CAN ASK THE COURT IF THEY HAVE SPECIFIC QUESTIONS. /CMR

4/09/2015 Order Event ID: 000743 E-Filed: N
THE COURT ENTERS ORDER SUPPRESSING PEOPLE'S SUPPLEMENTAL AND AMENDED NOTICE OF ENDORSEMENT (P-122). 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.

4/09/2015 Order Event ID: 000744 E-Filed: N
THE COURT ENTERS ORDER REGARDING MOTION BY MEDIA PETITIONERS TO AMEND EMC AND STANDING DECORUM ORDERS (C-194). 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, AND STEVEN ZANSBERG. /CMR

4/09/2015 Motion Event ID: 000745 E-Filed: N
MOTION TO EXCLUDE EXPERT TESTIMONY (P-123) SUPPRESSED ENVELOPE #199 FILED BY THE PEOPLE- STD 201 4 9 15 /JR

4/09/2015 Order Event ID: 000746 E-Filed: N
THE COURT ENTERS ORDER SUPPRESSING PEOPLE'S MOTION TO EXCLUDE EXPERT TESTIMONY (P-123). 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.

4/09/2015 Filing Other Event ID: 000749 E-Filed: N
AFFIDAVITS SUBMITTED IN OPEN COURT IN SUPPORT OF ORAL MOTION TO RECONSIDER
ORDER P-109 ON APRIL 8, 2015 (EXHIBITS A&B) SUPPRESSED ENVELOPE #201 /LKO

4/09/2015 Filing Other Event ID: 000750 E-Filed: N
EXHIBIT LIST WITH THUMBNAI LS OF PHYSICAL EXHIBITS AND TRIAL PHOTOS FILED BY
THE PEOPLE - SUPPRESSED ENVELOPE #200 - STD 201 4 9 15 /JR

4/10/2015 Response Event ID: 000751 E-Filed: N
PEOPLE'S RESPONSE TO MEDIA'S MOTION C-193 FOR MID TRIAL ACCESS (TO MAKE
COPIES) OF ALL NON-GRAPHIC IMAGES EXHIBITS ADMITTED INTO EVIDENCE AND
PUBLISHED TO THE JURY DURING THE TRIAL STD 201 4 10 15 /LKO

End of Case: 2012 CR 201522