

IN THE SUPREME COURT OF THE STATE OF NEVADA

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MICHAEL RIPPO,  
Appellant,  
-vs-  
E.K. McDANIEL, et al.,  
Respondent.

No. 53626

**FILED**

OCT 19 2009

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1 on the fender.

2 Q. Is the primer paint on the fender the  
3 paint which was sprayed on by you?

4 A. And also the -- yes, and also the  
5 mirror. I remember the mirror was broken like that.

6 Q. You're indicating --

7 A. The driver's side.

8 Q. -- the rear-view mirror on the driver's  
9 side?

10 A. Yes.

11 Q. Are you able to say by looking at the  
12 photos of the vehicle in Proposed Exhibit 64 and 65,  
13 that these are photographs of the car you drove away  
14 from Tom Sims' shop the evening of February 18,  
15 1992?

16 A. Yes.

17 MR. DUNLEAVY: I object. There is no  
18 foundation on 65 yet. If there is anything on 65  
19 she recognizes.

20 THE COURT: Sustained.

21 MR. HARMON: I thought she said she  
22 recognized them both.

23 MR. DUNLEAVY: I only heard 64.

24 THE COURT: I only heard 64.

1 THE WITNESS: I recognize 65 also.

2 THE COURT: Do you -- how do you  
3 recognize 65?

4 THE WITNESS: Because it's the same car.  
5 The license is the same.

6 THE COURT: Okay.

7 BY MR. HARMON:

8 Q. Earlier in your testimony you talked  
9 about pickup truck that belonged to Deidre D'Amore?

10 A. Yes.

11 Q. I'm showing you Proposed Exhibit 68.

12 Do you recognize the truck shown  
13 in that photograph?

14 A. Yes.

15 Q. Whose truck is it?

16 A. Deidre's.

17 Q. What type of truck is it?

18 A. An Isuzu. It's tan in color.

19 Q. Do you have any personal knowledge of  
20 whether Mike Rippo ever had access to Deidre's Isuzu  
21 pickup truck?

22 A. Yes. He drove it.

23 Q. You saw him drive it on occasion?

24 A. Yes.

1 Q. You referred to a Pinto that was owned  
2 by Mr. Ripppo, the defendant?

3 A. Yes.

4 Q. I'm showing you Proposed Exhibit 71 and  
5 72.

6 A. Yes, that's the car.

7 Q. Do you recognize the vehicle shown in  
8 those photographs?

9 A. Yes.

10 Q. What car is that?

11 A. That's Mr. Ripppo's Pinto.

12 Q. You've also alluded to a Dodge, did you  
13 say, Dodge Colt?

14 A. Yes.

15 Q. That was your car?

16 A. Yes.

17 Q. I'm showing you Proposed Exhibit 74 and  
18 75.

19 Do you recognize the vehicle  
20 shown in those pictures?

21 A. Yes.

22 Q. Whose car is it?

23 A. That was my car.

24 Q. Also, Proposed Exhibit 78.

1 Do you recognize the business  
2 shown in that photograph?

3 A. That's Tom Sims' shop.

4 Q. You mentioned that when you went down  
5 the evening of February 18, 1992 to meet Mr. Rippo,  
6 that you observed a maroon Nissan; in fact, the same  
7 vehicle which is marked Proposed Exhibit 64 and 65?

8 A. Yes.

9 Q. That was parked somewhere in  
10 relationship to Mr. Sims' shop; is that correct?

11 A. Yes.

12 Q. Where was it parked?

13 A. Right here in this space.

14 MR. DUNLEAVY: May the record reflect  
15 she's indicating the bottom left-hand corner of the  
16 photograph.

17 THE COURT: On which exhibit?

18 Turn the exhibit over. What  
19 number?

20 THE WITNESS: 78.

21 BY MR. HARMON:

22 Q. I'm handing you a red pen. I realize we  
23 can only see in the lower left-hand corner of the  
24 photograph part of the parking space, but would you

1 put an N for Nissan in red at that location?

2 To your memory was the car parked  
3 in that parking space?

4 A. Yes.

5 Q. Will you circle the N that you have  
6 placed on Proposed Exhibit 78 and put your initials  
7 outside of the circle?

8 Thank you.

9 Your Honor, may we again have the  
10 Court's indulgence?

11 THE COURT: You may.

12 BY MR. HARMON:

13 Q. I'm showing you now, Miss Hunt, several  
14 documents, but one has been marked as Proposed  
15 Exhibit 102, and the other, it's a series of pages  
16 marked Proposed 103.

17 Are you able to tell by examining  
18 these what they are?

19 A. They're -- it's a bill, bills from a  
20 Gold Coast.

21 MR. DUNLEAVY: Which one is she  
22 referring to?

23 THE WITNESS: All of them.

24 MR. HARMON: She's referring to Proposed



1 Exhibits 102 and 103.

2 THE COURT: Bills or receipts; how would  
3 you describe them?

4 THE WITNESS: I guess receipts. From  
5 the credit card.

6 BY MR. HARMON:

7 Q. You mentioned previously in your  
8 testimony that you and Teresa, the girlfriend of Tom  
9 Christos, and two of the band members that you  
10 picked up at the Club Rock, went to the Gold Coast  
11 and stayed?

12 A. Yes.

13 Q. Are you able to say whether these  
14 records, Proposed Exhibits 102 and 103, refer to the  
15 room you rented at the Gold Coast?

16 MR. DUNLEAVY: Your Honor, I would  
17 object. First, 102 appears to be Xerox copy of  
18 something. I don't know if there is any foundation  
19 that that's an authentic copy. I don't know where  
20 it came from. I think they have to lay a  
21 foundation.

22 MR. HARMON: That's what we're trying to  
23 do, your Honor. We have to go one step at a time.

24 MR. DUNLEAVY: She's not qualified to

1 testify to business records of the Gold Coast Hotel.

2 MR. HARMON: She may be able to  
3 recognize writing on the documents.

4 THE COURT: I'll overrule the objection  
5 at this time until more foundation.

6 BY MR. HARMON:

7 Q. Are you examining now Proposed 103?

8 A. Yes, I am. I'm looking at these phone  
9 numbers, and I remember some of these phone numbers,  
10 so I made these calls.

11 Q. Let me return then to the question of a  
12 few moments ago.

13 Are you able to tell us after  
14 examining Proposed Exhibits 102 and 103, whether  
15 these documents relate to the room that you rented  
16 at the Gold Coast?

17 A. Yes.

18 MR. DUNLEAVY: Objection, your Honor.  
19 She only looked at 103.

20 MR. HARMON: That is not true. They're  
21 all right in front of her, Judge.

22 THE WITNESS: Yes.

23 BY MR. HARMON:

24 Q. Do these documents relate to the room

1 you rented for yourself, Teresa, and the two band  
2 members --

3 A. Yes.

4 Q. -- at the Gold Coast?

5 A. Yes.

6 Q. And now how is it that you're able to  
7 identify these documents either as original  
8 documents or copies of the transaction which  
9 occurred at the Gold Coast either on February 19 or  
10 February 20, 1992?

11 A. Because that's -- I write -- I wrote  
12 this.

13 Q. You're referring now to Proposed Exhibit  
14 102?

15 A. 102.

16 Q. what did you write --

17 A. I wrote --

18 Q. -- on Proposed 108?

19 A. I wrote what was on the credit card.

20 Q. Does that appear to be the copy of a  
21 registration card?

22 A. Yes.

23 Q. Can you just read into the record what  
24 words you wrote on Proposed 102 that you recognize?

1 A. Denny R. Mason, 7201 West Park, Las  
2 Vegas, Nevada.

3 Q. Are you telling us that all that is in  
4 your handwriting?

5 A. Yes.

6 Q. Would you recognize your handwriting,  
7 whether it was on the original or a copy?

8 A. Yes.

9 Q. Does Proposed Exhibit 102 appear to be  
10 simply a copy?

11 A. Yes.

12 Q. Do you remember either from your  
13 independent memory or by examining the documents  
14 what room it is you rented?

15 A. 1033.

16 Q. At the Gold Coast?

17 A. Yes.

18 Q. Does it appear that the card, the copy  
19 of the card, Proposed 102, filled out by yourself,  
20 is true and accurate?

21 A. Is it true and accurate?

22 Q. Is the copy in substantially --

23 A. Yes.

24 Q. -- the same condition as the original

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1 registration card you filled out?

2 A. Yes.

3 Q. Now, regarding the other record,  
4 Proposed 103, which appears to list room charges --

5 A. Yes.

6 Q. -- is that one for 1033 also?

7 A. Yes, it is.

8 Q. Do you recognize a number of the charges  
9 of which appear on the record as charges you would  
10 have incurred?

11 A. Yes.

12 Q. Explain what you mean.

13 A. Because I used the phone there. I  
14 called a lot of people, a lot of numbers, and --

15 Q. Did you end up paying for any charges  
16 that resulted either from the rental of the room or  
17 anything else that resulted while you were in the  
18 room?

19 A. Did I end up paying?

20 Q. Yes.

21 A. No. I just signed the credit or --

22 Q. That's what I mean, did you pay cash or  
23 use a credit card?

24 A. I used a credit card.

1 Q. Are you the person who used the credit  
2 card?

3 A. Yes.

4 Q. What credit card did you use?

5 A. Denny Mason's credit card.

6 Q. The gold VISA credit card?

7 A. Yes.

8 MR. HARMON: Your Honor, at this time  
9 the State offers Proposed Exhibits 102 and 103.

10 MR. WOLFSON: May I take a look at  
11 those, please?

12 THE COURT: You may.

13 MR. DUNLEAVY: Your Honor, we would ask  
14 the Court reserve ruling on this until after  
15 cross-examination.

16 THE COURT: All right. I'll reserve  
17 ruling.

18 BY MR. HARMON:

19 Q. Miss Hunt, regarding the portion of 102  
20 that related to your handwriting as you were  
21 checking into the Gold Coast, do you recall now how  
22 you knew what address to indicate for that of Denny  
23 Mason?

24 A. It was on the credit card. It was on

1 the -- as far as I know, it was on the credit card.

2 Q. I've forgotten the street numbers, but  
3 you had indicated West Park?

4 A. West Park.

5 Q. And what's the full address?

6 A. 7201 West Park.

7 Q. It's your belief now that address was  
8 right on the credit card?

9 A. I believe so. I don't remember.

10 Q. After February 29, did you have further  
11 contact with defendant, Mr. Rippo, either later that  
12 night or early the next morning?

13 A. Yes.

14 Q. Do you recall where that was?

15 A. At a house in North Las Vegas on Nelson  
16 Street.

17 Q. How did you happen to be at a house on  
18 Nelson Street in North Las Vegas?

19 A. There was a girl, Brenda, that I had  
20 met.

21 Q. Do you remember Brenda's last name?

22 A. Brummell, I think. Brummell.

23 Q. Brummell or Brummet?

24 A. I'm not sure.

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1 Q. But you knew a woman named Brenda?

2 A. Yes.

3 Q. How did it happen that you were at the  
4 address on Nelson Street in connection with Brenda?

5 A. Brenda told me that I could come --

6 MR. WOLFSON: Objection; hearsay.

7 THE COURT: Sustained.

8 BY MR. HARMON:

9 Q. Did you have a conversation with Brenda?

10 A. Yes.

11 Q. As a result of the conversation did you  
12 go to an address on Nelson Street?

13 A. Yes.

14 Q. Were there other persons there?

15 A. Her uncle or her -- some relative of  
16 hers was there.

17 Q. Did you know whether this was Brenda's  
18 place or the uncle's place?

19 A. I think it was the uncle's place.

20 Q. Do you recall the name of the uncle?

21 A. No.

22 Q. At some point after you arrived there  
23 did the defendant, Mr. Rippo, also appear on the  
24 scene?



1 A. Yes.

2 Q. Had you been expecting him to come  
3 there?

4 A. No.

5 Q. Did you want to see Mike Rippo again?

6 A. No.

7 Q. Did you have a confrontation with Mr.  
8 Rippo?

9 A. Yes.

10 Q. At this address on Nelson Street?

11 A. Yes.

12 Q. About what time of the night was it?

13 A. It was like 2 in the morning.

14 Q. Was it inside the residence or outside?

15 A. Outside.

16 Q. At some point did you say something to  
17 Mr. Rippo?

18 A. Yes.

19 Q. Where was he when you first remember  
20 that you were aware he was there?

21 A. He pulled up in Deidre's truck in the  
22 driveway.

23 Q. In the Isuzu pickup truck?

24 A. Yes.

1 Q. The same one you identified in one of  
2 the photographs earlier?

3 A. Yes.

4 Q. Did he get out?

5 A. Yes, he got out of the truck. He opened  
6 the door to get out and he started yelling.

7 Q. As a result of him starting to yell did  
8 you yell something at him?

9 A. Yes.

10 Q. What did you yell at him?

11 A. I told -- he had said something about --

12 MR. DUNLEAVY: Objection; nonresponsive,  
13 your Honor. She was asked what she said.

14 THE WITNESS: I said, you killed those  
15 girls, and I can prove it.

16 BY MR. HARMON:

17 Q. At that point did Mr. Rippo do  
18 something?

19 A. Yes.

20 Q. What did he do?

21 A. He ran around the front of the truck and  
22 started punching me in the face.

23 Q. Were there others in the area of this  
24 fight when it occurred?

1 A. Yes.

2 Q. What other persons were there?

3 A. Michael Beaudoin. Dan, I think his last  
4 name is Barton. There was a lady there that I don't  
5 even remember her name. Brenda was there.

6 There was some other guys there  
7 that were -- came with Mike Beaudoin and Dan that I  
8 don't know who they were.

9 Q. You've indicated that when you made the  
10 statement that you have referred to the defendant  
11 came running around and punched you in the face?

12 A. Yes.

13 Q. Are you talking about with fists?

14 A. Yes.

15 Q. He hit you once or various times?

16 A. He hit me over and over.

17 Q. In the face?

18 A. Yes.

19 Q. What happened then?

20 A. He was trying to get me down and I just  
21 kept going backwards, and he reached in his belt and  
22 got the stun gun out, and he started stunning me  
23 with it.

24 Q. Where did he stun you with the stun gun?

1           A.       All over. My side of me, and then he  
2 held it on my back, and that's when I went down.

3           Q.       Is this the same stun gun that you  
4 referred to earlier in your testimony?

5           MR. DUNLEAVY: Objection, your Honor.  
6 There is no foundation that she'd know whether or  
7 not it's the same one.

8           THE COURT: Lay a foundation.

9           MR. HARMON: Well, the question asked  
10 for yes or no, your Honor.

11          THE COURT: Do you know if it's the same  
12 one?

13          THE WITNESS: Yes, it was the same one.

14 BY MR. HARMON:

15          Q.       How do you know it's the same one?

16          A.       Because I had seen it so many times, and  
17 I've been stunned with it so many times, and I know  
18 that's the only stun gun he had.

19          Q.       You say that after you were stunned all  
20 over with the gun you started to go down?

21          A.       When he held it on my back, on my spine.  
22 I went down.

23          Q.       Did the defendant do anything else  
24 besides punch you in the face and stun you with the

1     stun gun?

2             A.       Yes.   He started choking me.

3             Q.       How did he start to choke you?

4             A.       With his hands on my throat.

5             Q.       Then what happened?

6             A.       He was banging my head, choking me.

7             Q.       Banging your head where?

8             A.       Into the pavement.

9             Q.       What were these other people doing who  
10    were there?

11            A.       Watching.

12            Q.       Did they come to your assistance?

13            A.       No.   They just watched.

14                    And then I knew I was passing  
15    out, and I looked at Mike Beaudoin, and I told him,  
16    I said, I can prove that.   I can prove it.   And when  
17    I said that they jumped on him and pulled him off.

18            Q.       They pulled Mr. Rippo off of you?

19            A.       Yes.

20            Q.       Do you know whether the police were  
21    notified?

22            A.       Yeah, the police came.

23            Q.       Were you involved in contacting the  
24    police?

1 A. No. I was almost unconscious laying in  
2 the driveway.

3 Q. Had you suffered injuries as a result of  
4 the fight?

5 A. Yes.

6 Q. What, in what way?

7 A. My head was out, the back of my head.  
8 And I had burns all over me from the stun gun. I  
9 was shaking. I was -- my muscles were wiggling out  
10 from the stun gun.

11 Q. What about your face; you've  
12 indicated --

13 A. I had a black eye. I had a fat lip. I  
14 had two black eyes, and my lip was split.

15 Q. Do you know who it was who contacted the  
16 police?

17 A. No.

18 Q. Did the police arrive sometime after the  
19 injuries had been inflicted upon you?

20 A. Yes.

21 Q. Was Mr. Rippo still there?

22 A. No. He had ran away.

23 Q. Did you see him run away?

24 A. No. I couldn't.

1 Q. How do you know he ran away?

2 A. Because they told me. Dan and Mike  
3 Beaudoin.

4 MR. DUNLEAVY: Objection to the answer  
5 as hearsay. Ask that it be stricken.

6 THE COURT: Sustained. It will be  
7 stricken.

8 BY MR. HARMON:

9 Q. I take it of your own personal knowledge  
10 you only know that Mr. Rippo was not present when  
11 the police arrived?

12 A. Yes.

13 Q. Did you have occasion later that morning  
14 to give a statement to representatives of the Las  
15 Vegas Metropolitan Police Department?

16 A. Yes.

17 Q. Do you remember where you gave the  
18 statement?

19 A. At the police station.

20 Q. Do you remember who interviewed you?

21 A. Detectives Dibble and Scholl.

22 Q. Do you recall about what time the  
23 interview occurred?

24 A. It was about 3 in the morning. I guess.

1 I'm not positive.

2 Q. Did you tell them everything that you  
3 knew about the killing Denise Lizzi and Lauri  
4 Jacobson at that time?

5 A. No.

6 Q. Why not?

7 A. Because they asked me why he was doing  
8 that to me, and I asked them, if I tell you, are you  
9 going to protect me? And they said no.

10 Q. Were you in fear at that time for your  
11 life?

12 A. Yes.

13 Q. Did there come a time when you were  
14 placed under arrest for offenses relating to the  
15 killing and robbery of Denise Lizzi and Lauri  
16 Jacobson?

17 A. Yes.

18 Q. Where were you at the time you were  
19 arrested?

20 A. I was in Yerington, Nevada.

21 Q. On what date were you arrested?

22 A. April 21.

23 Q. 1992?

24 A. Yes.



1 Q. Why had you gone to Yerington, Nevada?

2 A. Because I told the police that I was  
3 leaving town and they wanted to know --

4 MR. WOLFSON: Objection; hearsay.

5 THE COURT: Sustained.

6 BY MR. HARMON:

7 Q. You're indicating you told the police  
8 that you were leaving town?

9 A. Yes.

10 Q. Are you saying that you advised someone  
11 in the police department that you were going to a  
12 particular destination?

13 A. Yes.

14 Q. Did you tell them Yerington, Nevada?

15 A. Yes.

16 Q. After your arrest did there come a time  
17 when you worked out some type of agreement with law  
18 enforcement?

19 A. Yes.

20 Q. Did you have an attorney at that time?

21 A. Yes.

22 Q. What was the agreement you worked out?

23 A. That I would not be prosecuted for the  
24 murders or in exchange for my testimony.

1 MR. HARMON: Your Honor, may I again  
2 approach the witness?

3 THE COURT: You may.

4 BY MR. HARMON:

5 Q. Miss Hunt, I'm showing you a four-page  
6 document which has been marked as Proposed Exhibit  
7 104.

8 Are you familiar with that  
9 document?

10 A. Yes, I am. This is the plea agreement  
11 that we made.

12 Q. Is it signed by you?

13 A. Yes.

14 Q. Does it bear a particular date when it  
15 was signed?

16 A. June 2, 1992.

17 Q. Did you sign the document freely and  
18 voluntarily?

19 A. Yes.

20 Q. Is it also signed by your attorney?

21 A. Yes.

22 Q. Who was your attorney?

23 A. William H. Smith.

24 Q. Is it signed also by two prosecutors --

1 BY MR. HARMON:

2 Q. Now, you've indicated that part of the  
3 understanding is that you wouldn't be prosecuted for  
4 murder if you would cooperate with the State?

5 A. Yes.

6 Q. Had you murdered anyone?

7 A. No.

8 Q. Did you have any intention on Tuesday,  
9 February 18, 1992, that either of these two young  
10 women would be killed?

11 A. No.

12 Q. Did you personally get involved in the  
13 choking to death either of them?

14 A. No.

15 Q. Did you tie either of the young ladies  
16 up?

17 A. No.

18 Q. Did you apply any type of ligature to  
19 the neck or any other part of the body of either  
20 Lauri Jacobson or Denise Lizzi?

21 A. No.

22 Q. Who did those things?

23 A. Michael Ripppo.

24 Q. The defendant who is here in the

1 courtroom?

2 A. Yes.

3 Q. However, you did aid in something; is  
4 that correct?

5 A. Yes.

6 Q. What did you aid in, Miss Hunt?

7 A. I hit Lauri Jacobson with that bottle  
8 when he told me to.

9 Q. Why did you hit her with the bottle?

10 A. Why did I? Because he told me to and I  
11 didn't want to argue. I didn't want to -- I didn't  
12 want him on me.

13 Q. Did Mr. Rippe tell you why he wanted you  
14 to hit Lauri Jacobson with the bottle?

15 MR. DUNLEAVY: It's been asked and  
16 answered, your Honor.

17 THE COURT: I'll allow her to answer it.

18 THE WITNESS: So that he could rob  
19 Denise.

20 BY MR. HARMON:

21 Q. In connection with the agreement that  
22 you worked out with law enforcement as is reflected  
23 in Exhibit 104, did you enter a plea of guilty to a  
24 crime?

1 A. Yes, I did.

2 Q. Of what crime did you please guilty to?

3 A. Robbery.

4 Q. Did you later receive a sentence for

5 robbery?

6 A. Yes, I did.

7 Q. What was your sentence?

8 A. 15 years Nevada State Prison.

9 Q. Are you presently incarcerated in Nevada

10 State Prison system?

11 A. Yes, I am.

12 Q. Are you serving your 15 year sentence --

13 A. Yes.

14 Q. -- in connection with a robbery?

15 Had you had any type of

16 discussion with Mr. Rippo prior to February 18,

17 1992, wherein he indicated any type of disagreement

18 or any type of problem of which he might have with

19 either Lauri or Denise?

20 A. Yes, he did.

21 Q. Did you have a conversation with him

22 about that?

23 A. Yes.

24 Q. Where were you when you had the

1 conversation?

2 A. At the house on Gowan Road.

3 Q. Are you able to tell us approximately  
4 when the conversation happened?

5 A. It was before February 1.

6 Q. 1992?

7 A. Yes.

8 Q. How much before?

9 A. Approximately a week.

10 Q. Why do you use February 1, 1992 as a  
11 frame of reference?

12 A. Because that's the date, I believe, that  
13 Michael Beaudoin got arrested.

14 Q. Who is Michael Beaudoin?

15 A. He was a guy that I met that I used to  
16 buy drugs from.

17 Q. Used to buy drugs from him?

18 A. Yes.

19 Q. So you're indicating, perhaps, a week  
20 before February 1 of 1992, at the house on Gowan  
21 Street is where and when you had the conversation  
22 with Mr. Rippo?

23 A. Yes.

24 Q. Was it just the two of you who

1 participated in the conversation?

2 A. No. There was a girl Roxanne there,  
3 Roxanne Holloway.

4 Q. The last name is Holloway?

5 A. Yes, I believe so.

6 Q. H-o-l-l-o-w--a-y?

7 A. I'm not positive about that, but as far  
8 as I remember.

9 Q. What did Mr. Rippo tell you on that date  
10 concerning any disagreement that he had with Lauri  
11 Jacobson or Denise Lizzi?

12 A. Well, he had -- he had had a problem  
13 with them prior to that that I didn't know about,  
14 and I was trying to find out what the problem was so  
15 that I could hook him up with -- up with Michael  
16 Beaudoin, so that I didn't have to go between the  
17 two of them.

18 And nobody wanted to deal with  
19 Mr. Rippo, and I was trying to find out why, and the  
20 reason Denise, I guess, didn't like him.

21 MR. WOLFSON: Objection. This is  
22 nonresponsive and hearsay.

23 THE COURT: Sustained.  
24

1 BY MR. HARMON:

2 Q. What I'm asking you now is what it was  
3 that Mr. Rippo said to you about any disagreement he  
4 had with Denise or Lauri?

5 A. He said that they had burned him on a  
6 drug deal.

7 Q. Did he elaborate about what he was  
8 talking about?

9 A. He said that he was trying to buy drugs  
10 from Denise and he had went through Lauri and when  
11 they brought the drugs, meaning Lauri and Denise,  
12 brought the drugs to his house, the drugs were no  
13 good.

14 Q. Did he tell you who specifically he  
15 believed had burned him?

16 A. Denise.

17 Q. Did he tell you why he believed it was  
18 Denise?

19 A. Because that's who he had wanted to go  
20 through to get -- that's who he went to to get the  
21 drugs.

22 Q. You've described in your testimony a  
23 certain manner in which you saw that the defendant  
24 had tied up Lauri Jacobson?

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1 A. Yes.

2 Q. And that you were describing how he  
3 carried her much as a person might carry a suitcase  
4 from the living room to the closet?

5 MR. DUNLEAVY: Your Honor, I'm going to  
6 object. This is a leading statement. He's telling  
7 her what to say.

8 MR. HARMON: Well, she's already said  
9 this, your Honor.

10 MR. DUNLEAVY: Then it's asked and  
11 answered and it's improper.

12 MR. HARMON: It's not. It's preliminary  
13 to another question.

14 THE COURT: Overruled.

15 BY MR. HARMON:

16 Q. Had you ever seen Mr. Ripppo tying a  
17 person or persons in that manner before?

18 A. Yes.

19 Q. Where was this?

20 A. At the house on Gowan Road.

21 Q. Can you tell us approximately when this  
22 occurred?

23 A. In January.

24 Q. Early, middle or late January?

1 A. Late January.

2 Q. Late January, 1992?

3 A. Yes.

4 Q. What persons were there?

5 A. Myself, Chris Lloyd, Ricky Price, and  
6 Michael Rippo.

7 Q. You've already mentioned that you lived  
8 at this house on Gowan Road with Mr. Rippo.

9 Who are these other persons;  
10 Chris Lloyd and Ricky Price?

11 A. They were friends of Mr. Rippo's, and  
12 they were -- they hung out there. They were there  
13 most of the time with us.

14 Q. What occurred on this occasion in late  
15 January in the presence of yourself, Ricky Price and  
16 Chris Lloyd?

17 A. We were all sitting around in the living  
18 room and Rippo was talking about how to restrain  
19 somebody, and he was showing us.

20 Q. Did he demonstrate to some extent what  
21 he knew how to do?

22 A. Yes.

23 Q. How did he demonstrate?

24 A. He asked me to lay down so he could show

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1 them.

2 Q. Did you lay down?

3 A. Yes.

4 Q. When you laid down what did he do?

5 A. He tied my hands behind my back and my  
6 feet.

7 Q. With what?

8 A. A karate belt thing. A tie from a  
9 karate.

10 Q. Did he explain if you were tied in this  
11 fashion, what he could do?

12 A. Yes.

13 Q. What did he say?

14 A. He just said it was easy to restrain  
15 somebody that way.

16 Q. The morning this happened, February 18,  
17 1992, had you ingested any type of drugs at Deidre  
18 D'Amore's place before you and Mr. Rippo went --

19 A. No.

20 Q. What about Mr. Rippo, had he ingested  
21 any type of dope?

22 A. I don't know.

23 Q. How would you describe your frame of  
24 mind that day?

1 MR. DUNLEAVY: At what time, your Honor?  
2 I'm sure it changed.

3 THE COURT: Lay a foundation.

4 BY MR. HARMON:

5 Q. Well, let's start with the period of  
6 time when you were inside Lauri Jacobson's  
7 apartment; what was your frame of mind?

8 A. When I first got there?

9 Q. At anytime while you were there.

10 A. Well, I was sick when I got there. I  
11 wasn't thinking right. I wasn't feeling good.

12 Q. But were you thinking straight?

13 A. I don't -- not like I'm thinking now.

14 Q. Have you in prior statements ever  
15 described your brain as being pretty screwed up that  
16 day?

17 A. Yes.

18 Q. When you have said that what did you  
19 mean?

20 A. I mean I hadn't had any sleep in days  
21 and weeks, and I hadn't been eating. I had been  
22 doing drugs and I was just a mess.

23 Q. At the specific time when some person  
24 called the apartment of Lauri Jacobson, and,

1     apparently, you already had this bottle in your hand  
2     at that moment; did you have any idea who was  
3     calling?

4             A.       No.

5             Q.       After you struck Lauri on the head, did  
6     you call out her name for any reason?

7             A.       Yes, I did.

8             Q.       At what point did you do that?

9             A.       I went -- when I went to the bathroom  
10    and I looked in and he was wrestling with Denise.  
11    He was still stunning her. I kept hearing that stun  
12    gun. And I told him to quit, and when he wouldn't,  
13    I started yelling for Lauri to get up.

14            Q.       Do you have any idea how many times you  
15    called her name?

16            A.       Two or three times.

17            Q.       Are you able to estimate how soon this  
18    was after the phone had rung?

19            A.       It happened so fast. Almost a minute  
20    maybe.

21            Q.       What happened to the telephone when you  
22    hit Lauri Jacobson in the back of the head?

23            A.       She dropped it.

24            Q.       Was it at that point off the hook?

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1 A. Yes.

2 MR. HARMON: May I again approach the  
3 witness, your Honor?

4 THE COURT: You may.

5 MR. HARMON: This is Proposed 19.

6 BY MR. HARMON:

7 Q. I'm showing you now, Miss Hunt, Proposed  
8 Exhibit 19.

9 Do you recognize what is shown in  
10 this photograph?

11 A. Yes.

12 Q. What is depicted in Proposed Exhibit 19?

13 A. That's Lauri and Denise, but that's not  
14 how I saw them last.

15 Q. As you look at the photograph, starting  
16 with the body to the right, who is that?

17 A. That's Denise.

18 Q. Denise Lizzi?

19 A. Yes.

20 Q. And who is to her immediate left?

21 A. Lauri Jacobson.

22 Q. Now, you've indicated that the positions  
23 of the bodies in that photograph, Proposed Exhibit  
24 19, aren't exactly as you remember them --

1 A. No.

2 Q. -- from the last time you saw them?

3 A. Right.

4 Q. What is different?

5 A. The last time I saw them they were  
6 level. They were both side by side in the closet.

7 Q. In the photograph, Proposed Exhibit 19,  
8 are the legs of one of the victims extending out  
9 farther --

10 A. Yes.

11 Q. -- than the other?

12 A. Yes.

13 Q. Whose legs are extending out the  
14 farthest?

15 A. Denise's.

16 Q. Except for that difference, is Proposed  
17 Exhibit 19 an accurate photograph of what you  
18 remember when you last looked inside the closet?

19 A. Yes.

20 Q. Are the two young ladies dressed the  
21 same as you remember them being dressed when you  
22 last looked at them?

23 A. Yes.

24 MR. HARMON: Your Honor, may we have the

1 Court's indulgence?

2 THE COURT: Yes.

3 MR. HARMON: Your Honor, that concludes  
4 direct.

5 THE COURT: All right. This is a good  
6 time to break for the day. We'll begin tomorrow  
7 morning at 9:45.

8 Remember, do not converse among  
9 yourselves or with anyone on any subject connected  
10 with the trial; read, watch, listen to any report or  
11 commentary on the trial by any medium of  
12 information; including, without limitation,  
13 newspapers, television or radio, or form or express  
14 any opinion on this trial until the case is finally  
15 submitted to you for deliberation.

16 Have a good evening.

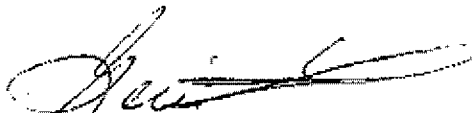
17 (Proceedings adjourned to  
18 Tuesday, February 6 1996  
19 at 9:45 a.m.)

20 ---o0o---

21

22 ATTEST: Full, true and accurate transcript of  
23 proceedings:

24



GERRI LAPTHORNE, C.C.R. NO. 82