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Respondent.

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Docket 74071 Document 2018-13787

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**Case No. 74071**

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WARR.

ORIGINAL

FILED IN OPEN COURT  
STEVEN D. GRIERSON  
CLERK OF THE COURT

DISTRICT COURT  
CLARK COUNTY, NEVADA

FEB 02 2017

THE STATE OF NEVADA,  
Plaintiff,

-vs-

JOSE AZUCENA  
ID#7037259

Defendant.

BY:   
DULCE MARIE ROMEA, DEPUTY

CASE NO: C-17-321044-1

DEPT NO: II

WARRANT FOR ARREST

C-17-321044-1  
WARR  
Warrant  
4620053



INDICTMENT WARRANT

THE STATE OF NEVADA,

To: Any Sheriff, Constable, Marshall, Policeman, or Peace Officer in This State:

An Indictment having been found on the 2nd day of February, 2017, in the above entitled Court, charging Defendant JOSE AZUCENA, above named, with the crime(s) of: (19) CTS - LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony - NRS 201.230 - NOC 50975), (9) CTS - CHILD ABUSE, NEGLECT OR ENDANGERMENT (Category B Felony - NRS 200.508(1) - NOC 55226), (5) CTS - INDECENT EXPOSURE (Gross Misdemeanor - NRS 201.220 - NOC 50973), (2) CTS - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105); (4) CTS - ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category B Felony - NRS 201.230, 193.330 - NOC 50983) and (1) CT - FIRST DEGREE KIDNAPPING (Category A Felony - NRS 200.310, 200.320 - NOC 50053).


**YOU ARE, THEREFORE, COMMANDED** forthwith to arrest and bring said Defendant before the Court to answer the Indictment. If the Court is not in session, you are to deliver Defendant into the custody of the Sheriff of Clark County, or if requested by Defendant, take Defendant before any Magistrate in the County where arrested that bail may be given to answer to the Indictment. Defendant shall be admitted to bail in the sum of \$ NO BAIL.


I HEREBY AUTHORIZE THE SERVICE OF THE WITHIN WARRANT BY TELETYPE, PURSUANT TO NRS 171.148. The Warrant may be served at any hour day or night

GIVEN under my hand this 2nd day of February, 2017.

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY

  
CHRISTOPHER HAMNER  
Chief Deputy District Attorney  
Nevada Bar #011390

  
DISTRICT JUDGE  
ELIZABETH GONZALEZ  
BAIL \$ NO BAIL

DA# 16BGJ060X/16F19006X/16F19626X/ed  
LVMPD EV#1611080197  
4/20/1953; UMA; N/A;  
(TK8)

RET  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
CHRISTOPHER HAMNER  
Chief Deputy District Attorney  
Nevada Bar #011390  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

JOSE AZUCENA,  
ID#7037259

Defendant.

CASE NO: C-17-321044-1  
DEPT NO: II

INDICTMENT WARRANT RETURN

An Indictment having heretofore been found on the 2nd day of February, 2017, in the above entitled Court, charging Defendant JOSE AZUCENA, above named, with the crime(s) of: (19) CTS - LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony - NRS 201.230 - NOC 50975), (9) CTS - CHILD ABUSE, NEGLECT OR ENDANGERMENT (Category B Felony - NRS 200.508(1) - NOC 55226), (5) CTS - INDECENT EXPOSURE (Gross Misdemeanor - NRS 201.220 - NOC 50973), (2) CTS - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105); (4) CTS - ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category B Felony - NRS 201.230, 193.330 - NOC 50983) and (1) CT - FIRST DEGREE KIDNAPPING (Category A Felony - NRS 200.310, 200.320 - NOC 50053), and upon finding the said Indictment, the court issued a warrant for the arrest of said Defendant.

I hereby certify that I received a certified copy of the Indictment Warrant and served the same by arresting the within Defendant on the \_\_\_\_ day of \_\_\_\_\_ 2017.

JOSEPH LOMBARDO,  
Clark County, Nevada

BY \_\_\_\_\_  
Deputy

ORIGINAL

IND

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
CHRISTOPHER HAMNER  
Chief Deputy District Attorney  
Nevada Bar #011390  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

C-17-321044-1  
IND  
Indictment  
4620055



FILED IN OPEN COURT  
STEVEN D. GRIERSON  
CLERK OF THE COURT

FEB 02 2017

By   
DULCE MARIE ROMEA, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO: C-17-321044-1

-vs-

DEPT NO: II

JOSE AZUCENA,  
#7037259

Defendant.

INDICTMENT

STATE OF NEVADA     }  
COUNTY OF CLARK    } ss.

The Defendant above named, JOSE AZUCENA, accused by the Clark County Grand Jury of the crimes of LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony - NRS 201.230 - NOC 50975), CHILD ABUSE, NEGLECT OR ENDANGERMENT (Category B Felony - NRS 200.508(1) - NOC 55226), INDECENT EXPOSURE (Gross Misdemeanor - NRS 201.220 - NOC 50973), SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105), ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category B Felony - NRS 201.230, 193.330 - NOC 50983) and FIRST DEGREE KIDNAPPING (Category A Felony - NRS 200.310, 200.320 - NOC 50053) committed at and within the County of Clark, State of Nevada, on or between November 1, 2014 and November 30, 2016, as follows:

///

003



1 COUNT 1 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

2 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
3 or with the body, or any part or member thereof, of a child, to wit: J.M., a child under the age  
4 of fourteen years, by Defendant using his mouth and/or tongue to touch and/or kiss and/or lick  
5 the mouth and/or tongue and/or body of J.M., with the intent of arousing, appealing to, or  
6 gratifying the lust, passions, or sexual desires of Defendant, or J.M.

7 COUNT 2 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

8 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
9 or with the body, or any part or member thereof, of a child, to wit: J.M., a child under the age  
10 of fourteen years, by Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or  
11 fondle the genital area of J.M., with the intent of arousing, appealing to, or gratifying the lust,  
12 passions, or sexual desires of Defendant, or J.M.

13 COUNT 3 - CHILD ABUSE, NEGLECT OR ENDANGERMENT

14 did willfully, unlawfully and feloniously cause a child under the age of 18 years, to  
15 wit: J.M., to suffer unjustifiable physical pain or mental suffering as a result of abuse or  
16 neglect, to wit: negligent treatment or maltreatment or sexual exploitation, and/or cause J.M.  
17 to be placed in a situation where J.M. might have suffered unjustifiable physical pain or mental  
18 suffering as a result of abuse or neglect, to wit: negligent treatment or maltreatment or sexual  
19 exploitation, by Defendant exposing his penis to J.M.

20 COUNT 4 - INDECENT EXPOSURE

21 did, intentionally, willfully and unlawfully make an open and indecent or obscene  
22 exposure of his person, by Defendant deliberately exposing his penis in the direct view and  
23 presence of J.M.

24 COUNT 5 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

25 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
26 or with the body, or any part or member thereof, of a child, to wit: J.M., a child under the age  
27 of fourteen years, by Defendant causing and/or directing and/or encouraging J.M. to reach into  
28 the front pants pocket of Defendant to get some chocolate, thereby placing the hand of J.M.

1 on or in close proximity to the genitals of Defendant, with the intent of arousing, appealing to,  
2 or gratifying the lust, passions, or sexual desires of Defendant, or J.M.

3 COUNT 6 - ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14

4 did willfully, lewdly, unlawfully and feloniously attempt to commit a lewd or  
5 lascivious act upon or with the body, or any part or member thereof, of a child, to wit: J.M., a  
6 child under the age of fourteen years, by Defendant attempting to cause and/or direct and/or  
7 encourage J.M. to reach into the front pants pocket of Defendant to get some chocolate, thereby  
8 placing the hand of J.M. on or in close proximity to the genitals of Defendant, with the intent  
9 of arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or  
10 J.M.

11 COUNT 7 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

12 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
13 or with the body, or any part or member thereof, of a child, to wit: J.M., a child under the age  
14 of fourteen years, by Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or  
15 fondle the genital area of J.M., with the intent of arousing, appealing to, or gratifying the lust,  
16 passions, or sexual desires of Defendant, or J.M.

17 COUNT 8 - CHILD ABUSE, NEGLECT OR ENDANGERMENT

18 did willfully, unlawfully and feloniously cause a child under the age of 18 years, to  
19 wit: J.M., to suffer unjustifiable physical pain or mental suffering as a result of abuse or  
20 neglect, to wit: negligent treatment or maltreatment or sexual exploitation, and/or cause J.M.  
21 to be placed in a situation where J.M. might have suffered unjustifiable physical pain or mental  
22 suffering as a result of abuse or neglect, to wit: negligent treatment or maltreatment or sexual  
23 exploitation, by Defendant showing pornography to J.M.

24 COUNT 9 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

25 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
26 or with the body, or any part or member thereof, of a child, to wit: M.M.1, a child under the  
27 age of fourteen years, by Defendant using his hand(s) and/or finger(s) to touch and/or rub  
28

1 and/or fondle the breast(s) of M.M.1, with the intent of arousing, appealing to, or gratifying  
2 the lust, passions, or sexual desires of Defendant, or M.M.1.

3 COUNT 10 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

4 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
5 or with the body, or any part or member thereof, of a child, to wit: M.M.1, a child under the  
6 age of fourteen years, by Defendant using his hand(s) and/or finger(s) and/or penis to touch  
7 and/or rub and/or fondle the genital area of M.M.1, with the intent of arousing, appealing to,  
8 or gratifying the lust, passions, or sexual desires of Defendant, or M.M.1.

9 COUNT 11 - CHILD ABUSE, NEGLECT OR ENDANGERMENT

10 did willfully, unlawfully and feloniously cause a child under the age of 18 years, to  
11 wit: M.M.1, to suffer unjustifiable physical pain or mental suffering as a result of abuse or  
12 neglect, to wit: negligent treatment or maltreatment or sexual exploitation, and/or cause M.M.1  
13 to be placed in a situation where M.M.1 might have suffered unjustifiable physical pain or  
14 mental suffering as a result of abuse or neglect, to wit: negligent treatment or maltreatment or  
15 sexual exploitation, by Defendant exposing his penis to M.M.1.

16 COUNT 12 - INDECENT EXPOSURE

17 did, intentionally, willfully and unlawfully make an open and indecent or obscene  
18 exposure of his person, by Defendant deliberately exposing his penis in the direct view and  
19 presence of M.M.1.

20 COUNT 13 - CHILD ABUSE, NEGLECT OR ENDANGERMENT

21 did willfully, unlawfully and feloniously cause a child under the age of 18 years, to  
22 wit: M.M.1, to suffer unjustifiable physical pain or mental suffering as a result of abuse or  
23 neglect, to wit: negligent treatment or maltreatment or sexual exploitation, and/or cause M.M.1  
24 to be placed in a situation where M.M.1 might have suffered unjustifiable physical pain or  
25 mental suffering as a result of abuse or neglect, to wit: negligent treatment or maltreatment or  
26 sexual exploitation, by Defendant showing pornography to M.M.1.

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1 COUNT 14 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

2 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
3 or with the body, or any part or member thereof, of a child, to wit: M.M.1, a child under the  
4 age of fourteen years, by Defendant causing and/or directing and/or encouraging M.M.1 to  
5 reach into the front pants pocket of Defendant to get some chocolate, thereby placing the hand  
6 of M.M.1 on or in close proximity to the genitals of Defendant, with the intent of arousing,  
7 appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or M.M.1.

8 COUNT 15 - ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14

9 did willfully, lewdly, unlawfully and feloniously attempt to commit a lewd or  
10 lascivious act upon or with the body, or any part or member thereof, of a child, to wit: M.M.1,  
11 a child under the age of fourteen years, by Defendant attempting to cause and/or direct and/or  
12 encourage M.M.1 to reach into the front pants pocket of Defendant to get some chocolate,  
13 thereby placing the hand of M.M.1 on or in close proximity to the genitals of Defendant, with  
14 the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of  
15 Defendant, or M.M.1.

16 COUNT 16 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

17 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
18 or with the body, or any part or member thereof, of a child, to wit: M.M.2, a child under the  
19 age of fourteen years, by Defendant using his mouth and/or tongue to touch and/or kiss and/or  
20 lick the mouth and/or tongue and/or body of M.M.2, with the intent of arousing, appealing to,  
21 or gratifying the lust, passions, or sexual desires of Defendant, or M.M.2.

22 COUNT 17 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

23 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
24 or with the body, or any part or member thereof, of a child, to wit: M.M.2, a child under the  
25 age of fourteen years, by Defendant using his hand(s) and/or finger(s) to touch and/or rub  
26 and/or fondle the breast(s) of M.M.2, with the intent of arousing, appealing to, or gratifying  
27 the lust, passions, or sexual desires of Defendant, or M.M.2.

28 ///

1 COUNT 18 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

2 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
3 or with the body, or any part or member thereof, of a child, to wit: M.M.2, a child under the  
4 age of fourteen years, by Defendant using his hand(s) and/or finger(s) to touch and/or rub  
5 and/or fondle the genital area of M.M.2, with the intent of arousing, appealing to, or gratifying  
6 the lust, passions, or sexual desires of Defendant, or M.M.2.

7 COUNT 19 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

8 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
9 or with the body, or any part or member thereof, of a child, to wit: M.M.2, a child under the  
10 age of fourteen years, by Defendant using his hand(s) and/or finger(s) to touch and/or rub  
11 and/or fondle the buttock(s) of M.M.2, with the intent of arousing, appealing to, or gratifying  
12 the lust, passions, or sexual desires of Defendant, or M.M.2.

13 COUNT 20 - CHILD ABUSE, NEGLECT OR ENDANGERMENT

14 did willfully, unlawfully and feloniously cause a child under the age of 18 years, to  
15 wit: M.M.2, to suffer unjustifiable physical pain or mental suffering as a result of abuse or  
16 neglect, to wit: negligent treatment or maltreatment or sexual exploitation, and/or cause M.M.2  
17 to be placed in a situation where M.M.2 might have suffered unjustifiable physical pain or  
18 mental suffering as a result of abuse or neglect, to wit: negligent treatment or maltreatment or  
19 sexual exploitation, by Defendant exposing his penis to M.M.2.

20 COUNT 21 - INDECENT EXPOSURE

21 did, intentionally, willfully and unlawfully make an open and indecent or obscene  
22 exposure of his person, by Defendant deliberately exposing his penis in the direct view and  
23 presence of M.M.2.

24 COUNT 22 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

25 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
26 or with the body, or any part or member thereof, of a child, to wit: M.M.2, a child under the  
27 age of fourteen years, by Defendant causing and/or directing and/or encouraging M.M.2 to  
28 reach into the front pants pocket of Defendant to get some chocolate, thereby placing the hand

1 of M.M.2 on or in close proximity to the genitals of Defendant, with the intent of arousing,  
2 appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or M.M.2.

3 COUNT 23 - ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14

4 did willfully, lewdly, unlawfully and feloniously attempt to commit a lewd or  
5 lascivious act upon or with the body, or any part or member thereof, of a child, to wit: M.M.2,  
6 a child under the age of fourteen years, by Defendant attempting to cause and/or direct and/or  
7 encourage M.M.2 to reach into the front pants pocket of Defendant to get some chocolate,  
8 thereby placing the hand of M.M.2 on or in close proximity to the genitals of Defendant, with  
9 the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of  
10 Defendant, or M.M.2.

11 COUNT 24 - CHILD ABUSE, NEGLECT OR ENDANGERMENT

12 did willfully, unlawfully and feloniously cause a child under the age of 18 years, to  
13 wit: M.M.2, to suffer unjustifiable physical pain or mental suffering as a result of abuse or  
14 neglect, to wit: negligent treatment or maltreatment or sexual exploitation, and/or cause M.M.2  
15 to be placed in a situation where M.M.2 might have suffered unjustifiable physical pain or  
16 mental suffering as a result of abuse or neglect, to wit: negligent treatment or maltreatment or  
17 sexual exploitation, by Defendant showing pornography to M.M.2.

18 COUNT 25 - FIRST DEGREE KIDNAPPING

19 did willfully, unlawfully and feloniously, lead, take, entice, carry away or kidnap Y.E.,  
20 a minor, with the intent to keep Y.E. for a protracted period of time or permanently and/or  
21 imprison or confine the said Y.E., from the parents, guardians, or other person or persons  
22 having lawful custody of Y.E., or with the intent to hold Y.E. to unlawful service, or to  
23 perpetrate upon the person of Y.E. any unlawful act, to wit: lewdness and/or sexual assault  
24 and/or child abuse, neglect or endangerment and/or indecent exposure.

25 ///

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1 COUNT 26 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF  
2 AGE

3 did then and there, willfully, unlawfully and feloniously commit a sexual penetration  
4 upon Y.E., a child under the age of 14 years, to wit: digital penetration, by Defendant inserting  
5 his finger(s) into the vaginal opening of Y.E.

6 COUNT 27 - LEWDNESS WITH A MINOR UNDER THE AGE OF 14

7 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
8 or with the body, or any part or member thereof, of a child, to wit: Y.E., a child under the age  
9 of fourteen years, by Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or  
10 fondle the genital area of Y.E., with the intent of arousing, appealing to, or gratifying the lust,  
11 passions, or sexual desires of Defendant, or Y.E.

12 COUNT 28 - LEWDNESS WITH A MINOR UNDER THE AGE OF 14

13 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
14 or with the body, or any part or member thereof, of a child, to wit: Y.E., a child under the age  
15 of fourteen years, by Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or  
16 fondle the buttock(s) of Y.E., with the intent of arousing, appealing to, or gratifying the lust,  
17 passions, or sexual desires of Defendant, or Y.E.

18 COUNT 29 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF  
19 AGE

20 did then and there, willfully, unlawfully and feloniously commit a sexual penetration  
21 upon Y.E., a child under the age of 14 years, to wit: digital penetration, by Defendant inserting  
22 his finger(s) into the vaginal opening of Y.E.

23 COUNT 30 - LEWDNESS WITH A MINOR UNDER THE AGE OF 14

24 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
25 or with the body, or any part or member thereof, of a child, to wit: Y.E., a child under the age  
26 of fourteen years, by Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or  
27 fondle the genital area of Y.E., with the intent of arousing, appealing to, or gratifying the lust,  
28 passions, or sexual desires of Defendant, or Y.E.

1 COUNT 31 - CHILD ABUSE, NEGLECT OR ENDANGERMENT

2 did willfully, unlawfully and feloniously cause a child under the age of 18 years, to  
3 wit: Y.E., to suffer unjustifiable physical pain or mental suffering as a result of abuse or  
4 neglect, to wit: negligent treatment or maltreatment or sexual exploitation, and/or cause Y.E.  
5 to be placed in a situation where Y.E. might have suffered unjustifiable physical pain or mental  
6 suffering as a result of abuse or neglect, to wit: negligent treatment or maltreatment or sexual  
7 exploitation, by Defendant exposing his penis to Y.E.

8 COUNT 32 - INDECENT EXPOSURE

9 did, intentionally, willfully and unlawfully make an open and indecent or obscene  
10 exposure of his person, by Defendant deliberately exposing his penis in the direct view and  
11 presence of Y.E.

12 COUNT 33 - CHILD ABUSE, NEGLECT OR ENDANGERMENT

13 did willfully, unlawfully and feloniously cause a child under the age of 18 years, to  
14 wit: Y.E., to suffer unjustifiable physical pain or mental suffering as a result of abuse or  
15 neglect, to wit: negligent treatment or maltreatment or sexual exploitation, and/or cause Y.E.  
16 to be placed in a situation where Y.E. might have suffered unjustifiable physical pain or mental  
17 suffering as a result of abuse or neglect, to wit: negligent treatment or maltreatment or sexual  
18 exploitation, by Defendant showing pornography to Y.E.

19 COUNT 34 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

20 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
21 or with the body, or any part or member thereof, of a child, to wit: Y.E., a child under the age  
22 of fourteen years, by Defendant causing and/or directing and/or encouraging Y.E. to reach into  
23 the front pants pocket of Defendant to get some chocolate, thereby placing the hand of Y.E.  
24 on or in close proximity to the genitals of Defendant, with the intent of arousing, appealing to,  
25 or gratifying the lust, passions, or sexual desires of Defendant, or Y.E.

26 COUNT 35 - ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14

27 did willfully, lewdly, unlawfully and feloniously attempt to commit a lewd or  
28 lascivious act upon or with the body, or any part or member thereof, of a child, to wit: Y.E., a



1 child under the age of fourteen years, by Defendant attempting to cause and/or direct and/or  
2 encourage Y.E. to reach into the front pants pocket of Defendant to get some chocolate, thereby  
3 placing the hand of Y.E. on or in close proximity to the genitals of Defendant, with the intent  
4 of arousing, appealing to, or gratifying the lust, passions, or sexual desires of Defendant, or  
5 Y.E.

6 COUNT 36 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

7 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
8 or with the body, or any part or member thereof, of a child, to wit: Y.E., a child under the age  
9 of fourteen years, by Defendant using his mouth and/or tongue to touch and/or kiss and/or lick  
10 the mouth and/or tongue and/or body of Y.E., with the intent of arousing, appealing to, or  
11 gratifying the lust, passions, or sexual desires of Defendant, or Y.E.

12 COUNT 37 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

13 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
14 or with the body, or any part or member thereof, of a child, to wit: Y.E., a child under the age  
15 of fourteen years, by Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or  
16 fondle the breast(s) of Y.E., with the intent of arousing, appealing to, or gratifying the lust,  
17 passions, or sexual desires of Defendant, or Y.E.

18 COUNT 38 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

19 did willfully, lewdly, unlawfully and feloniously commit a lewd or lascivious act upon  
20 or with the body, or any part or member thereof, of a child, to wit: N.E., a child under the age  
21 of fourteen years, by Defendant using his hand(s) to hold and/or rub the body of N.E. against  
22 the chest and/or body of Defendant, with the intent of arousing, appealing to, or gratifying the  
23 lust, passions, or sexual desires of Defendant, or N.E.

24 COUNT 39 - CHILD ABUSE, NEGLECT OR ENDANGERMENT

25 did willfully, unlawfully and feloniously cause a child under the age of 18 years, to  
26 wit: S.R., to suffer unjustifiable physical pain or mental suffering as a result of abuse or  
27 neglect, to wit: negligent treatment or maltreatment or sexual exploitation, and/or cause S.R.  
28 to be placed in a situation where S.R. might have suffered unjustifiable physical pain or mental

1 suffering as a result of abuse or neglect, to wit: negligent treatment or maltreatment or sexual  
2 exploitation, by Defendant exposing his penis to S.R.


3 COUNT 40 - INDECENT EXPOSURE

4 did, intentionally, willfully and unlawfully make an open and indecent or obscene  
5 exposure of his person, by Defendant deliberately exposing his penis in the direct view and  
6 presence of S.R.

7 DATED this 2nd day of February, 2017.

8 STEVEN B. WOLFSON  
9 Clark County District Attorney  
Nevada Bar #001565

10  
11 BY

  
12 CHRISTOPHER HAMNER  
13 Chief Deputy District Attorney  
Nevada Bar #011390

14 ENDORSEMENT: A True Bill

15  
16   
17 Foreperson, Clark County Grand Jury  
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Names of Witnesses and testifying before the Grand Jury:

BARAJAS, MARIA, c/o CCDA, 200 Lewis Avenue, LV, NV 89101

CAMPBELL, MATT, LVMPD# 6959

J.M., c/o CCDA, 200 Lewis Avenue, LV, NV 89101

M.M., c/o CCDA, 200 Lewis Avenue, LV, NV 89101

M.M., c/o CCDA, 200 Lewis Avenue, LV, NV 89101

MOIZA, AMANDA, c/o CCDA, 200 Lewis Avenue, LV, NV 89101

RANGEL, RICARDO, c/o CCDA, 200 Lewis Avenue, LV, NV 89101

S.R., c/o CCDA, 200 Lewis Avenue, LV, NV 89101

Y.E., c/o CCDA, 200 Lewis Avenue, LV, NV 89101

Additional Witnesses known to the District Attorney at time of filing the Indictment:

ARTIGA, MARIA, LVMPD# 7826

CORAL, MARIA, LVMPD# 12133

CUSTODIAN OF RECORDS, CCDC

CUSTODIAN OF RECORDS, LVMPD COMMUNICATIONS

CUSTODIAN OF RECORDS, LVMPD RECORDS

ESPINOSA, ELIZABETH, CAC/FORENSIC INT SPECIALIST

GARRIS, ROBERT, LVMPD# 6426

MCCLOUD, RENEE, LVMPD# 5872

NARVAEZ, SERGIO, HPD# 2039

PIMENTEL, HECTOR, LVMPD# 12559

RODRIGUEZ-ESTRADA, YUSNAY, c/o CCDA, 200 Lewis Avenue, LV, NV 89101

ROMERO, LAVERN, LVMPD# 13260

TSCHIRGI, ERICH, HPD# 1622

16BGJ060X/16F19006X/16F19626X/hjc-GJ

LVMPD#1611080197

(TK8)

RET  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
CHRISTOPHER HAMNER  
Chief Deputy District Attorney  
Nevada Bar #011390  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

Electronically Filed  
02/03/2017

*Steven B. Wolfson*  
CLERK OF THE COURT

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

JOSE AZUCENA,  
ID#7037259

Defendant.

CASE NO: C-17-321044-1  
DEPT NO: II

INDICTMENT WARRANT RETURN

An Indictment having heretofore been found on the 2nd day of February, 2017, in the above entitled Court, charging Defendant JOSE AZUCENA, above named, with the crime(s) of: (19) CTS - LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony - NRS 201.230 - NOC 50975), (9) CTS - CHILD ABUSE, NEGLECT OR ENDANGERMENT (Category B Felony - NRS 200.508(1) - NOC 55226), (5) CTS - INDECENT EXPOSURE (Gross Misdemeanor - NRS 201.220 - NOC 50973), (2) CTS - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105); (4) CTS - ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category B Felony - NRS 201.230, 193.330 - NOC 50983) and (1) CT - FIRST DEGREE KIDNAPPING (Category A Felony - NRS 200.310, 200.320 - NOC 50053), and upon finding the said Indictment, the court issued a warrant for the arrest of said Defendant.

I hereby certify that I received a certified copy of the Indictment Warrant and served the same by arresting the within Defendant on the 2 day of February 2017.

JOSEPH LOMBARDO,  
Clark County, Nevada

BY

*Joseph Lombardo*  
Deputy

Electronically Filed  
02/06/2017 02:55:30 PM

RAO

Eighth Judicial District Court  
Clark County, Nevada

CLERK OF THE COURT

STATE OF NEVADA

Plaintiff,

vs.

Jose Azucena

Defendant

Case No.: C-17-321044-1

Dept No.: 2

MEDIA REQUEST AND ORDER FOR CAMERA  
ACCESS TO COURT PROCEEDINGS

Jami Seymore of KSNV TV, requests permission to broadcast, record, photograph or televise proceedings in the above-entitled case in the courtroom of Dept. No. 2, the Honorable Judge Scotti, commencing on the 9 day of February, 2017.

I certify that I am familiar with the contents of Nevada Supreme Court Rules 229-249, inclusive, and understand this form MUST be submitted to the Court at least SEVENTY-TWO (72) hours before the proceedings commence, unless good cause can be shown. IT IS FURTHER UNDERSTOOD that approved media must arrange camera pooling prior to any hearing, without asking this Court to mediate disputes.

DATED this 3 day of February, 2017.

Jami Seymore

Media Representative

The Court determines camera access to proceedings, in compliance with the court's policy, ☐ WOULD ☒ WOULD NOT distract participants, impair the dignity of the court or otherwise materially interfere with the achievement of a fair trial or hearing herein;

Therefore, the Court hereby ☐ DENIES ☐ GRANTS permission for camera access to Jami Seymore of KSNV TV as requested for each and every hearing on the above-entitled case, at the discretion of the judge, and unless otherwise notified. This Order is in accordance with Nevada Supreme Court Rules 229-249, inclusive, and is subject to reconsideration upon motion of any party to the action.

IT IS FURTHER ORDERED that this entry shall be made a part of the record of the proceedings in this case.

DATED this day of , 20.

District Court Judge

**EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA**

State of Nevada

PLAINTIFF

-VS-

Jose Azucena

DEFENDANT

CASE NO: C-17-321044-1

DEPT. NO: 2

NOTIFICATION OF  
MEDIA REQUEST

**TO: COUNSEL OF RECORD IN THE ABOVE-CAPTIONED CASE:**

You are hereby notified pursuant to Supreme Court Rules 229-246, inclusive, that media representatives from KSNV have requested to obtain permission to broadcast, televise, record or take photographs of all hearings in this case. Any objection should be filed at least 24 hours prior to the subject hearing.

DATED this 6th day of February, 2017.

  
Katherine Smith  
Eighth Judicial District Court

**CERTIFICATE OF SERVICE BY FACSIMILE TRANSMISSION**

I hereby certify that on the 6th day of February, 2017, service of the foregoing was made by facsimile transmission only, pursuant to Nevada Supreme Court Rules 229-246, inclusive, this date by faxing a true and correct copy of the same to each Attorney of Record addressed as follows:

Plaintiff

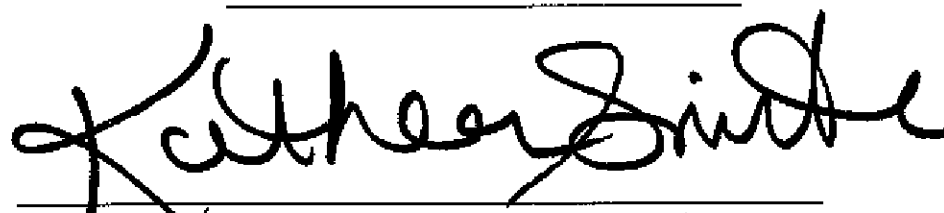
District Attorney

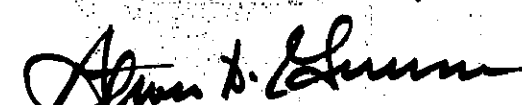
(702) 455-2294

Defendant

Public Defender

(702) 455-5112

  
Katherine Smith  
Eighth Judicial District Court

Electronically Filed  
02/06/2017 03:08:06 PM**EIGHTH JUDICIAL DISTRICT COURT**  
CLARK COUNTY, NEVADA  
CLERK OF THE COURTState of Nevada

PLAINTIFF

-VS-

Jose Azucena

DEFENDANT

CASE NO: C-17-321044-1DEPT. NO: 2MEDIA REQUEST AND ORDER ALLOWING  
CAMERA ACCESS TO COURT PROCEEDINGS\* Please fax to (702) 671-4548 to ensure that  
the request will be processed as quickly as possible.Bryan Friesen (name), of KLAS-TV (media organization),

hereby requests permission to broadcast, record, photograph or televise proceedings in the above-entitled case in

Dept. No. 2, the Honorable Judge Richard Scott Presiding, on the 9th day ofFebruary, 20 17.

I hereby certify that I am familiar with, and will comply with Supreme Court Rules 229-246, inclusive. If this request is being submitted less than twenty-four (24) hours before the above-described proceedings commence, the following facts provide good cause for the Court to grant the request on such short notice:

It is further understood that any media camera pooling arrangements shall be the sole responsibility of the media and must be arranged prior to coverage, without asking for the Court to mediate disputes.

Dated this 3rd day of February, 20 17.SIGNATURE: Bryan FriesenPHONE: (702) 792-8870\*\*\*\*\*  
IT IS HEREBY ORDERED THAT:

[ ] The media request is denied because it was submitted less than 24 hours before the scheduled proceeding was to commence, and no "good cause" has been shown to justify granting the request on shorter notice.

[ ] The media request is denied for the following reasons: \_\_\_\_\_

[X] The media request is granted. The requested media access remains in effect for each and every hearing in the above-entitled case, at the discretion of the Court, and unless otherwise notified. This order is made in accordance with Supreme Court Rules 229-246, inclusive, at the discretion of the judge, and is subject to reconsideration upon motion of any party to the action. Media access may be revoked if it is shown that access is distracting the participants, impairing the dignity of the Court, or otherwise materially interfering with the administration of justice.

[ ] OTHER: \_\_\_\_\_

IT IS FURTHER ORDERED that this document shall be made a part of the record of the proceedings in this case.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

  
DISTRICT COURT JUDGE

**EIGHTH JUDICIAL DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

State of Nevada

PLAINTIFF

-VS-

Jose Azucena

DEFENDANT

CASE NO: C-17-321044-1


DEPT. NO: 2

NOTIFICATION OF  
MEDIA REQUEST

**TO: COUNSEL OF RECORD IN THE ABOVE-CAPTIONED CASE:**

You are hereby notified pursuant to Supreme Court Rules 229-246, inclusive, that media representatives from KLAS have requested to obtain permission to broadcast, televise, record or take photographs of all hearings in this case. Any objection should be filed at least 24 hours prior to the subject hearing.

DATED this 6th day of February, 2017.

  
Eighth Judicial District Court

**CERTIFICATE OF SERVICE BY FACSIMILE TRANSMISSION**

I hereby certify that on the 6th day of February, 2017, service of the foregoing was made by facsimile transmission only, pursuant to Nevada Supreme Court Rules 229-246, inclusive, this date by faxing a true and correct copy of the same to each Attorney of Record addressed as follows:

Plaintiff

District Attorney

(702) 455-2294

Defendant

Public Defender

(702) 455-5112

  
Eighth Judicial District Court



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RAO

Eighth Judicial District Court  
Clark County, Nevada

CLERK OF THE COURT

STATE OF NEVADA

Plaintiff,

vs.

Jose Azucena

Defendant

Case No.: C-17-321044-1

Dept No.: 2

MEDIA REQUEST AND ORDER FOR CAMERA  
ACCESS TO COURT PROCEEDINGS

Jami Seymore of KSNV TV, requests permission to broadcast, record, photograph or televise proceedings in the above-entitled case in the courtroom of Dept. No. 2, the Honorable Judge Scotti, commencing on the 9 day of February, 2017.

I certify that I am familiar with the contents of Nevada Supreme Court Rules 229-249, inclusive, and understand this form MUST be submitted to the Court at least SEVENTY-TWO (72) hours before the proceedings commence, unless good cause can be shown. IT IS FURTHER UNDERSTOOD that approved media must arrange camera pooling prior to any hearing, without asking this Court to mediate disputes.

DATED this 3 day of February, 2017.

Jami Seymore

Media Representative

The Court determines camera access to proceedings, in compliance with the court's policy, ☐ WOULD ☒ WOULD NOT distract participants, impair the dignity of the court or otherwise materially interfere with the achievement of a fair trial or hearing herein;

Therefore, the Court hereby ☐ DENIES ☐ GRANTS permission for camera access to Jami Seymore of KSNV TV as requested for each and every hearing on the above-entitled case, at the discretion of the judge, and unless otherwise notified. This Order is in accordance with Nevada Supreme Court Rules 229-249, inclusive, and is subject to reconsideration upon motion of any party to the action.

IT IS FURTHER ORDERED that this entry shall be made a part of the record of the proceedings in this case.

DATED this day of , 20.

District Court Judge

**EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA**

State of Nevada

PLAINTIFF

-VS-

Jose Azucena

DEFENDANT

CASE NO: C-17-321044-1

DEPT. NO: 2

NOTIFICATION OF  
MEDIA REQUEST

**TO: COUNSEL OF RECORD IN THE ABOVE-CAPTIONED CASE:**

You are hereby notified pursuant to Supreme Court Rules 229-246, inclusive, that media representatives from KSNV have requested to obtain permission to broadcast, televise, record or take photographs of all hearings in this case. Any objection should be filed at least 24 hours prior to the subject hearing.

DATED this 6th day of February, 2017.

  
Eighth Judicial District Court

**CERTIFICATE OF SERVICE BY FACSIMILE TRANSMISSION**

I hereby certify that on the 6th day of February, 2017, service of the foregoing was made by facsimile transmission only, pursuant to Nevada Supreme Court Rules 229-246, inclusive, this date by faxing a true and correct copy of the same to each Attorney of Record addressed as follows:

Plaintiff

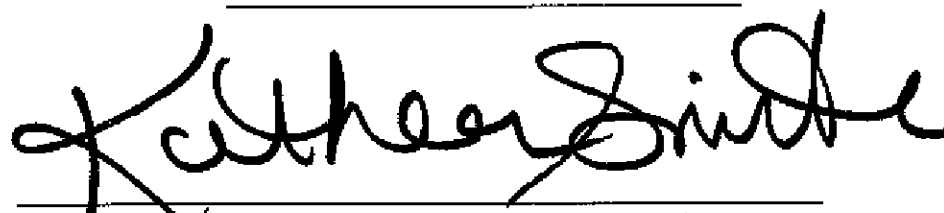
District Attorney

(702) 455-2294

Defendant

Public Defender

(702) 455-5112

  
Eighth Judicial District Court

**EIGHTH JUDICIAL DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

*Alvin D. Quinn*  
CLERK OF THE COURT

State of Nevada

PLAINTIFF

-VS-

JOSE AZUCENA

DEFENDANT

CASE NO: C-17-321044

DEPT. NO: 2

**MEDIA REQUEST AND ORDER ALLOWING  
CAMERA ACCESS TO COURT PROCEEDINGS**

\* Please fax to (702) 671-4548 to ensure that  
the request will be processed as quickly as possible.

DAVID FERRARA (name), of LAS VEGAS REVIEW-JOURNAL (media organization),

hereby requests permission to broadcast, record, photograph or televise proceedings in the above-entitled case in

Dept. No. 2, the Honorable Judge RICHARD SCOTT Presiding, on the 14<sup>th</sup> day of  
FEBRUARY, 20 17.

I hereby certify that I am familiar with, and will comply with Supreme Court Rules 229-246, inclusive. If this request is being submitted less than twenty-four (24) hours before the above-described proceedings commence, the following facts provide good cause for the Court to grant the request on such short notice:

It is further understood that any media camera pooling arrangements shall be the sole responsibility of the media and must be arranged prior to coverage, without asking for the Court to mediate disputes.

Dated this 13<sup>th</sup> day of FEBRUARY, 20 17.

SIGNATURE: *[Signature]*

PHONE: 702-380-1039

\*\*\*\*\*

**IT IS HEREBY ORDERED THAT:**

☐ The media request is **denied** because it was submitted less than 24 hours before the scheduled proceeding was to commence, and no "good cause" has been shown to justify granting the request on shorter notice.

☐ The media request is **denied** for the following reasons: \_\_\_\_\_

☒ The media request is **granted**. The requested media access remains in effect for each and every hearing in the above-entitled case, at the discretion of the Court, and unless otherwise notified. This order is made in accordance with Supreme Court Rules 229-246, inclusive, at the discretion of the judge, and is subject to reconsideration upon motion of any party to the action. Media access may be revoked if it is shown that access is distracting the participants, impairing the dignity of the Court, or otherwise materially interfering with the administration of justice.

☐ **OTHER:** \_\_\_\_\_

**IT IS FURTHER ORDERED** that this document shall be made a part of the record of the proceedings in this case.

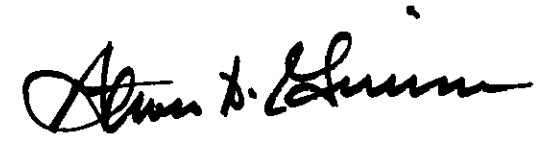
Dated this 13<sup>th</sup> day of February, 20 17.

*[Signature]*  
DISTRICT COURT JUDGE

FEB 13 2017

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA



CLERK OF THE COURT

THE STATE OF NEVADA,  
  
Plaintiff,  
  
vs.  
  
JOSE AZUCENA,  
  
Defendant.

GJ No. 16BGJ060X  
DC No. C321044

Taken at Las Vegas, Nevada  
  
Wednesday, February 1, 2017  
  
10:55 a.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Reported by: Danette L. Antonacci, C.C.R. No. 222

12:00 1 GRAND JURORS PRESENT ON FEBRUARY 1, 2017  
2  
3 JOHN BLACKWELL, Foreperson  
4 SUZETTE LEMONT, Deputy Foreperson  
12:00 5 STACEY EARL, Secretary  
6 MARGARET FREE, Assistant Secretary  
7 MAYRA ALMONTE  
8 ISABEL DARENSBOURG  
9 BLANCA FISSELLA  
12:00 10 PHILLIP HOLGUIN  
11 GREGORY KRAMER  
12 REGLA MEGRET  
13 ADOLPH PEBELSKE, JR.  
14 JANE REYLING  
12:00 15 ELIZABETH ROMOFF  
16 DERRICK SIMMONS  
17 FRANCES STOLDAD  
18  
19 Also present at the request of the Grand Jury:  
12:00 20 Stacy Kollins,  
Chief Deputy District Attorney  
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22 Christopher Hamner,  
Chief Deputy District Attorney  
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INDEX OF WITNESSES

Examined

MARIA ESTHER BARAJAS NAVARRO	7
YEZLINE ESTRELLA BARAJAS	13
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MIRABEL MORENO	49
AMANDA MOIZA	63
JATZIRI MORENO MOIZA	72
MARIDEL MORENO MOIZA	90
MATTHEW CAMPBELL	107
RICARDO RANGEL	118
SCARLETT RANGEL	124

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INDEX OF EXHIBITS

<u>Grand Jury Exhibits</u>	<u>Identified</u>
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2 - INSTRUCTIONS	5
3 - PHOTOGRAPH	9
4 - PHOTO LINE-UP	114

12:00 1 LAS VEGAS, NEVADA, FEBRUARY 1, 2017

2 \* \* \* \* \*

3

4 DANETTE L. ANTONACCI,

12:00 5 having been first duly sworn to faithfully  
6 and accurately transcribe the following  
7 proceedings to the best of her ability.  
8

9 MR. HAMNER: Good morning ladies and  
10 gentlemen of the Grand Jury. My name is Christopher  
11 Hamner. I'm a chief deputy district attorney. Along  
12 with me is Stacy Kollins, another deputy district  
13 attorney. We represent the State of Nevada versus Jose  
14 Azucena. That's case number 16BGJ060X.

10:57 15 We have an Indictment here that's marked as  
16 Exhibit 1. We have charged the defendant with the  
17 following crimes: Lewdness with a child under the age  
18 of 14, child abuse, neglect or endangerment, indecent  
19 exposure, sexual assault with a minor under 14 years of  
10:57 20 age, attempt lewdness with a child under the age of 14,  
21 and first degree kidnapping. Now by law we're  
22 instructed or required to instruct you on the law. We  
23 have provided a set of instructions to the Grand Jury.  
24 It's marked as Exhibit 2. Do the members of the Grand  
10:57 25 Jury need me to read them aloud or is the exhibit



10:57 1 sufficient?

2 Let the record reflect that the Grand Jury  
3 has indicated Exhibit Number 2 is sufficient. Thank  
4 you.

10:57 5 And at this time I think I'm going to turn  
6 this over to Miss Kollins to call our first witness.  
7 We're going to call Maria Barajas first and this will be  
8 in reference to the child indicated YE, Yezline Estella,  
9 and that will be Counts 27 through 37, and her sister as  
10:58 10 well.

11 THE FOREPERSON: Please raise your right  
12 hand.

13 You do solemnly swear the testimony you are  
14 about to give upon the investigation now pending before  
10:58 15 this Grand Jury shall be the truth, the whole truth, and  
16 nothing but the truth, so help you God?

17 THE WITNESS: Yes, I swear.

18 THE FOREPERSON: Please be seated.

19 You are advised that you are here today to  
10:58 20 give testimony in the investigation pertaining to the  
21 offenses of lewdness with a child under the age of 14,  
22 child abuse, neglect or endangerment, indecent exposure,  
23 sexual assault with a minor, attempt lewdness with a  
24 child under the age of 14, first degree kidnapping,  
10:59 25 involving Jose Azucena.

10:59 1 Do you understand this advisement?

2 THE WITNESS: Yes.

3 THE FOREPERSON: Please state your first  
4 and last name and spell both for the record.

10:59 5 THE WITNESS: Maria Esther Barajas Navarro.

6 THE FOREPERSON: And spell that for the  
7 record please.

8 THE WITNESS: Maria, M-A-R-I-A, Esther,  
9 E-S-T-H-E-R, Barajas, B-A-R-A-J-A-S, Navarro,  
11:00 10 N-A-V-A-R-R-O.

11 MARIA ESTHER BARAJAS NAVARRO,  
12 having been first duly sworn by the Foreperson of the  
13 Grand Jury to testify to the truth, the whole truth,  
14 and nothing but the truth, testified as follows:

11:00 15

16 EXAMINATION

17

18 BY MS. KOLLINS:

19 Q. Good morning, Miss Barajas.

11:00 20 If the record could just reflect that she's  
21 testifying through the assistance of a court  
22 interpreter. And sir, if you could just put your name  
23 on the record please.

24 THE INTERPRETER: Ricardo Pico, Spanish

11:00 25 interpreter.

11:00 1 MS. KOLLINS: Thank you, sir.

2 Q. Ma'am, where do you live?

3 A. 4820 Charleston, apartment 5, Las Vegas,

4 Nevada, 89104.

11:01 5 Q. And ma'am, I would just ask that you wait

6 for the interpreter to translate.

7 A. Okay.

8 Q. Is that here in Las Vegas, Clark County,

9 Nevada?

11:01 10 A. Yes.

11 Q. Who do you live with?

12 A. I live with Nicholas, that's my husband,

13 with Yezline and Nicole.

14 Q. Could you spell Yezline's name for us?

11:02 15 A. Yes, of course. Yezline, Y-E-Z-L-I-N-E,

16 Estrella, E-S-T-R-E-L-L-A, Barajas, B-A-R-A-J-A-S.

17 Q. And how old is Yezline?

18 A. Eight years old.

19 Q. When is her birthday?

11:03 20 A. It's month 9/23/08.

21 Q. So that's September 23rd of 2008?

22 A. Yeah.

23 Q. You also have another daughter by the name

24 of Nicole. How old is Nicole?

11:03 25 A. Nicole will be two years old.

11:03 1 Q. And when is Nicole's birthday?

2 A. Nicole's date of birth is month 5, day 30,  
3 2015.

4 Q. Do you know a man by the name of Jose

11:03 5 Azucena?

6 A. Yes.

7 Q. Showing you what has been marked as Grand  
8 Jury Exhibit 3. Do you recognize the person in this  
9 photograph?

11:03 10 A. Yes.

11 Q. How is it that you know him?

12 A. Eight years ago when we arrived there we  
13 met him through his wife. At the beginning he wouldn't  
14 come out at all. As time went by we would ask, you  
11:04 15 know, neighbors and his wife, how come he never comes  
16 out.

17 Q. Okay. So is he someone that lives in your  
18 apartment complex?

19 A. Yes.

11:04 20 Q. Okay. And do you know his wife's name?

21 A. Elena.

22 Q. Elena Azucena.

23 A. I don't know her last name.

24 Q. Do they have any children in their home?

11:04 25 A. No.

11:05 1 Q. Does Nicole have the same last name as  
2 Yezline?

3 A. Yes.

4 Q. So it's Estrella Barajas?

11:05 5 A. Yeah.

6 Q. Spelled the same way?

7 A. Yes.

8 MS. KOLLINS: I have no more questions.

9 Anybody from the Grand Jury?

11:05 10 THE FOREPERSON: By law, these proceedings  
11 are secret and you are prohibited from disclosing to  
12 anyone anything that has transpired before us, including  
13 evidence and statements presented to the Grand Jury, any  
14 event occurring or statement made in the presence of the  
11:05 15 Grand Jury, and information obtained by the Grand Jury.

16 Failure to comply with this admonition is a  
17 gross misdemeanor punishable up to 364 days in the Clark  
18 County Detention Center and a \$2,000 fine. In addition,  
19 you may be held in contempt of court punishable by an  
11:05 20 additional \$500 fine and 25 days in the Clark County  
21 Detention Center.

22 Do you understand this admonition?

23 THE WITNESS: Yes.

24 THE FOREPERSON: Thank you. You're

11:06 25 excused.

11:06 1 MS. KOLLINS: State calls Yezline  
2 Estrella.  
3 THE FOREPERSON: Please raise your right  
4 hand.  
11:06 5 You do solemnly swear the testimony you are  
6 about to give upon the investigation now pending before  
7 this Grand Jury shall be the truth, the whole truth, and  
8 nothing but the truth, so help you God?  
9 MS. KOLLINS: You have to answer out loud.  
11:07 10 THE WITNESS: Yes.  
11 THE FOREPERSON: Please be seated.  
12 You are advised that you are here today to  
13 give testimony in the investigation pertaining to the  
14 offenses of lewdness with a child under the age of 14,  
11:07 15 child abuse, neglect or endangerment, indecent exposure,  
16 sexual assault with a minor, attempt lewdness with a  
17 child under the age of 14, first degree kidnapping,  
18 involving Jose Azucena.  
19 Do you understand this advisement?  
11:07 20 THE WITNESS: Yes.  
21 THE FOREPERSON: Please state your first  
22 and last name, spell both for the record.  
23 THE WITNESS: Yezline Estrella.  
24 MS. KOLLINS: Yezline, can you spell your  
11:08 25 name?

11:08 1 THE WITNESS: Yes.

2 MS. KOLLINS: Okay. Can you look at me and

3 spell it for me? Can you look at me and spell it for

4 me. Just talk right in here so my friend Dani can hear.

11:08 5 THE WITNESS: Y-E-Z-L-I-N-E.

6 MS. KOLLINS: Very good. What's your

7 second name?

8 THE WITNESS: Estrella.

9 MS. KOLLINS: Can you spell your second

11:08 10 name?

11 THE WITNESS: Yes.

12 MS. KOLLINS: Okay. Go ahead.

13 THE WITNESS: E-S-T-R-E-L-L-A.

14 MS. KOLLINS: Do you want to use our friend

11:08 15 to help you talk or do you want to talk to me in

16 English?

17 THE WITNESS: I want to talk to you.

18 MS. KOLLINS: You want to talk to me?

19 THE WITNESS: Yes.

11:08 20 MS. KOLLINS: In English?

21 THE WITNESS: Yes.

22 MS. KOLLINS: Okay. I'm going to have your

23 friend hand me my books. Okay? And he's just going to

24 sit here if we need help. Okay?

11:09 25 ///

11:09 1 YEZLINE ESTRELLA BARAJAS,  
2 having been first duly sworn by the Foreperson of the  
3 Grand Jury to testify to the truth, the whole truth,  
4 and nothing but the truth, testified as follows:

11:09 5  
6 EXAMINATION

7

8 BY MS. KOLLINS:

9 Q. Who do you live with? Who lives at your  
11:09 10 house?

11 A. My mom.

12 Q. Your mom. What's your mom's name?

13 A. Uhm --

14 Q. You just call her mom?

11:09 15 A. Yeah.

16 Q. Okay. And does your dad live at your  
17 house?

18 A. Yes.

19 Q. Do you have brothers and sisters at your  
11:09 20 house?

21 A. My sister.

22 Q. What's your sister's name?

23 A. Nicole.

24 Q. Is she a little sister or is she a big  
11:09 25 sister?



11:09 1 A. A little sister.

2 Q. A little sister. Okay.

3 THE FOREPERSON: Stacy, can you aim the mic

4 a little bit down towards her so we can hear her. Thank

11:09 5 you.

6 BY MS. KOLLINS:

7 Q. Remember what we talked about, outside

8 voice.

9 A. Yeah.

11:09 10 Q. Remember? Everybody's got to hear us. I

11 know it's a big silly room. Okay?

12 A. Okay.

13 Q. How old are you today?

14 A. Eight.

11:09 15 Q. Do you go to school?

16 A. Yes.

17 Q. What grade are you in in school?

18 A. Uhm, third.

19 Q. Third grade. Okay.

11:10 20 I'm going to show you some things. Okay?

21 Can you tell me what color that piece of

22 paper is?

23 A. Orange.

24 Q. The record could reflect she's correctly

11:10 25 identified the color.

11:10 1 What about that one?

2 A. Pink.

3 Q. The record could reflect she's accurately

4 identified the color.

11:10 5 What about that one?

6 A. Purple.

7 Q. The record could reflect she's accurately

8 identified the color.

9 Did you have breakfast this morning?

11:10 10 A. Yes.

11 Q. What did you have?

12 A. Sandwich with cheese.

13 Q. A sandwich with cheese. So if I said you

14 had pizza and red licorice, is that a true thing or a

11:10 15 lie thing?

16 A. True thing.

17 Q. True thing? Did you have pizza? No, you

18 just told me you had cheese. Right?

19 A. Yeah.

11:10 20 Q. Okay. Are we in here to talk about true

21 things?

22 A. Yes.

23 Q. So what's the truth about what you had for

24 breakfast?

11:11 25 A. A sandwich.

11:11 1 Q. What's not the truth?

2 A. I didn't eat pizza.

3 Q. There you go. Okay. So we're just going  
4 to talk about true things today. All right? Is that

11:11 5 right? You have to say out loud for Dani. Remember?

6 A. Yes.

7 Q. Do you know a man in your apartments named  
8 Don David?

9 A. Yeah.

11:11 10 Q. Do you know what he looks like?

11 A. No.

12 Q. You don't know what he looks like? Do you  
13 think if I show you a picture you might remember what he  
14 looks like?

11:11 15 A. Yes.

16 Q. Yes? Okay.

17 Am I making you sad? No? There's nothing  
18 to be afraid of in here. Here's a tissue. Don't wipe  
19 on your sleeves. It's okay. Can I get you a drink of  
11:11 20 water or something?

21 A. No thanks.

22 Q. No thanks? Okay.

23 Showing Grand Jury Exhibit 3. Do you know  
24 who that is?

11:12 25 A. Yes.

11:12 1 Q. Who's that? Do you have a name for him?

2 A. Hosana.

3 Q. Hosana. Okay. Does he live where you live

4 in your apartments?

11:12 5 A. No.

6 Q. He doesn't?

7 A. Yes. Next to our house.

8 Q. Next to your house. Okay. Does he live in

9 the same kind of house that you live in in a different

11:12 10 building?

11 A. Yes.

12 Q. Okay. Do you have friends that you play

13 with where you live?

14 A. Yes.

11:13 15 Q. Tell me some of your friends' names.

16 A. Solange and Abigail and my little sister

17 and Mirabel and another girl Jatziri.

18 Q. Jatziri, is that her name?

19 A. Yes.

11:13 20 Q. Now Mirabel, she has a twin, right?

21 A. Yes.

22 Q. So there's Mirabel and Maridel, right?

23 A. Yes.

24 Q. Are those all your friends that live by you

11:13 25 when you guys play?

11:13 1 A. Yes.

2 Q. Do you know what we came here to talk about

3 today?

4 A. Yes.

11:13 5 Q. Okay. Are there places on our body people

6 aren't supposed to touch us?

7 A. No.

8 Q. There's no places? Do you know? Okay.

9 Did you ever have some problems with the

11:14 10 man in the picture I just showed you?

11 A. Yes.

12 Q. Okay. That's what -- remember everyone has

13 to hear us. What was your answer?

14 A. Yes.

11:14 15 Q. Okay. That's what we're here to talk about

16 today. Remember?

17 A. Yes.

18 Q. Okay. Tell me about the first time you had

19 a problem with the man.

11:14 20 A. He used to touch me.

21 Q. He used to touch you. Okay. And where on

22 your body would get touched?

23 A. On my stomach and on my, on my, my thing

24 and he always touch me on my butt.

11:15 25 Q. Okay. On your stomach and on your thing

11:15 1 and on your butt?

2 A. Yes.

3 Q. Okay. Is your thing, is that where you go  
4 pee from?

11:15 5 A. Yes.

6 Q. Okay. Now this time that you got touched  
7 like that, where were you? Were you in a house,  
8 outside, where were you?

9 A. In the house of him.

11:15 10 Q. In the house of him where he lives?

11 A. Yes.

12 Q. And what did he use to touch your stomach  
13 and your thing and your butt, what part of his body?

14 A. Uhm --

11:16 15 Q. Do you know?

16 A. No.

17 Q. You don't know? Well, did he use his nose?

18 A. No.

19 Q. Did he use his mouth?

11:16 20 A. No.

21 Q. Okay. Did he use his feet?

22 A. No.

23 Q. Did he use his hands?

24 A. Yes.

11:16 25 Q. He used his hands. Okay.

11:16 1 Did it go over your clothes or under your  
2 clothes or something different?

3 A. Over my clothes.

4 Q. Over your clothes. Okay. And who else was  
11:16 5 inside the man's house on this day we're talking about?

6 A. Me.

7 Q. Okay.

8 A. And no one else.

9 Q. And no one else? Okay.

11:17 10 Was there a day where there was tape?

11 A. Yes.

12 Q. Can you tell me about the tape day?

13 A. Yes.

14 Q. Okay. What happened on the tape day?

11:17 15 Remember we have to use our big voice,  
16 honey. Every time you go to his house what?

17 A. Uhm, he pull my hand and I didn't want to  
18 go in and he pulled it hard.

19 Q. He pulled your hand and you didn't want to  
11:17 20 go in and he pulled it hard?

21 A. Yes.

22 Q. Into his house?

23 A. Yes.

24 Q. Were you by yourself?

11:17 25 A. Yes.

11:17 1 Q. Was that scary?

2 A. Yes.

3 Q. Okay. So when he pulled you into his

4 house, what happened next?

11:17 5 A. He got a tape and it was yellow and he

6 started taping my mouth and --

7 Q. It's okay. So he got the tape. And you

8 did you say it was yellow?

9 A. Yes.

11:18 10 Q. Yes? Okay. And he put it on your mouth?

11 A. Yes.

12 Q. Okay. Did the tape go any place else? Did

13 he put more tape than on your mouth?

14 A. No.

11:18 15 Q. How about your hands and your feet?

16 A. Yes.

17 Q. Did it go on your hands and your feet?

18 A. Yes.

19 Q. Okay. Are you doing your best to remember?

11:18 20 A. Yes.

21 Q. Okay. It's okay. Do you want a drink of

22 my drink? No? Okay.

23 After the tape went on your mouth and your

24 hands and your feet, then what happened?

11:18 25 A. He started touching me the same.



11:18 1 Q. He touched you the same?

2 A. Yes.

3 Q. Can we tell what parts of our body got

4 touched that we're talking about? Did your thing get

11:19 5 touched where you go pee?

6 A. Yes.

7 Q. What about your butt that you sit on, did

8 that get touched?

9 A. Yes.

11:19 10 Q. And what about, what do you call up here on

11 a girl? What do you call that? Chee chees or boobs?

12 A. Boobs.

13 Q. Did these get touched?

14 A. Yes.

11:19 15 Q. When your body was getting touched, where

16 were you in the man's house?

17 A. In his bed.

18 Q. In his bed? Were you on his bed, were you

19 on the floor or something different?

11:19 20 A. On his bed.

21 Q. Okay. And did your clothes stay on or did

22 they come off or something different?

23 A. They come off.

24 Q. Okay. Which clothes came off; the top

11:19 25 clothes, the bottom clothes?

11:19 1 A. The top clothes.

2 Q. What about your bottom clothes, did those

3 come off?

4 A. Yes.

11:19 5 Q. And did you have underwear on under your

6 bottoms?

7 A. Yes.

8 Q. Did those come off?

9 A. No.

11:20 10 Q. No? Those didn't go on the floor?

11 A. No.

12 Q. Okay. Did the man's clothes stay on or

13 come off?

14 A. They were on.

11:20 15 Q. They were on. Okay. When your thing got

16 touched, did it go inside, stay on the outside or

17 something different?

18 A. Inside.

19 Q. Inside. Okay. Did he touch your face or

11:20 20 your nose or your mouth too or no?

21 A. No.

22 Q. No? Okay.

23 Was there anything on the TV that you saw?

24 A. In his phone we saw the, we saw a boy's

11:21 25 thing.

11:21 1 Q. On his phone you saw a boy's thing?

2 A. Yes.

3 Q. Was that like a movie?

4 A. Yes.

11:21 5 Q. Okay. Was it the same day of the tape or a  
6 different day?

7 A. The same day.

8 Q. The same day as the tape. Okay.

9 You saw a boy's thing. Was there just a

11:21 10 boy in the movie or a girl in the movie or something  
11 else?

12 A. Just a boy.

13 Q. Just a boy. Okay. The day the tape was on  
14 you, how did you get away? How did you get away?

11:21 15 A. Uhm, I couldn't get away.

16 Q. You couldn't get away?

17 A. No.

18 Q. Did the tape come off at some time? Did  
19 the tape come off after?

11:22 20 A. Yes.

21 Q. How did the tape come off?

22 A. His hands.

23 Q. He took it off?

24 A. Yes.

11:22 25 Q. Okay. What did it feel like when it came

11:22 1 off your mouth? What did that feel like?

2 A. Sticky.

3 Q. Sticky. Did it hurt?

4 A. Yes.

11:22 5 Q. On that day, on the tape day, did he tell  
6 you whether or not it was okay to tell mom?

7 Do you understand my question?

8 A. Yes.

9 Q. What did he say?

11:22 10 A. No.

11 Q. He said no. What else did he say besides  
12 no?

13 A. If I tell mom he will kill mom and dad.

14 Q. That he would kill mom and dad?

11:22 15 A. Yes.

16 Q. Did you believe him?

17 A. No.

18 Q. You didn't believe him. Okay.

19 So after the tape came off, did your

11:23 20 clothes go back on?

21 A. Yes.

22 Q. Who put your clothes back on?

23 A. Myself.

24 Q. Yourself. Okay. And what did you do after

11:23 25 you put your clothes back on?

11:23 1 A. I went home.

2 Q. You went home to your house?

3 A. Yes.

4 Q. Did you walk to your house?

11:23 5 A. Yes.

6 Q. Were you happy or were you sad?

7 A. I was sad.

8 Q. You were sad. Okay. Did you tell anybody

9 that day?

11:23 10 A. No.

11 Q. No? Okay. Did you see Mirabel or Maridel

12 or Jatziri that day at his house when the tape was on?

13 A. No.

14 Q. No. Okay.

11:23 15 So I want to talk to you about a candy

16 time. Do you remember times where --

17 A. Yes.

18 Q. -- he would offer you candy?

19 A. Yes.

11:23 20 Q. What kind of candy would he ask you if you

21 wanted?

22 A. It was Kit Kats.

23 Q. Kit Kats. Okay. What color wrapper do Kit

24 Kats come in?

11:24 25 A. In a red wrapper and it was, they were Kit

11:24 1 Kats.

2 Q. Okay. They were Kit Kats.

3 Now where were you when the man asked you  
4 if you wanted Kit Kats?

11:24 5 A. I was outside and I was --

6 Q. I didn't understand you sweet pea. You  
7 were where?

8 A. Outside.

9 Q. Outside?

11:24 10 A. Yes.

11 Q. Okay. And who were you outside with?

12 A. With Mirabel and Maridel and Jatziri.

13 Q. Mirabel and Jatziri?

14 A. Yes.

11:25 15 Q. And were you at your apartments?

16 A. Yes.

17 Q. And where was the man when he asked you if  
18 you wanted chocolate or Kit Kats?

19 A. Outside in front of the door.

11:25 20 Q. Okay. And where were the Kit Kats when he  
21 asked you if you wanted them?

22 A. In the pocket of his.

23 Q. In the pocket of his. In the man's pocket?

24 A. Yes.

11:25 25 Q. Okay. So were they in the front pocket of

11:25 1 his pants or the back pocket of his pants?

2 A. In the front pocket.

3 Q. Okay. And did he take them out and give  
4 you the Kit Kat or did he want you to get the Kit Kat

11:25 5 out of his pocket?

6 A. He want us to get the Kit Kats out of his  
7 pocket.

8 Q. Did he want you to use your hand to reach  
9 in his pocket and get the Kit Kat out?

11:26 10 A. Yes.

11 Q. Did you do that?

12 A. No.

13 Q. Did Jatziri do that?

14 A. Yes.

11:26 15 Q. She did? She reached her hand in his  
16 pocket?

17 A. Yes.

18 Q. Okay. And did Mirabel do that?

19 A. Yes.

11:26 20 Q. Did Maridel do that?

21 A. Yes.

22 Q. Both the twins were there that day?

23 A. Yes.

24 Q. And they all put their hands in his pocket

11:26 25 and got a Kit Kat?

11:26 1 A. Yes.

2 Q. Did you get a Kit Kat?

3 A. No.

4 Q. Did you see the man's private part that

11:26 5 day?

6 A. Yes.

7 Q. When was that? Was that before the

8 chocolate or after the chocolate?

9 A. Before the chocolate.

11:26 10 Q. Before the chocolate. Okay. And who was,

11 how did you see the man's thing?

12 A. Cause he was back of his car.

13 Q. He was in back of his car?

14 A. Yes.

11:27 15 Q. And what color was that car, do you

16 remember?

17 A. Black.

18 Q. Black. Okay. And who was behind the car

19 besides you?

11:27 20 A. The other girls, Jatziri and the twin

21 sisters.

22 Q. Jatziri and the twin sisters?

23 A. Yes.

24 Q. Did the man just unzip his pants or take

11:27 25 his pants off or what did he do?



11:27 1 A. Unzip his pants.

2 Q. Okay. Did he say anything to you when he  
3 unzipped his pants?

4 A. No.

11:27 5 Q. No. Okay. Was there another day that you  
6 were in his car?

7 A. Yes.

8 Q. Okay. Was that the same black car or was  
9 that a different car?

11:27 10 A. The same car.

11 Q. Did you get inside the car that day?

12 A. Yes.

13 Q. And all this stuff happened since you lived  
14 at your apartment, right?

11:28 15 A. Yes.

16 Q. Who else got in the car?

17 A. Only me.

18 Q. Only you?

19 A. And the other three twins.

11:28 20 Q. Do you mean the twins and Jatziri got in  
21 the back?

22 A. Yes.

23 Q. Does that mean you got in the front?

24 A. Yes.

11:28 25 Q. Did the man get in the car?

11:28 1 A. Yes.

2 Q. Did parts of your body get touched when the

3 man got in the car?

4 A. Yes, the same parts.

11:28 5 Q. The same parts?

6 A. Yes.

7 Q. Okay. So we're talking about the place

8 where you go pee?

9 A. Yes.

11:28 10 Q. We're talking about your boobs too?

11 A. Yes.

12 Q. What about your butt that you sit on?

13 A. Yes.

14 Q. Did the other girls get touched that day?

11:28 15 A. Yes.

16 Q. They did? Did you see that with your eyes

17 or did they tell you that?

18 A. They told me that.

19 Q. They told you that but you didn't see that

11:28 20 with your own eyes?

21 A. No.

22 Q. So were the other girls in the car when you

23 got touched?

24 A. Yes.

11:29 25 Q. Yes? Okay. Did your clothes stay on or

11:29 1 come off that day in the car day?

2 A. My pants were off only.

3 Q. The pants were off only?

4 A. Yes.

11:29 5 Q. Who took your pants off that day?

6 A. The man.

7 Q. The man. Okay. And remember how we  
8 talked, did he use his hand to touch your thing?

9 A. Yes.

11:29 10 Q. And remember earlier when we talked about,  
11 did it go inside or outside?

12 A. Yes.

13 Q. Did it go inside?

14 A. Yes.

11:29 15 Q. Okay. Did his hand move around or it  
16 stayed still?

17 A. It stayed still.

18 Q. It what, honey?

19 A. It stayed right there.

11:29 20 Q. It stayed right there?

21 A. Yeah.

22 Q. Okay. Did you put your clothes back on?

23 A. Yes.

24 Q. Did you do it or did the man do it?

11:30 25 A. I did it.

11:30 1 Q. You did it. Okay. Now did you tell  
2 anybody on that day?

3 A. No.

4 Q. Okay. Did the man say anything that day  
11:30 5 about whether it was okay to tell your mom or your dad  
6 or anybody?

7 A. No.

8 Q. Okay. Cause I know what you said he said  
9 before. Did he say that another time?

11:30 10 A. No.

11 Q. No?

12 A. Only one day.

13 Q. Only one day.

14 I lost my train of thought. I'm sorry.

11:30 15 Give me a second.

16 Do you remember when everybody was supposed  
17 to go to Chuck E. Cheese? Do you remember that?

18 A. Yes.

19 Q. You do? Who was supposed to go to Chuck E.

11:31 20 Cheese?

21 A. The man and the three twins and me.

22 Q. Okay.

23 A. And the moms.

24 Q. The man and, when you say three twins, you

11:31 25 mean the two twins and their sister, right?

11:31 1 A. Yes.

2 Q. So Mirabel, Maridel and Jatziri and you.

3 What about Nicole, was she supposed to go?

4 A. Yes.

11:31 5 Q. And the moms?

6 A. Yes.

7 Q. Okay. Did the man say anything to you  
8 about not, about wanting to take you just by yourself?

9 A. Yes, he didn't want our moms to come, only  
11:31 10 three of us by ourselves with him.

11 Q. Only the girls?

12 A. Yes.

13 Q. Did he tell you where you were going to go  
14 when you went to Chuck E. Cheese by yourself with him,  
11:31 15 did he tell you what would happen?

16 A. It will happen when we're done eating at  
17 Chuck E. Cheese, he will take us, three of us far, far  
18 away.

19 Q. You have a little sister, right? Her name  
11:32 20 is Nicole.

21 A. Yes.

22 Q. Do you remember a day when Mirabel and  
23 Maridel and Jatziri came to get Nicole to play?

24 A. Yes.

11:32 25 Q. But you didn't go out to play with them,

11:32 1 right?

2 A. No.

3 Q. Did they come to your house and they took  
4 Nicole?

11:32 5 A. Yes, without permission.

6 Q. Without permission?

7 A. Yes.

8 Q. Okay. Now at some point did your mom tell  
9 you go find Nicole?

11:32 10 A. Yes.

11 Q. And did you go find her?

12 A. Yes.

13 Q. Where did you find her that day?

14 A. In the man house.

11:32 15 Q. In the man's house?

16 A. Yes.

17 Q. And Nicole, she's just itty bitty, right?

18 A. Yes.

19 Q. And where was Nicole in the man's house

11:33 20 when you went over there?

21 A. The man was sitting and Nicole was right  
22 there and he stand him up and then he take her, then she  
23 like --

24 Q. Okay. You told me he took her and you had

11:33 25 your hands up near your head. So was he holding her?

11:33 1 A. Yes.

2 Q. Okay. And then you put your hands down  
3 your body. Did he touch Nicole's body on his body when  
4 you were moving your hands like that? You have to

11:33 5 explain to me what you mean.

6 A. Yes.

7 Q. Okay. Did Nicole have clothes on?

8 A. Yes.

9 Q. Where did he pick Nicole up from? Did he  
11:33 10 pick her off the floor, did he get her out of the chair?

11 A. He picked her up from the floor.

12 Q. What part of Nicole's body was touching the  
13 man? You were showing me he moved like that. What part  
14 of Nicole's body was touching the man?

11:34 15 A. Her boobs and her neck.

16 Q. Her boobs and her what?

17 A. Her neck.

18 Q. Okay. And what about like her belly and  
19 her thing, where was that?

11:34 20 A. Outside of his house.

21 Q. Did you understand? You said her boobs and  
22 her neck touched the man's body. What about the rest of  
23 her body? What about like from here down? Where was  
24 that part of her body touching?

11:34 25 Do you understand? Do you want to do it in

11:34 1 Spanish?

2 A. No.

3 Q. No you don't understand?

4 A. Yes.

11:34 5 Q. Okay. I'm going to -- can you interpret  
6 that for me?

7 THE WITNESS: No, my sister --

8 MS. KOLLINS: It's okay.

9 THE WITNESS: My sister didn't touch him.

11:35 10 BY MS. KOLLINS:

11 Q. No honey, I'm not asking you if your sister  
12 touched him. I'm not asking you that. Okay? It's  
13 okay. I'm not asking you that.

14 Did your sister's body touch the man's  
11:36 15 body, was on the man's body, right?

16 A. Yes.

17 Q. Okay. And it went from, it started up near  
18 the top of him and it went towards the middle of him,  
19 right?

11:36 20 A. Yes.

21 Q. Okay. As long as I understand. It's okay.  
22 It's okay.

23 Okay. Now other than the one day that we  
24 talked about where you saw the man's thing, was there  
11:36 25 ever any other days?



11:36 1 A. No, only one day.

2 Q. Only one day. Okay. Was there only one  
3 day with tape?

4 A. Yes.

11:36 5 Q. Okay. Can you tell me about the very last  
6 thing that you remember happening with the man? And  
7 then we can be done. Okay? What's the last time you  
8 remember?

9 A. Uhm --

11:37 10 Q. Do you remember any times or do you just  
11 remember what we already talked about?

12 A. What we talked about.

13 Q. Is there anything I forgot to ask you?

14 A. No.

11:37 15 Q. Okay. I'm going to go check with my friend  
16 Chris and make sure I remembered to ask you everything.  
17 Okay? Can you wait for me one minute please?

18 A. Yes.

19 Q. Thank you.

11:38 20 Chris always makes sure I do my job right.  
21 Isn't that good of him?

22 A. Yes.

23 Q. Yes. You're eight years old now?

24 A. Yes.

11:38 25 Q. Okay. Did the stuff happen when you were

11:38 1 eight or seven or something different?

2 A. When I was seven.

3 Q. When you were seven. Okay. All the stuff  
4 happened when you were seven?

11:38 5 A. Yes.

6 Q. Okay. So none of it happened this school  
7 year? You turned eight this school year, right?

8 A. Yes.

9 Q. At the beginning of school this year you  
11:39 10 turned eight?

11 A. Yes.

12 Q. Okay. Did the man ever kiss you with his  
13 mouth?

14 A. Yes.

11:39 15 Q. He did? Where did the kisses go?

16 A. On my mouth.

17 Q. On your mouth. Okay. Did that happen on  
18 one day or more than one day?

19 A. One day.

11:39 20 Q. One day. Okay. Did the kisses go anyplace  
21 else?

22 A. No.

23 Q. No? The kisses didn't go any place else on  
24 your body?

11:39 25 A. No.

11:39 1 Q. Did the man want you to kiss him anywhere  
2 on his body?

3 A. No.

4 Q. No? Okay.

11:39 5 I'm going to ask these ladies and gentlemen  
6 if they want to ask you questions. They probably won't  
7 but they might have questions for you. Okay? And if  
8 you don't understand those questions then you need to  
9 say I don't understand and if you know the answer you  
11:39 10 still have to answer them the right thing. Okay?

11 A. Okay.

12 Q. All right. Thank you very much. I'll see  
13 you soon. Okay?

14 Ladies and gentlemen do you have any  
11:40 15 questions?

16 THE FOREPERSON: Okay. The things that you  
17 discussed today are a secret and you can't talk about it  
18 to anyone else or you could be in trouble. So again  
19 it's just a secret, everything you talked to us about  
11:40 20 today. Do you understand this?

21 THE WITNESS: Yes.

22 THE FOREPERSON: You're excused.

23 MR. HAMNER: Just go off the record for one  
24 second.

11:40 25 (Off the record.)

11:42 1 MS. KOLLINS: Very briefly the State is  
2 going to recall Maria Barajas Navarro.

3 THE FOREPERSON: Okay. A reminder that  
4 you're still under oath.

11:43 5 THE WITNESS: Okay.

6 MARIA ESTHER BARAJAS NAVARRO,  
7 having been previously first duly sworn by the  
8 Foreperson of the Grand Jury to testify to the truth,  
9 the whole truth, and nothing but the truth, testified as  
11:43 10 follows:

11

12 FURTHER EXAMINATION

13

14 BY MS. KOLLINS:

11:43 15 Q. Good afternoon, ma'am.

16 A. Good afternoon.

17 Q. I want to call your attention to a day when  
18 you were residing at your apartment and Mirabel, Maridel  
19 and Jatziri came over and asked if they could take  
11:43 20 Nicole out to play. Do you remember that day?

21 A. Yes.

22 Q. Now your daughter Yezline, she did not go  
23 with them, correct, at first?

24 A. No.

11:43 25 Q. Eventually did you send Yezline to go get

11:44 1 Nicole?

2 A. Yes.

3 Q. Did you later learn that Mirabel, Maridel  
4 and Jatziri had taken Nicole to Jose Azucena's

11:44 5 apartment?

6 A. No.

7 Q. Did you eventually learn about that?

8 A. Yezline never said anything. They didn't  
9 say anything.

11:44 10 Q. When did you first --

11 A. They just brought the girl back but they  
12 didn't say anything.

13 Q. When did you first find out that that's  
14 where they went?

11:44 15 A. After they disclosed, you know, what  
16 happened to them, that's when they said, you know, this  
17 also happened to Nicole.

18 Q. Okay. Do you know, do you remember what  
19 day it was at least as to the month where they took

11:45 20 Nicole to Jose Azucena's home?

21 A. No, I don't recall.

22 Q. Was it this school year?

23 A. That happened in the afternoon after  
24 school.

11:45 25 Q. Okay. But in this school year that we're

11:45 1 in right now?

2 A. Back when it happened, I believe it was  
3 around September, it was around those dates.

4 Q. September that just passed?

11:45 5 A. Yeah. Yes. October 16th, that's when we  
6 found out about everything.

7 Q. Okay. So obviously before that?

8 A. Yeah.

9 Q. And that's October 16th of 2016 you found  
11:46 10 out about everything?

11 A. Yeah. Yes.

12 MS. KOLLINS: All right. I have no more  
13 questions. Yes, ma'am.

14 BY A JUROR:

11:46 15 Q. Who told you what happened to your children  
16 please?

17 A. We were outside. The girls all came  
18 running inside, they sat around the table and we were  
19 outside. And then all of them at one time, they all got  
11:47 20 up and the oldest one, Jatziri, she's the one who  
21 started saying that the grandfather, they were going to  
22 take, he was going to take them to Chuck E. Cheese,  
23 Chuck E. Cheese. And that's when she said, you know, he  
24 wants to take us someplace far away and he doesn't want  
11:47 25 you guys to come, no moms, just us girls and him.

11:47 1 Q. And that's the day you found out there was  
2 other inappropriate behavior going on?

3 A. That's when they said, you know, that night  
4 and then I motioned their mom, Jatziri's mom to come  
11:48 5 over and I called Amanda and told her this is what's  
6 going on. I told her. So then she left to talk to her  
7 girls. She talked to them, to her girls at her home, I  
8 talked to my girl, and then she told me, you know, he  
9 wants to take us to Chuck E. Cheese but he's planning to  
11:49 10 take us someplace far away. And she said, you know,  
11 mom, let me go to bed, tomorrow morning, early morning,  
12 I'm going to tell you everything that really happened.

13 Q. I'm going to stop you right there. When  
14 you say she, you're talking about Yezline?

11:49 15 A. Yeah.

16 Q. And you referred to Jose Azucena as  
17 grandfather?

18 A. Yes, because that's what they would call  
19 him. They would call him abuelo.

11:49 20 Q. When you say they, you're talking about  
21 Yezline and Nicole and Mirabel and Maridel and Jatziri.

22 A. No, not Nicole, just the four other girls.

23 Q. Does he also go by the name of Don David?

24 A. Yeah.

11:50 25 MS. KOLLINS: Okay. I have no more

11:50 1 questions.

2 BY A JUROR:

3 Q. And the next morning then your daughter  
4 told you what the grandpa, grandfather, had done to  
11:50 5 them?

6 A. Yeah, next morning at 6:30 when I got her  
7 up, you know, from bed to go to school and I grabbed her  
8 and I said, you know, tell me more, tell me more what  
9 you were saying last night, I want to know what he did.  
11:50 10 She said him, he pulls down my clothes. She said he  
11 pulls down my clothes, he gives me candy, he takes me  
12 there, and he's telling me that if I say anything he's  
13 going to harm you and my dad.

14 Also I would invite his wife Elena to come  
11:51 15 over and have dinner. One time she did, she came over  
16 to have dinner but dinner was not ready and I told her,  
17 you know, it's going to be a little while.

18 Q. Excuse me, I'm just going to stop this  
19 because this is kind of beyond the question, the  
11:52 20 question that was asked.

21 A. I'm getting someplace. The thing is the  
22 day he put tape over her mouth and taped her hands, it  
23 happened that day. That's what she told me that  
24 morning. That's what I wanted to explain.

11:52 25 Q. Okay. All right. So there was a day that



11:52 1 Elena came over and dinner wasn't ready and that's the  
2 day that Yezline told you that she got tape on her hands  
3 and tape on her mouth?

4 A. Well, that happened days before, on that  
11:52 5 same week when he did that to her. And that's when she  
6 says, you know, that was the day that he put tape over  
7 my mouth and on my hands and that happened when she was  
8 not there, we were alone.

9 Q. She being Elena?

11:53 10 A. That day I told her go get grandma, cause  
11 that's what they would call her, grandma, that dinner is  
12 ready, so she went over there.

13 Q. She, Yezline, went to her house?

14 A. Yes. Because Elena, that's what she told  
11:54 15 me, she told me whenever dinner is ready have your  
16 daughter come on over to let me know. And when she did,  
17 when my daughter went over, sh was no longer there, and  
18 when she returned she had glue on her mouth. So Elena  
19 was not there when my girl went to call her. I didn't  
11:54 20 know that she was not going to be there.

21 Q. I understand.

22 A. It was just this man by himself.

23 Q. And the reason I keep stopping you is  
24 because we're calling everyone she and so I'm trying to  
11:55 25 distinguish between Elena and Yezline for the record.

11:55 1 A. Okay.

2 Q. That's all. I understand what you're  
3 trying to tell me. I want to make sure the record is  
4 clean as to which she she's talking about.

11:55 5 A. Okay. Okay.

6 Q. One last question. Did you see glue on  
7 your daughter's mouth?

8 A. Well, her lips were of, very pale, very dry  
9 and she was pale and she looked very scared.

11:55 10 MS. KOLLINS: Okay. I have nothing  
11 further. Anyone?

12 BY A JUROR:

13 Q. You called the police then when you learned  
14 what had happened to your children?

11:56 15 A. That day I took my girls to school and then  
16 I together with Amanda, that's when we filed the report.

17 Q. Thank you.

18 THE FOREPERSON: Okay. The admonition  
19 still applies to this portion of the testimony. Do you  
11:56 20 understand this?

21 THE WITNESS: Yeah.

22 THE FOREPERSON: You may be excused.

23 MS. KOLLINS: Ladies and gentlemen, at this  
24 time we're going to take our lunch break. It is four

11:56 25 minutes till 12:00. I assume we'll take an hour so

11:56 1 we'll see you then. Thank you.

2 (Recess.)

3 MR. HAMNER: Hi. We're back on the record.

4 The State's going to call Mirabel Moreno to the stand.

01:09 5 Oh yeah. And with respect to the  
6 Indictment, since there's two sets of MMs, this is with  
7 respect to MM1 on your Indictment. That should be  
8 Counts 10 through 16.

9 We're going to ask you to hold your hand  
01:10 10 up. Can you hold your right hand up?

11 THE FOREPERSON: You do solemnly swear the  
12 testimony you are about to give upon the investigation  
13 now pending before this Grand Jury shall be the truth,  
14 the whole truth, and nothing but the truth, so help you  
01:10 15 God?

16 THE WITNESS: Yes.

17 THE FOREPERSON: Please be seated.

18 MR. HAMNER: And this is a microphone. So  
19 you want to speak loud in that.

01:10 20 THE FOREPERSON: You are advised that you  
21 are here today to give testimony in the investigation  
22 pertaining to the offenses of lewdness with a child  
23 under the age of 14, child abuse, neglect or  
24 endangerment, indecent exposure, sexual assault with a  
01:11 25 minor under 14 years of age, attempt lewdness with a

01:11 1 child under the age of 14, first degree kidnapping,  
2 involving Jose Azucena.

3 Do you understand this advisement?

4 THE WITNESS: Yes.

01:11 5 THE FOREPERSON: Please state your first  
6 and last name and spell both for the record.

7 THE WITNESS: Mine? Mirabel.

8 MR. HAMNER: Can you spell that?

9 THE WITNESS: M-I-R-A-B-E-L. (In English.)

01:12 10 THE REPORTER: Did she say M-I-R?

11 THE INTERPRETER: M-A-R-I-B-E-L.

12 THE WITNESS: M-O-R-E-N-O. (In English.)

13 THE INTERPRETER: And the last name is  
14 spelled M-O-R-E-N-O.

01:12 15 MR. HAMNER: Okay. And so let me just -- I  
16 thought I may have heard it differently. Can you spell  
17 your first name one more time. Wait for him to say it  
18 in Spanish though.

19 THE WITNESS: M-I-R-A-B-E-L.

01:12 20 THE INTERPRETER: That was the  
21 interpreter's error. That's what she said.

22 MIRABEL MORENO,

23 having been first duly sworn by the Foreperson of the  
24 Grand Jury to testify to the truth, the whole truth,

01:12 25 and nothing but the truth, testified as follows:

01:12 1

2 EXAMINATION

3

4 BY MR. HAMNER:

01:12 5 Q. Okay. Mirabel, how are you doing?

6 A. Good.

7 Q. Good. Mirabel, how old are you?

8 A. Eight.

9 Q. Eight years old. What grade are you in?

01:13 10 A. Third.

11 Q. Third grade. Do you like school?

12 A. Yes.

13 Q. Yeah? Now do you have any brothers or

14 sisters?

01:13 15 A. Yes.

16 Q. What are their names?

17 A. I don't know what their names are.

18 Q. Well, do you know, not brothers, but do you

19 have any sisters?

01:13 20 A. Yes.

21 Q. What are their names?

22 A. Maridel and Jatziri.

23 Q. Do you know how to spell your sister's

24 name, Jatziri?

01:14 25 A. J-A-T-Z-I-R-I.

01:14 1 Q. All right. Mirabel, let me ask you this.  
2 Is Jatziri a younger sister or an older sister?

3 A. She's older.

4 Q. And Maridel, is she the same age as you or  
01:14 5 a different age?

6 A. Same age as I am.

7 Q. Are you guys twins?

8 A. Yes.

9 Q. Okay. Let me ask you a couple questions.  
01:14 10 Do you see this tie I'm holding up?

11 A. Yes.

12 Q. What color is this tie?

13 A. Red.

14 Q. Let the record reflect the witness has  
01:14 15 correctly identified the color of my tie.

16 Do you see this pen I'm holding up? What  
17 color is this pen?

18 A. Black.

19 Q. Let the record reflect the witness has  
01:15 20 correctly identified the color of the pen.

21 See this tissue I'm holding. What color is  
22 it?

23 A. White.

24 Q. Let the record reflect the witness has  
01:15 25 correctly identified the color of the Kleenex.

01:15 1 Mirabel, if I told you that this tie was  
2 purple and it had dragons on it, would that be the truth  
3 or would I be telling a lie?

4 A. Lie.

01:15 5 Q. A lie. Is that because it's red?

6 A. (No audible response.)

7 Q. All right. Let me ask you. Who do you  
8 live with?

9 A. With momma.

01:15 10 Q. Who else?

11 A. My dad.

12 Q. And who else?

13 A. My grandparents.

14 Q. And anybody else?

01:16 15 A. An uncle.

16 Q. Okay. And anybody else?

17 A. No.

18 Q. No? What about sisters, where do they  
19 live?

01:16 20 A. In the same house.

21 Q. So they live with you too, huh?

22 Now do you live in an apartment or in a  
23 house?

24 A. Apartment.

01:16 25 Q. Okay. And when -- you've lived in this

01:16 1 apartment. Do you sometimes play around the apartment  
2 complex with your sisters?

3 A. Yes.

4 Q. When you lived in that apartment complex,  
01:16 5 did you come to know a man by the name of Don David?

6 A. Yes.

7 Q. Did you sometimes call him grandfather?

8 A. Yes.

9 Q. He wasn't really your grandfather, he was  
01:17 10 just kind of an old guy?

11 A. No, he was not my real grandfather.

12 Q. Okay. I'm going to show you State's 3. Or  
13 Exhibit 3. Who is that?

14 A. Don David.

01:17 15 Q. Okay. I'm publishing to the jury.

16 Okay. So let me ask you another couple of  
17 questions. Mirabel, are there places on your body that  
18 people shouldn't be touching?

19 A. Yes.

01:17 20 Q. Do you have any names for them? You can  
21 use any name you want.

22 A. La chee chees. La cosa. The thing.

23 Q. Let me ask you about chee chees. Are they  
24 on the upper part of your body or on the lower part of  
01:18 25 your body?



01:18 1 A. The upper part.

2 Q. And your la cosa, what do you use that to

3 do?

4 Let me ask you this question. Do you go to

01:18 5 the bathroom to use your la cosa?

6 A. Yes.

7 Q. Do you use it to go pee pee?

8 A. Yes.

9 Q. Do you use it to go poo poo?

01:18 10 A. (Inaudible response.)

11 Q. So you call it like a front la cosa and a

12 back la cosa or is it all just a la cosa? Is it all

13 just one thing for you?

14 Okay. You need to say yes or no. I see

01:19 15 you're nodding your head. Can you say it out loud?

16 A. Yes.

17 Q. All right. Let me ask you about Don David

18 for a minute. Okay. Did something happen with him that

19 you didn't like very much?

01:19 20 A. Yes.

21 Q. Tell me about that. What happened?

22 A. He was touching my thing.

23 Q. What else did he do -- well, let me ask you

24 first about that. When he touched your la cosa, was it

01:20 25 the part you went pee pee out of or poo poo out of or

01:20 1 both?

2 A. Both.

3 Q. Now you mentioned another private area you  
4 had were chee chees. Did he ever touch that part of

01:20 5 your body?

6 A. No.

7 Q. No? What part of his body did he use to  
8 touch your la cosa?

9 A. His thing.

01:20 10 Q. He used his thing. Did he ever use any  
11 other body parts?

12 A. No.

13 Q. Did he ever use his hands to touch your  
14 body?

01:21 15 A. Yes.

16 Q. What parts -- did he ever use his hands to  
17 touch your la cosa?

18 A. Yes.

19 Q. Did this happen once or more than once?

01:21 20 A. Many times.

21 Q. And when this happened were you alone or  
22 were there other people there too?

23 A. There were other people.

24 Q. Do you remember their names?

01:21 25 A. Yes.

01:21 1 Q. Can you give us some of their names? Who  
2 were some of the other people who were there?

3 A. Uhm, Leo.

4 Q. Who else?

01:22 5 A. Orlando.

6 Q. Who else?

7 A. Juanito.

8 Q. Who else?

9 A. No.

01:22 10 Q. Let me ask you about your sisters. Were  
11 they ever around when this happened?

12 A. Yes.

13 Q. Both of them?

14 A. Uh-huh.

01:22 15 Q. Were there any other girls around when this  
16 happened?

17 A. No, just Yezline and my sisters.

18 Q. When this would happen would you be around  
19 the apartment complex when this happened?

01:22 20 A. Yes.

21 Q. Would you be outside or inside or both?

22 A. Outside.

23 Q. Now you told us that you're eight years  
24 old; is that right? Do you remember how old you were

01:23 25 when this was happening?

01:23 1 A. Yes.

2 Q. And how old were you?

3 A. Seven.

4 Q. I'd like to ask you, did you ever see his

01:23 5 private area?

6 A. Yes.

7 Q. What happened there? Can you explain that

8 to us? What would he do to cause you to see it?

9 A. He took his thing out.

01:24 10 Q. Okay. Would you be alone when this

11 happened or would there be other people around?

12 A. My sisters and Yezline were also there.

13 Q. And when this happened, would you be

14 indoors, would you be outdoors, where would you be?

01:24 15 A. Outside.

16 Q. Okay. And it would be outside of this same

17 apartment complex where you lived?

18 A. Yes.

19 Q. Now did he ever -- let me ask you this. Do

01:24 20 you remember if he had like a mobile phone, a cell

21 phone?

22 A. Yes.

23 Q. You remember that. Did he ever show you

24 anything on his phone?

01:24 25 A. Yes.

01:24 1 Q. What do you remember seeing on his phone?

2 A. A lot of women, girls and men, and the

3 girls didn't have any clothes on.

4 Q. Were you alone when he did this or were

01:25 5 there other people around when he was showing you this?

6 A. Uhm, my sisters and Yezline were present.

7 Q. Did this happen once or more than once?

8 A. Just once.

9 Q. Okay. I want to ask you about did he ever

01:25 10 offer you guys any candies or treats or anything like

11 that?

12 A. Yes.

13 Q. Can you tell me what types of candies or

14 chocolates?

01:26 15 A. Chiclets or gum, and chocolates, Kit Kats.

16 Q. Kit Kats. Where would the candies be?

17 Where would these chocolates and candies be?

18 A. In front of his thing.

19 Q. In front of his thing. Would they be in

01:26 20 his pants or outside of his pants?

21 A. Inside his pants.

22 Q. And what would he say, how were you

23 supposed to get those candies?

24 A. That we go find them.

01:27 25 Q. Is that what he would say to you?

01:27 1 A. Yes.

2 Q. So he would ask you to go find them.

3 Would he ever, let me ask you this,

4 Mirabel. Would he ever touch you or move you towards

01:27 5 him to try to get the candies?

6 A. Yeah, he moved me.

7 Q. How would he do that? Let me ask you this.

8 What part of your body would he touch to move you?

9 A. My hands.

01:27 10 Q. Oh. And so would he use his hands to touch

11 your hands?

12 A. Yes.

13 Q. Now would you ever take any of the candies

14 out?

01:28 15 A. No.

16 Q. All right. Now were you alone when this

17 happened or were there other people with you?

18 A. My sisters and Yezline were there.

19 Q. Did you see any of them take the chocolates

01:28 20 out?

21 A. No.

22 Q. No? Okay. Let me ask you this. Do you

23 ever remember a time where he asked to take you to Chuck

24 E. Cheese?

01:28 25 A. Yes.

01:28 1 Q. What did he say to you then?

2 A. Don't tell my mom so that she wouldn't know  
3 that we were at Chuck E. Cheese and when we leave Chuck  
4 E. Cheese I'm going to take you far away.

01:29 5 Q. How did that make you feel when you heard  
6 that he was going to take you far away?

7 A. Sad.

8 Q. Okay. And when he said this to you, were  
9 you by yourself or were there other people that he was  
01:29 10 saying it to as well?

11 A. With my sisters.

12 Q. Was Yezline there?

13 A. Yes.

14 Q. After you heard this, did you tell your mom  
01:29 15 what he had said to you?

16 A. Yes.

17 Q. Was this the first time that he had said  
18 anything like that?

19 A. Yes.

01:30 20 Q. Had he ever threatened to hurt you or your  
21 parents before?

22 A. My mom and dad.

23 Q. What would he say?

24 A. He said if we were to say that he was doing  
01:30 25 these things with us he was going to kill my mom and my

01:30 1 dad.

2 Q. How did that make you feel?

3 A. Very sad.

4 Q. Now before you said that he had touched you

01:30 5 on your thing, right? Had you ever seen him touch

6 either your sisters or anyone else on their private

7 parts?

8 A. He touched my sisters.

9 Q. Where did he touch your sisters?

01:31 10 A. Their thing.

11 Q. Okay. So over the clothes or under the

12 clothes or both?

13 A. Both.

14 Q. And did you ever see him touch Yezline?

01:31 15 A. Yes.

16 Q. And where did he touch her?

17 A. In front, her thing.

18 Q. Okay. And were you guys inside or outside

19 of the apartments or both?

01:31 20 A. Both.

21 Q. Okay. And you were seven when all this was

22 happening?

23 A. Yes.

24 Q. I'm going to ask Stacy if I missed

01:32 25 anything. Okay? So can you just wait here for a



01:32 1 minute? We're almost done.

2 Remember how you told me he pulled out his  
3 thing and showed it to you guys, remember that?

4 A. Yes.

01:32 5 Q. Do you use that thing, do you know if you  
6 use that thing to go to bathroom?

7 A. Yes.

8 MR. HAMNER: Okay. I don't have any  
9 further questions for this witness. Does the Grand Jury  
01:32 10 have any questions for this witness?

11 A JUROR: I just need the name of your  
12 interpreter, the interpreter please.

13 MR. HAMNER: I'm sorry?

14 THE INTERPRETER: Michael Berry, B-E-R-R-Y.

01:32 15 MR. HAMNER: Thank you very much.

16 THE FOREPERSON: The things you talked to  
17 us about today are a secret and you need to keep it a  
18 secret and not talk to other people about it.

19 Do you understand that?

01:33 20 THE WITNESS: Okay.

21 THE FOREPERSON: You may be excused.

22 MR. HAMNER: We're going to call Amanda  
23 Moreno to the stand next.

24 THE FOREPERSON: Please raise your right

01:34 25 hand.

01:34 1           You do solemnly swear the testimony you are  
2 about to give upon the investigation now pending before  
3 this Grand Jury shall be the truth, the whole truth, and  
4 nothing but the truth, so help you God?

01:34 5           THE WITNESS: Yes.

6           THE FOREPERSON: Please be seated.

7           You are advised that you are here today to  
8 give testimony in the investigation pertaining to the  
9 offenses of lewdness with a child under the age of 14,  
01:34 10 child abuse, neglect or endangerment, indecent exposure,  
11 sexual assault with a minor under 14 years of age,  
12 attempt lewdness with a child under the age of 14, first  
13 degree kidnapping, involving Jose Azucena.

14           Do you understand this advisement?

01:34 15           THE WITNESS: (With interpreter.) Yes.

16           THE FOREPERSON: Please state your first  
17 and last name and spell both for the record.

18           THE WITNESS: My name is Amanda Moiza.  
19 Amanda is spelled A-M-A-N-D-A and Moiza is M-O-I-Z-A.

01:35 20 Moiza.

21                     AMANDA MOIZA,  
22 having been first duly sworn by the Foreperson of the  
23 Grand Jury to testify to the truth, the whole truth,  
24 and nothing but the truth, testified as follows:

01:35 25

01:35 1                   ///

2                                   EXAMINATION

3

4 BY MR. HAMNER:

01:35 5           Q.     Okay.   Good afternoon.   Could you tell the  
6 Grand Jury, where do you live?

7           A.     4810 East Charleston, apartment number 1.

8           Q.     Okay.   Is that here in Las Vegas and in  
9 Clark County?

01:36 10          A.     Yes.

11          Q.     Do you have a daughter by the name of  
12 Jatziri Moreno?

13          A.     Yes.

14          Q.     And what is her birthday?

01:36 15          A.     December 3rd, 2006.

16          Q.     Okay.   So how old is she today?

17          A.     Ten.

18          Q.     Do you have a daughter by the name of  
19 Mirabel Moreno?

01:36 20          A.     Yes.

21          Q.     And what is her birthday?

22          A.     September 27, 2008.

23          Q.     So how old is she today?

24          A.     Eight.

01:37 25          Q.     And do you have a daughter by the name of

01:37 1 Maridel Moreno?

2 A. Yes.

3 Q. And how old is she?

4 A. She's eight.

01:37 5 Q. Are Mirabel and Maridel twins?

6 A. Yes.

7 Q. And Mirabel was the one walking out as you  
8 were walking in; is that right?

9 A. Uh-huh. Yes.

01:37 10 Q. Now did you know someone by the name of  
11 David or Don David that lived in your apartment complex?

12 A. Yes.

13 Q. Did you know what his last name was when  
14 you knew him?

01:37 15 A. Azucena.

16 Q. What was his wife's name?

17 A. Elena.

18 Q. Showing you Exhibit 3. Who is that?

19 A. That's Don David.

01:38 20 Q. Okay. How long did you know David?

21 A. Eight years.

22 Q. Okay. Do you want some tissue?

23 How long did you know David for? I'm

24 sorry, I probably just asked you this question. Were

01:38 25 you friends with them?

01:38 1 A. Yes.

2 Q. Did you spend a lot of time hanging out  
3 with his wife?

4 A. Yes.

01:38 5 Q. Let me ask you this. Would your kids  
6 sometimes play around the apartment complex?

7 A. Yes.

8 Q. And do you ever remember seeing when your  
9 children were out playing David sitting outside and  
01:39 10 offering the kids candies?

11 A. Yes.

12 Q. And describe that. What would you see him  
13 do?

14 A. He'd say come here, I've got candy.

01:39 15 Q. Would he do that kind of nearby his  
16 apartment?

17 A. Uh-huh. Yes. Or yeah, in the doorway,  
18 standing in the doorway of his home.

19 Q. So he'd be waiting in the door sometimes.

01:39 20 Would sometimes the kids run in and get candies from  
21 him?

22 A. They would get them right there at the  
23 doorway. And then when they were there by the doorway  
24 he would say hey, do you want some watermelon, you want  
01:40 25 strawberries, come on in.

01:40 1 Q. Would sometimes you see children go inside?  
2 A. Yes.  
3 Q. Did that include your own children?  
4 A. Yes.  
01:40 5 Q. Let me ask you, do you know a little girl  
6 by the name of Yezline?  
7 A. Yes.  
8 Q. Would she be one of the girls that he might  
9 offer candies or fruits to?  
01:40 10 A. Yes. And mine, my girls.  
11 Q. And at the time when you saw this sort of  
12 thing, did you think anything of it?  
13 A. No.  
14 Q. I want to turn your attention to October of  
01:41 15 2016. Do you remember a time where there was a  
16 discussion about Chuck E. Cheese?  
17 A. Yes.  
18 Q. Why don't you explain to the Grand Jury  
19 what happened.  
01:41 20 A. Yes. It was the 17th of October when my  
21 daughter said that David was touching. And she was  
22 afraid because he was going to take her to Chuck E.  
23 Cheese. So I told him say when you're going and I'll  
24 take them. He said oh, okay, great. And then in the  
01:42 25 afternoon he told Jatziri, hey, tell your mom I don't

01:42 1 want her to go, just you guys alone.

2 Q. And how did you know that? Is that  
3 something Jatziri told you?

4 A. Yes.

01:42 5 Q. And when she told you, how did she look  
6 when she was telling you this?

7 A. Fear, fearful.

8 Q. Were there other children there?

9 A. Yes.

01:42 10 Q. Can you give us the names of all the other  
11 children that were there when Jatziri was telling you  
12 this?

13 A. Yes. Mirabel Moreno, Maridel Moreno,  
14 Yezline Estrella.

01:43 15 Q. And where were you, what apartment or  
16 location were you at when these children are telling you  
17 this?

18 A. I was in apartment 4820, number 5. With my  
19 friend Estell Barajas.

01:43 20 Q. Is that Yezline's mom?

21 A. Yes.

22 Q. Whose apartment is that?

23 A. Hers.

24 Q. Okay. Do they tell you something more than  
01:43 25 just I don't want to go to Chuck E. Cheese? Do they --

01:44 1 A. Yes, they said don't want to go with my  
2 grandfather to Chuck E. Cheese.

3 Q. Let me interrupt. Who is the person who  
4 said that?

01:44 5 A. Jatziri.

6 Q. Does she tell you why?

7 A. Yes.

8 Q. What was the reason why as she told you?

9 A. Because he said he was going to take me far  
01:44 10 away to a very beautiful place and then I'll never see  
11 you again.

12 Q. And by you, are you talking about yourself?

13 A. Yes, me.

14 Q. Do any of the children tell you on that day  
01:45 15 as they're explaining this that David had touched them  
16 in any way?

17 A. Yes, the four girls told me that.

18 Q. And did they describe what body parts he  
19 was touching?

01:45 20 A. Yes.

21 Q. And what body parts were they telling you  
22 were being touched?

23 A. Their vagina.

24 Q. And again these statements are going to be  
01:45 25 offered for the state of mind of these declarants, these



01:45 1 children. Also for the effect on this listener.

2 And ma'am, when you heard this, what did  
3 you decide to do at that point?

4 A. To see justice done.

01:46 5 Q. Did you contact the police?

6 A. Yes.

7 Q. Let me, if we could do this. Could we  
8 possibly have you spell Jatziri's name? Could you do  
9 that for us?

01:46 10 A. J-A-T-Z-I-R-I.

11 Q. Can you spell Mirabel's name?

12 A. M-I-R-A-B-E-L.

13 Q. And could you spell Maridel's name?

14 A. M-A-R-I-D-E-L.

01:47 15 MR. HAMNER: I have no further questions  
16 for this witness. Does the Grand Jury have any  
17 questions of this witness?

18 THE FOREPERSON: By law, these proceedings  
19 are secret and you are prohibited from disclosing to  
01:47 20 anyone anything that has transpired before us, including  
21 evidence and statements presented to the Grand Jury, any  
22 event occurring or statement made in the presence of the  
23 Grand Jury, and information obtained by the Grand Jury.

24 Failure to comply with this admonition is a  
01:47 25 gross misdemeanor punishable up to 364 days in the Clark

01:47 1 County Detention Center and a \$2,000 fine. In addition,  
2 you may be held in contempt of court punishable by an  
3 additional \$500 fine and 25 days in the Clark County  
4 Detention Center.

01:47 5 Do you understand this admonition?

6 THE WITNESS: Yes.

7 THE FOREPERSON: Thank you. You are  
8 excused.

9 THE WITNESS: Thank all of you. That's it?

01:48 10 MR. HAMNER: The State is going to call  
11 Jatziri Moreno next.

12 You're going to walk over to this chair  
13 right here. Raise your right hand in the air. Your  
14 right hand.

01:49 15 THE FOREPERSON: You do solemnly swear the  
16 testimony you are about to give upon the investigation  
17 now pending before this Grand Jury shall be the truth,  
18 the whole truth, and nothing but the truth, so help you  
19 God?

01:49 20 MR. HAMNER: You have to say yes or no.

21 THE WITNESS: Yes.

22 THE FOREPERSON: Please be seated.

23 You are advised that you are here today to  
24 give testimony in the investigation pertaining to the  
01:49 25 offenses of lewdness with a child under the age of 14,

01:49 1 child abuse, neglect or endangerment, indecent exposure,  
2 sexual assault with a minor under 14 years of age,  
3 attempt lewdness with a child under the age of 14, first  
4 degree kidnapping, involving Jose Azucena.

01:50 5 Do you understand this advisement?

6 THE WITNESS: (Through interpreter.) Yes.

7 THE FOREPERSON: Please state your first  
8 and last name, spell both for the record.

9 THE WITNESS: My name is Jatziri Moreno

01:50 10 Moiza.

11 MR. HAMNER: Can you spell your name for  
12 us?

13 THE WITNESS: J-A-T-Z-I-R-I, M-O-R-E-N-O,  
14 M-O-I-Z-A.

01:51 15 MR. HAMNER: Okay. So these questions are  
16 in regards to Counts 1 through 9.

17 JATZIRI MORENO MOIZA,  
18 having been first duly sworn by the Foreperson of the  
19 Grand Jury to testify to the truth, the whole truth,  
01:51 20 and nothing but the truth, testified as follows:

21

22 EXAMINATION

23

24 BY MR. HAMNER:

01:51 25 Q. Good afternoon. How are you?

01:51 1 A. Good.

2 Q. Can you tell us how old you are?

3 A. Ten.

4 Q. Ten years old. What grade are you in?

01:51 5 A. Fourth.

6 Q. Fourth grade. Are you liking school?

7 A. Yes.

8 Q. Do you have a favorite class?

9 A. Yes.

01:51 10 Q. What is it?

11 A. Math.

12 Q. Math? Why do you like math so much?

13 A. Add, division.

14 Q. Okay. Remember when we answer you have to

01:52 15 answer in Spanish. Okay?

16 A. Cause I like to add and I learn to add and

17 divide.

18 Q. Do you have any brothers or sisters?

19 A. Yes.

01:52 20 Q. So do you have any brothers or do you have

21 any sisters?

22 A. I have brothers and sisters.

23 Q. Okay. What are your sisters' names?

24 A. One is Mirabel and the other is Maridel.

01:53 25 Mirabel and Maridel.

01:53 1 Q. Are you older than them or are they older  
2 than you?

3 A. I'm older than them.

4 Q. Are they twins?

01:53 5 A. Yes.

6 Q. How do you get along with your sisters?

7 A. Good.

8 Q. Good. All right.

9 Let me ask you a couple questions. You see  
01:53 10 this tie here? What color is this tie?

11 A. It looks reddish to me.

12 Q. Let the record reflect the witness has  
13 correctly identified the color of the tie.

14 You see this pen here? What color is this  
01:53 15 pen?

16 A. Black.

17 Q. Let the record reflect the witness has  
18 identified the color of the pen.

19 See this piece of paper here? What color  
01:54 20 is this paper?

21 A. White.

22 Q. Let the record reflect the witness has  
23 correctly identified the color of the paper.

24 Jatziri, if I told you that this tie was  
01:54 25 the color purple and it had dragons on it, would I be

01:54 1 telling you the truth or would I be telling you a lie?

2 A. Uhm, that would be lying.

3 Q. Because there's no dragons on this, right?

4 And it's certainly not purple.

01:54 5 Okay. So do you live in a house or an  
6 apartment?

7 A. Apartments.

8 Q. Do you live there with your sisters?

9 A. Yes.

01:54 10 Q. What other people live with you?

11 A. My grandma, grandfather, dad, momma and my  
12 two sisters. And myself.

13 Q. Okay. When you lived in this apartment, do  
14 you sometimes kind of play around the apartment complex?

01:55 15 A. Yes.

16 Q. You play with your sisters, they kind of  
17 come along with you?

18 A. Yes.

19 Q. Do you play with any of the other kids in  
01:55 20 the neighborhood?

21 A. Yes.

22 Q. What are their names?

23 A. I play with Johnny, Leo, Orlando and a  
24 girlfriend that they called Shoofly.

01:55 25 Q. Do you know someone by the name of Yezline?

01:56 1 A. Yes.

2 Q. Is she one of the kids you play with around  
3 the neighborhood?

4 A. We want to play with her but she doesn't  
01:56 5 want to play with us.

6 Q. But you see her around?

7 A. Yes. We see her at school.

8 Q. Okay. But does she live in your apartment  
9 complex though?

01:56 10 A. Yes.

11 Q. All right. Do you know of a man by the  
12 name of Don David?

13 A. Yes.

14 Q. Sometimes maybe call him grandfather?

01:56 15 A. Yes.

16 Q. Don David wasn't really your real grandpa,  
17 he was just kind of an older guy, right?

18 A. Yes.

19 Q. Okay. I want to show you Exhibit 3. Who  
01:56 20 is that?

21 A. Don David.

22 Q. That's Don David. Okay.

23 I want to ask you a little bit about your  
24 body for a second. Are there places on your body that

01:57 25 people shouldn't touch?

01:57 1 A. Yes.

2 Q. What names do you have for those parts of

3 your body that people shouldn't be touching?

4 A. La chee chees, the tail or --

01:57 5 Q. Chee chee is the tail?

6 A. Or the butt.

7 Q. Or the butt?

8 A. Uh-huh.

9 Q. Let me ask you this. Chee chees, are they

01:57 10 on the upper part of your body or the lower part of your

11 body?

12 A. Upper.

13 Q. Up. And the tail, is that, does that have,

14 is it one whole part, is it two parts?

01:57 15 A. Two parts.

16 Q. Wait for the translation. Okay?

17 So it's two parts. Do those parts help you

18 go to the bathroom?

19 A. Yes.

01:58 20 Q. What does the front part do as far as going

21 to the bathroom?

22 A. Urinate or pee.

23 Q. And the back part, how does that help you

24 go to the bathroom?

01:58 25 A. To shit.



01:58 1 Q. So let me ask you, Jatziri. You mentioned  
2 these private parts. Did something happen with Don  
3 David that you didn't like very much?

4 A. Yes.

01:58 5 Q. What sort of things was he doing that you  
6 didn't like?

7 A. He was touching me.

8 Q. What other things was he doing?

9 A. Grabbing my hands.

01:59 10 Q. What other things was he doing?

11 A. He was giving me candies.

12 Q. Let me backtrack for a second. You said  
13 that he was touching you. What parts of his body was he  
14 touching you on?

01:59 15 A. With his hands.

16 Q. He used his hands. And when he took his  
17 hand, what part of your body did he touch?

18 A. On my butt.

19 Q. And was it the front part or the back part?

01:59 20 A. In front.

21 Q. So it's the front part of your cola or your  
22 butt. Did he do this one time or more than one time?

23 A. More than once.

24 Q. Were you alone when this happened or were

02:00 25 there other people around when he was doing this?

02:00 1 A. It was another person.

2 Q. Who was around when this was happening?

3 A. Juanito or Johnny.

4 Q. Who else?

02:00 5 A. Leo. Orlando. Yezline. And another

6 little girl that they called Alexi.

7 Q. What about your sisters, were they around

8 when this was happening?

9 A. Yes.

02:00 10 Q. When this would happen, would it be around

11 the apartment complex when this would happen?

12 A. Yes.

13 Q. Would you be outside the apartment complex

14 or inside an apartment or maybe both?

02:01 15 A. Both places.

16 Q. Whose apartment would you be inside when

17 this would be happening?

18 A. David.

19 Q. Inside his apartment?

02:01 20 A. But we didn't go in alone. I went in with

21 my grandma.

22 Q. Let me ask you this. You said that he had

23 touched you kind of in the front. Was it over the

24 clothes or under the clothes or both?

02:01 25 A. On top of the clothes.

02:02 1 Q. All right. And did he ever kiss you at any  
2 point?

3 A. Yes.

4 Q. Where would he kiss you?

02:02 5 A. Sometimes outside of his house.

6 Q. And what part of your body would he kiss?

7 A. The mouth.

8 Q. Did that happen once or more than once?

9 A. Once more. Twice. Two times.

02:02 10 Q. And you said you were inside someplace when  
11 this happened or outside or both?

12 A. Both.

13 Q. Did you ever see him show you his private  
14 part?

02:03 15 A. Yes.

16 Q. Can you explain to me did this happen once  
17 or more than once?

18 A. More than once.

19 Q. Explain to us. Explain to me. How did he  
02:03 20 do this? How did you see this? What would he do?

21 A. We were playing, my sisters, Yezline and  
22 some boys.

23 Q. Uh-huh.

24 A. We were outside my girlfriend's house, her  
02:03 25 home.

02:03 1 Q. All right.

2 A. And he started showing us his part.

3 Q. How would he -- would he take his clothes

4 off or would he pull it out? What would he do?

02:04 5 A. He pulled it out.

6 Q. Okay. And so who else was standing around

7 when this was happening?

8 A. The four girls, Yezline, Leo, Johnny.

9 Q. Okay. Do you ever -- and would you be

02:04 10 outside sometimes when this would happen?

11 A. Yes.

12 Q. Do you ever remember him having any candies

13 or chocolates or things like that?

14 A. Yes.

02:05 15 Q. What would happen with that stuff? What

16 was he doing with those candies or treats?

17 A. He was putting the chocolates in his, in

18 his parts.

19 Q. Okay. So did his pants or shorts stay on

02:05 20 or did he put them down his pants or were his pants off?

21 A. He had his pants on.

22 Q. So how are you supposed to get the

23 chocolates?

24 A. With the sleeves of our sweaters.

02:05 25 Q. Can you show us? Can you show me how?

02:05 1 A. Like this.

2 Q. Let the record reflect the witness raised  
3 her right hand she pulled up her sweater to actually  
4 cover her entire hand. Is that right? And that's how  
02:06 5 you were supposed to get the chocolates?

6 A. Yes.

7 Q. From out of his pant area?

8 A. No. He was putting them on his parts and  
9 he took them out of his parts and gave them to us.

02:06 10 Q. So he would reach into his pants, pull out  
11 the chocolates and then give those to you?

12 A. Yes.

13 Q. So you would take them that way with your  
14 sleeve covered.

02:06 15 Who was around when that happened?

16 A. Yezline, Mirabel, Maridel.

17 Q. Would he ever kind of touch your body in  
18 any way to get you closer to get the chocolates?

19 A. No.

02:07 20 Q. Okay. You mentioned that, you mentioned  
21 Don David. Did he have a phone that you can remember?

22 A. Yes.

23 Q. Did you ever look at things on his phone?

24 A. Yes.

02:07 25 Q. What sort of things did he show you on his

02:07 1 phone?

2 A. People kissing.

3 Q. Okay. Did the people have clothes on or no

4 clothes on?

02:08 5 A. Both.

6 Q. Both. Did you want to be looking at those

7 things?

8 A. No.

9 Q. And when he showed you those things, were

02:08 10 you by yourself or were there other kids there too?

11 A. Other children.

12 Q. You mentioned that he had touched your

13 front part.

14 A. Yes.

02:08 15 Q. Did you ever see him touch your sisters or

16 anyone else in their private areas?

17 A. My sisters and other girl.

18 Q. What was the other girl's name?

19 A. Yezline.

02:09 20 Q. And would he touch them over the clothes or

21 under the clothes?

22 A. On top of the clothes.

23 Q. I want to ask you about those treats for a

24 second. What kind of candies or chocolates or treats

02:09 25 would he offer you guys?

02:09 1 A. Takis.

2 Q. Those are like a chip, right?

3 A. Yes.

4 Q. So Takis. What else?

02:09 5 A. Chocolates.

6 Q. Do you remember any names of the

7 chocolates?

8 A. Kisses.

9 Q. Little Hershey Kisses in the foil?

02:10 10 A. Yes.

11 Q. What other candies or chocolates?

12 A. Kit Kats.

13 Q. Okay. Did he ever talk to you about

14 whether it was okay to say anything to anyone about what

02:10 15 he was doing?

16 A. Yes.

17 Q. Tell us what he said.

18 A. That we don't tell anybody or we would be,

19 that he was going to kill my mom and my dad.

02:11 20 Q. How did that make you feel when he said

21 that to you?

22 A. Bad.

23 Q. And when he said those things to you, were

24 you alone or were other people there too?

02:11 25 A. There were other girls there.

02:11 1 Q. Okay. And do you remember, is this your  
2 sisters, is this some of your friends you've mentioned,  
3 what were their names?

4 A. Just my two sisters and Yezline.

02:11 5 Q. Okay. You mentioned that he touched you  
6 down there in your front part. Do you remember telling  
7 us that?

8 A. Yes.

9 Q. And you had said that happened how many --  
02:12 10 was that once or more than one time?

11 A. More than once.

12 Q. More than one time. Were there ever times  
13 where he touched you under your underwear?

14 A. Yes.

02:12 15 Q. And was he using his hands to touch you  
16 under your underwear?

17 A. Yes.

18 Q. How fast did his hands and fingers move  
19 when he touched you there?

02:13 20 A. I don't know.

21 Q. Do you remember telling anyone previously  
22 that you remember him moving his fingers desperately?  
23 Do you remember saying that to anyone before?

24 A. Yes.

02:13 25 Q. Okay. Does hearing that kind of refresh



02:13 1 your memory about whether he moved his hands that way?

2 A. Yes.

3 Q. Do you remember his fingers moving  
4 desperately?

02:13 5 Oh, I'm sorry, you have to say yes or no  
6 out loud.

7 A. Yes.

8 Q. When he was touching you under your  
9 underwear, moving his fingers, did you feel his fingers  
02:14 10 touching the inside parts?

11 A. No.

12 Q. Okay. And where did his fingers touch?

13 A. The first part.

14 Q. Okay. And do you know where on the first  
02:14 15 part that he would touch?

16 A. In my butt.

17 Q. So did you feel his fingers going in the  
18 front part?

19 A. No.

02:14 20 Q. Okay. I wanted to just go back to that,  
21 talk about the chocolates. Okay? Now before you had  
22 said that he put the chocolates down in the front of his  
23 pants, right?

24 A. Yes.

02:16 25 Q. And did he, if I remember correctly, did he

02:16 1 kind of touch you with his hand to bring you closer to  
2 maybe get the chocolates?

3 A. Yes.

4 Q. And what part of your body did he touch to  
02:17 5 kind of bring you closer?

6 A. The first part.

7 Q. Well, let me, what part of his body was he  
8 using to touch you to get you to come closer to get the  
9 chocolates?

02:17 10 A. With his hand.

11 Q. So he was using his hand to touch you. And  
12 when his hand reached out to touch you, what part of  
13 your body was he touching to get you to come closer to  
14 get the chocolates?

02:17 15 A. The butt. The tail.

16 Q. Oh. So he would touch your butt or your  
17 thing or your tail when he's asking you to get the  
18 chocolates?

19 A. Yes.

02:18 20 Q. So when he's asking you to touch the  
21 chocolates, he's also touching you?

22 A. Yes.

23 MR. HAMNER: Okay. I have no more  
24 questions for this witness. Does any of the grand

02:18 25 jurors have any questions for this witness?

02:18 1 THE FOREPERSON: Okay. The things that we  
2 talked about today are a secret and you're not supposed  
3 to talk to anyone else about what we talked about today.  
4 Do you understand that it's a secret?

02:19 5 THE WITNESS: Yes.

6 THE FOREPERSON: Thank you. You may be  
7 excused.

8 THE WITNESS: You're welcome.

9 MR. HAMNER: We'll take a ten minute break.

02:19 10 (Recess.)

11 MR. HAMNER: Okay. The State is going to  
12 call Maridel Moreno to the stand.

13 I want you first stand up and hold your  
14 hand up like this. He's going to ask you a question.

02:40 15 THE FOREPERSON: You do solemnly swear the  
16 testimony you are about to give upon the investigation  
17 now pending before this Grand Jury shall be the truth,  
18 the whole truth, and nothing but the truth, so help you  
19 God?

02:40 20 MR. HAMNER: Say it out loud.

21 THE WITNESS: (Through interpreter.) Yes.

22 THE FOREPERSON: Please be seated.

23 MR. HAMNER: You get to sit in this awesome  
24 chair.

02:41 25 THE FOREPERSON: You are advised that you

02:41 1 are here today to give testimony in the investigation  
2 pertaining to the offenses of lewdness with a child  
3 under the age of 14, child abuse, neglect or  
4 endangerment, indecent exposure, sexual assault with a  
02:41 5 minor under 14 years of age, attempt lewdness with a  
6 child under the age of 14, first degree kidnapping,  
7 involving Jose Azucena.

8 Do you understand this advisement?

9 MR. HAMNER: You have to say it out loud.

02:41 10 Do you understand?

11 THE WITNESS: No.

12 MR. HAMNER: You don't understand? Okay.

13 Okay. Do you promise to tell the truth  
14 today?

02:42 15 THE WITNESS: Yes.

16 MR. HAMNER: Okay.

17 THE FOREPERSON: Please state --

18 MR. HAMNER: Go ahead.

19 THE FOREPERSON: Please state your first

02:42 20 and last name, spell both for the record.

21 THE WITNESS: Maridel Moreno Moiza.

22 M-A-R-I-D-E-L.

23 MR. HAMNER: Can you spell Moreno?

24 THE WITNESS: Yes. M-O-R-E-N-O, M-O-I-Z-A.

02:43 25 MR. HAMNER: One second.

02:43 1 Sorry about that.

2 MARIDEL MORENO MOIZA,

3 having been first duly sworn by the Foreperson of the

4 Grand Jury to testify to the truth, the whole truth,

02:44 5 and nothing but the truth, testified as follows:

6

7 EXAMINATION

8

9 BY MR. HAMNER:

02:44 10 Q. How old are you?

11 A. Eight.

12 Q. Eight years old. What grade are you in?

13 A. Third.

14 Q. And let me ask you this. Do you see this

02:44 15 tie I have in my hand?

16 A. Yes.

17 Q. What color is that tie?

18 A. Red.

19 Q. Do you see this pen in my hand?

02:44 20 A. Yes.

21 Q. What color is that pen?

22 A. Black.

23 Q. And do you see this piece of paper I'm

24 holding up?

02:44 25 A. Yes.

02:44 1 Q. What color is it?

2 A. White.

3 Q. Let the record reflect the witness has  
4 correctly identified the color of the tie, the pen and  
02:44 5 the paper.

6 Maridel, if I told you my tie was purple  
7 and had flying dragons on it, would that be the truth or  
8 would I be telling you a lie?

9 A. It would be lies.

02:45 10 Q. You really don't see any dragons on this  
11 thing?

12 A. No.

13 Q. Oh, all right. Do you have any sisters?

14 A. Yes.

02:45 15 Q. What are their names?

16 A. Mirabel.

17 Q. You have to speak up too.

18 A. Mirabel and Jatziri.

19 Q. You have to speak up. You're so soft

02:45 20 spoken. This thing makes everything super loud. Just  
21 talk into that and then you won't have to raise your  
22 voice.

23 So you have a sister. You have two  
24 sisters, right?

02:45 25 A. Yes.

02:45 1 Q. Which one is the older sister?

2 A. Jatziri.

3 Q. Is Mirabel your twin?

4 A. Yes.

02:46 5 Q. Now you said you're in the third grade; is

6 that right?

7 A. Yes.

8 Q. Do you go to the same class as Mirabel?

9 A. No.

02:46 10 Q. Different class. Do you like that or do

11 you miss her?

12 A. I like being in another class.

13 Q. Get a break. You need a break from your

14 sister for a little bit?

02:46 15 A. Yes.

16 Q. It's kind of nice?

17 A. Yes.

18 Q. Okay. Do you live in a house or an

19 apartment?

02:46 20 A. Apartment.

21 Q. And do you live there with your sisters?

22 A. Yes.

23 Q. Anyone else you live there with?

24 A. My mom and dad.

02:47 25 Q. Mom and dad. Anybody else live in the

02:47 1 apartment with you?

2 A. Yes.

3 Q. Who else?

4 A. My grandma and grandpa.

02:47 5 Q. Make sure you answer in Spanish. Okay? I  
6 know you're super smart.

7 Do you sometimes play around the apartment  
8 complex with your sisters?

9 A. Yes.

02:47 10 Q. And do you play with any of the other girls  
11 in the playground area?

12 A. Yes.

13 Q. What are their names?

14 A. Yezline.

02:48 15 Q. Yezline. Okay. Now when you've been  
16 living in that apartment, did you know a guy, a man by  
17 the name of Don David?

18 A. Yes.

19 Q. And did sometimes you call him grandfather?

02:48 20 A. Yes.

21 Q. Now was he just not your real grandfather  
22 but just kind of an old guy that you just called him  
23 grandfather?

24 A. Yes.

02:48 25 Q. And did he live in the apartment complex



02:48 1 too with you guys?

2 A. Yes.

3 Q. I want to show you Exhibit 3. Who is that?

4 A. Jose.

02:49 5 Q. Jose. Is this -- who IS this?

6 A. David.

7 Q. Is this Don David?

8 A. Yes.

9 Q. Okay. Maridel, I want to talk a little bit

02:49 10 about Don David for a minute. Okay? Did he do some  
11 things that you didn't really like?

12 A. Yes.

13 Q. And Maridel, what things was he doing that  
14 you did not like?

02:50 15 A. The butt.

16 Q. What was he doing to the butt?

17 A. I don't know.

18 Q. You don't know? Okay. Well, let me ask  
19 you first about the butt. All right? Is that -- where

02:50 20 is that on your body? Is that on the upper part of your  
21 body or the lower part of your body?

22 A. Upper.

23 Q. The cola is on the upper part of your body?

24 So it's up here? Your cola is up here somewhere?

02:51 25 You're shaking your head no. Let me

02:51 1 understand. Is it up here or is it down here somewhere?

2 A. Below, down below.

3 Q. Okay. And the cola, do you use it to go to  
4 the bathroom?

02:51 5 A. Yes.

6 Q. What do you -- do you use it to go pee pee?

7 A. Yes.

8 Q. Do you use it to go poo poo? Is that  
9 something different?

02:51 10 A. Yes.

11 Q. Yes? Okay. You mentioned, when I asked  
12 you if Don David did something you didn't like, you  
13 mentioned your thing down there that you use to go to  
14 the bathroom. What did David do? And let me ask you  
02:52 15 this. When you said your thing, were you talking about,  
16 yours, someone else's or both?

17 A. My sister and David.

18 Q. Okay. What did you see David do to your  
19 sisters?

02:52 20 A. He touched them.

21 Q. He touched them. What part of his body did  
22 he use to touch your sister? What part of his body did  
23 he use to touch your sisters?

24 A. His hands.

02:52 25 Q. His hands. Would he touch them over the

02:53 1 clothing, under the clothing or both?

2 A. Both.

3 Q. Both. Would it happen one time to your  
4 sisters or did it happen more than one time?

02:53 5 A. More than once.

6 Q. Where were you guys? Were you guys at the  
7 apartment complex when this happened?

8 A. Yes, in the apartment.

9 Q. You would be in the apartment. Would  
02:53 10 sometimes it happen outside too or just always inside?

11 A. Outside.

12 Q. Outside. So sometimes outside and  
13 sometimes inside?

14 A. Yes.

02:54 15 Q. And Maridel, what parts of their body was  
16 he touching?

17 A. The bottom.

18 Q. Was it the front part or the back part or  
19 both?

02:54 20 A. Both.

21 Q. Okay. What's this part called?

22 Look at me for a second. What's this upper  
23 part called?

24 A. Chee chee.

02:54 25 Q. Chee chees. Is that a place where people

02:54 1 shouldn't touch?

2 A. No, you shouldn't touch.

3 Q. Did you ever see David touch your sisters  
4 on their chee chees?

02:55 5 A. Yes.

6 Q. Did he ever touch you on your chee chees?

7 A. Yes.

8 Q. Okay. What part of his body was he using  
9 to touch your chee chees?

02:55 10 A. His hands.

11 Q. Would he do this over your clothing, under  
12 your clothing or both?

13 A. Both.

14 Q. And did it happen one time or more than one  
02:55 15 time?

16 A. More than once.

17 Q. You mentioned that you saw him touch your  
18 sisters' cola in the front; is that right?

19 A. Yes.

02:56 20 Q. Did he ever touch your cola in the front?

21 A. Yes.

22 Q. Was it one time or more than one time?

23 A. More than once.

24 Q. What part of his body would he use to touch  
02:56 25 your thing down there?

02:56 1 A. His hand.

2 Q. Is that the part you use to go pee pee out  
3 of?

4 A. Yes.

02:56 5 Q. Did you ever feel his hands go in the front  
6 part?

7 A. No.

8 Q. Okay. Did you mention that you saw him  
9 touch your sisters with his hand in the back part of the  
02:57 10 thing, right?

11 A. Yes.

12 Q. Did he ever use his hand to touch the back  
13 part of your thing?

14 A. Yes.

02:57 15 Q. Was it a one, did it happen one time or did  
16 it happen more than one time?

17 A. More than once.

18 Q. And when he would touch you, would it be  
19 over the clothes, under the clothes or did it happen  
02:57 20 both?

21 A. Both.

22 Q. When he was touching you in these places,  
23 were you by yourself or were there other people nearby  
24 you?

02:58 25 A. My sisters.

02:58 1 Q. Your sisters would be there?

2 A. Yes.

3 Q. Were you at the apartment complex when this

4 happened?

02:58 5 A. Yes.

6 Q. And where would you be? Would you be

7 outside, in the apartment or in a room or both? Where

8 would you be?

9 A. Outside.

02:58 10 Q. Okay. Outside. Did he ever kiss you?

11 A. Yes.

12 Q. Where on your body did he kiss?

13 A. The mouth.

14 Q. Did it happen one time or more than one

02:59 15 time?

16 A. More than once.

17 Q. And were you alone when that happened or

18 were there other people there?

19 A. Me and my sisters.

02:59 20 Q. How old were you when he was doing these

21 things to you? I think you told us you're eight now.

22 How old were you then?

23 A. Seven years old.

24 Q. Did you ever look on David's phone?

02:59 25 A. Yes.

02:59 1 Q. When you looked on his phone, were you by  
2 yourself or were there other people there too?

3 A. With my sisters.

4 Q. And when you looked on his phone, did you  
03:00 5 like what you saw on the phone?

6 A. No.

7 Q. What were you seeing? What was on the  
8 phone?

9 A. I don't remember.

03:00 10 Q. Do you remember if there were people or  
11 things?

12 I'm sorry, honey, you have to speak up. If  
13 you lean into this you can speak in the same voice.

14 THE INTERPRETER: She has to talk to me.

03:00 15 THE WITNESS: People.

16 BY MR. HAMNER:

17 Q. People. Did the people have clothes on, no  
18 clothes on?

19 A. They had clothes.

03:01 20 Q. Okay. And you don't remember what they  
21 were doing but you remember you didn't like it?

22 A. Yes.

23 Q. Did you ever see his private part?

24 A. Yes.

03:01 25 Q. So where did that happen?

03:01 1 A. His house.

2 Q. Okay. Did that happen once or more than

3 once?

4 A. More than once.

03:01 5 Q. What did it look like? How big was it?

6 A. Big.

7 Q. How did you see it? What did he do to

8 cause you to see it?

9 A. I don't remember.

03:02 10 Q. Well, do you remember if he was naked or if

11 he had clothes on?

12 A. He had his clothes on.

13 Q. Were you alone when he showed you his thing

14 or were there other people there?

03:02 15 A. I was with my sisters.

16 Q. Okay. Did he say anything to you when he

17 did this?

18 A. Yes.

19 Q. What did he say to you?

03:03 20 A. Don't remember.

21 Q. But you remember him saying things to you.

22 Did he ever have any treats or sweets?

23 A. Yes.

24 Q. And so what would happen when he had all

03:03 25 those sweets and stuff, what would he do with them?



03:03 1 A. He was putting them by his thing, in his  
2 thing.

3 Q. He put them in his thing. Okay. And when  
4 he put them in his thing, what would he say to you guys?

03:04 5 A. If you want them.

6 Q. So he was asking you if you wanted to take  
7 the chocolate?

8 A. Yes.

9 Q. What type of sweets were these? Do you  
03:04 10 remember the names of them?

11 A. Yes.

12 Q. What were the names of them?

13 A. Kit Kats.

14 Q. Do you remember any of the other names of  
03:04 15 the candies or was it always Kit Kats?

16 A. Other things.

17 Q. Other things too? But you remember the Kit  
18 Kats?

19 A. Yes.

03:04 20 Q. When he was asking you if you wanted these  
21 chocolates that were on his thing, were you alone or  
22 were there other people there too?

23 A. With my sisters.

24 Q. Okay. Where would you be? Were you at the  
03:05 25 apartment, were you somewhere at the apartment complex?

03:05 1 A. In his home.

2 Q. Did it ever happen outside?

3 A. Yes.

4 Q. So sometimes in his apartment and sometimes

03:05 5 outside?

6 A. Yes.

7 Q. I wanted to ask you if he ever talked to

8 you about whether it would be okay to say anything to

9 your parents about what was happening. Did he ever talk

03:05 10 to you about that?

11 A. He said that if I told my mom he was going

12 to kill my mom.

13 Q. And how did that make you feel?

14 A. Sad.

03:06 15 Q. Were you by yourself when he said that

16 about your mom or were there other people there too?

17 A. With my sisters.

18 Q. Your sisters. Was Yezline ever around when

19 he was saying these things?

03:06 20 A. Yes.

21 Q. Was Yezline ever around when he was asking

22 you guys to take the chocolates?

23 A. Yes.

24 Q. Was Yezline ever around when he pulled his

03:07 25 thing out?

03:07 1 A. Yes.

2 Q. Was Yezline ever around when he was  
3 touching your sisters and yourself?

4 A. Yes.

03:07 5 Q. Did you ever see him do anything like that,  
6 touching Yezline before?

7 A. No.

8 MR. HAMNER: Okay. All right. I have no  
9 more questions for this witness. Does the Grand Jury  
03:08 10 have any questions for this witness?

11 A JUROR: The Chuck E. Cheese thing.

12 MR. HAMNER: Oh, okay.

13 Q. Do you remember a time where Don David  
14 talked about taking you to Chuck E. Cheese?

03:09 15 A. Yes.

16 Q. Did you want to go with him to Chuck E.  
17 Cheese?

18 A. No.

19 Q. Did he tell you whether or not he wanted  
03:09 20 your parents to come with you?

21 A. No.

22 Q. Okay. What did he say he was going to do  
23 if you went to Chuck E. Cheese with him alone?

24 A. Nothing.

03:09 25 Q. Okay. You don't remember?

03:09 1 A. (No audible response.)

2 Q. Do you remember telling your mom on that  
3 day that you didn't want to go to Chuck E. Cheese?

4 A. Yes.

03:10 5 Q. Were you scared about possibly going to  
6 Chuck E. Cheese with him alone that day?

7 A. Yes.

8 MR. HAMNER: Yes.

9 A JUROR: Count 24.

03:10 10 MR. HAMNER: I can't -- well, this will be  
11 the testimony and that will be based off of her  
12 testimony up to this point.

13 I have no further questions at this time.  
14 Do the grand jurors have any further questions?

03:10 15 All right.

16 THE FOREPERSON: Okay. The things that you  
17 talked about today are secret and you're not to talk to  
18 anyone else about what you talked about today. Do you  
19 understand that you should keep this secret?

03:11 20 THE WITNESS: Yes.

21 THE FOREPERSON: You may be excused.

22 MS. KOLLINS: What's your question?

23 A JUROR: This last child, is that MM2?

24 MS. KOLLINS: Yes.

03:12 25 A JUROR: Thank you.

03:12 1 MS. KOLLINS: For the record, the last  
2 witness is MM2 and her testimony relates to Counts 17  
3 through 25.

4 Why don't you take a couple minutes? Is  
03:12 5 that okay? Take a couple minutes.

6 (Recess.)

7 MR. HAMNER: State is going to call  
8 Detective Matt Campbell to the stand.

9 THE FOREPERSON: Please raise your right  
03:16 10 hand.

11 You do solemnly swear the testimony you are  
12 about to give upon the investigation now pending before  
13 this Grand Jury shall be the truth, the whole truth, and  
14 nothing but the truth, so help you God?

03:16 15 THE WITNESS: I do.

16 THE FOREPERSON: Please be seated.

17 You are advised that you are here today to  
18 give testimony in the investigation pertaining to the  
19 offenses of lewdness with a child under the age of 14,  
03:16 20 child abuse, neglect or endangerment, indecent exposure,  
21 sexual assault with a minor under 14 years of age,  
22 attempt lewdness with a child under the age of 14, first  
23 degree kidnapping, involving Jose Azucena.

24 Do you understand this advisement?

03:16 25 THE WITNESS: Yes, sir.

03:16 1 THE FOREPERSON: Please state your first  
2 and last name and spell both for the record.

3 THE WITNESS: Matthew Campbell.  
4 M-A-T-T-H-E-W, C-A-M-P-B-E-L-L.

03:16 5 MATTHEW CAMPBELL,  
6 having been first duly sworn by the Foreperson of the  
7 Grand Jury to testify to the truth, the whole truth,  
8 and nothing but the truth, testified as follows:

9  
03:16 10 EXAMINATION

11

12 BY MR. HAMNER:

13 Q. Okay. Could you please explain to the  
14 Grand Jury what you do for a living, sir?

03:16 15 A. I'm a detective with Metro.

16 Q. What division are you a part of?

17 A. Sexual assault detail.

18 Q. Okay. Do you have a specialty within  
19 sexual assault detail or do you just cover all sorts of  
03:17 20 cases that fall into those crimes?

21 A. I investigate all crimes from kids being  
22 victims all the way up to adults.

23 Q. So you handle kid cases?

24 A. Yes.

03:17 25 Q. Were you assigned to handle or investigate

03:17 1 a case involving a report of sexual assault over at  
2 about 4820 East Charleston, somewhere in that general  
3 area?

4 A. Yes, sir.

03:17 5 Q. Would that be back in October of 2016  
6 initially?

7 A. Yes, sir.

8 Q. Did you come into contact and speak with a  
9 woman by the name of Amanda Moiza or Amanda Moiza  
03:17 10 Moreno?

11 A. Yes, sir.

12 Q. And she had three children; is that right?

13 A. Yes.

14 Q. Jatziri, Mirabel and Maridel; is that  
03:17 15 right?

16 A. Yes.

17 Q. Was there another parent you came into  
18 contact with by the name of Maria Estrella Barajas?

19 A. Yes.

03:18 20 Q. And she had a daughter Yezline Estrella?

21 A. Yes.

22 Q. And these were the four reported victims,  
23 these four children?

24 A. Yes, sir.

03:18 25 Q. What was the name of the suspect that you

03:18 1 were kind of looking into?

2 A. David Azucena.

3 Q. Let's talk about that for a second. Did  
4 you start kind of doing a search for a David Azucena?

03:18 5 A. Yes, sir. That was the name given to us.

6 Q. And were you provided a phone number for  
7 this David?

8 A. I was provided a phone number and address  
9 and also a photo.

03:18 10 Q. Okay. Cause he lived at this property; is  
11 that right?

12 A. Yes, sir.

13 Q. In the same apartment complex as the  
14 victims?

03:18 15 A. Yes, sir.

16 Q. And that was here in Clark County?

17 A. Yes.

18 Q. Now when you conducted a search under that  
19 phone number, did you find kind of a hit related to the

03:18 20 phone number regarding that he was the victim of a  
21 commercial burglary?

22 A. Yes, sir.

23 Q. But was his name David Azucena at that time  
24 on that report?

03:19 25 A. No.



03:19 1 Q. What was the name there?

2 A. Jose.

3 Q. Okay. And when you kind of looked into it,  
4 that report, did the same address match up?

03:19 5 A. Same address, same phone number.

6 Q. And same phone number?

7 A. Uh-huh.

8 Q. Okay. Did the victims' parents provide you  
9 a photograph of the person they knew as David?

03:19 10 A. Yes.

11 Q. And did you kind of try to see if there  
12 were any matching kind of photographs either using --  
13 oh, let me -- let's take a step back. On that report,  
14 what was the name of the person that was the victim of  
03:19 15 the commercial burglary?

16 A. It was Jose Azucena. I think it was hyphen  
17 I think Lewis. I'd have to look in my notes.

18 Q. But the first name was Jose?

19 A. Yes.

03:19 20 Q. And when you got this photograph from the  
21 parents -- and was that Amanda that provided that to you  
22 as far as you know?

23 A. I believe so.

24 Q. Did you start looking up for photos either  
03:20 25 under the name of David Azucena as well as Jose?

03:20 1 A. Yes, sir.

2 Q. Were you able to find photographs of a Jose  
3 Azucena?

4 A. Yes, sir.

03:20 5 Q. When you compared the photograph that the  
6 family members gave you and you compared it, did you see  
7 a match?

8 A. Yes, sir.

9 Q. All right. Showing you Exhibit 3. What  
03:20 10 are we looking at here?

11 A. That's Jose.

12 Q. Okay. And this, is his appearance in  
13 Exhibit 3 similar to the photographs you were looking at  
14 provided by the victims' family as well as maybe other  
03:20 15 photographs that you were trying to find in comparison?

16 A. Yes, sir.

17 Q. So the name wasn't really -- and who is  
18 that, Jose Azucena or David?

19 A. That's Jose Azucena, the man I booked.

03:20 20 Q. Okay. Additionally those children, did  
21 they go down to kind of the Southern Nevada Child,  
22 Southern Nevada CAC?

23 A. Yes.

24 Q. To be interviewed and also be examined?

03:21 25 A. Yes.

03:21 1 Q. During the course of the examinations, the  
2 physical examinations, were there any physical, there  
3 weren't any physical findings on the children; is that  
4 right?

03:21 5 A. No, correct.

6 Q. But based on your conversation with either  
7 listening to their interviews or talking with the  
8 parents, this wasn't an acute situation; is that  
9 correct?

03:21 10 A. That's correct.

11 Q. And if you could explain to the Grand Jury  
12 what do I mean by acute or what's your interpretation of  
13 that word?

14 A. For a child we can go up to five days to  
03:21 15 get, try and get any evidence being acute, so it's a  
16 relatively recent event.

17 Q. And so I guess in the context of when  
18 they're disclosing these things, this wasn't as if they  
19 were disclosing on that day I got touched and then  
03:21 20 they're immediately rushed over; is that right?

21 A. That's correct.

22 Q. Your understanding is it's more a pattern  
23 of being touched over a period of time and then they  
24 were kind of examined just as a precaution; is that  
03:22 25 right?

03:22 1 A. That's standard protocol, we always do a  
2 medical well check on all victims.

3 Q. Additionally, uhm, you mentioned this was  
4 back in October, right, that you were speaking with  
03:22 5 these four children; is that right?

6 A. Yes, sir.

7 Q. Does it come to your attention that there's  
8 another child that comes to your attention in November?

9 A. Yes.

03:22 10 Q. Of 2016?

11 A. Yes, sir.

12 Q. Specifically around November 7th,  
13 November 8th, somewhere in that window?

14 A. Yes, sir.

03:22 15 Q. Was that an individual, a child by the name  
16 of Scarlett Rangel?

17 A. Yes, sir.

18 Q. Was she living in that apartment complex  
19 with her father?

03:22 20 A. Yes, sir.

21 Q. And you also investigated that; is that  
22 right?

23 A. Yes sir.

24 Q. And now based on kind of the photographs  
03:22 25 that you pulled, did you kind of prepare a six pack

03:22 1 photo line-up for Scarlett?

2 A. Yes, sir.

3 Q. And based on your interaction, did you  
4 determine that Scarlett didn't necessarily live there

03:23 5 all year round every single day, but kind of moved in  
6 between her mom and her dad's house in terms of living?

7 A. Yes.

8 Q. Whereas the other children that you spoke  
9 to, they lived in those apartment complexes every single  
03:23 10 day for awhile?

11 A. Yes.

12 Q. Showing you Exhibit 3. Or Exhibit 4 for  
13 the record. Do you recognize what we're looking at  
14 there?

03:23 15 A. Yes.

16 Q. What is this?

17 A. This is a photo line-up that we presented  
18 to Scarlett.

19 Q. Okay. And this is what you and your fellow  
03:23 20 officers had presented to her on November 26, 2016?

21 A. 22nd.

22 Q. 22nd. I'm sorry.

23 A. Yes.

24 Q. 2016?

03:23 25 A. Yes, sir.

03:23 1 Q. And that's a fair and accurate depiction of  
2 it?

3 A. Yes.

4 Q. And did you help work in terms of selecting  
03:23 5 the photos or identifying at least Jose's photo in here?

6 A. I gave Jose to my investigative specialist  
7 Renee McCloud and then she puts together the line-up.

8 Q. But this is in fact the six pack that was  
9 prepared and presented to her?

03:24 10 A. Yes. She runs, Renee, I give her our  
11 suspect, she finds five similar looking people and then  
12 she says does this look okay and I approve it.

13 Q. Okay.

14 A. And then we present it to Scarlett.

03:24 15 Q. Okay. One moment.

16 Was Scarlett able to make an identification  
17 on November 22, 2016?

18 A. Yes, sir, right away.

19 Q. Who was she able to identify?

03:25 20 A. She picked out Jose Azucena.

21 Q. Okay. And I'm showing you what appears to  
22 be the third page here. Is that Jose Azucena right  
23 there?

24 A. Yes.

03:25 25 Q. And who made this marking here?

03:25 1 A. Scarlett.

2 Q. Okay. Publishing Exhibit 3. Sorry,

3 Exhibit 4. I misspoke. Thank you.

4 So this is the front page of the photo

03:25 5 line-up?

6 A. Yes, sir.

7 Q. And this is the date on here, November 22,

8 2016?

9 A. Yes, sir.

03:26 10 Q. Turning to page 3. That's Jose Azucena?

11 A. Yes, sir.

12 Q. And this was her handwriting?

13 A. Yes.

14 Q. And she wrote her name?

03:26 15 A. Correct.

16 MR. HAMNER: All right. I have no further

17 questions for this witness at this time. Does the Grand

18 Jury have any questions for this witness?

19 BY A JUROR:

03:26 20 Q. How old is Scarlett?

21 A. I believe seven or eight. I'd have to go

22 through my notes. I can if you'd like. Would you like

23 me to go through my notes?

24 Q. No, that's okay.

03:26 25 THE FOREPERSON: By law, these proceedings

03:26 1 are secret and you are prohibited from disclosing to  
2 anyone anything that has transpired before us, including  
3 evidence and statements presented to the Grand Jury, any  
4 event occurring or statement made in the presence of the  
03:26 5 Grand Jury, and information obtained by the Grand Jury.

6 Failure to comply with this admonition is a  
7 gross misdemeanor punishable up to 364 days in the Clark  
8 County Detention Center and a \$2,000 fine. In addition,  
9 you may be held in contempt of court punishable by an  
03:26 10 additional \$500 fine and 25 days in the Clark County  
11 Detention Center.

12 Do you understand this admonition?

13 THE WITNESS: Yes, sir.

14 THE FOREPERSON: Thank you. You're  
03:27 15 excused.

16 THE WITNESS: Thank you.

17 MS. KOLLINS: State will be calling Ricardo  
18 Rangel, R-A-N-G-E-L. Ricardo common spelling.

19 THE FOREPERSON: Please raise your right  
03:28 20 hand.

21 You do solemnly swear the testimony you are  
22 about to give upon the investigation now pending before  
23 this Grand Jury shall be the truth, the whole truth, and  
24 nothing but the truth, so help you God?

03:28 25 THE WITNESS: (Through interpreter.) Yes,



03:28 1 I swear.

2 THE FOREPERSON: Please be seated.

3 You are advised that you are here today to

4 give testimony in the investigation pertaining to the

03:28 5 offenses of lewdness with a child under the age of 14,

6 child abuse, neglect or endangerment, indecent exposure,

7 sexual assault with a minor under 14 years of age,

8 attempt lewdness with a child under the age of 14, first

9 degree kidnapping, involving Jose Azucena.

03:28 10 Do you understand this advisement?

11 THE WITNESS: Yes.

12 THE FOREPERSON: Please state your first

13 and last name and spell both for the record.

14 THE WITNESS: My name is Ricardo Rangel.

03:29 15 Ricardo is spelled R-I-C-A-R-D-O, and Rangel is

16 R-A-N-G-E-L.

17 RICARDO RANGEL,

18 having been first duly sworn by the Foreperson of the

19 Grand Jury to testify to the truth, the whole truth,

03:29 20 and nothing but the truth, testified as follows:

21

22 EXAMINATION

23

24 BY MS. KOLLINS:

03:29 25 Q. Good afternoon, Mr. Rangel. How are you?

03:29 1 A. Good.

2 Q. Sir, where do you live?

3 A. 4850 East Charleston, apartment 23, 89104.

4 Q. And is that an apartment?

03:30 5 A. Yes.

6 Q. And that's here in Clark County, Nevada?

7 A. Yes.

8 Q. And do you have a daughter?

9 A. Yes.

03:30 10 Q. What's your daughter's name?

11 A. Scarlett.

12 Q. And what's her last name?

13 A. Rangel Garcia.

14 Q. How old is Scarlett?

03:30 15 A. Seven.

16 Q. And when is Scarlett's birthday?

17 A. August 29th.

18 Q. Of what year?

19 A. 2012. No, 2009.

03:30 20 Q. So she turned seven last year, correct?

21 A. Yes.

22 Q. Okay. Now does she live with you full time

23 or just sometimes?

24 A. It's shared time.

03:31 25 Q. You share custody with her mother?

03:31 1 A. Yes.

2 Q. So sometimes she lives at your apartment on

3 Charleston and then sometimes she's not there?

4 A. Right. Yes.

03:31 5 Q. Do you know Amanda Moiza?

6 A. Yes.

7 Q. And do you know her daughters?

8 A. Yes.

9 Q. And her daughters are Maridel, Mirabel and

03:31 10 Jatziri?

11 A. Yes.

12 Q. Do you know Jose Azucena?

13 A. I've seen him.

14 Q. Where have you seen him?

03:32 15 A. In the apartments.

16 Q. Showing you what has been marked for our

17 proceedings today as Exhibit 3. Do you recognize the

18 person that's in Exhibit 3?

19 A. Yes.

03:32 20 Q. Who is that?

21 A. The one who did damage to my daughter.

22 Q. When did you first learn that something

23 happened with Scarlett?

24 A. When Amanda mentioned to me what was going

03:33 25 on with her girls. So it concerned me so I went and

03:33 1 asked Scarlett if anyone had touched or do anything like  
2 that and that was when she, and yeah, that is when she  
3 started to tell me what had happened to her. She didn't  
4 give me a name or identify him, she just said it was  
03:33 5 that person.

6 Q. When she said it was that person, what do  
7 you mean by that? She said --

8 A. David.

9 Q. Did she call him David?

03:33 10 A. No, she just said it was the guy, the man  
11 downstairs from the lady who takes care of her, and when  
12 I asked if it was David, she said yes.

13 Q. Okay. And is there another lady that  
14 babysits her or watches her in the complex?

03:34 15 A. Yeah, when I'm working.

16 Q. Did Scarlett tell you what happened with  
17 David?

18 A. Yes.

19 Q. What did she tell you?

03:34 20 A. That he had shown his private parts and  
21 that he had just touched her arm.

22 Q. Did you thereafter call the police?

23 A. Yes.

24 Q. And you took Scarlett in so she could give  
03:35 25 a statement?

03:35 1 A. It was with the detective.

2 Q. Right. So she could talk to the detective?

3 A. Yes.

4 Q. Okay. And then you came here today to

03:35 5 testify at our request; correct?

6 A. Yes.

7 Q. And you brought Scarlett with you today?

8 A. Yes.

9 MS. KOLLINS: Thank you. I have no more

03:35 10 questions for Mr. Rangel. Anyone else?

11 THE FOREPERSON: By law, these proceedings

12 are secret and you are prohibited from disclosing to

13 anyone anything that has transpired before us, including

14 evidence and statements presented to the Grand Jury, any

03:35 15 event occurring or statement made in the presence of the

16 Grand Jury, and information obtained by the Grand Jury.

17 Failure to comply with this admonition is a

18 gross misdemeanor punishable up to 364 days in the Clark

19 County Detention Center and a \$2,000 fine. In addition,

03:35 20 you may be held in contempt of court punishable by an

21 additional \$500 fine and 25 days in the Clark County

22 Detention Center.

23 Do you understand this admonition?

24 THE WITNESS: Yes, I understand.

03:36 25 THE FOREPERSON: Thank you. You may be

03:36 1 excused.

2 MS. KOLLINS: State calls Scarlett Rangel.

3 THE FOREPERSON: Please raise your right  
4 hand.

03:38 5 You do solemnly swear the testimony you are  
6 about to give upon the investigation now pending before  
7 this Grand Jury shall be the truth, the whole truth, and  
8 nothing but the truth, so help you God?

9 THE WITNESS: All right.

03:38 10 THE FOREPERSON: Please be seated.

11 You are advised that you are here today to  
12 give testimony in the investigation pertaining to the  
13 offenses of lewdness with a child under the age of 14,  
14 child abuse, neglect or endangerment, indecent exposure,  
03:38 15 sexual assault with a minor under 14 years of age,  
16 attempt lewdness with a child under the age of 14, first  
17 degree kidnapping, involving Jose Azucena.

18 Do you understand this advisement?

19 THE WITNESS: (Through interpreter.) A  
03:39 20 little bit.

21 MS. KOLLINS: Okay. Scarlett, you know  
22 what, I only understood a little bit too. Okay?

23 What's your whole name, Scarlett? Talk  
24 right in there. That's my friend Dani. She has to hear  
03:39 25 us right there.

03:39 1 THE WITNESS: Scarlett Rangel.  
2 SCARLETT RANGEL,  
3 having been first duly sworn by the Foreperson of the  
4 Grand Jury to testify to the truth, the whole truth,  
03:39 5 and nothing but the truth, testified as follows:  
6

7 EXAMINATION  
8

9 BY MS. KOLLINS:

03:39 10 Q. Scarlett Rangel. How old are you?

11 A. Seven.

12 Q. When's your birthday? Do you remember?

13 A. No.

14 Q. No you don't remember?

03:39 15 A. No.

16 Q. Who do you live with?

17 A. My dad and my mom.

18 Q. Was that your dad that just left?

19 A. Yes.

03:39 20 Q. Dad is a big guy, huh?

21 A. Uh-huh.

22 Q. Is that a yes?

23 A. Yes.

24 Q. Do you like living with dad?

03:40 25 A. Yes.

03:40 1 Q. Okay. What grade are you in in school?

2 A. Second.

3 Q. Second grade. What do you like about

4 second grade?

03:40 5 You can just look at me. You don't have to

6 look over there.

7 What do you like about second grade?

8 A. Nothing.

9 Q. Nothing? Do you like to go to recess?

03:40 10 A. Yes.

11 Q. We have to put our head up because Dani's

12 got to hear us and Michael has to hear us. Okay? So we

13 can't put our head down.

14 Do you know what color that is?

03:40 15 A. Purple.

16 Q. Purple. If the record could reflect she

17 correctly identified the color.

18 What about that one?

19 A. It's kind of pinkish.

03:41 20 Q. The record reflect she accurately

21 identified the color.

22 Did you eat lunch at school?

23 A. Just milk.

24 Q. How about cookies, did you have cookies

03:41 25 too?



03:41 1 A. No.

2 Q. No? Did you eat breakfast?

3 A. Yes.

4 Q. What did you have for breakfast?

03:41 5 A. Cereal.

6 Q. Cereal. What kind of cereal?

7 A. Like the sweet things.

8 Q. So if I said you had tamales and

9 cheeseburgers for breakfast, is that a truth or a lie?

03:42 10 A. The truth. No.

11 Q. No, that's not true, is it?

12 A. No.

13 Q. Okay. So we're just going to talk about

14 true stuff today that really happened, right?

03:42 15 That's how that works, you roll back and I

16 roll you right up there.

17 Okay. Do you remember a time you saw

18 something at your apartment that wasn't fun?

19 A. When he showed me his parts.

03:42 20 Q. Is he a boy or a man?

21 A. A man.

22 Q. Okay. And his part, you mean the part he

23 goes pee from?

24 A. Yes.

03:43 25 Q. Was he, what color man was he? What color

03:43 1 was his skin, do you remember?

2 A. Brown but not brown.

3 Q. Okay. Do you remember you had to go talk  
4 to the police?

03:43 5 A. No.

6 Q. You don't remember that?

7 A. Huh-uh.

8 Q. Did this happen when you were seven or did  
9 this happen when you were six? When did this happen?

03:43 10 A. Seven.

11 THE INTERPRETER: Did you say six?

12 THE WITNESS: Seven.

13 BY MS. KOLLINS:

14 Q. When you were seven. Did it happen outside  
03:43 15 a house or inside a house?

16 A. Outside.

17 Q. Was anybody else there but the man and you?

18 A. No. The man was inside, I was outside.

19 Q. Okay. Was he in the doorway, is that how  
03:44 20 you saw?

21 A. No, no, where his bed is.

22 Q. Where his what is?

23 A. His bed.

24 Q. Oh, okay. He was where his bed is?

03:44 25 A. Or it was more like where he has the

03:44 1 mattress in the living room.

2 Q. Okay. And did your body get touched,  
3 anything on your body get touched?

4 A. Just the hands. And in back.

03:45 5 Q. Your back like right here your back, or  
6 your butt what you're sitting on, which one?

7 A. In back.

8 Q. Okay. Up here?

9 A. Yes.

03:45 10 Q. Okay. And your hands?

11 A. Well, no, he touched me here.

12 Q. Okay. You just showed me on your left arm,  
13 right? On this arm, your left arm?

14 A. Yes.

03:45 15 Q. And then you saw his thing after that?

16 A. No.

17 Q. Did you see his thing first and then that  
18 happened?

19 A. Yes.

03:46 20 Q. Okay. Do you think you remember what he  
21 looks like?

22 A. Yes.

23 Q. You do? Can I show you some pictures and  
24 you can see if you remember?

03:46 25 A. Uh-huh.

03:46 1 Q. Is that a yes?

2 A. Yes.

3 Q. Then we can be done. Okay?

4 A. Okay.

03:46 5 Q. Are you hungry?

6 A. I'm a little hungry.

7 Q. Okay. It's late.

8 I'm showing you what we're calling Number 4

9 here. I just want you to flip through all those pages

03:46 10 by yourself. I'll even give you some room now so you

11 aren't right by the microphone. See if you recognize

12 the man in there. If you recognize tell me. If you

13 don't we'll just call it a day.

14 A. I think it's this one.

03:47 15 Q. Is this the one with the writing on it?

16 A. Yes.

17 Q. Okay. You want to look at the rest of them

18 to make sure?

19 A. No. It was, yeah, the one that I showed

03:47 20 you.

21 Q. Okay. Is it the one that has, do you know

22 what that says on the bottom of that picture?

23 A. My name.

24 Q. Do you remember a day that you wrote your

03:48 25 name on there?

03:48 1 A. Yes, I remember.

2 Q. Okay. And that's the man we talked about  
3 today?

4 A. Yes.

03:48 5 Q. Is that right? Okay.

6 Ladies and gentlemen, I don't have anymore  
7 questions for Scarlett if anybody here does.

8 THE FOREPERSON: Okay. The things that we  
9 talked about today are a secret and you're not supposed  
03:48 10 to talk to anyone else about it. Do you understand that  
11 you must keep this a secret?

12 THE WITNESS: Yes.

13 THE FOREPERSON: You may be excused.

14 MS. KOLLINS: Nothing else.

03:49 15 MR. HAMNER: Just go off the record for a  
16 quick minute.

17 (Recess.)

18 MR. HAMNER: So ladies and gentlemen, this  
19 concludes the State's presentation on the evidence,

03:52 20 however based on the testimony we have a couple  
21 amendments. So what we're going to do is we're going to  
22 add a couple additional counts based on the testimony.  
23 All right? The first one that we are going to do would  
24 be -- so if I'm not mistaken you have 37 counts.

03:53 25 A JUROR: Right.

03:53 1 MR. HAMNER: We're going to add a new count  
2 38. Count 38 is going to be a child abuse, neglect or  
3 endangerment, and the language essentially is modeled  
4 identically as Count 32 if you want to just follow  
03:53 5 along. But for the record: Did willfully, unlawfully  
6 feloniously cause a child under the age of 18, to-wit:  
7 SR, to suffer unjustifiable physical pain or mental  
8 suffering as a result of abuse or neglect, to-wit:  
9 negligent or maltreatment or sexual exploitation, and/or  
03:53 10 cause SR to be placed in a situation where SR might have  
11 suffered unjustifiable physical pain or mental suffering  
12 as a result of abuse or neglect, to-wit: negligent or  
13 maltreatment or sexual exploitation, by defendant  
14 exposing his penis to SR.

03:54 15 The next count we're going to have is a  
16 Count 39. It's going to be an indecent exposure. You  
17 can model it after Count 33. The language is, for the  
18 record: Did intentionally, willfully and unlawfully  
19 make an open and indecent or obscene exposure of his  
03:54 20 person by defendant deliberately exposing his penis in  
21 the direct view and presence of SR.

22 Now based on the testimony we're going to  
23 add two other counts. Count 40 is going to be a  
24 lewdness with a child under the age of 14. It is  
03:54 25 modeled after the precise language in Count 1. So for

03:55 1 the record the language would be: Did willfully,  
2 lewdly, unlawfully and feloniously commit a lewd or  
3 lascivious act upon or with the body, or any part or  
4 member thereof, of a child, to-wit: YE, a child under  
03:55 5 the age of 14 years, by defendant using his mouth and/or  
6 tongue to touch and/or kiss and/or lick the mouth and/or  
7 tongue and/or body of YE, with the intent of arousing,  
8 appealing to or gratifying the lust, passions or desires  
9 of defendant or YE.

03:55 10 Count 41 will also be a lewdness with a  
11 child under the age of 14. You can model it after  
12 Count 10. That will be the precise language. For the  
13 record the language is: Did willfully, lewdly,  
14 unlawfully and feloniously commit a lewd or lascivious  
03:56 15 act upon or with the body, or any part or member  
16 thereof, of a child, to-wit: YE, a child under the age  
17 of 14 years, by defendant using his hands and/or fingers  
18 to touch and/or rub and/or fondle the breasts of YE,  
19 with the intent of arousing, appealing to or gratifying  
03:56 20 the lust, passions or sexual desires of defendant or YE.

21 There is one other additional amendment.  
22 So we're asking you not to deliberate on Count 7.

23 On Count 11, that's on page 4, so the  
24 language on line 10, it says by defendant using his  
03:56 25 hands and/or fingers, you're going to insert the

03:57 1 following words, and/or penis to touch and/or rub and/or  
2 fondle the genital area of MM1.

3 MS. KOLLINS: That's Count 11.

4 MR. HAMNER: Okay. Is everybody clear on  
03:57 5 those amendments?

6 A JUROR: Uh-huh.

7 MR. HAMNER: Great. Okay. Thank you very  
8 much.

9 A JUROR: I have a question.

03:57 10 A JUROR: Before you go please.

11 MR. HAMNER: Okay.

12 A JUROR: Count 37 you have NE as initials.  
13 We don't have an NE that I'm aware of.

14 A JUROR: Nicole.

03:57 15 A JUROR: Oh, okay.

16 MR. HAMNER: Just for the record, NE  
17 represents Nicole Estrella.

18 A JUROR: The baby.

19 MR. HAMNER: Yes.

03:57 20 A JUROR: Okay. Sorry.

21 MR. HAMNER: Sir, a question.

22 A JUROR: Based on the testimony, is there  
23 some reason why there is not a similar count to Count 12  
24 for MM2?

03:58 25 MR. HAMNER: I'm sorry, could you refer me



03:58 1 to the count that you're talking about?

2 A JUROR: Child abuse, neglect or  
3 endangerment.

4 MS. KOLLINS: Count 21 reflects the same  
03:58 5 conduct for MM2.

6 MR. HAMNER: Okay. All right. Thank you  
7 very much. Any other questions? Oh.

8 MS. KOLLINS: Does that clarify your  
9 question, sir?

03:58 10 A JUROR: They don't appear to be the same.

11 A JUROR: They don't.

12 A JUROR: Maybe -- okay. There was --

13 MS. KOLLINS: Count 12, by defendant  
14 exposing his penis to MM1.

03:59 15 A JUROR: I may have taken the wrong --

16 MR. HAMNER: Just for the record, our  
17 review of Count 12 and Count 21 --

18 A JUROR: Yes.

19 MR. HAMNER: -- they are identical in  
03:59 20 language in all, on every line with the exception of the  
21 name of the victim on Count 12, victim is MM1, on Count  
22 21 victim is MM2, but it's the exact same type of  
23 conduct with no difference.

24 Any other questions?

03:59 25 Okay. Thank you very much everyone. You

03:59 1 may deliberate.

2 (At this time, all persons, other than  
3 members of the Grand Jury, exit the room at 3:59 p.m.  
4 and return at 4:12 p.m.)

04:12 5 THE FOREPERSON: Mr. and Madame District  
6 Attorney, by a vote of 12 or more jurors a true bill has  
7 been returned against Jose Azucena charging the crimes  
8 of lewdness with a child under the age of 14, child  
9 abuse, neglect or endangerment, indecent exposure,  
04:12 10 sexual assault with a minor under 14 years of age,  
11 attempt lewdness with a child under the age of 14, first  
12 degree kidnapping, in Grand Jury case 16BGJ060X. We  
13 instruct you to prepare an Indictment in conformance  
14 with the proposed Indictment previously submitted to us.  
04:12 15 Make a record of any changes, alterations, deletions or  
16 additions to the proposed Indictment.

17 MR. HAMNER: Okay. Thanks guys.

18 MS. KOLLINS: Thank you.

19 (Proceedings concluded.)

04:12 20 --oo0oo--

21

22

23

24

25

04:12

1

**REPORTER'S CERTIFICATE**

2

3

**STATE OF NEVADA** )

: ss

4

**COUNTY OF CLARK** )

04:12

5

6

I, Danette L. Antonacci, C.C.R. 222, do

7

hereby certify that I took down in Shorthand (Stenotype)

8

all of the proceedings had in the before-entitled matter

9

at the time and place indicated and thereafter said

04:12

10

shorthand notes were transcribed at and under my

11

direction and supervision and that the foregoing

12

transcript constitutes a full, true, and accurate record

13

of the proceedings had.

14

Dated at Las Vegas, Nevada,

04:12

15

February 14, 2017.

16

17

/s/ Danette L. Antonacci

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Danette L. Antonacci, C.C.R. 222

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04:12

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04:12

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## AFFIRMATION

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Pursuant to NRS 239B.030

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4

The undersigned does hereby affirm that the  
preceding TRANSCRIPT filed in GRAND JURY CASE NUMBER  
16BGJ060X:

04:12

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X Does not contain the social security number of any  
person,

9

04:12

10

-OR-

11

     Contains the social security number of a person as  
required by:

12

13

A. A specific state or federal law, to-  
wit: NRS 656.250.

14

-OR-

04:12

15

16

B. For the administration of a public program  
or for an application for a federal or  
state grant.

17

18

/s/ Danette L. Antonacci

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\_\_\_\_\_  
Signature

2-14-17

Date

04:12

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21

Danette L. Antonacci

Print Name

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Official Court Reporter

Title

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25

<p><b>A JUROR: [21]</b>  62/10 104/10  105/8 105/22  105/24 130/24  133/5 133/8 133/9  133/11 133/13  133/14 133/17  133/19 133/21  134/1 134/9  134/10 134/11  134/14 134/17  <b>BY A JUROR: [4]</b>  43/13 45/1 47/11  116/18  <b>BY MR. HAMNER:</b>  <b>[6]</b> 50/2 64/2  72/22 90/7 100/15  107/10  <b>BY MS. KOLLINS:</b>  <b>[8]</b> 7/16 13/6  14/5 37/9 41/12  118/22 124/7  127/12  <b>MR. HAMNER: [46]</b>  <b>MS. KOLLINS: [32]</b>  7/25 10/7 10/25  11/8 11/23 12/1  12/5 12/8 12/11  12/13 12/17 12/19  12/21 37/7 40/25  43/11 44/24 47/9  47/22 105/21  105/23 105/25  117/16 122/8  123/1 123/20  130/13 133/2  134/3 134/7  134/12 135/17  <b>THE FOREPERSON:</b>  <b>[53]</b></p>	<p><b>THE INTERPRETER:</b>  <b>[5]</b> 7/23 49/19  62/13 100/13  127/10  <b>THE WITNESS: [60]</b>    <b>\$</b>  <b>\$2,000 [4]</b> 10/18  71/1 117/8 122/19  <b>\$500 [4]</b> 10/20  71/3 117/10  122/21    <b>—</b>  <b>--oo0oo [1]</b>  135/20  <b>-OR [2]</b> 137/10  137/14    <b>/</b>  <b>/s [2]</b> 136/17  137/18    <b>0</b>  <b>08 [1]</b> 8/20    <b>1</b>  <b>10 [3]</b> 48/8  132/12 132/24  <b>10:55 [1]</b> 1/14  <b>11 [2]</b> 132/23  133/3  <b>12 [5]</b> 133/23  134/13 134/17  134/21 135/6  <b>12:00 [1]</b> 47/25  <b>14 [36]</b> 5/18 5/19  5/20 6/21 6/24  11/14 11/17 48/23  48/25 49/1 63/9  63/11 63/12 71/25  72/2 72/3 89/3</p>	<p>89/5 89/6 106/19  106/21 106/22  118/5 118/7 118/8  123/13 123/15  123/16 131/24  132/5 132/11  132/17 135/8  135/10 135/11  136/15  <b>16 [1]</b> 48/8  <b>16BGJ060X [4]</b> 1/7  5/14 135/12 137/5  <b>16th [2]</b> 43/5  43/9  <b>17 [2]</b> 106/2  137/18  <b>17th [1]</b> 67/20  <b>18 [1]</b> 131/6    <b>2</b>    <b>2-14-17 [1]</b>  137/18  <b>2006 [1]</b> 64/15  <b>2008 [2]</b> 8/21  64/22  <b>2009 [1]</b> 119/19  <b>2012 [1]</b> 119/19  <b>2015 [1]</b> 9/3  <b>2016 [8]</b> 43/9  67/15 108/5  113/10 114/20  114/24 115/17  116/8  <b>2017 [4]</b> 1/13 2/1  5/1 136/15  <b>21 [3]</b> 134/4  134/17 134/22  <b>22 [2]</b> 115/17  116/7  <b>222 [3]</b> 1/25  136/6 136/18</p>
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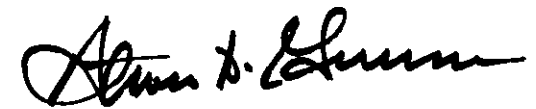
<b>T</b>	25/7 27/6 36/21 36/25 37/3 37/21 40/8 40/9 40/20 46/21 47/2 47/20 49/3 62/19 63/14 71/5 72/5 88/4 89/8 89/10 89/12 95/1 105/19 106/24 117/12 118/10 122/23 122/24 123/18 130/10	122/18 125/11 126/16 128/8 <b>upon [11]</b> 6/14 11/6 48/12 63/2 71/16 88/16 106/12 117/22 123/6 132/3 132/15 <b>upper [8]</b> 53/24 54/1 77/10 77/12 94/20 94/22 94/23 96/22 <b>Urine [1]</b> 77/22 <b>us [39]</b> 8/14 10/12 14/10 18/6 18/13 28/6 34/10 34/17 34/17 40/19 43/24 43/25 44/9 44/10 56/1 56/23 57/8 60/25 62/17 68/10 70/9 70/20 72/12 73/2 76/5 80/19 81/2 81/25 82/9 84/17 85/7 99/21 109/5 117/2 122/13 123/25 125/12 125/12 135/14 <b>use [30]</b> 12/14 19/12 19/17 19/19 19/21 19/23 20/15 28/8 32/8 53/21 54/2 54/5 54/7 54/9 55/7 55/10 55/13 55/16 59/10 62/5 62/6 95/3 95/6 95/8 95/13 95/22 95/23 97/24 98/2 98/12 <b>used [5]</b> 18/20 18/21 19/25 55/10
<b>Turning [1]</b> 116/10		
<b>TV [1]</b> 23/23		
<b>Twice [1]</b> 80/9		
<b>twin [4]</b> 17/20 29/20 29/22 92/3		
<b>twins [9]</b> 28/22 30/19 30/20 33/21 33/24 33/25 51/7 65/5 74/4		
<b>two [11]</b> 8/25 33/25 48/6 75/12 77/14 77/15 77/17 80/9 85/4 91/23 131/23	<b>understanding [1]</b> 112/22	
<b>type [2]</b> 102/9 134/22	<b>understood [1]</b> 123/22	
<b>types [1]</b> 58/13	<b>underwear [4]</b> 23/5 85/13 85/16 86/9	
<b>U</b>	<b>unjustifiable [2]</b> 131/7 131/11	
<b>uh [10]</b> 56/14 65/9 66/17 77/8 80/23 110/7 124/21 127/7 128/25 133/6	<b>unlawfully [4]</b> 131/5 131/18 132/2 132/14	
<b>Uh-huh [9]</b> 56/14 65/9 66/17 77/8 80/23 110/7 124/21 128/25 133/6	<b>unzip [2]</b> 29/24 30/1	
<b>uhm [10]</b> 13/13 14/18 19/14 20/17 24/15 38/9 56/3 58/6 75/2 113/3	<b>unzipped [1]</b> 30/3	
<b>uncle [1]</b> 52/15	<b>up [40]</b> 4/7 10/17 22/10 35/22 35/25 36/9 36/11 37/17 43/20 45/7 48/10 48/10 51/10 51/16 70/25 77/13 82/3 88/13 88/14 90/24 91/17 91/19 94/24 94/24 95/1 100/12 105/12 107/22 110/4 110/24 112/14 114/1 114/17 115/7 116/5 117/7	
<b>under [51]</b>		
<b>undersigned [1]</b> 137/4		
<b>understand [33]</b> 7/1 10/22 11/19		

<b>U</b>	65/8	<b>we're [25]</b> 5/21
<b>used...</b> [1] 78/16	<b>want [44]</b> 12/14	6/7 16/3 18/15
<b>using [8]</b> 85/15	12/15 12/17 12/18	20/5 22/4 31/7
87/8 87/11 97/8	20/17 20/19 21/21	31/10 34/16 42/25
110/12 132/5	26/15 28/4 28/6	46/24 47/24 48/3
132/17 132/24	28/8 34/9 36/25	48/9 62/1 62/22
<b>V</b>	40/1 40/6 41/17	114/13 126/13
<b>vagina [1]</b> 69/23	43/24 45/9 47/3	129/8 130/21
<b>Vegas [6]</b> 1/12	48/19 53/21 58/9	130/21 131/1
5/1 8/3 8/8 64/8	65/22 66/24 66/24	131/15 131/22
136/14	67/14 68/1 68/25	132/22
<b>versus [1]</b> 5/13	69/1 76/4 76/5	<b>Wednesday [1]</b>
<b>very [15]</b> 12/6	76/19 76/23 83/6	1/13
38/5 40/12 41/1	83/23 88/13 94/3	<b>week [1]</b> 46/5
47/8 47/8 47/9	94/9 102/5 104/16	<b>welcome [1]</b> 88/8
54/19 61/3 62/15	105/3 129/9	<b>well [15]</b> 6/10
69/10 78/3 133/7	129/17 131/4	19/17 46/4 47/8
134/7 134/25	<b>wanted [10]</b> 26/21	50/18 54/23 60/10
<b>victim [5]</b> 109/20	27/4 27/18 27/21	87/7 94/18 101/10
110/14 134/21	45/24 86/20 102/6	105/10 110/25
134/21 134/22	102/20 103/7	111/14 113/2
<b>victims [4]</b>	104/19	128/11
107/22 108/22	<b>wanting [1]</b> 34/8	<b>went [17]</b> 9/14
109/14 113/2	<b>wants [2]</b> 43/24	21/23 26/1 26/2
<b>victims' [2]</b>	44/9	34/14 35/20 37/17
110/8 111/14	<b>was [193]</b>	37/18 42/14 46/12
<b>view [1]</b> 131/21	<b>wasn't [7]</b> 46/1	46/13 46/17 46/19
<b>voice [4]</b> 14/8	53/9 76/16 111/17	54/25 79/20
20/15 91/22	112/8 112/18	104/23 120/25
100/13	126/18	<b>were [130]</b>
<b>vote [1]</b> 135/6	<b>watches [1]</b>	<b>weren't [1]</b> 112/3
<b>W</b>	121/14	<b>what [196]</b>
<b>wait [5]</b> 8/5	<b>water [1]</b> 16/20	<b>what's [14]</b> 12/6
38/17 49/17 61/25	<b>watermelon [1]</b>	13/12 13/22 15/23
77/16	66/24	16/1 38/7 44/5
<b>waiting [1]</b> 66/19	<b>way [6]</b> 10/6	96/21 96/22
<b>walk [2]</b> 26/4	69/16 82/13 82/18	105/22 112/12
71/12	86/1 107/22	119/10 119/12
<b>walking [2]</b> 65/7	<b>we [57]</b>	123/23
	<b>we'll [4]</b> 47/25	<b>when [138]</b>
	48/1 88/9 129/13	<b>When's [1]</b> 124/12

<b>W</b>	<b>why</b> [6] 67/18 69/6 69/8 73/12 106/4 133/23	121/15
<b>whenever</b> [1] 46/15	<b>wife</b> [4] 9/13 9/15 45/14 66/3	<b>works</b> [1] 126/15
<b>where</b> [58]	<b>wife's</b> [2] 9/20 65/16	<b>would</b> [95]
<b>Whereas</b> [1] 114/8	<b>will</b> [11] 6/7 6/9 8/25 25/13 34/16	<b>wouldn't</b> [2] 9/13 60/2
<b>whether</b> [6] 25/6 33/5 84/14 86/1 103/8 104/19	<b>willfully</b> [4] 131/5 131/18 132/1 132/13	<b>wrapper</b> [2] 26/23 26/25
<b>which</b> [4] 22/24 47/4 92/1 128/6	<b>window</b> [1] 113/13	<b>writing</b> [1] 129/15
<b>while</b> [1] 45/17	<b>wipe</b> [1] 16/18	<b>wrong</b> [1] 134/15
<b>White</b> [3] 51/23 74/21 91/2	<b>wit</b> [6] 131/6 131/8 131/12 132/4 132/16 137/13	<b>wrote</b> [2] 116/14 129/24
<b>who</b> [41] 8/11 13/9 13/9 16/24 20/4 25/22 27/11 29/10 29/18 30/16 32/5 33/19 43/15 43/20 52/7 52/10 52/12 53/13 56/1 56/2 56/4 56/6 56/8 65/18 69/3 69/3 76/19 79/2 79/4 81/6 82/15 93/3 94/3 94/5 111/17 115/19 115/25 120/20 120/21 121/11 124/16	<b>within</b> [1] 107/18	<b>Y</b>
<b>Who's</b> [1] 17/1	<b>without</b> [2] 35/5 35/6	<b>Y-E-Z-L-I-N-E</b> [2] 8/15 12/5
<b>whole</b> [21] 6/15 7/13 11/7 13/3 41/9 48/14 49/24 63/3 63/23 71/18 72/19 77/14 88/18 90/4 106/13 107/7 117/23 118/19 123/7 123/23 124/4	<b>witness</b> [20] 6/6 51/14 51/19 51/24 62/9 62/10 70/16 70/17 74/12 74/17 74/22 82/2 87/24 87/25 91/3 104/9 104/10 106/2 116/17 116/18	<b>YE</b> [7] 6/8 132/4 132/7 132/9 132/16 132/18 132/20
<b>Whose</b> [2] 68/22 79/16	<b>WITNESSES</b> [1] 3/1	<b>yeah</b> [21] 8/22 10/5 13/15 14/9 15/19 16/9 32/21 43/5 43/8 43/11 44/15 44/24 45/6 47/21 48/5 50/13 59/6 66/17 121/2 121/15 129/19
	<b>woman</b> [1] 108/9	<b>year</b> [8] 39/7 39/7 39/9 42/22 42/25 114/5 119/18 119/20
	<b>women</b> [1] 58/2	<b>years</b> [21] 5/19 8/18 8/25 9/12 38/23 48/25 50/9 56/23 63/11 65/21 72/2 73/4 89/5 90/12 99/23 106/21 118/7 123/15 132/5 132/17 135/10
	<b>won't</b> [2] 40/6 91/21	
	<b>word</b> [1] 112/13	
	<b>words</b> [1] 133/1	
	<b>work</b> [1] 115/4	
	<b>working</b> [1]	



<b>Y</b>	83/10 98/23 100/2	
<b>yellow</b> [2] 21/5	103/15 104/3	
21/8	129/10	
<b>yes</b> [394]		
<b>Yezline</b> [40] 6/8		
8/13 8/15 8/17		
10/2 11/1 11/23		
11/24 13/1 41/22		
41/25 42/8 44/14		
44/21 46/2 46/13		
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58/6 59/18 60/12		
61/14 67/6 68/14		
75/25 79/5 80/21		
81/8 82/16 83/19		
85/4 93/14 93/15		
103/18 103/21		
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<b>Yezline's</b> [2]		
8/14 68/20		
<b>you</b> [914]		
<b>you'd</b> [1] 116/22		
<b>you're</b> [24] 10/24		
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128/6 130/9		
132/25 134/1		
<b>you've</b> [3] 52/25		
85/2 93/15		
<b>younger</b> [1] 51/2		
<b>your</b> [234]		
<b>yours</b> [1] 95/16		
<b>yourself</b> [12]		
20/24 25/24 34/8		
34/14 60/9 69/12		



CLERK OF THE COURT

1 NWEW  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 CHRISTOPHER S. HAMNER  
6 Chief Deputy District Attorney  
7 Nevada Bar #11390  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 JOSE AZUCENA,  
13 #7037259

14 Defendant.

CASE NO: C321044

DEPT NO: II

15 NOTICE OF WITNESSES AND/OR EXPERT WITNESSES  
16 [NRS 174.234]

17 TO: JOSE AZUCENA, Defendant; and

18 TO: DEPUTY PUBLIC DEFENDER, Counsel of Record:

19 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF  
20 NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

21 CETL, DR. SANDRA; Will testify as a medical expert as to the nature, process and  
22 limitations of sexual assault examinations in general, and/or as to the sexual assault  
23 examination, and findings of the victim(s) in the instant case.

24 CLARK COUNTY COURT INTERPRETER

25 COR; UMC RECORDS

26 ESPINOSA, ELIZABETH; SNCAC, Will testify as an expert as to the nature, process  
27 and limitations of forensic interviewing, and/or as the forensic interview(s) conducted in the  
28 instant case.

1 GARCIA-SANCHEZ, MARTHA; 5075 Spyglass Hill Dr #1031 LVN 89142

2 LARA, MARIA ELENA; 4820 E Charleston Blvd #8 LVN 89104

3 PACULT, DR. JOHN; Will testify as an expert regarding the grooming techniques used  
4 by perpetrators of sexual abuse upon minors and/or clinical and expert observations about the  
5 impact of sexual abuse on a minor, as well as anticipated responses and reactions of a minor  
6 who is being sexually abused, including difficulties and issues surrounding the disclosure of  
7 sexual abuse by a minor.

8 SCHMIDT, JACOB; LVMPD #15319

9 These witnesses are in addition to those witnesses endorsed on the Information or  
10 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert  
11 Witnesses has been filed.

12 The substance of each expert witness' testimony and copy of all reports made by or at  
13 the direction of the expert witness has been provided in discovery.

14 A copy of each expert witness' curriculum vitae, if available, is attached hereto.

15  
16 STEVEN B. WOLFSON  
17 Clark County District Attorney  
18 Nevada Bar #001565

19 BY /s/ CHRISTOPHER S. HAMNER  
20 CHRISTOPHER S. HAMNER  
21 Chief Deputy District Attorney  
22 Nevada Bar #11390

23 ///

24 ///

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1                                    CERTIFICATE OF ELECTRONIC FILING

2                    I hereby certify that service of Notice of Witnesses and/or Expert Witnesses, was made  
3 this 27th day of February, 2017, by Electronic Filing to:

4                                    DEPUTY PUBLIC DEFENDER  
5 harrolah@clarkcountynv.gov

6  
7                                    /s/ J. MOSLEY  
8 Secretary for the District Attorney's Office  
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**Sandra Cetl, MD, FAAP**

Sunrise Children's Hospital  
Pediatric Administration  
3186 Maryland Parkway  
Las Vegas, Nevada 89109  
702-784-1933

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**Education:**

University of Nevada, School of Medicine  
Las Vegas, Nevada  
Residency in Pediatrics  
July 2007 – June 2010

University of Vermont, College of Medicine  
Burlington, Vermont  
M.D.  
August 2002 – May 2007

University of California, Los Angeles  
Los Angeles, California  
B.S. in Neuroscience, cum laude  
September 1997 – May 2001

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**Current Attending Responsibilities: September 2010 to current**

- Sunrise Children's Hospital Child Abuse Pediatrician
  - Medical evaluations of patients with suspected physical abuse, sexual abuse and/ or neglect. Patients are seen in the ER setting as well as on the pediatric ward and PICU.
- Sunrise Children's Hospital SCAN call
  - Sole M.D. provider taking night call for suspected child sexual abuse medical evaluations in the ER. (2010 – 2012)
- Sunrise Children's Hospital ER
  - Average 2-5 shifts per month in the pediatric ER, managing and treating patient triage levels 2-5.
- South Nevada Children's Assessment Center
  - Sole M.D. provider of medical evaluations of patients with concerns of child sexual abuse.
- Assistant Clinical Professor at the University of Nevada, School of Medicine (October 2012 – present)

### **Additional Work Experience:**

#### **Juvenile Diabetes Camp Physician August 2010**

**Job Title:** Physician

**Primary Responsibilities:** Observation and management of insulin use during the 3 day camp. Children were aged 12- 17.

#### **Planned Parenthood, Los Angeles August 2001 – May 2002**

**Job Title:** Senior Program Manager

**Primary Responsibilities:** I was in charge of the all volunteers, teachers and coordinators. Duties ranged from the management of staff to reviewing and editing the curriculum as well as ensuring the program's educators were properly trained and prepared for the situations they would encounter.

#### **Planned Parenthood, Los Angeles August 2000 – August 2001**

**Job Title:** Reproductive Health Educator

**Primary Responsibilities:** I was responsible for educating inner city teens and young adults on topics including reproductive health, sexually transmitted diseases, the use contraceptives and the possible social, economic and health consequences of various sexual choices.

#### **University of California, Los Angeles 1997 – 2001**

**Title:** Research Associate

**Responsibilities:** rodent husbandry, surgery, data collection, perfusions, histology and result analysis over the course of four consecutive years; the data from my efforts resulted in two publications in the Journal of Neuroscience.

Laura H. Corbit, Janice L. Muir, and Bernard W. Balleine. *The Role of the Nucleus Accumbens in Instrumental Conditioning: Evidence of a Functional Dissociation between Accumbens Core and Shell*. J. Neurosci., May 2001; 21: 3251 - 3260.

Laura H. Corbit and Bernard W. Balleine. *The Role of the Hippocampus in Instrumental Conditioning*. J. Neurosci., Jun 2000; 20: 4233 - 4239.

I was awarded 1<sup>st</sup> place in the annual UCLA Neuroscience Poster Session with a presentation titled *The Effects of Lesions in the Nucleus Accumbens on Instrumental Conditioning*. Additionally, I was responsible for teaching presentations for undergraduate and graduate students regarding both the research completed and other topics in neuroscience.

#### **Private Math and Science Tutor 1999 – 2003**

I conducted weekly sessions for several junior high and high school students in subjects ranging from Algebra to Calculus and Life Sciences to Physics.

**Care Extenders at UCLA – Santa Monica Hospital 1997 – 1999**

I transported patients and aided in the care of patients in obstetrics, medical-surgical wards, and the emergency department.

**Rockwell Aerospace and Defense and The California Museum of Science and Industry - Summer 1996**

I was the primary instructor for an inner city program to promote the benefits of mathematics and science to fourth and fifth grade disadvantaged children.

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**Licensure and Certification:**

Fellow of the American Academy of Pediatrics 2012 – present

Assistant Clinical Professor at the University of Nevada, School of Medicine  
Oct.2012 - present

Board Certified in Specialty of Pediatrics by the American Board of Pediatrics  
current to 2018

PALS Current to May 2017

BLS Current to May 2017

Nevada State Board of Medical Examiners Current to June 2017

Nevada State Board of Pharmacy current to 2018

Drug Enforcement Agency License current to 2017

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**Current Outreach and Committees:**

Clark County Office of the Coroner/Medical Examiner Advanced Review Committee on Sudden Death in the Young

August 2016 – current

The SDY committee is comprised of physicians, researchers and representatives of the coroner's office reviewing cases of sudden death in the young that are designated as undetermined deaths.

Southern Nevada Children's Assessment Center Steering Committee Member

April 2016 – current

Clark County Child Fatality Review, Chair

January 2013 – January 2014

Nevada Alliance for Drug Endangered Children, Member

2012 – present

Clark County Child Fatality Review, Vice Chair

June 2011 – December 2012

Clark County Child Fatality Review Team, Member and Core Voting Member

September 2010 – current

Clark County Child Fatality Task Force, Member

October 2010 – current

CARES Committee (Child Abuse Case Review and Education Service)

September 2010 – current

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Facilitator of a multidisciplinary team where cases are presented by medical staff, CPS, Law Enforcement and District Attorneys when there are concerns of child physical abuse

**Children's Assessment Center Case Review Team**

September 2010 – present

- Member of a multidisciplinary team where cases are presented by medical staff, CPS, Law Enforcement, and District Attorneys where there are concerns of child sexual or physical abuse at the Southern Nevada Children's Assessment Center

Prevent Child Abuse Nevada, Member

2012 – 2014

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**Research Participation:**

Currently approved for IRB participation in for a Multi-Center Prospective Research Project. Topic: the yield of medical screening of pediatric contacts- siblings and other children- in the home of an abused child. Finishing mid- 2013.

Currently approved for IRB participation in a second Multi-Center Prospective Research Project. Topic: Risk perception of physically abused children and how to use a child's social history when evaluating injuries that may be due to physical abuse. Currently concluded.

**Presentations:**

**September 2016: Drug Exposed Babies**

- Power point presentation given to foster parents and foster program staff via DFS, both live and through webinar about normal embryology, how specific legal, illicit and prescription drugs effect in utero development of a fetus, and the life long consequence of drug exposures.

**June 2016: Board Review on Child Maltreatment**

- 2 hour review for residents of University of Nevada, School of Medicine in preparation of the American Academy of Pediatrics Board exam. Topics covered are high yield review of child physical abuse, sexual abuse, and neglect.

**June 2016: Child Maltreatment Overview**

- Power point presentation for Positively Kids Clinic staff, consisting of physicians, nurses, and nursing assistants. Discussion of cutaneous findings of abuse, abusive head trauma, abdominal trauma, mimics, sexual abuse and genital examinations.

**June 2016: Sexually Transmitted Infections and Myths of Female Anatomy**



- “First Wednesday” Luncheon presenter discussing sexually transmitted infections and myths surrounding sexual abuse in the pediatric population.

#### **May 2016: Child Maltreatment Overview**

- Power point presentation for Henderson Police Department, consisting of detectives, sergeants, and lieutenant. Discussion of cutaneous findings of abuse, abusive head trauma, abdominal trauma, mimics, sexual abuse and genital examinations. (approximately 7 hour lecture)

#### **May 2016: Drug Exposed Babies**

- Power point presentation given to foster parents and foster program staff via DFS, both live and through webinar about normal embryology, how specific legal, illicit and prescription drugs effect in utero development of a fetus, and the life long consequence of drug exposures.

#### **April 2016: Child Sexual Abuse**

- Power point presentation given to foster parents and foster program staff via DFS about child sexual abuse including signs and symptoms, examination, risk factors and forensic findings.

#### **February 2016: Antipsychotic Use and Misuse**

- Power point presentation on use and misuse of antipsychotic medications for an audience of drug counselors, rehab workers, social workers and nurses. The talk provided a 7 hour daylong conference going into the subject in detail.

#### **August 2015: Failure to Thrive and Pediatric Nutrition**

- Power point presentation given to foster parents and foster program staff via DFS on consequences, findings, evaluation and management of failure to thrive. Additionally, discussion on proper nutrition.

#### **May 2015: Drug Exposed Babies**

- Power point presentation given to foster parents and foster program staff via DFS, both live and through webinar about normal embryology, how specific legal, illicit and prescription drugs effect in utero development of a fetus, and the life long consequence of drug exposures.

#### **April 2015: Failure to Thrive and Pediatric Nutrition**

- Power point presentation given to foster parents and foster program staff via DFS on consequences, findings, evaluation and management of failure to thrive. Additionally, discussion on proper nutrition.

#### **March 2015: Commercial Sexual Exploitation of Children, Medical Management**

- Power Point presentation for the NAPNAP: National Association of Pediatric Nurse Practitioners Conference. Discussion included medical signs and symptoms of CSEC, evaluation, pitfalls and concerns, and medical management.

**December 2014: Antipsychotic Use and Misuse**

- Power point presentation on use and misuse of antipsychotic medications for an audience of drug counselors, rehab workers, social workers and nurses. The talk provided a 7 hour daylong conference going into the subject in detail.

**August, September, and December 2014: Drug Endangered Children**

- Power point co presented through the Attorney General's program on Drug Endangered Children. The presentation was given in Las Vegas, Reno, and rural Nevada, in addition to a shortened webinar on the same subject. The purpose of the activity is to educate physicians & other healthcare practitioners on the identification and treatment of the drug endangered child. Assess needs of the newborn infant that is drug exposed, apply best practices for immediate identification and management of drug exposed children, and describe types of child abuse and the role drug use and exposure plays

**June 2014: Technology and Ethical Considerations in Forensic Photo-documentation**

- Power point co presented at the annual American Professional Society on the Abuse of Children (APSAC) in the 2014 national conference in New Orleans, LA. Audience of approximately 50 clinicians, law enforcement, and attorneys focused on technology of photo-documentation and review of storage of material. Discussed ethical consideration of technology use, misuse, storage, alternate light sources, and global filters.

**April 2014: Child Sexual Abuse**

- Power point presentation given to foster parents and foster program staff via DFS about child sexual abuse including signs and symptoms, examination, risk factors and forensic findings.

**March 2014: Overdose and Accidental Poisonings**

- Power point presentation given to foster parents and foster program staff via DFS about accidental deaths of children and adolescents from accidental overdose or poison ingestion.

**January 2014: Cutaneous Injuries and Physical child abuse**

- Power point presentation for CPS and DFS workers and investigators, and students of forensic investigators of CSI law enforcement on the external findings of child physical abuse. Discussion of mimics of abuse and accidental injuries.

**December 2013: Female Genital Evaluation**

- Power point presentation for residents and attendings of UNSOM Emergency Medicine Residency Program about the female genital exam, pathology, and child sexual abuse.

**December 2013: Abusive Head Trauma and Fractures in Child Abuse**

- Power point presentation for residents and attendings of UNSOM Emergency Medicine Residency Program about findings with abusive head trauma, fractures and abdominal trauma, including mimics of abuse and proper complete evaluation in the ED setting.

#### **December 2013: Drug Exposed Babies**

- Power point presentation given to foster parents and foster program staff via DFS, both live and through webinar about normal embryology, how specific legal, illicit and prescription drugs effect in utero development of a fetus, and the life long consequence of drug exposures.

#### **November 2013: Female Genital Evaluation**

- Power point presentation for medical students and residents of UNSOM. Discussion about genital exam, normal anatomy, findings, pathology, and sexual abuse.

#### **October 2013: Child Maltreatment Overview**

- Power point presentation for Positively Kids Clinic staff, consisting of physicians, nurses, and nursing assistants. Discussion of cutaneous findings of abuse, abusive head trauma, abdominal trauma, mimics, sexual abuse and genital examinations.

#### **August 2013: Cutaneous Finding in Child Physical Abuse, Bruises**

- Power point presentation to University of Nevada, School of Medicine Emergency Department residents for grand rounds. Discussed skin findings associated with child physical abuse and accidental injury.

#### **April 2013 Visual Diagnosis**

- Power point presentation regarding a visual diagnosis of a patient at the Ray E. Helfer Society Annual Meeting, which is attended by Pediatricians and Child Abuse Pediatricians practicing nationally and internationally.

#### **March 2013: Grand Rounds “The Long Term Effects of Child Abuse”**

- One hour power point presentation for Grand Rounds at the University of Nevada, School of Medicine. Discussion on Adverse Childhood Events and the studies stemming from the CDC data collection in response to adverse childhood events in the community through the life time.

#### **March 2013: Sexual Abuse Nurse Examiner**

- Guest speaker at the SANE class at Sunrise Children’s Hospital on mandated reporting and description of the Southern Nevada Children’s Assessment Center.

#### **February 2013: Child Physical Abuse**

- Two hour power point presentation to Pediatric Residents at the UNSOM residency program about all medical aspects of evaluating and recognizing physical child abuse.

**September 2012: Sexual Child Abuse**

- Two 3 hour power point presentations on child sexual abuse examinations and Sexual Assault Nurse Examiner (SANE) program given to pediatric emergency department nurses at Sunrise Children's Hospital.

**April 2012: Overdose and Accidental Poisoning Deaths**

- Power point presentation given to members of the Southern Nevada Child Fatality Review Team about accidental deaths of children and adolescents from accidental overdose or poison ingestion.

**January 2012: Sex Trafficking Among Adolescents**

- Modified Power point presentation on sex trafficking among adolescent males and females in the U.S. as well as locally in Las Vegas, NV. Presentation given to hospital clergy members in Clark County, NV at Sunrise Children's Hospital.

**June 2011: Child Abuse Signs and Symptoms**

- Power point presentation given to University of Nevada School of Medicine medical students transitioning from classroom learning to clinical practice.

**May 2011: Sexually Transmitted Infections and Testing in Child Sexual Abuse**

- Power point presentation given at Sunrise Children's Hospital for ER nurses training to become pediatric sexual abuse nurse examiners

**March 2011: Adolescent Drug Overdose**

- Regional conference in Las Vegas and Reno, Nevada on accidental overdose in the adolescent population
- Two 7 hour trainings on aspects of adolescent drug use and overdose

**February 2011: Child Physical Abuse**

- Power point presentation on skin manifestations of child physical abuse
- Attendees included hospital social workers and case managers

**October 2010: Child Abuse and Neglect Prevention Conference**

- Regional for South Western United States
- Provided a conference session on Adolescent Accidental Overdose
- Attendees included teachers, school nurses, social workers, attorneys, and psychology care workers

**October 2010 Sexually Transmitted Infections in Child Sexual Abuse**

- Power point presentation at the Southern Nevada Children's Assessment Center on sexually transmitted infections in sexually abused children.
- Attendees included law enforcement, CPS and DFS workers and staff

**January 2010 University Medical Center Ward Teaching Senior**

- Morning Report for residents and faculty including subjects such as burn management and seizure evaluation
- Morbidity and Mortality power point presentation for residents and faculty about evaluation and management of extravasation injuries
- Resident Lecture Power Points on variety of topics including Newborn screening, Non Accidental Trauma, Pediatric Brain Tumors, and Apparent Life Threatening Events

**December 2010 Lied Clinic, Senior Resident**

- Morbidity and Mortality power point presentation on consequences of RSV mismanagement

**October 2009 University Medical Center NICU**

- Power point presentation for residents and faculty in Glucose Metabolism of Neonates

**September 2009 Endocrinology**

- Power point presentation for residents and faculty on Short Stature

**August 2009 Adolescent Medicine**

- Noon Conference power point for residents and faculty on Chronic Pain Management

**July 2009 Sunrise Hospital Ward Teaching Senior**

- Morning Report presentations for residents and faculty on subjects including Abdominal Pain, Peritonsillar abscesses, and Kawasaki's Disease
- Resident Lecture Power Points on a variety of topics including Diabetes Management, Neonatal Fever, and Substance Overdose

**January 2009 CPS, DFS, Child Haven Staff**

- Presentation to staff on Medical Neglect and Newborn Screening

**January 2009 Noon Conference**

- Journal Club on Office Based Treatment and Outcomes for Febrile Infants With Clinically Diagnosed Bronchiolitis

**August 2007 Noon Conference**

- Journal Club on the Early Intervention and Outcome of Children with Failure to Thrive

**Memberships:**

- American Professional Society on the Abuse of Children – May 2014 - current
- American Academy of Pediatrics Member 2007-2010, 2012 – current

- American Academy of Pediatrics Section on Child Abuse and Neglect (SOCAN) 2012 – current
- Helfer Society Member June 2011- current
- ACGME Resident Forum Representative, 2008 – 2010
- Created curriculum for Child Development resident rotation, August 2007

**Professional Development:**

- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV) July, 2016
- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV) July, 2015
- San Diego International Conference on Child and Family Maltreatment, January, 2015
- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV) July, 2014
- American Professional Society on the Abuse of Children Conference (New Orleans, LA) June 2014
- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV) June, 2013
- Ray E. Helfer Society Annual Meeting (Sonoma, CA) April 2013
- San Diego International Conference on Child and Family Maltreatment, January, 2013
- Valley High School Lecture Series about Sex Trafficking, Las Vegas, Nevada October 2012
- Basic High School Lecture Series about Sex Trafficking, Henderson, Nevada October, 2012
- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV) June, 2012
- San Diego International Conference on Child and Family Maltreatment, January, 2012
- International Association of Coroners and Medical Examiners Conference (Las Vegas, NV) June, 2011
- Ray E. Helfer Society Annual Meeting; (Amelia Island, FL) April 2011
- San Diego International Conference on Child and Family Maltreatment, January, 2011
- Child Abuse and Neglect Prevent Conference (Reno, NV) October 2010
- Shaken Baby Conference (Atlanta, GA) September 2010
- Western States Child Sexual Abuse Conference (Las Vegas, NV) September 2010
- International Association of Coroners and Medical Examiners Conference, June 2010
- SANE P Training, June 2010
- Clark County School District Nursing Conference on various Genetic Disorders and Behavior Disorders, November 2009

- Clark County School District Nursing Conference on many aspects of school nursing, including Child Maltreatment, August 2009
- AAP Conference Nevada Chapter (Las Vegas, NV) August 2009

**Awards:**

- Clark County District Attorney Meritorious Award
  - 2013
  - Including recognition by the Governor's Office.
- University of Nevada, School of Medicine Resident award for Sub-Specialist of the year
  - 2015

**Languages:**

- Fluent in Serbo-Croatian
- Conversant in Medical Spanish

John S. Pacult, LCSW, Inc.  
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Las Vegas, NV 89146  
(702) 248-5456  
Federal Tax ID 88-0387809

## **EDUCATION**

Bachelor of Arts, May 1992  
University of Nevada-Las Vegas  
Major: Social Work

Associate of Arts, Sept. 1989  
Clark County Community College  
Major: General Studies

Master of Arts, May 1995  
University of Nevada-Las Vegas  
Major: Social Work

## **PROFESSIONAL EXPERIENCE**

### **Private Practice**

- \* Provide educational and individual therapy sessions for adult and adolescent sexual offenders and their families, victims of sexual abuse, and non-offending parents.
- \* Provide clinical services that consist of individual, marital, and family therapy with all client populations.
- \* Complete Psychosexual Evaluations (approximately 6000 to date) for both adult and adolescent sexual offenders with contracts for the Division of Parole and Probation, Clark County Division of Juvenile Justice Services, and the Division of Child and Family Services. Also complete evaluations for the District Attorney's Office, the Public Defender's Office (adult and juvenile divisions) and private attorneys.
- \* Conduct Violence Risk Assessments for the Family Courts (contracted) and District Courts in cases concerning physical abuse/neglect allegations/convictions since 2008.
- \* Expert witness testimony concerning sexual abuse and defense mitigation work
- \* Child custody evaluations

### **University of Nevada Las Vegas School of Social Work**

- \* Field Liaison for BSW and MSW students in field practicums
- \* Meet with agency supervisors and students twice a semester
- \* Review learning agreements and mid-term and final journals

### **Pathways of Nevada**

- \* Qualified Mental Health Professional
- \* Review of clinical services for Pathways foster care staff; development and oversight of treatment plans and all clinical documentation
- \* Assessment of clients in care to determine clinical needs



Fresh Start Services (FSS)

- \* Clinical consultant, training professional and paraprofessional staff, meeting with program participants in order to address behavioral and mental health issues, and facilitating meetings between multi-disciplinary parties concerning client care.
- \* Review of FSS documentation and case files for quality assurance purposes.
- \* Observe client/staff interaction in order to provide feedback to all parties to improve communication and relationships within the group homes.

Part-time clinical staff; Charter Behavioral Health Systems of Southern Nevada

- \* Conducted group therapy sessions with adult clients (inpatient).
- \* Provided outpatient counseling services for all general client population issues.
- \* Provided individual and family therapy with adolescent clients (inpatient).

Nevada Homes For Youth

- \* Clinical consultant, training professional and paraprofessional staff, meeting with program participants in order to address behavioral and mental health issues, and facilitating meetings between multi-disciplinary parties concerning client care.
- \* Review of NHFY documentation and case files for quality assurance purposes.
- \* Observe client/staff interaction in order to provide feedback to all parties to improve communication and relationships within the group homes.

Contract therapist; Bridge Counseling & Associates

- \* Provided out-patient counseling to clients with a multitude of presenting problems such as depression, marital problems, behavior problems, parenting issues, and anger/violence issues.
- \* Responsibilities included conducting an intake/clinical assessment, develop treatment plans, and maintaining insurance eligibility.
- \* Client populations included adults, adolescents, children, families, and couples.

Lead therapist- Program Consultant- The Center for Independent Living

- \* Co-facilitated sex offense specific process groups for a day treatment program with juvenile sexual offenders.
- \* Provided program consultation, assisted with program development and staff training.
- \* Maintained clinical milieu through treatment teams, case management, and support from State parole.

Program Manager; Out-patient counseling center

- \* Conducted six to eight weekly sex offense specific therapy groups for adolescent and adult sexual offenders, along with their family members.

- \* Counseling also included family, marital, and individual therapy with adult/adolescent sexual offenders, along with general population clients.
- \* All administrative duties of the sexual offender program that included marketing, supervision of staff, leading clinical treatment teams, and extensive case management responsibilities.
- \* Completed sex offense specific evaluations for both adolescent and adult sexual offenders.

#### Social Worker I-Clark County Social Services

- \* Interviewed, assessed, and developed case plans for senior citizens who were experiencing crisis, abuse, neglect, and/or exploitation.
- \* Provided appropriate referrals for clients to community agencies and other services, along with ongoing case management with a minimum of sixty clients.

#### Activity & Recreational Therapist-Montevista Hospital

- \* Conducted initial interviews and clinical assessments related to physical fitness, activities, and mental health of patients in a psychiatric hospital.
- \* Devised and implemented individual treatment plans.
- \* Active participant in multidisciplinary treatment planning for patients.
- \* Instructed patients in relaxation, occupational, and recreational therapy.

### **EMPLOYMENT HISTORY**

- \* Private Practice; Las Vegas, NV: March 1998 – Present.
- \* UNLV School of Social Work, Las Vegas, NV: August 2003 – 2013 (field liaison)
- \* Pathways of Nevada: Qualified Mental Health Professional – September 2012 - 2014
- \* Spring Mountain Treatment Center (residential program) 2003 - 2010 (Consultant)
- \* Fresh Start Services (adolescent sex offender group home) Feb 2005 – May 2005 (Consultant)
- \* Nevada Homes For Youth, Las Vegas, NV: October 2002 – Jan 2004 (Consultant)
- \* Charter Behavior Health Systems; Part-time staff; Las Vegas, NV: April 1998 - April 1999.
- \* Bridge Counseling; Contract Therapist; Las Vegas, NV: October 1997 - April 1999.
- \* Family & Child Treatment; Program Manager; Las Vegas, NV: June 1995 - March 1998; Contract therapist from November 1992 - June 1995.
- \* Center for Independent Living; Lead therapist/Program consultant; Las Vegas, NV: April 1996 - October 1997.
- \* Clark County Social Service; Social Worker I; Las Vegas, NV: September 1992 - June 1995.
- \* HCA Montevista Hospital; Positive Choices Program; Adolescent Facilitator; Las Vegas, NV: December 1992 - September 1997.
- \* Nevada Association for the Handicapped; Case Manager; Las Vegas, NV: June 1992 - September 1992.

- \* Children's Behavioral Services; Mental Health Technician; Las Vegas, NV: October 1991 - June 1992.
- \* HCA Montevista Hospital; Activity Therapist; Las Vegas, NV: April 1991 - 1993.

### **ACCOMPLISHMENTS & PROFESSIONAL AFFILIATIONS**

- \* June 27, 1998, conducted an all-day workshop on the assessment and treatment of juvenile sexual offenders, sponsored by the Nevada Association of Social Workers.
- \* December 10, 1998; conducted a two-hour workshop for the State of Nevada Adult Parole/Probation Department on an overview of sexual offender treatment, and a one-hour workshop on April 24, 2001, on the use of polygraph and psychosexual evaluations.
- \* Oct. 8, 1999 to October 2008- provide an overview of sexual offender typology, assessment and treatment for the Sexual Assault Response Team (nurses, law enforcement, etc.).
- \* Oct. 15, 1999, presented at the NASW Conference on the use of polygraph testing in sex offender treatment.
- \* October 26, 2000, Presented to the American College of Forensic Examiners Annual Conf. in Las Vegas re: the use of polygraph testing and Abel Assessment for sexual offenders.
- \* Presented a half-day pre-conference training for the California Coalition on Sexual Offending (CCOSO) on adolescent and adult sex offender risk assessment, May 15, 2002.
- \* Conducted full-day training on adolescent sexual offender assessment and treatment at the youth correctional setting at the Caliente Youth Center on May 31, 2002, and a similar full-day training for the Nevada Youth Training Center in Elko, NV on June 7, 2002.
- \* April 2000 and January 2002: conducted training for the City of Las Vegas Parks & Recreation on how to improve their policies regarding sexual misconduct and an overview of sexual offender profiles and behaviors.
- \* Co-presenter at the 6<sup>th</sup> Annual Child Welfare Conference concerning recent trends in juvenile sexual offender legislation, supervision and treatment (May 2003).
- \* Expert witness testimony for the Clark County School District (2003/2004).
- \* Half-day training for juvenile probation officers in March of 2004 on integration of treatment and supervision
- \* Full-day training for FSS group home staff (overview of juvenile sex offenders, supervision needs, boundaries, reporting requirements) (March 21, 2005)
- \* Completed Competency Evaluation training (March 4, 2005) for Misdemeanor offenses
- \* Passed the Nevada Board of Examiners for Social Workers Clinical Examination with score of 91%.
- \* Clinical member of Association for the Treatment of Sexual Abusers (ATSA) 1998-2006.
- \* Member (and former chairperson) of the Southern Nevada Juvenile Task Force on Juvenile Sexual Offenders.
- \* Former member of Professionals and Youth Building a Commitment (PAYBAC) and former Mentor of that program for the Clark County School District.

- \* Former Volunteer Advisory Committee member with Big Brothers & Big Sisters of Southern Nevada, and a current volunteer trainer for Community Action Against Rape (CAAR).
- \* Passed the Nevada Board of Examiners for Social Workers Basic Examination with a score of 89%.
- \* Several television appearances and one radio segment discussing sexual offender treatment and trends of legislation, along with several testimonials to the Nevada State Legislature on sexual offender issues, and numerous presentations to students at UNLV concerning sexual offender treatment.
- \* Currently an approved supervisor for MSW and LCSW Interns.
- \* Also attending continuing education unit trainings on a regular basis (minimum of 30 hrs. every two years), dealing with general mental health issues and specific training in the assessment and treatment of sexual offenders and victims of sexual abuse.
- \* First sex offender program in Southern Nevada to utilize polygraph testing as a part of the assessment and treatment process (1998).
- \* First contracted Psychosexual Evaluator in Southern Nevada with the Department of Public Safety Division of Parole and Probation (1999).
- \* Former Chairperson and member of the Nevada Adult Sex Offender Management (NASOM) team (2005).
- \* Expert witness testimony for the Clark County District Attorney's Office concerning sexual abuse victim dynamics/behavior (11/09).
- \* Training presentation (2 hrs) on sexual offender assessment and treatment for the Nevada Coalition on Sexual Assault (11/09).
- \* Endorsed as an expert by District Court Department XIV to evaluate an alleged victim of sexual abuse (6/10).
- \* Endorsed as an expert by Justice Court Nye County 9-8-10 Williams. vs. State concerning sexual abuse victim dynamics.
- \* Attended Western States Conference on Sexual Abuse on 9-1 and 9-2-10 concerning interviewing victims of physical and sexual abuse.
- \* Endorsed as an expert in District Court Dept XXI and testified in State vs. Castenada on January 26, 2011.
- \* Provided a training (3/24/11) for the Clark County Juvenile Probation Sex Offender Unit, the District Attorney's Office, and Public Defender's Office on risk assessment for juvenile sexual offenders.
- \* Provided training (6/16/11) for the Division of Parole and Probation Presentence Investigation unit concerning Psychosexual Evaluations.
- \* Expert witness consultation for the Clark County District Attorney's Office January 2013 State vs. Van Horn.
- \* Nevada Supreme Court ruling in Blackburn vs. State of Nevada filed February 14, 2013 ruled that John Pacult was correct in his use of clinical judgment as a part of the risk assessment process and affirmed Mr. Blackburn's conviction.
- \* Currently certified as a Competency Evaluator for misdemeanor cases in Nevada through December 2014.

- \* Expert witness consultation for the Clark County District Attorney's office May 2013 – State vs. C. Watson
- \* Training for Adult Parole and Probation on risk assessment, supervision, and what to look for in terms of recidivism behavior with sex offenders October 10, 2013
- \* Attended a six hour training on the ERASOR (a juvenile sex offender risk assessment tool) on November 15, 2013
- \* Attended an eight hour training on December 3, 2013 provided by the National Institute of Crime Prevention concerning sexual offender typologies and child sexual abuse
- \* Provided expert witness testimony for Nye County District Court on January 29, 2014 Pearson vs. Nye County concerning pedophilia, risk assessment tools, grooming, and high risk behavior.
- \* Provided expert witness testimony for a jury in Nye County District Court on February 12, 2014 Pearson vs. Nye County concerning grooming behaviors of sexual offenders.
- \* Met with Nevada Attorney General Ms. Catherine Cortez Masto on March 21, 2014 concerning the implementation of the Adam Walsh act and provided testimony and research in support of not implementing the new law.
- \* Guest speaker for Criminal Justice 104 class at College of Southern Nevada on April 28, 2014 concerning sexual offenders; community notification; Psychosexual evaluations and Juvenile risk assessments; the Presentence Investigation process.
- \* Conducted two-hour training for Bamboo Group Homes and their foster parents and staff on May 5, 2014 concerning sexual abuse reporting; sexual abuse dynamics; sexualized behavior in children; and supervision needs for at risk children.
- \* One hour training at Montevista Hospital on October 10, 2014 concerning adult and juvenile sexual offenders
- \* Conducting mental health and risk assessments in Clark County District Court and Federal Court for mitigation purposes for defense attorneys Ms. Julie Raye, Esq., Mr. William Terry, Mr. Richard Schonfeld, Mr. David Fischer, Mr. Scott Eichhorn, Mr. Benjamin Durham, Ms. Erickson, Mr. Gary Guymon and the Clark County Public Defender's Office in child abuse, sexual abuse, weapons, burglary, kidnapping, attempt murder, murder and robbery cases.
- \* Part of a PBS Channel 10 one hour documentary on Human Sex Trafficking that aired on January 27, 2015 and streamed on-line January 28, discussing sex offender/pimp dynamics and the impact to the victims.
- \* February 11, 2015, participated as an on-line moderator for A Path Appears, part of the PBS documentary series on human trafficking.
- \* Attended a day-long training on April 14, 2015, presented by the National Institute of Crime Prevention concerning Drug Facilitated Rape, Keys to a Successful Rape Investigation, Child Sexual Abuse and Interviewing the Rape Suspect
- \* April 20, 2015 - Guest speaker for a Criminal Justice class at the College of Southern Nevada concerning Psychosexual Evaluations and sex offender treatment.
- \* Retained as an expert witness in Doe vs. Valley Health Systems LLC 09-A-595780-C in November 2015 regarding victim dynamics, delayed disclosure, and trauma which settled in favor of the plaintiff prior to deposition or a trial.

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JOSE AZUCENA ) No. 74071  
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 Appellant, )  
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 v. )  
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 THE STATE OF NEVADA, )  
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 Respondent. )  
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<b>PHILIP J. KOHN</b> Clark County Public Defender 309 South Third Street Las Vegas, Nevada 89155-2610  Attorney for Appellant	<b>STEVE WOLFSON</b> Clark County District Attorney 200 Lewis Avenue, 3 <sup>rd</sup> Floor Las Vegas, Nevada 89155  <b>ADAM LAXALT</b> Attorney General 100 North Carson Street Carson City, Nevada 89701-4717 (702) 687-3538  Counsel for Respondent
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I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 10 day of April, 2018. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

BY /s/ Carrie M. Connolly  
Employee, Clark County Public Defender's Office