

1 THE COURT: What do you do, sir?

2 PROSPECTIVE JUROR NO. 092: I'm a doorman.

3 THE COURT: Where?

4 PROSPECTIVE JUROR NO. 092: At the Cosmopolitan
5 Hotel.

6 THE COURT: What, sir? I didn't --

7 PROSPECTIVE JUROR NO. 092: Cosmopolitan Hotel.

8 THE COURT: Okay. Okay, thank you. All right.

9 Want to pass it to your right there? Anyone? Anyone? Okay.

10 PROSPECTIVE JUROR NO. 212: Your Honor, my name is
11 Svetlana Guillory. I am a high school counselor. This is
12 our last --

13 THE COURT: What's your badge number, ma'am?

14 PROSPECTIVE JUROR NO. 212: Oh, I'm sorry. 0212.

15 THE COURT: All right.

16 PROSPECTIVE JUROR NO. 212: At the end almost.

17 THE COURT: 212, okay.

18 PROSPECTIVE JUROR NO. 212: Um-h'm.

19 THE COURT: All right.

20 PROSPECTIVE JUROR NO. 212: I'm a high school
21 counselor. This is the last month we are ending it June 1st.
22 Three weeks is important because this is the graduation
23 activities, a lot of summer school scheduling, and after
24 school I work with the concurrent adult education
25 (indecipherable) so our seniors can get some credits for

1 Sacba, Maria Sanchez Jamie Schoebel, Alejandra Silva or
2 Yanais Silva-Rios, Sonia Soto de-Mason, Jessica Charak, Juan
3 Tarango or Juan Taingo, George Thimakis, Jeronimo Urbina,
4 Alejandra Uribe, Johana Vasquez, Rafael Velazquez-Borragan,
5 Silvia Villegas and Jamie Ward.

6 In addition, I mentioned to you that there was a
7 getaway driver, Mr. Hobson's half brother, Donte Johns. You
8 will also hear from him as well in this case.

9 The following is a list of members from the Las
10 Vegas Metropolitan Police Department the State does intend to
11 call to trial. They include: Detectives Jeffrey Abell,
12 Detective Karl Lorson, Detective Ronald Matlock, Detective
13 Linda Turner, Detective Theodore Weirauch or Ted Weirauch and
14 Officer William Moore.

15 The following crime scene analystS from the Las
16 Vegas Metropolitan Police Department the State intends to
17 call include: Noreen Charlton and Kristen Tucker-Meckler.

18 We also will call a DNA analyst Crystal May, a
19 footwear impression analyst Eric Gilkerson who works for the
20 FBI coming from Quantico, Virginia.

21 The following are members from the Henderson Police
22 Department we intent to call, it's a crime scene analyst bit
23 name of Patrick Farrell.

24 Now, there is a list of additional witnesses the
25 State does not at this point intend to call, but they are

1 noticed as witnesses and may be called so it's important that
2 you may attention to this list of names as well. The
3 following are officers from the Las Vegas Metropolitan Police
4 Department: C. Atwood, I. Auten, Austin Bone, G. Cahoon, P.
5 Cartedepalma, S. Dulatre, J. Firestine, C. Forson, M. Franco,
6 Malik Grego-Smith, Jorge Hager, C. Hearrell, J. Landers, K.
7 Long, Lucas Marshall, J. Marty-Pagan, Stephen Mohler, Eric
8 Myrold, J. Nelson, K. Pearson, J. Ramirez, J. Robertson, J.
9 Robinson, B. Rocha, Lance Spiotto, Cesar Urena, J. Vance, J.
10 Van-Dyke, L. Viray, M. Walt, R. Jason.

11 The following are crime scene analysts: Adam
12 Felabom, Olivia Klosterman, Jennifer Reiner, Shelly Shrum,
13 William Speas. Jessica Charak is a DNA analyst and the
14 following are latent print examiners: Kathryn Aoyama and
15 Heather Gouldthorpe.

16 Additionally, we have multimedia examiners: Marc
17 Moses and Patrick Flynn noticed as witnesses.

18 From the Henderson Police Department: Officers and
19 Detectives E. Aiken, Joseph Ebert and Bryan Hartshorn.

20 Additionally, the State has noticed Clark District
21 Attorney investigators. Craig Fabert, Jamie Honaker and
22 Marco Rafalovich.

23 Finally, we have also noticed custodian of records
24 from the various businesses listed as victims in the counts
25 in the charging document, which include 7-Eleven, Burger

1 King, El Pollo Loco, Little Caesars, Pizza Hut, Popeye's
2 Chicken, Taco Bell, Wendy's. And custodians of record from
3 the Clark County Detention Center, Henderson Police
4 Department, Henderson Police dispatch and the Las Vegas
5 Metropolitan Police Department.

6 Thank you all for your time and your service today.

7 THE COURT: All right, thank you, Mr. Portz. On
8 behalf of defendant, I'm going to ask -- I guess, we could go
9 with you, Mr. Tanasi first on behalf of Mr. Hobson. Would
10 you like to introduce yourself and your client?

11 MR. TANASI: Thank you, Your Honor. Good morning,
12 folks. Thank you in advance for your time and your careful
13 consideration in this case because what you've heard so far
14 are charges and allegations. You have not heard evidence.

15 And so I just want to thank you in advance for your
16 careful consideration of the evidence in this case. Again,
17 my name is Rich Tanasi, and I've been appointed by the court
18 to represent Tony Hobson. Thank you.

19 THE COURT: All right. Thank you, Mr. Tanasi.
20 Mr. Maningo, Ms. Lobo, would you like to introduce yourself
21 as well as your client?

22 MR. MANINGO: Yes, sir, thank you. Good morning,
23 everyone. My name's Lance Maningo. Together with Adrian
24 Lobo we represent Brandon Starr. This is Brandon Starr. To
25 the charges and the allegations made by the State he has pled

1 not guilty and question challenge all of those charges.

2 We work for the law firm Bellon & Maningo, and
3 within my firm there are several other attorneys and support
4 staff that I just want to read the list of names to see if
5 you have any familiarity. Peter Bellon, Sherry Kendrick
6 (phonetic), Alyse Grossman (phonetic), Don Tranquilo
7 (phonetic), Larissa Gustamonte (phonetic), Corelli Navarez
8 (phonetic). Other attorneys working in my office: Rochelle
9 Wynn (phonetic), Matt Lay (phonetic).

10 We may call witnesses in this case. Those would
11 include: Toby Tobiasson, Reshitta McCollough, Karen Starr.
12 Thank you for your attention, everyone.

13 THE COURT: Thank you, Mr. Maningo.

14 MR. MANINGO: Thank you, Your Honor.

15 THE COURT: Okay. Ladies and gentlemen, because
16 I'm going to be asking questions of you, at this point in
17 time, I'm going to ask that you all please rise. I'm going
18 to have you all be sworn, okay.

19 THE CLERK: Please raise your right hand.

20 PROSPECTIVE JURORS SWORN BY THE CLERK

21 THE CLERK: Thank you. Please be seated.

22 THE COURT: Is there anyone that would not take
23 that oath? All right. No one has -- okay. Jim, the
24 gentleman here in the green. Sir, can you identify yourself
25 by your badge number and your name.

1 JUROR NO. 138: 2224. My name's Alexander Fung.

2 THE COURT: 2224. I don't have a 2224.

3 JUROR NO. 138: Nope, wrong one, sorry. 138.

4 THE COURT: Okay. 128.

5 JUROR NO. 138: 138.

6 THE COURT: All right. And your name is --

7 PROSPECTIVE JUROR NO. 138: Alexander Fung.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR NO. 138: I just don't like
10 taking oaths and swearing because --

11 THE COURT: What's that?

12 PROSPECTIVE JUROR NO. 138: Swearing to God is just
13 something I'm against.

14 THE COURT: All right. Would you affirm?

15 PROSPECTIVE JUROR NO. 138: Yeah, I just affirm.

16 THE COURT: Okay. All right, thank you. Is anyone
17 have any other concerns with that? All right, no one else.
18 Okay. Thank you.

19 Ladies and gentlemen, I'm going to have my clerk
20 call your name now to make sure that you're here so I'm going
21 to ask that you just answer by signifying "here" or "present"
22 when they call your name. All right?

23 THE CLERK: Patricia Valenzuela.

24 PROSPECTIVE JUROR NO. 001: Present.

25 THE CLERK: Exazavion Baugus.

1 PROSPECTIVE JUROR NO. 004: Here.
2 THE CLERK: Virginia Plank.
3 PROSPECTIVE JUROR NO. 011: Here.
4 THE CLERK: Judith Greenough.
5 PROSPECTIVE JUROR NO. 012: Here.
6 THE CLERK: Scott Young.
7 PROSPECTIVE JUROR NO. 014: Here.
8 THE CLERK: Dustin Bigelow.
9 PROSPECTIVE JUROR NO. 019: Here.
10 THE CLERK: Robert Gross.
11 PROSPECTIVE JUROR NO. 022: Here.
12 THE CLERK: Richard Gross.
13 PROSPECTIVE JUROR NO. 026: Here.
14 THE CLERK: James Neal.
15 PROSPECTIVE JUROR NO. 029: Here.
16 THE CLERK: Alice Lecount.
17 PROSPECTIVE JUROR NO. 031: Here. Adolfo
18 Sandoval-Villaneda.
19 PROSPECTIVE JUROR NO. 036: Here.
20 THE CLERK: Michael Voutsinas.
21 PROSPECTIVE JUROR NO. 041: Here.
22 THE CLERK: Vissia Noquez.
23 PROSPECTIVE JUROR NO. 046: Here.
24 THE CLERK: Nicholas Kozlowski.
25 PROSPECTIVE JUROR NO. 047: Present.

1 THE CLERK: Regina Orlando.
2 PROSPECTIVE JUROR NO. 049: Here.
3 THE CLERK: Steven Davies.
4 PROSPECTIVE JUROR NO. 054: Here.
5 THE CLERK: Dale Sanderson.
6 PROSPECTIVE JUROR NO. 055: Here.
7 THE CLERK: Christina Keeran.
8 PROSPECTIVE JUROR NO. 056: Here.
9 THE CLERK: Sean Deson.
10 PROSPECTIVE JUROR NO. 057: Here.
11 THE CLERK: Robert Zagby.
12 PROSPECTIVE JUROR NO. 062: Here.
13 THE CLERK: Zagby. Marta Monge.
14 PROSPECTIVE JUROR NO. 067: Here.
15 THE CLERK: Robert Howell.
16 PROSPECTIVE JUROR NO. 068: Here.
17 THE CLERK: Maria Funes.
18 PROSPECTIVE JUROR NO. 071: Here.
19 THE CLERK: John Gilbert.
20 PROSPECTIVE JUROR NO. 073: Here.
21 THE CLERK: Cozy Meyer.
22 PROSPECTIVE JUROR NO. 074: Here.
23 THE CLERK: Leann (sic) Hernandez.
24 PROSPECTIVE JUROR NO. 075: Present.
25 THE CLERK: Leanna. Excuse me. Shelly Littlejohn.

1 PROSPECTIVE JUROR NO. 080: Here.
2 THE CLERK: Mark Spencer.
3 PROSPECTIVE JUROR NO. 083: Here.
4 THE CLERK: Anthony Chavez.
5 PROSPECTIVE JUROR NO. 086: Here.
6 THE CLERK: Carlton Dyer.
7 PROSPECTIVE JUROR NO. 092: Yes.
8 THE CLERK: Phillip Schaeffer.
9 PROSPECTIVE JUROR NO. 095: Here.
10 THE CLERK: Wade Mitchell.
11 PROSPECTIVE JUROR NO. 101: Here.
12 THE CLERK: Wondwossen Yigremu.
13 PROSPECTIVE JUROR NO. 103: Here.
14 THE CLERK: Kenneth Sheehy.
15 PROSPECTIVE JUROR NO. 108: Here.
16 THE CLERK: Thomas O'Dell.
17 PROSPECTIVE JUROR NO. 112: Here.
18 THE CLERK: Lezlie Koepp.
19 PROSPECTIVE JUROR NO. 113: Here.
20 THE CLERK: David Brizuela.
21 PROSPECTIVE JUROR NO. 114: Here.
22 THE CLERK: Excuse me. Raymond Parker.
23 PROSPECTIVE JUROR NO. 116: Here.
24 THE CLERK: Linda Lofgren.
25 PROSPECTIVE JUROR NO. 118: Here.

1 THE CLERK: Lynda Soper.
2 PROSPECTIVE JUROR NO. 119: Here.
3 THE CLERK: Edwin Porciuncu.
4 PROSPECTIVE JUROR NO. 127: Here.
5 THE CLERK: Cassandra Bamba.
6 PROSPECTIVE JUROR NO. 128: (No audible response).
7 THE COURT: Is it Bamba?
8 PROSPECTIVE JUROR NO. 128: Bamba.
9 THE COURT: Bamba.
10 THE CLERK: Bamba.
11 THE COURT: Okay. She's present.
12 THE CLERK: Elizaveta Golikova.
13 PROSPECTIVE JUROR NO. 129: Here.
14 THE CLERK: John Murphy.
15 PROSPECTIVE JUROR NO. 130: Here.
16 THE CLERK: Ricardo Gutierrez.
17 PROSPECTIVE JUROR NO. 137: Here.
18 THE CLERK: Alexander Fung.
19 PROSPECTIVE JUROR NO. 138: Present.
20 THE CLERK: Diane Perea.
21 PROSPECTIVE JUROR NO. 139: Here.
22 THE CLERK: Venus Ghafoori.
23 PROSPECTIVE JUROR NO. 142: Here.
24 THE CLERK: Virginia Rockelman.
25 PROSPECTIVE JUROR NO. 152: Here.

1 THE CLERK: Todd Esposito.
2 PROSPECTIVE JUROR NO. 154: Here.
3 THE CLERK: Kamuela Kapanui.
4 PROSPECTIVE JUROR NO. 156: Here.
5 THE CLERK: Gardenia Castro.
6 PROSPECTIVE JUROR NO. 157: Here.
7 THE CLERK: Marsha Rosemark.
8 PROSPECTIVE JUROR NO. 159: Here.
9 THE CLERK: Tiffinee Smith.
10 PROSPECTIVE JUROR NO. 161: Here.
11 THE CLERK: Lilly Low.
12 PROSPECTIVE JUROR NO. 173: Here.
13 THE CLERK: Lluvia Lanuza.
14 PROSPECTIVE JUROR NO. 176: Here.
15 THE CLERK: Bria Finley.
16 PROSPECTIVE JUROR NO. 186: Here.
17 THE CLERK: Mary Pittman.
18 PROSPECTIVE JUROR NO. 190: Here.
19 THE CLERK: Devin Gilliland.
20 PROSPECTIVE JUROR NO. 194: Present.
21 THE CLERK: Is it Jean Perrier?
22 PROSPECTIVE JUROR NO. 195: Present.
23 THE CLERK: Excuse me. David Gaffin.
24 PROSPECTIVE JUROR NO. 204: Here.
25 THE CLERK: Carlittia Gibson.

1 PROSPECTIVE JUROR NO. 207: Here.

2 THE CLERK: Edward Fioravante.

3 PROSPECTIVE JUROR NO. 210: Here.

4 THE CLERK: Svetlana Guillory.

5 PROSPECTIVE JUROR NO. 212: Here.

6 THE CLERK: Kimberly Zawacki.

7 PROSPECTIVE JUROR NO. 213: Here.

8 THE COURT: Okay. Is there anyone's name that was
9 not called that's here? All right. No one has raised their
10 hand. Ladies and gentlemen, at this point in time, what
11 we're going to commence is what is called jury selection
12 process. They also call it voir dire.

13 During this process, you're going to be asked
14 questions bettering on your ability to sit as fair and
15 impartial jurors. The term "fair and impartial" will come up
16 quite a few times during this process.

17 To accomplish this, questions will be asked by
18 myself as well as counsel for the parties, if they choose.
19 On occasion, some of the questions will seem quite personal,
20 and bear in mind that they are necessary so counsel and the
21 Court can make an intelligent determination as to your
22 capability to serve here fairly and impartially on this
23 matter.

24 It's important that you know the difference and
25 significance of full and complete honest answers to all the

1 questions we are asked of you -- that we ask of you. Please
2 do not try to withhold anything that might indicate bias or
3 prejudice of any sort by any of you.

4 Should you fail to answer truthfully or if you are
5 hiding things or withholding anything touching upon your
6 qualifications, that fact may tend to contaminate your
7 verdict and it will cause concerns for you with the Court.

8 I'm going to a general examination of all of you
9 while you're seated in this whole audience. And then what
10 I'll do is I go into special questions of people that are in
11 this portion here, but that's based on the other group that
12 we have as well.

13 So first of all, at some point of this process --
14 of this selection process, as we talked about it last night,
15 there's roughly 40 some of you that were let go last night.
16 And so both sides or even the Court will make a determination
17 as to one particular person not serving as a juror.

18 Understand that these are called challenges, and
19 please don't be offended should you be excused by one of the
20 challenging procedures. And please don't show me your
21 delight when you're excused from one of the challenging
22 procedures, okay?

23 Ladies and gentlemen, I'm going to take this
24 opportunity to explain to you my personal feelings about our
25 system. People come from all over the world to take part in

1 what is offered to them from the United States, one of it
2 which is this system, the way that we deal with disputes.

3 Obviously, I'm involved because a dispute couldn't
4 be resolved. And that's in both criminal and civil matters.
5 Our system says that if it can't be resolved, then the
6 parties have a right to present their case to a jury of their
7 peers. That's what you all come in for.

8 Understand this; this is the one area in our system
9 of justice and our system of government in which the people
10 have a direct impact on what happens in their community and a
11 direct say on what happens in their community.

12 You know, you might say well, you might have a -- I
13 have a right to note. Sure, you do, but that doesn't have as
14 much direct impact as individuals in a jury have.

15 For those of you, there's many of you probably
16 here, that have been on a jury before. You understand
17 exactly what I'm talking about. For those of you that have
18 not been on a jury before, if you are selected as a jury, I
19 can tell you that I've been doing this over 30 years, and in
20 that time frame I've maybe heard two or three complaints from
21 jurors as it not being a positive process.

22 So I want to tell you -- first of all, I want to
23 thank you for taking part of your life to be here today.
24 Also, I want you to understand that the -- we'll get to the
25 point where I'm going to -- I know that it's inconvenient for

1 you. I want you to understand we all know that before we
2 even get started. And so that's why we take this time to ask
3 questions to make sure that we get a fair and impartial juror
4 on both sides, understanding your concerns in the time frame
5 that you're going to be possibly asked to give.

6 So, once again, if you are excused, I will tell you
7 thank you, and I'll send you back to the jury commission
8 room, and maybe they can put you on a different type of jury.
9 And oftentimes, it's not -- there's nothing personal that
10 comes from the parties here. I don't allow you all to know
11 whose asking you to leave, because it's been my experience
12 that sometimes jurors, they get offended by that and they'll
13 wait around and they ask the attorney why didn't you keep me?
14 I thought I'd be a great -- you know, what -- for whatever
15 reason you think that they're excusing you when -- but in the
16 previous proceedings that's what we do. Is if the State
17 wanted you to be excused, they'd have to stand up and excuse
18 you.

19 And it got to be a problem, and so now we do it
20 basically we'll hear -- we'll see discussions up here. In
21 size of group, we're going to do it when you're outside and
22 we'll just have a big discussion about it.

23 So if you wish to respond to a question when I'm
24 asking questions or the parties are asking questions, just
25 raise your hand. We'll get to you. We try to go in order.

1 The reason we have you seated the way you are, we have a
2 number -- you all have a number on your badge and you're in
3 order.

4 When you raise your hand and I do call on you,
5 please tell us your badge number. On your chest you all have
6 a badge and there's a number on there that says badge number.
7 There's a number that also says juror ID number. But the
8 badge number, for example, I'll use Ms. Valenzuela is in our
9 number one position today. Her badge number is 04-0001. I'm
10 just going to ask for the three digits. And obviously, it's
11 1 so you'd say I'm badge number 1, okay? So you'd raise your
12 hand, say my name is Patricia Valenzuela, and I'm badge
13 number 1. That way we know exactly who we're talking to and
14 whose speaking to the Court, okay? All right. Does anyone
15 have any questions about that? All right.

16 Also, before we get started on the main question, I
17 need to get some other questions out of the way. Is there
18 anyone here that's been convicted of a felony? Okay. No one
19 has raised their hand. Is there anyone here that is not a
20 United States citizen? No one has raised their hand.

21 Okay. Is there anyone who has such a sympathy,
22 prejudice or bias relating to age, religion, race, gender or
23 national origin that they feel would affect their ability to
24 be open-minded, fair and impartial jurors? Okay. Jim.

25 JUROR NO. 022: My name is Robert Gross, Badge No.

1 22.

2 THE COURT: Okay. What do you want to tell me,
3 Mr. Gross?

4 PROSPECTIVE JUROR NO. 022: Well, I'm -- I find
5 myself particularly good at looking at people and figuring
6 out what they're all about --

7 THE COURT: Okay.

8 PROSPECTIVE JUROR NO. 022: -- or at least a little
9 bit, but I can get a -- make a decision on somebody based on
10 just looking at them. I can -- you know, just look into
11 their eyes, you know, they're dull, they're glossy, you know,
12 they're on something, look at their demeanor, they're moving
13 around, they're anxious, they're worried or stuff of that
14 nature.

15 And I also do have another bias --

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 022: -- that when you
18 answered -- when you asked that question, I will answer it --
19 I will raise my hand.

20 THE COURT: Okay. Well, that's what we're doing
21 right now. I just asked if there's anyone that has any
22 sympathy, prejudice or bias relating to age, religion, race,
23 gender or national origin.

24 PROSPECTIVE JUROR NO. 022: Yeah. That, too, and
25 I'm not sure if you will ask this question, but a bias

1 against the law.

2 THE COURT: Okay. So tell me what you mean.

3 PROSPECTIVE JUROR NO. 022: Like, Martin Luther
4 King case, Sheldon Birmingham --

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 022: -- he broke the law,
7 but I don't feel he did anything wrong.

8 THE COURT: Whoa, whoa, whoa, hold on, hold on.
9 Martin Luther King didn't do anything wrong or he broke the
10 law --

11 PROSPECTIVE JUROR NO. 022: Well, he --

12 THE COURT: -- or the person that killed him broke
13 the law?

14 PROSPECTIVE JUROR NO. 022: -- he probably broke
15 the law, you know, and if he did broke the law -- break the
16 law, I might have ruled innocent for him so he may have --

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 022: Yeah, and hang the
19 jury.

20 THE COURT: Okay. So basically, you're saying that
21 if I instruct you on what the law is, you wouldn't follow my
22 instructions if you believe the law ought to be something
23 else?

24 PROSPECTIVE JUROR NO. 022: Yes.

25 THE COURT: Okay. So you wouldn't follow my -- you

1 know, it would be a violation of your oath if you take the
2 oath, and for example, the best example I give is here in the
3 State of Nevada, the speeding -- there was no speeding -- it
4 wasn't against the law to go over 55 miles an hour in the
5 state of Nevada. There was no speed limit in the state of
6 Nevada in the rural areas.

7 And when they enacted that back in, sometime ago,
8 and they put 55 on, there was a lot of people in those areas
9 that said well, we grew up here, we don't have to abide by
10 the 55 mile speed limit.

11 PROSPECTIVE JUROR NO. 022: To hell with it, yeah.

12 THE COURT: Okay. So you understand what I mean?

13 PROSPECTIVE JUROR NO. 022: Yeah.

14 THE COURT: So -- but if you were on a jury and the
15 whole issue is whether or not speed is a violation, and I
16 instruct you that if you find that the person's going over 55
17 miles an hour that the instruction would be that he's guilty.
18 If he's going under 55, the instruction would be not guilty.
19 And you say well, you know what, they proved that he was
20 going over 55, but I don't like the speed limit, I know what
21 the Court's telling me, but I'm not going to follow his
22 instruction. That's what I'm getting at. Is that what you
23 mean?

24 PROSPECTIVE JUROR NO. 022: I mean, the jury cannot
25 make a wrong decision.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR NO. 022: And a person cannot be
3 tried twice.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 022: And within the -- if he
6 falls within that -- the guideline between what I personally
7 feel, it -- he could -- you know, if he really did do
8 something wrong, I may rule innocent and potentially hang a
9 jury or potentially.

10 THE COURT: All right.

11 PROSPECTIVE JUROR NO. 022: Depending on how I'm
12 feeling on the case.

13 THE COURT: Well, you understand you'd be
14 instructed on what the law is and you're -- the jury sits as
15 a fact finder? You don't have to worry about the law at all.
16 All you have to do is determine what the facts are.

17 PROSPECTIVE JUROR NO. 022: Yeah.

18 THE COURT: And if you find that the facts fit
19 within the law that say that based on those facts, he's
20 guilty, you're saying that you wouldn't be able to do that?
21 Are you saying you can't find --

22 PROSPECTIVE JUROR NO. 022: In some cases, yes.

23 THE COURT: So are you saying you can't find people
24 guilty?

25 PROSPECTIVE JUROR NO. 022: Some -- some. In

1 certain --

2 THE COURT: Okay.

3 PROSPECTIVE JUROR NO. 022: -- instances.

4 THE COURT: So there's --

5 PROSPECTIVE JUROR NO. 022: Not all.

6 THE COURT: -- under certain circumstances you
7 would never find a person guilty; is that what you're saying?

8 PROSPECTIVE JUROR NO. 022: Yes.

9 THE COURT: Okay. You heard basically, the
10 allegations here in some regards. You didn't hear them all.
11 There's really actually 82 counts in this matter all
12 involving armed robberies.

13 PROSPECTIVE JUROR NO. 022: They're pretty damning.

14 THE COURT: What's that?

15 PROSPECTIVE JUROR NO. 022: They're pretty damning,
16 actually.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 022: From what I heard.

19 THE COURT: So do you have -- you've already
20 reached some kind of opinion at this point in time?

21 PROSPECTIVE JUROR NO. 022: Somewhat. I'm about
22 halfway there.

23 THE COURT: We haven't even got past jury selection
24 and you're halfway there?

25 PROSPECTIVE JUROR NO. 022: Yeah. I look at them,

1 yeah.

2 THE COURT: So you just don't want to be on this
3 jury is what you're saying?

4 PROSPECTIVE JUROR NO. 022: Oh, I'd love to be on
5 -- I'd love to --

6 THE COURT: Are you sure this is --

7 PROSPECTIVE JUROR NO. 022: This is very --

8 THE COURT: Are you --

9 PROSPECTIVE JUROR NO. 022: This is very
10 interesting.

11 THE COURT: Have you served as a juror before?

12 PROSPECTIVE JUROR NO. 022: No.

13 THE COURT: Okay. All right, thank you, sir.

14 PROSPECTIVE JUROR NO. 022: Thank you.

15 THE COURT: Anyone else? All right, Jim, at the
16 end.

17 PROSPECTIVE JUROR NO. 114: My name is David
18 Brizuela. My badge number is 114. I don't know it's going
19 to excuse, I don't speak well English and not write down
20 English. It's not excuse or --

21 THE COURT: You have trouble with English?

22 PROSPECTIVE JUROR NO. 114: Little bit.

23 THE COURT: What's your native --

24 PROSPECTIVE JUROR NO. 114: I listen well and speak
25 English a -- and --

1 THE COURT: Okay. What's your native language,
2 sir?

3 PROSPECTIVE JUROR NO. 114: David Brizuela.

4 THE COURT: Okay. How long have you been in the
5 United States?

6 PROSPECTIVE JUROR NO. 114: How long? (Speaking
7 foreign language), 15 years.

8 THE COURT: Fifteen years, and you're having
9 trouble with English?

10 PROSPECTIVE JUROR NO. 114: Well, I'm importing to
11 United States. I don't know.

12 THE COURT: What's that?

13 PROSPECTIVE JUROR NO. 114: I'm an immigrant. I'm
14 not born in United States.

15 THE COURT: Okay. So --

16 PROSPECTIVE JUROR NO. 114: I'm -- I'm --

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 114: -- what do you call,
19 naturalized citizen but not born in United States.

20 THE COURT: Okay. Didn't you have to go through a
21 testing process? And part of that testing process is you
22 have to show that you understand English?

23 PROSPECTIVE JUROR NO. 114: Yeah, I passes on the
24 question, yeah.

25 THE COURT: Okay. All right. All right. Sir, so

1 is it -- the language is Venezuelan or is it Spanish or --

2 PROSPECTIVE JUROR NO. 114: Well, actually, with
3 the everybody laughing when --

4 THE COURT: Everybody's what?

5 PROSPECTIVE JUROR NO. 114: Laughing.

6 THE COURT: Laughing at what?

7 PROSPECTIVE JUROR NO. 114: Laughing when this guy
8 say something about I don't know what you guys talking about.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR NO. 114: Can you imagine if --

11 THE COURT: Okay.

12 PROSPECTIVE JUROR NO. 114: -- I don't understand
13 what they talking about and --

14 THE COURT: Okay.

15 PROSPECTIVE JUROR NO. 114: -- and --

16 THE COURT: Well, okay, what's your native
17 language? Is it Spanish?

18 PROSPECTIVE JUROR NO. 114: Mexicano, Mexicano,
19 Mexican.

20 THE COURT: Mexican. Okay. Let's see if we can
21 get an interpreter. All right. If I got an interpreter here
22 for you --

23 PROSPECTIVE JUROR NO. 114: Sure.

24 THE COURT: -- would that help you?

25 PROSPECTIVE JUROR NO. 114: I have no problem.

1 THE COURT: Okay. That's what we'll doing, all
2 right?

3 PROSPECTIVE JUROR NO. 114: Yeah.

4 THE COURT: And then --

5 PROSPECTIVE JUROR NO. 114: Okay.

6 THE COURT: -- we have some more questions and --

7 PROSPECTIVE JUROR NO. 114: Sure. Very well.

8 THE COURT: Okay. Okay. Thank you.

9 PROSPECTIVE JUROR NO. 114: Thank you.

10 THE COURT: All right. Anyone else? Okay, Jim,
11 you need interpreter, too? Okay, Jim.

12 THE MARSHAL: Anyone else?

13 THE COURT: Yeah, right here in the front row.

14 PROSPECTIVE JUROR NO. 067: Yes.

15 THE COURT: Can you tell me your name?

16 PROSPECTIVE JUROR NO. 067: Marta Monge.

17 THE COURT: Okay. And your badge number?

18 PROSPECTIVE JUROR NO. 067: Is 04-0067.

19 THE COURT: Okay. So it's 067. All right. Okay,
20 what's your concern?

21 PROSPECTIVE JUROR NO. 067: (Indecipherable)
22 talking very quick English.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 967: And I little
25 understand. I have (indecipherable) --

1 THE COURT: Okay.

2 PROSPECTIVE JUROR NO. 067: -- the everything. And
3 go for my (indecipherable). And he give me the medicine for
4 (indecipherable).

5 THE COURT: So you go to a doctor for --

6 PROSPECTIVE JUROR NO. 067: Yeah, I --

7 THE COURT: -- a issue with --

8 PROSPECTIVE JUROR NO. 067: -- (indecipherable).

9 THE COURT: -- retention?

10 PROSPECTIVE JUROR NO. 067: Yeah, for the
11 retention.

12 THE COURT: Okay.

13 PROSPECTIVE JUROR NO. 067: I forget everything
14 what you saying to me.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 067: I no (indecipherable)
17 talking for forgetting.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 067: All right?

20 THE COURT: Uh-huh.

21 PROSPECTIVE JUROR NO. 067: And I like coming here
22 (indecipherable) and it's important here (indecipherable).
23 The problem is my -- me (indecipherable).

24 THE COURT: I understand. Okay.

25 PROSPECTIVE JUROR NO. 067: Okay?

1 THE COURT: So you have some issues with retention?

2 PROSPECTIVE JUROR NO. 067: Yeah.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 067: I -- I -- I taking
5 medicine for the sleeping and for the remember because I
6 forgetting thing.

7 THE COURT: Okay. I got you. Are you
8 understanding okay, though, at least up to this point, but
9 you're telling me you have some issues with -- some medical
10 issues, right?

11 PROSPECTIVE JUROR NO. 067: Yes.

12 THE COURT: Okay.

13 PROSPECTIVE JUROR NO. 067: (Indecipherable).

14 THE COURT: Okay. All right, thank you.

15 PROSPECTIVE JUROR NO. 067: Okay. You're welcome.

16 THE COURT: All right. Anyone else on -- okay.
17 All right. Are any of you acquainted with the defendant or
18 either of their attorneys? Either defendant or either of
19 their attorneys or Mr. Maningo, he's from a pretty good size
20 firm, is anyone -- do you recognize any of the names that --
21 of the attorneys? Okay. Jim.

22 PROSPECTIVE JUROR NO. 156: Your Honor, my name is
23 Kamuela Kapanui. I'm Badge No. 156. I work for U.S.
24 Pretrial Services as a U.S. Pretrial Services officer. And I
25 have been involved professionally with both defense counsel,

1 Mr. Tanasi as well as Mr. Maningo. I have conducted
2 investigations on some of their clients as well as supervised
3 some of their clients pending federal cases.

4 THE COURT: Have you done any work particularly on
5 this case with these two clients?

6 PROSPECTIVE JUROR NO. 156: No, Your Honor.

7 THE COURT: Okay. Is there anything about why you
8 are relationship with Mr. Tanasi or Mr. Maningo or Ms. Lobo
9 that you believe would affect your ability to be fair and
10 impartial in this if you're chosen as a juror?

11 PROSPECTIVE JUROR NO. 156: No, Your Honor.

12 THE COURT: Okay. All right, thank you, sir.
13 Okay. Anyone else based on that? Anyone else acquainted
14 with either the attorneys for the defendant or the
15 defendants? Okay.

16 Is there anyone acquainted with the two deputy
17 district attorneys here, Ms. Mercer and Mr. Portz? Anyone
18 acquainted with any members of the District Attorney's
19 Office? All right. No one has raised their hand.

20 What about you, Mr. Kapanui, do you do any work at
21 all with the District Attorney's Office?

22 PROSPECTIVE JUROR NO. 156: No, Your Honor.

23 THE COURT: Okay. All right, thank you. All
24 right. Are any of you acquainted with any of the witnesses
25 whose names were previously mentioned by the deputy district

1 attorney or Mr. Maningo in their defense? Okay, Jim. We'll
2 get to you.

3 PROSPECTIVE JUROR NO. 014: Your Honor, my name is
4 Scott Young, Badge 014.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 014: And I know two of the
7 officers they called out, Patrick Flynn and last name is
8 Ebert. I'm not 100 percent sure on his first name, but I'm
9 familiar with both of those individuals.

10 THE COURT: Okay. How well do you know them?

11 PROSPECTIVE JUROR NO. 014: I married into a law
12 enforcement family that --

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 014: -- my father-in-law is
15 friends with both of those individuals.

16 THE COURT: Okay. Do you associate with them on a
17 daily --

18 PROSPECTIVE JUROR NO. 014: I've seen them a
19 handful of times. Talked to them a handful of times.

20 THE COURT: Okay. Is there anything about your
21 relationship or your association with Officer Flynn or Ebert
22 that you believe would affect your ability to be fair and
23 impartial?

24 PROSPECTIVE JUROR NO. 014: No, sir.

25 THE COURT: Okay. All right, thank you. All

1 right. Anyone else in this group here? In the audience?

2 Okay.

3 PROSPECTIVE JUROR NO. 118: Linda Lofgren, 118.

4 Toby Tobiasson, which is a witness, he is a performer, and he
5 played in a show that I was hosting.

6 THE COURT: I didn't hear you, ma'am. Can you
7 speak right into the --

8 PROSPECTIVE JUROR NO. 118: Absolutely. It's Linda
9 Lofgren.

10 THE COURT: Uh-huh.

11 PROSPECTIVE JUROR NO. 118: 118, and one of the
12 witnesses, Toby Tobiasson, is a performer, and he played in a
13 show that I was hosting.

14 THE COURT: Okay. Is there anything about your
15 relationship with Mr. Tobiasson you believe would affect your
16 ability to be fair and impartial in this case?

17 PROSPECTIVE JUROR NO. 118: No.

18 THE COURT: Okay. All right, thank you. Anyone
19 else? All right. In the back row, Jim.

20 PROSPECTIVE JUROR NO. 156: Your Honor, Kamuela
21 Kapanui, Badge No. 156. One of the witnesses listed,
22 Enriquez, Gamaliel, he's currently under federal supervision
23 by my office.

24 THE COURT: Okay. Is there anything about the
25 information you know about that individual you believe that

1 will affect your ability to be fair and impartial in this
2 matter?

3 PROSPECTIVE JUROR NO. 156: No. Your Honor.

4 THE COURT: All right, thank you. Anyone else in
5 the -- all the way down at the end, Jim. Okay.

6 PROSPECTIVE JUROR NO. 195: Your Honor, name, Jean
7 Batiste Perrier (phonetic) --

8 THE COURT: Okay.

9 PROSPECTIVE JUROR NO. 195: -- Badge No. 195. One
10 of the Metro officers, J. Ramirez, I spent some time shooting
11 competitively with him over the past few years.

12 THE COURT: Okay. And as I asked other
13 individuals, is there anything about your relationship with
14 Officer Ramirez you believe that affect your ability to be
15 fair and impartial here?

16 PROSPECTIVE JUROR NO. 195: No, Your Honor.

17 THE COURT: All right. Thank you, Mr. Perrier.
18 Did I say that right? Is it Perrier?

19 PROSPECTIVE JUROR NO. 195: Perrier.

20 THE COURT: Perrier. Like kind of like the water?

21 PROSPECTIVE JUROR NO. 195: Correct.

22 THE COURT: Okay. All right, thank you. Okay.
23 Anyone else? Oh, okay. Sorry, sir, I didn't see you.

24 PROSPECTIVE JUROR NO. 054: Good morning, Judge.

25 THE COURT: Um-h'm.

1 PROSPECTIVE JUROR NO. 054: Steven Davies, Badge
2 No. 54.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 054: Patrick Flynn, one of
5 the officers' name, my wife is best friends with his wife.
6 I've never met him, but I know who he is.

7 THE COURT: Okay. Is there anything about your
8 relationship with -- you think that maybe --

9 PROSPECTIVE JUROR NO. 054: No.

10 THE COURT: -- with your wife, you know? Let's say
11 that you decide you're not going to -- you sit on the jury
12 and you -- would you think that you'd have to find them
13 guilty simply because you'd be afraid to go home and face
14 your wife --

15 PROSPECTIVE JUROR NO. 054: No.

16 THE COURT: -- after she comes home talking to
17 Patrick's wife?

18 PROSPECTIVE JUROR NO. 054: No.

19 THE COURT: Okay. All right. You see where I'm
20 getting at with that?

21 PROSPECTIVE JUROR NO. 054: Yeah.

22 THE COURT: All right.

23 PROSPECTIVE JUROR NO. 054: I'm just trying to be
24 honest here. I mean, I know the name. I've never -- like I
25 said, I've never met him.

1 THE COURT: All right. So you don't think there's
2 anything about that you think would affect your ability to be
3 fair and impartial here?

4 PROSPECTIVE JUROR NO. 054: No, absolutely not.

5 THE COURT: Okay. Thank you, Mr. Davies. Anyone
6 else? All right, no one else. Okay. This case is expected
7 to last about three weeks. And here's where we got through a
8 whole bunch of jurors yesterday. So the obvious question is,
9 is serving that period -- we know is going to present a
10 hardship to you all, so if you believe it's undue, let me
11 know and I'll make note of it and we'll talk about it, okay?

12 So just everyone raise their hand that believes
13 that serving three weeks on this trial is going to cause a
14 undue hardship. Okay. All right, so let -- we'll just get
15 started in the back row and we'll work all the way through to
16 ya'll, okay? So we'll just start in the back.

17 PROSPECTIVE JUROR NO. 004: Exazavion Baugus, No.
18 4.

19 THE COURT: Okay. Mr. Baugus, what do you want to
20 tell me? I mean, what --

21 PROSPECTIVE JUROR NO. 004: I work 12 hours a day,
22 six days a week, and I have two kids and no mom.

23 THE COURT: All right. Do you have -- is there any
24 -- is there anyone that can watch the kids when you're
25 working?

1 PROSPECTIVE JUROR NO. 004: I can try and ask, but
2 usually they go to Safe Key, and when I get out, they get
3 out.

4 THE COURT: Are you a single parent?

5 PROSPECTIVE JUROR NO. 004: Yeah.

6 THE COURT: Okay. Do you have any family like your
7 mother or --

8 PROSPECTIVE JUROR NO. 004: I could ask them --

9 THE COURT: Okay.

10 PROSPECTIVE JUROR NO. 0:04: -- but just letting
11 you know.

12 THE COURT: All right. How old are they?

13 PROSPECTIVE JUROR NO. 004: Five and seven.

14 THE COURT: Okay. And so what time do you usually
15 go to work?

16 PROSPECTIVE JUROR NO. 004: 4:00 to 3:30.

17 THE COURT: How do they get to school?

18 PROSPECTIVE JUROR NO. 004: My brother.

19 THE COURT: Okay. So would you be willing to do
20 that, ask them and see if they could watch them if you're
21 here on this?

22 PROSPECTIVE JUROR NO. 004: Yeah, I can ask them.

23 THE COURT: Okay. You don't perceive there would
24 be any issues with work, do you?

25 PROSPECTIVE JUROR NO. 004: I work in construction

1 so I don't know.

2 THE COURT: Yeah. I want everybody to understand
3 this, too, is if you're fearful that you'd believe you're
4 going to lose your job because you're in a jury pool, the law
5 will protect you on that. You will not lose your job if you
6 were here serving as a juror.

7 There are some questions, though, you might want to
8 ask your employers is whether or not they will pay you while
9 you're here. You will be paid by the Court, but not to the
10 extent that many of you are making on your job. So all
11 right, Mr. Baugus, thank you so much, okay? Anyone else?
12 The back row? Okay. All right.

13 PROSPECTIVE JUROR NO. 001: Hi. My name is
14 Patricia Valenzuela, and No. 1:

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 001: Yes. My husband is
17 disabled, and I already made some of -- I have a doctor's
18 appointments for the following weeks.

19 THE COURT: Next week?

20 PROSPECTIVE JUROR NO. 001: Yes.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR NO. 001: And I'm the only one
23 there, and I'm driving him everywhere, and I'm -- we only
24 have one car.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR NO. 001: And sometimes you take
2 -- he takes month or two to get appointments.

3 THE COURT: All right. I understand. Okay, thank
4 you. All right. All right. Okay.

5 PROSPECTIVE JUROR NO. 012: Hi. 012, Judy
6 Greenhough. Judith Greenhough.

7 THE COURT: Uh-huh.

8 PROSPECTIVE JUROR NO. 012: Sir, I'm 68, single,
9 live alone, on social security and I do some independent
10 contractor work from home to make ends meet. So three weeks
11 would be a real dent and hardship for me financially.

12 THE COURT: Okay. What type of work do you do?

13 PROSPECTIVE JUROR NO. 012: I'm called a
14 facilitator for a company here in town. It's strictly
15 commission work. I do phone call work, consult their --
16 their participants and do computer work and host phone calls.

17 THE COURT: Okay. Thank you. All right. All
18 right. In the second row. Could you pass all the way down
19 to the your left if there's anyone. Nobody. Okay, just --
20 all right.

21 PROSPECTIVE JUROR NO. 022: Robert Gross, Badge No.
22 022. I have a check for a substantial amount of money coming
23 in, and well, actually, it already came in, but through this
24 I had to postpone it until Saturday. There's like 180-day
25 time limit to cash it. It's from teamster's pension trust,

1 and it is worth about 3500, and I need to cash that within
2 the time allotted by the teamster's trust.

3 THE COURT: Okay. Well --

4 PROSPECTIVE JUROR NO. 022: Or I'll lose it
5 entirely.

6 THE COURT: Okay. Like today ya'll got here around
7 10:00. Some days I start early. Some days I start later.
8 Tomorrow I'll be starting probably about 8:30, and next week,
9 though, based on my calendar, I'll be starting later on in
10 the day so I think you'll have an opportunity to get to the
11 bank or wherever you need to go.

12 PROSPECTIVE JUROR NO. 022: It's not just the
13 opportunity because I have to meet with somebody to -- I
14 actually have to start a bank account as well --

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 022: -- to claim this money.

17 THE COURT: Um-h'm.

18 PROSPECTIVE JUROR NO. 022: And I have to find
19 somebody with a bank account that's will be ready to -- on,
20 you know, my schedule --

21 THE COURT: Okay.

22 PROSPECTIVE JUROR NO. 022: -- and their schedule.

23 THE COURT: I got you.

24 PROSPECTIVE JUROR NO. 022: Yeah, and the day that
25 came up for the -- the schedule that we could post this time

1 was Saturday at --

2 THE COURT: We won't be in court Saturday.

3 PROSPECTIVE JUROR NO. 022: -- 12:00. Oh.

4 THE COURT: Okay?

5 PROSPECTIVE JUROR NO. 022: All right.

6 THE COURT: All right?

7 PROSPECTIVE JUROR NO. 022: All right.

8 THE COURT: Okay, thank you.

9 PROSPECTIVE JUROR NO. 022: That clears that up.

10 THE COURT: Okay. Anyone else in -- no, pass it
11 back, pass it back. There you go.

12 PROSPECTIVE JUROR NO. 026: My name is Richard
13 Gross.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR NO. 026: I'm Badge No. zero
16 two --

17 THE COURT: All right, before we go any further,
18 are you related to Robert?

19 PROSPECTIVE JUROR 022: I asked him that question.

20 PROSPECTIVE JUROR NO. 026: Yeah, we've never met.

21 THE COURT: Okay. All right. Go ahead.

22 PROSPECTIVE JUROR NO. 026: As far as we know,
23 we're not related.

24 PROSPECTIVE JUROR NO. 022: No.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR NO. 026: My badge number is 026.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR NO. 026: And the company that I
4 work for, I'm the -- I work for a cabinetry company, and I'm
5 their designer their C and C programmer and their C and C
6 operator. And if I am not at work, our entire group of
7 (indecipherable) people that build cabinets can't build
8 anything because there's no one in the company that even
9 knows how to turn the C and C on other than myself.

10 THE COURT: All right. Okay, thank you. Okay.

11 (Pause in the proceedings)

12 THE COURT: Okay. All right, go ahead, sir.

13 PROSPECTIVE JUROR NO. 029: James Neal, Badge No.
14 29.

15 THE COURT: Okay. Mr. Neal, could you speak --
16 bring it closer to your --

17 PROSPECTIVE JUROR NO. 029: Yeah, I'm sorry.

18 THE COURT: There you go.

19 PROSPECTIVE JUROR NO. 029: I live about 100 miles
20 away, and I depend on rides to get back and forth.

21 THE COURT: Where do you live, sir?

22 PROSPECTIVE JUROR NO. 029: Mesquite.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 029: So and it would be kind
25 of hard to get back and forth.

1 THE COURT: Yeah. Okay. All right, thank you.

2 PROSPECTIVE JUROR NO. 031: Alice Lecount, 031.

3 THE COURT: Uh-huh.

4 PROSPECTIVE JUROR NO. 031: I'm a behavior
5 intervention and instructional project facilitator for Clark
6 County School District. Much of my work during the next
7 three and four weeks involves running into my 22 -- any of my
8 22 assigned schools to assist special ed teachers in writing
9 plans, behavior plans, to keep us out of court at this time
10 of year. We have a lot of that going on.

11 THE COURT: That does what?

12 PROSPECTIVE JUROR NO. 031: To keep us out of
13 court. Due process.

14 THE COURT: Okay. Okay, thank you. All right, you
15 want to pass that to the third line there all the way down.
16 You do? Yeah, go ahead and take it. Do you have anything?
17 All right.

18 PROSPECTIVE JUROR NO. 036: Okay. My name is
19 Adolfo Sandoval. My badge number is 36.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 036: I'm not sure if -- how
22 they're going to do with --

23 THE COURT: Can you speak a little closer to the
24 mic?

25 PROSPECTIVE JUROR NO. 036: Yeah. Because I have

1 payments. I own a house so I'm not sure three weeks is going
2 to hurt my --

3 THE COURT: Okay. What do you do for work?

4 PROSPECTIVE JUROR NO. 036: I work at Office Depot.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 036: And then I do AC units
7 and warehouse so I do like 12 --

8 THE COURT: Okay.

9 PROSPECTIVE JUROR NO. 036: So it's only -- only me
10 paying the -- you know, my bills, everything so then I'm
11 saving money to bring my wife from Mexico.

12 THE COURT: Okay.

13 PROSPECTIVE JUROR NO. 036: So I think it's going
14 to hurt a lot.

15 THE COURT: All right. Okay. Thank you. All
16 right.

17 PROSPECTIVE JUROR NO. 041: Hello, Judge. I'm
18 Michael Voutsinas, Badge No. 41.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR NO. 041: And as I said before,
21 you know, I'm in high school still.

22 THE COURT: Right.

23 PROSPECTIVE JUROR NO. 041: I got proficiencies
24 coming up this week and it will be very hard for the next
25 three weeks because if I'm here, I ain't going to be graduate

1 school, and that time's coming up very soon.

2 THE COURT: Okay. All right, thank you.

3 PROSPECTIVE JUROR NO. 046: Vissia Noquez, Badge
4 No. 46. I'm a nurse, and two days would be okay, but two to
5 three weeks, we already short of staff right now, and they
6 are even calling to work tonight.

7 THE COURT: Where do you work?

8 PROSPECTIVE JUROR NO. 046: Complex Care at Tenaya.

9 THE COURT: Where?

10 PROSPECTIVE JUROR NO. 046: Complex Care, Tenaya.
11 It's long-term acute care.

12 THE COURT: So there's no one else there that does
13 your job that could help?

14 PROSPECTIVE JUROR NO. 046: We are short. I'm off
15 tonight, but they're still calling me to work.

16 THE COURT: Okay. Okay, thank you.

17 PROSPECTIVE JUROR NO. 046: Thank you.

18 PROSPECTIVE JUROR NO. 047: Your Honor, Nicholas
19 Kozlowski, 47.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 047: I'm a district manager
22 for a living. I travel on a weekly basis. I just arrived
23 from Denver yesterday. I'm scheduled and have, excuse me,
24 flights for Canada next week. The following week I'm in
25 Arizona. The following week after, and I coordinate that

1 with my wife who's also a traveling professional, and we have
2 a two-year-old son and an eight and a nine-year-old daughter.

3 THE COURT: So your wife travels as well?

4 PROSPECTIVE JUROR NO. 047: Yes, she does day
5 trips, whereas, I typically go a few days at a time.

6 THE COURT: Okay.

7 PROSPECTIVE JUROR NO. 047: But we coordinate our
8 travel schedule in one where one of us can be home for the
9 children.

10 THE COURT: I understand. Okay. Thank you. All
11 right.

12 PROSPECTIVE JUROR NO. 062: Bob Zagby.

13 THE COURT: Could you pass it all the way down to
14 the end here. Is there anyone else in this third -- third
15 row? No one? No one? Okay, you do. All right, there you
16 go.

17 PROSPECTIVE JUROR NO. 055: Dale Sanderson, 055.

18 THE COURT: Uh-huh.

19 PROSPECTIVE JUROR NO. 055: I'm a commissioned
20 salesperson, but that's not the real issue. I've had a event
21 registered reserved since last fall. I have airline tickets
22 for May 14, returning on May 22 with a hotel reservation and
23 one of those is non-refundable.

24 THE COURT: Okay, thank you. All right.

25 PROSPECTIVE JUROR NO. 057: Sean Deson, 057.

1 THE COURT: Uh-huh.

2 PROSPECTIVE JUROR NO. 057: I own and operate my
3 own company, which is a finance company, and nobody else
4 works for me, and if I'm not doing it, it's not getting done.

5 THE COURT: Okay, thank you.

6 PROSPECTIVE JUROR NO. 062: Robert Zagby, Badge 62.
7 I own and operate a small business with three employees.
8 Without me there, it's basically going to come to a grinding
9 halt affecting everybody's salaries.

10 THE COURT: What type of business?

11 PROSPECTIVE JUROR NO. 062: Screen print and
12 embroidery.

13 THE COURT: Okay. There's no -- you don't have a
14 manager or anybody or --

15 PROSPECTIVE JUROR NO. 062: No, no.

16 THE COURT: Okay, thank you. Anyone in the front
17 row? All right.

18 PROSPECTIVE JUROR NO. 068: Robert Howell, Badge
19 No. 068. I own a small business with my brother. We have to
20 write checks on a daily basis to run -- we're in the towing
21 industry so to run certain calls. If him or I are not there,
22 those calls can't be ran.

23 I also do outside sales where I have to service
24 accounts every other week and hoping the next three weeks
25 I'll be on those properties two out of the next three weeks

1 so --

2 THE COURT: Okay.

3 PROSPECTIVE JUROR NO. 068: -- that would be very
4 hard for me.

5 THE COURT: Okay, thank you. All right. Go ahead.

6 PROSPECTIVE JUROR NO. 071: Maria Funes, Badge No.
7 71. I work full-time and I have a four-year-old that is
8 usually at the daycare, and I usually pick up after work and
9 it seems like it's going to be a hardship not being able to
10 go to work if I -- without the money, I can't pay for the
11 daycare, and I really don't have family here in town to help
12 me.

13 THE COURT: Are you single?

14 PROSPECTIVE JUROR NO. 071: No, I have my husband,
15 but we both work, and that's like our only place to depend
16 on, the daycare.

17 THE COURT: What does your husband do?

18 PROSPECTIVE JUROR NO. 071: He's a teacher.

19 THE COURT: And what do you do?

20 PROSPECTIVE JUROR NO. 071: I work at Aria Casino
21 as a gardener.

22 THE COURT: Okay, thank you. Anyone else? Jim, out
23 in the audience. Do you have -- sir, you okay? All right.

24 UNIDENTIFIED PROSPECTIVE JUROR: Not after hearing
25 everybody else.

1 PROSPECTIVE JUROR NO. 074: My badge number is 074.
2 My name Cozy Meyer. I have tickets to go to Indianapolis on
3 Sunday night, and I'll be gone until a week after that for a
4 board retreat. So I will not be available for that
5 three-week period.

6 THE COURT: Okay. Thank you. Anyone in -- just
7 keep passing it to your right there if we --

8 PROSPECTIVE JUROR NO. 075: My name is Leanna
9 Hernandez.

10 THE COURT: Can you speak a little closer to the
11 mic?

12 PROSPECTIVE JUROR NO. 075: My name is Leanna
13 Hernandez. My badge number is 75. I am a single mother. I
14 go to school, and I won't be in town between the 19th and the
15 24th.

16 THE COURT: What do you have planned for the 19 to
17 the 24th?

18 PROSPECTIVE JUROR NO. 075: I will be out in
19 California for vacation but as well as business.

20 THE COURT: What type of business?

21 PROSPECTIVE JUROR NO. 075: I'm a contract
22 specialist.

23 THE COURT: A what?

24 PROSPECTIVE JUROR NO. 075: Contract specialist for
25 Diamond Resorts International.

1 THE COURT: So that's -- you're going there, you're
2 going to make a vacation out of a business trip; is that
3 what's happening?

4 PROSPECTIVE JUROR NO. 075: Part of the -- part of
5 the first few days it will be for business --

6 THE COURT: Uh-huh.

7 PROSPECTIVE JUROR NO. 075: -- and I'm -- the last
8 few days I took vacation time to -- to take my daughter.

9 THE COURT: Okay. Okay, thank you.

10 PROSPECTIVE JUROR NO. 080: My name is Shelly
11 Littlejohn, Badge No. 80. I returned home yesterday. I
12 buried my father on Saturday. I am the power of the estate,
13 and with the three hours difference from here to the east
14 coast it makes it very hard. I just received the death
15 certificate yesterday 3:00 p.m. so I haven't had a chance to
16 do anything that needed to get done.

17 THE COURT: Okay. Are you planning on the services
18 in the next couple of weeks? Is that --

19 PROSPECTIVE JUROR NO. 080: Yeah, I have to get
20 everything pretty much done.

21 THE COURT: Okay. Sorry for your loss.

22 PROSPECTIVE JUROR NO. 080: Thank you.

23 PROSPECTIVE JUROR NO. 083: Your Honor, Mark
24 Spencer, Badge No. 83. I'm an endurance athlete and I've got
25 a six-day, 160-mile running race across the desert starting

1 next week. I got a few thousand dollars invested in it, and
2 more importantly, I've been training for it for nearly a
3 year.

4 THE COURT: Okay. When is the race?

5 PROSPECTIVE JUROR NO. 083: It starts next Thursday
6 and goes through to the following Thursday.

7 THE COURT: What type of race is it?

8 PROSPECTIVE JUROR NO. 083: It's 160 miles across
9 the desert.

10 THE COURT: Are you running?

11 PROSPECTIVE JUROR NO. 083: Yes, sir. Yes, Your
12 Honor.

13 THE COURT: My recorder does a lot of this type of
14 things, too. That -- wow, that's a pretty -- 160 miles in
15 the -- where?

16 PROSPECTIVE JUROR NO. 083: So it's going to be out
17 in Logandale Trails by Valley of Fire. It's going to be five
18 marathons and on the sixth day a double marathon.

19 THE COURT: So each day you do a different race?

20 PROSPECTIVE JUROR NO. 083: Do a stage race.

21 THE COURT: Okay. And you're in training now for
22 that?

23 PROSPECTIVE JUROR NO. 083: I've been training for
24 a year for it.

25 THE COURT: Wow. Okay. All right, thank you.

1 Okay.

2 PROSPECTIVE JUROR NO. 086: Your Honor, my name is
3 Anthony Chavez. I am Badge 0086. I am in the U.S. Army
4 Reserves as a specialist. Within the next couple weeks I'm
5 actually supposed to be going to BLC to get my stripes so I
6 don't know if I'll be able to be here.

7 It hasn't been scheduled yet, but my sergeant has
8 let me know that I am on the list.

9 THE COURT: So what stripes are you going to get?

10 PROSPECTIVE JUROR NO. 086: Sergeant.

11 THE COURT: When are you supposed to do that? You
12 don't know?

13 PROSPECTIVE JUROR NO. 086: Within the next couple
14 weeks.

15 THE COURT: How long have you been waiting for
16 them?

17 PROSPECTIVE JUROR NO. 086: I've been waiting about
18 a year and a half.

19 THE COURT: So how do you know it's coming up in
20 the next couple weeks?

21 PROSPECTIVE JUROR NO. 086: Because I finally got
22 to the top of the list.

23 THE COURT: Okay. But they won't let you postpone
24 that?

25 PROSPECTIVE JUROR NO. 086: Well --

1 THE COURT: I mean, if you tell --

2 PROSPECTIVE JUROR NO. 086: -- I go back down --

3 THE COURT: -- them, you know, I'm busy --

4 PROSPECTIVE JUROR NO. 086: Then I go back from the
5 start on the list.

6 THE COURT: General, I'm busy. Here, call Judge
7 Kephart. I'll talk to him.

8 PROSPECTIVE JUROR NO. 086: I don't have the
9 General's number.

10 THE COURT: Okay. All right, so you're waiting to
11 be promoted to sergeant and --

12 PROSPECTIVE JUROR NO. 086: I'm waiting to be sent
13 to --

14 THE COURT: -- and they actually --

15 PROSPECTIVE JUROR NO. 086: -- BLC to -- it's a --
16 it's a course to get promoted to sergeant.

17 THE COURT: Okay. Oh, so -- all right. But you --
18 do have you to go through this course? Is that what I'm
19 saying?

20 PROSPECTIVE JUROR NO. 086: You have to go through
21 it.

22 THE COURT: And once get -- I know my marshal could
23 explain it better to me, but, I guess, once you get selected,
24 then you go through the course, and then if you pass that,
25 you get promoted?

1 PROSPECTIVE JUROR NO. 086: That's correct.

2 THE COURT: All right. And you've been waiting
3 about a year to get on the list?

4 PROSPECTIVE JUROR NO. 086: About a year, year and
5 a half.

6 THE COURT: Okay. And I'm going to -- you know,
7 I'm going to keep you here for a little while. We're going
8 to ask some more questions, but I'm going to ask you maybe at
9 a break you can call your commanding officer and ask if
10 there's a possibility that if you're here, if it's going to
11 -- what it's going to do.

12 PROSPECTIVE JUROR NO. 086: Yeah, most certainly.

13 THE COURT: Okay?

14 PROSPECTIVE JUROR NO. 086: I can ask him about
15 getting a reschedule if it won't bring me back to the bottom
16 of the list.

17 THE COURT: Right. That would be -- I don't want
18 to do that. I don't want to put you to the bottom, okay?

19 PROSPECTIVE JUROR NO. 086: Absolutely.

20 THE COURT: All right. Thank you, sir.

21 PROSPECTIVE JUROR NO. 092: Your Honor, my name is
22 Carlton Dyer, Badge No. 092. I am the husband of a wife
23 that's disabled, broke her neck in flight coming into Las
24 Vegas. And three weeks would be a great hardship on me
25 because I'm the sole provider of my household.

1 Anyone else in that row?

2 PROSPECTIVE JUROR NO. 143: Christopher Jacks, No.
3 143.

4 THE COURT: Uh-huh.

5 PROSPECTIVE JUROR NO. 143: I have a full-time job
6 and a part-time job to pay for school and bills, and I'm also
7 a student. And I have finals coming up in about a week's
8 time.

9 THE COURT: What's that, sir? I didn't hear you at
10 the end.

11 PROSPECTIVE JUROR NO. 143: Oh, sorry. I'm also a
12 student and I have finals coming up in about a week.

13 THE COURT: Where are you going to school?

14 PROSPECTIVE JUROR NO. 143: UNLV.

15 THE COURT: Okay. Thank you.

16 Anyone else in the back row there? No one in the
17 back row? Anyone in that second row from the back right there
18 on the left?

19 PROSPECTIVE JUROR NO. 155: My name is Tawana
20 Jackson-Jones, Juror No. 155. I have an appointment for my
21 passport on Friday at 10:00, and then I'm supposed to be
22 leaving out of the country between -- once I get my passport
23 I'm supposed to be leaving to Canada --

24 THE COURT: When --

25 PROSPECTIVE JUROR NO. 155: -- which is May --

1 THE COURT: When are you planning on leaving to
2 Canada?

3 PROSPECTIVE JUROR NO. 155: May 11th.

4 THE COURT: So if you don't get a passport, you
5 don't get to go?

6 PROSPECTIVE JUROR NO. 155: Correct. So I'm going
7 to expedite my passport when I go in for my appointment on
8 Friday.

9 THE COURT: So if you don't get a passport on
10 Friday, you won't be able to go to Canada?

11 PROSPECTIVE JUROR NO. 155: Correct.

12 THE COURT: So if you're here, you won't get a
13 passport so you wouldn't need to go to Canada. I'm just --
14 I'm just playing. Why do you want to go to Canada?

15 PROSPECTIVE JUROR NO. 155: Because I got a job
16 opportunity there working for a company.

17 THE COURT: You don't need to answer that, ma'am.
18 I'm just -- I'm just -- we're getting to the end of this and
19 I'm just venting a little bit, okay. All right. So you got a
20 passport meeting for Friday, and if you don't get your
21 passport, you won't be able to go to Canada on Monday.

22 PROSPECTIVE JUROR NO. 155: Correct.

23 THE COURT: Do you have -- do you already have your
24 airline tickets to go to Canada --

25 PROSPECTIVE JUROR NO. 155: Yes, I do.

1 THE COURT: -- or are you driving?

2 PROSPECTIVE JUROR NO. 155: I'm actually flying.

3 THE COURT: Okay. You already have your tickets for
4 that?

5 PROSPECTIVE JUROR NO. 155: Yes.

6 THE COURT: Okay. Is it something that you could
7 reschedule?

8 PROSPECTIVE JUROR NO. 155: Probably, yeah.
9 Hopefully.

10 THE COURT: What is it -- what is it for?

11 PROSPECTIVE JUROR NO. 155: It's for -- I got a job
12 opportunity in Canada working for a big company for software.

13 THE COURT: For what type of work?

14 PROSPECTIVE JUROR NO. 155: It's for office clerk.

15 THE COURT: Okay. Okay. All right. Thank you.

16 Anyone else in the back?

17 PROSPECTIVE JUROR NO. 169: Nancy Manriquez, Badge
18 No. 169.

19 THE COURT: Uh-huh.

20 PROSPECTIVE JUROR NO. 169: It would be a financial
21 hardship. I'm a mother of two. I work two jobs, and I
22 actually have a trip planned. We're supposed to be leaving
23 tonight to Fresno for my dad's 79th birthday.

24 THE COURT: Okay. So you're -- it's a hardship for
25 you because you're a mother of two; right?

1 PROSPECTIVE JUROR NO. 169: I'm a single mother of
2 two.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 169: And I work two jobs.

5 THE COURT: All right. And you're planning on going
6 to Fresno?

7 PROSPECTIVE JUROR NO. 169: Fresno tonight. I've
8 already requested Thursday and Friday off at both jobs and
9 were granted to me.

10 THE COURT: Okay. Okay. Thank you.

11 Anyone else? All right. Okay. Now --

12 PROSPECTIVE JUROR NO. 076: My name Janer Pacheco.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 076: Badge No. is 076.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 076: The reason I can't serve
17 is about a year ago I lost part of my family back in Puerto
18 Rico because of a robbery. I don't think I can participate in
19 a trial like this due to that.

20 THE COURT: Okay. Okay. Thank you, Mr. Pacheco.
21 All right. Anyone else?

22 PROSPECTIVE JUROR NO. 077: Yes, sir. Dan Powers,
23 077.

24 THE COURT: Uh-huh.

25 PROSPECTIVE JUROR NO. 077: I'm good up until May

1 25th. I'm a deacon at Holy Spirit Parish. And on the 25th I
2 drive cross country to Michigan and fly down to Atlanta to
3 hook up with a parish team to fly to Jamaica and work with --
4 in the slums there. But up until May 25th I'm good to go.

5 THE COURT: Okay. Thank you, sir.

6 PROSPECTIVE JUROR NO. 078: Donna Zheng, No. 078.
7 I'm a full-time college student and I have an exam tomorrow
8 that can't be rescheduled. And I also have following exams on
9 next -- on next week.

10 THE COURT: Where are you a student at?

11 PROSPECTIVE JUROR NO. 078: UNLV and CSN.

12 THE COURT: Okay. Okay. Thank you.

13 Anyone else? Okay.

14 PROSPECTIVE JUROR NO. 062: I'm Regina Lockhart,
15 062. I'm the main breadwinner at my house. I recently
16 started a job, a new job. They don't -- I don't have any
17 vacation time saved up and they don't compensate us
18 financially. So with helping my dad and one of my adult kids
19 and my own bills with me and my husband, I would be devastated
20 for three weeks with no pay.

21 THE COURT: Well, so everyone is kind of rest
22 assured, you do get paid for being here. It's not --

23 PROSPECTIVE JUROR NO. 062: But it's only --

24 THE COURT: -- probably what a lot of you are used
25 to, but --

1 PROSPECTIVE JUROR NO. 062: Yeah, I wouldn't make my
2 bills, any of them.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 062: I mean --

5 THE COURT: Okay. Thank you, ma'am. I understand.
6 I do. I do.

7 Is anyone else in the row there? Okay.

8 PROSPECTIVE JUROR NO. 178: My name is Marcia Mauer.
9 My Badge No. is 03-0178. I have several reasons. The first
10 one is I'm a diabetic and I do shots three times a day. To
11 haul medicine here, it has to be refrigerated. And if
12 something happened to it, I'd be lost until the next month I
13 get a refill.

14 The second reason is I work at the Clark County
15 School District. I've been there 14 years. I'm secretary to
16 three deans. The next three weeks is a lot of paperwork for
17 kids who were expelled, suspended, are going to other schools,
18 and we have to get this all done by a certain time, and also
19 we have to get them back to do their finals. And it's just a
20 lot of work and my three deans would probably die if I didn't
21 come back for three weeks. So I really need to be there.

22 THE COURT: Okay. All right. Thank you, Ms. Mauer.

23 PROSPECTIVE JUROR NO. 178: Thank you.

24 THE COURT: Is there anyone else?

25 Ladies and gentlemen, I think this would be a good

1 time for me to kind of talk to you a little bit about this. I
2 want to preface this by telling you that I truly believe --
3 I've been doing this over 30 years. And I truly believe that
4 we have the best system in the world. A lot of people come to
5 the United States because of our system. Not necessarily
6 because they think it's such a great place to live all the
7 time. They like how the government deals with the people.
8 And a lot of people move here from -- some of you who have
9 come here from other countries probably will attest to this.

10 With that being said, people that live here their
11 whole life and lack of -- and I have issues with some of our
12 teachers, not with you personally, but we don't seem to teach
13 our civics anymore in school and a lot of people don't really
14 understand. They don't have civic lessons. I mean, when I
15 was kid I was going why do I need to hear this, why do I need
16 to hear that.

17 Well, as I grew up and got into the system, I
18 understand it a lot better now of why it's so important is
19 there's -- the one area where the public has total connection
20 with the system is right here. This is the one place -- I
21 mean, you can all say I have a connection because I have to
22 vote or you get an opportunity to vote a president in or vote
23 legislators in or whatever, and you have -- or you can call
24 your legislator or you can call your congressman, yeah, that's
25 true. But where you actually have a say in what happens in

1 your community, a direct say, is right here.

2 You all get to part -- be part of the system
3 directly where you don't have to go through an election
4 process, you don't have to -- well, I guess you can say this
5 is kind of your election process because we're fettering you
6 through this, but this is the one time where you have the
7 opportunity to actually take part and to see what's actually
8 happening in your community. Many of you may say, you know, I
9 really don't want to do that. We pay big money to judges to
10 make our decisions for us, but that's not how our system works
11 is that -- and in this case both Mr. Hobson and Mr. Starr have
12 a right to a trial by a jury of their peers.

13 And that is such a fundamental right that -- that
14 there's so much case law in that area and so much litigation
15 in that area that once you really grasp that understanding you
16 understand why I'm spouting off to you now. We all know,
17 every judge down here, all the parties that are involved all
18 know that it's a hardship for you. And particularly in Las
19 Vegas it's a hardship in light of the fact that many
20 individuals work under circumstances where they're single
21 parents, they only have one income, the income is based on
22 tips, and if they're not working they're not getting that. We
23 understand that.

24 And something, though, I want you all to understand
25 this as well, as voting individuals is that we have actually

1 addressed whether or not jurors should be paid the salary that
2 they get upon verification. If they're down here giving us
3 their time, they should be paid for that. The voters said
4 absolutely not. As a matter of fact, the voters say jurors
5 aren't entitled to be compensated at all. But the courts,
6 under the way the best that we could said, no, that's not fair
7 because we take into consideration that -- and so you get a
8 minimal amount.

9 You know, if -- I always say when I become God, I'd
10 love to be able to just do -- pay everybody what they -- that
11 they get and so it wouldn't even be a question. Most of you
12 individuals here now saying that financial issues. And we
13 understand that. I do. I will tell you that what -- that's
14 going to be discussed. Everything that I just asked you and
15 what I was writing down, we're all going to discuss that.
16 Some of you will be excused, some of you may not get excused
17 at this point. I'm not saying that you won't be. But you can
18 see just based on that one question how many people we put
19 basically at odds of what's happening here today.

20 And please don't feel -- I appreciate your answers
21 and I want you to understand that we don't -- we don't
22 consider them lightly. That's why I'm taking the time now
23 just to address it with all of you. Because -- because I've
24 had it -- quite honestly, I've had it where every single
25 individual in here has raised their hand to that question, and

1 that -- that's fine. But so we're going to move on. I'm not
2 telling you no at this point, but we have some other questions
3 I'll get to and then I'm going to -- I'm going to give you a
4 break and I'm going to address it with the parties, okay. All
5 right.

6 So other than what you've already told me, is there
7 any -- anything else that you believe for any other reason you
8 would be unable to serve as a juror here. The gentleman here
9 says he's got -- he's looking at back surgery. Some people
10 say I can't -- I can't sit for awhile. The young lady has
11 diabetes, we have to address that. Is there -- for any other
12 reason? Okay. All right. Let's -- we'll start in the back
13 row.

14 PROSPECTIVE JUROR NO. 005: I'm Carla Coffers, Badge
15 No. 05.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 005: Earlier I said about my
18 grandkids, my son leaves at 3:00 in the morning. And I'm
19 there for the kids and one of the reasons is because in
20 February we were robbed horribly. And they turned around --
21 and we got security and everything in March. Three and a half
22 weeks later they came back, the same people. And there is a
23 case and detectives on it, but it was very traumatic to my
24 grandchildren. It's -- I mean, over \$20,000 worth of stuff
25 was taken. And --

1 THE COURT: Were you -- were you the victims of this
2 or your --

3 PROSPECTIVE JUROR NO. 005: Yeah, my son, and I own
4 the house.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 005: Any my grandkids. He's
7 a single parent, and it happened during the day and --

8 THE COURT: Does your son live with you?

9 PROSPECTIVE JUROR NO. 005: No.

10 THE COURT: Okay. So you own the house, your son
11 lives in that house --

12 PROSPECTIVE JUROR NO. 005: And I come over.

13 THE COURT: -- with your grandchildren.

14 PROSPECTIVE JUROR NO. 005: Yeah. And I come over
15 every --

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 005: -- at 3:00 in the
18 morning or I stay there at night.

19 THE COURT: Were you there when this happened?

20 PROSPECTIVE JUROR NO. 005: No, it happened during
21 the -- early in the -- 7:00 in the morning. I had the kids
22 that night. And the next time they came back it was 10:00 in
23 the morning.

24 THE COURT: Were you there then?

25 PROSPECTIVE JUROR NO. 005: No.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR NO. 005: But they took all --
3 they pushed the motorcycle out from the garage and -- and we
4 saw all the videos and -- and -- but -- and it's been very
5 traumatic, especially on the kids.

6 THE COURT: Okay.

7 PROSPECTIVE JUROR NO. 005: You know.

8 THE COURT: Okay. Thank you.

9 All right. So did you have --

10 PROSPECTIVE JUROR NO. 006: Anthony Raftery, Juror
11 006. I was injured in Afghanistan in 2012, and I have nerve
12 damage in my neck and in my shoulder. And the medication that
13 I'm on makes me very tired at times, and it's hard to focus.
14 And I get frequent migraines --

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 006: -- as well.

17 THE COURT: Okay. Thank you.

18 Anyone else? Okay. Second row? Third row? All
19 right.

20 PROSPECTIVE JUROR NO. 023: Lori Owen, Juror 023.

21 THE COURT: Uh-huh.

22 PROSPECTIVE JUROR NO. 023: A few years ago we were
23 robbed at our home here in Henderson, and then back several
24 years ago I was robbed at gunpoint out of a business in
25 California. And I don't know if I could be impartial in this

1 whole jury process.

2 THE COURT: Okay. Thank you.

3 PROSPECTIVE JUROR NO. 025: Stephanie Outley, 025.

4 THE COURT: Uh-huh.

5 PROSPECTIVE JUROR NO. 025: Exactly a year ago from
6 today I used to work at SlotZilla. In the parking garage, I
7 was walking to my car and I got jumped and mugged by two guys
8 in the parking garage and I got a concussion. And then just a
9 week after that my sister was held up at gunpoint by my house.
10 And like [indiscernible] about it. And so like it kind of
11 hurts a little bit and I don't think I can be impartial to the
12 case.

13 THE COURT: I got you. Okay. All right. Thank
14 you.

15 Anyone else in this group here?

16 PROSPECTIVE JUROR NO. 032: Haeyon Golden, 032.

17 When I was in second grade and I was visiting my aunt on
18 summer vacation, and we robbed by -- by knife, and I won't be
19 fair to this case. Thank you.

20 THE COURT: All right. Thank you.

21 Anyone else? Anyone else? Okay. Jim, back row.

22 PROSPECTIVE JUROR NO. 0117: What I was saying
23 earlier with my brothers --

24 THE COURT: Your name and your badge number.

25 PROSPECTIVE JUROR NO. 117: Oh. Kenneth

1 Valandingham, Badge No. 117. As I was saying earlier, my
2 brothers own a repair shop.

3 THE COURT: Yeah.

4 PROSPECTIVE JUROR NO. 117: They were robbed
5 numerous times. The last time they were robbed they beat my
6 brother until -- so bad that he lost sight in his right eye.
7 So I don't know if I could be impartial on this.

8 THE COURT: I got you. Okay.

9 Anyone else? Okay. Let's see. Ladies and
10 gentlemen, at this point in time we're going to take a recess.

11 During this recess you are admonished not to talk or
12 converse amongst yourselves or with anyone else on any subject
13 connected with this trial, read, watch, or listen to any
14 report of or commentary on the trial or any person connected
15 with this trial by any medium of information, including,
16 without limitation, newspapers, television, the Internet, or
17 radio, or form or express any opinion on any subject connected
18 with this trial until the case is finally submitted to you.

19 Although you're not jurors, I will expect you to
20 follow that admonition at this time and do not discuss the
21 case amongst you and what's going on in here, okay. So right
22 now it's 3:30. I'm going to give you a 15 minute break.
23 Remember where you're seated because when you come back in I'm
24 going to ask that you go back to the same seat that you're in.
25 And let's -- I'll give you some time to exit the courtroom.

1 It's pretty crowded.

2 So, Jim, you want to go ahead and facilitate that,
3 exit the courtroom, get them out of here.

4 Any questions before you leave at this time? We
5 have one question here. Sir?

6 PROSPECTIVE JUROR: Are we allowed to leave personal
7 items in here?

8 THE COURT: Take -- take them with you now, okay.
9 You know, I would hope that nothing would be taken from in
10 here.

11 PROSPECTIVE JUROR: Okay. No, that's --

12 THE COURT: But just -- I don't want to be
13 responsible for something. When you become a jury, I'll let
14 you leave everything here.

15 PROSPECTIVE JUROR: It's magazines. I'm not
16 worried. I just wanted to know if I could leave it here.

17 THE COURT: All right. Okay. So we'll be at east
18 while the jury leaves the room, okay. So go ahead and let's
19 go out, guys.

20 (Prospective jury panel recessed at 3:29 p.m.)

21 THE COURT: Okay. We're outside the presence of the
22 jury. I just wanted to at this point in time, I'll give you
23 all a break, but I wanted to give you an opportunity to maybe
24 converse amongst yourselves there as to what we just had
25 happen. And -- I mean, there's a number of individuals in

1 here, I would say practically every single one of them on this
2 panel has some type of concern that they have with serving on
3 a jury for three weeks. I knew that was going to happen. I
4 mean, that's just how it is.

5 So what I'd like to do is if you want to do it now,
6 I mean, I'll address it with you. Or if you want to see if
7 you guy can get together at all and look at the reasons and
8 then present that to me, and then I'll address it. Obviously,
9 if you both are agreeing to something, I'm not even going to
10 -- I won't even go any further. I will tell you, though, I'm
11 concerned about two individuals that speak Spanish here, those
12 two.

13 I also want you to know, as well, as that what I
14 tried to do and I want the record to reflect, we have two
15 African-Americans in this pool. Both African-Americans are
16 asking to be released. One of them has concerns with a
17 doctor's appointment about back surgery. Address that with --
18 talk to counsel about that. The other one that's on our pool
19 has -- has plans to leave to -- to Canada. And I -- she did
20 say that she would do what she can to -- to -- or she would
21 probably be able to reschedule it, so I understand that. I'm
22 just throwing that out there so you know.

23 There's a number of individuals that have doctors
24 appointments. There's a number of individuals that have
25 issues involving traveling. And so I'd like, if you could all

1 get together on this and then when I come back we can talk
2 about, okay. Is that -- is that fair?

3 MS. MERCER: Yes, Your Honor.

4 MS. LOBO: Yes.

5 MR. TANASI: Of course.

6 THE COURT: Okay.

7 MS. MERCER: Just out of curiosity, how many
8 peremptories did you say you were going to keep? I mean, not
9 peremptories, alternates.

10 THE COURT: Four.

11 MS. MERCER: Four alternates?

12 THE COURT: Yeah.

13 MS. MERCER: Okay.

14 THE COURT: Yeah. So we're looking to empanel 16
15 individuals.

16 MS. MERCER: Okay.

17 THE COURT: And so the first 28 will be subject to
18 the peremptory challenges for the 12.

19 MS. MERCER: Okay.

20 THE COURT: And then the next ones, the rest of the
21 panel of the -- what I've put here, there would be -- we're
22 looking at four, and you'll be allowed one peremptory for --
23 no, that's two.

24 MS. MERCER: Yeah, it's two.

25 THE COURT: Two peremptories for the alternates

1 each. Okay. All right, guys. So I'll -- we'll take a break
2 and I'll come back at a quarter 'til and then we'll just make
3 a quick record as to what -- who I'm going to excuse. Usually
4 I go throughout all those questions, but I'm going to -- we're
5 going to have to get more people for the panel.

6 MS. MERCER: Okay.

7 THE COURT: I'll tell you I already know that.
8 Okay.

9 (Court recessed at 3:34 p.m., until 4:01 p.m.)

10 (Outside the presence of the prospective jury panel)

11 THE COURT: Okay. We're back on the record in the
12 case of State of Nevada versus Tony Hobson and Brandon Star in
13 Case No. C303022. I would like the record to reflect the
14 plaintiff, their counsel, as well -- the State and their
15 counsel, as well as the defendants and their counsel.

16 I asked before we took a break for the parties to
17 review over the jury selection panel that we have at this
18 point and see if they could come to any consensus on who they
19 would agree to excuse. Have you been able to do that?

20 MS. MERCER: We did, Your Honor.

21 THE COURT: Were you able to?

22 MS. LOBO: Yes, Your Honor.

23 MR. TANASI: Yes, Your Honor.

24 MR. MANINGO: Yes, Your Honor.

25 THE COURT: Do you want to go ahead and give me the

1 names right now --

2 MS. MERCER: Sure.

3 THE COURT: -- that this is what you've agreed upon?

4 MS. MERCER: Your Honor, the parties agreed upon
5 Carla Coffers, Badge No. 005.

6 THE COURT: Okay.

7 MS. MERCER: Anthony Raftery, Badge No. 006.

8 THE COURT: Okay.

9 MS. MERCER: Taylor Kilgore, Badge No. 012.

10 THE COURT: Okay.

11 MS. MERCER: Cressman, Badge No. 013.

12 THE COURT: Okay.

13 MS. MERCER: Dooley, Badge No. 018.

14 THE COURT: Okay.

15 MS. MERCER: Outley, Badge No. 025.

16 THE COURT: Okay.

17 MS. MERCER: Shubinski, Badge No. 026; Poyner, Badge
18 No. 027; Argento, Badge No. 031; Golden, Badge No. 032;
19 Chavez, Badge No. 033; Barrett, Badge No. 034; Ramirez-Horna,
20 Badge No. 042; Spindle, Badge No. 044; Drahos, Badge No. 045;
21 and as to Mr. Oliver, I think the parties are prepared to
22 submit to the Court's discretion.

23 THE COURT: Okay. I'm going to -- I'm going to let
24 you ask more questions because I don't know if I bared it out
25 enough with those. I know he's got the back issue and that,

1 but I'm thinking he might be able to do it -- because you can
2 do your blood work pretty quick, your lab work and that, and
3 he hasn't really got a time. So I'm going to -- I'm going to
4 let you -- I'll ask some more questions on that. Because I'll
5 get to the medical issues and he'll probably be saying
6 something about that, okay.

7 MS. MERCER: Okay. And then we agreed upon Badge
8 No. 048, Robinson.

9 THE COURT: Okay.

10 MS. MERCER: Stull, Badge No. 050; Badge No. 066,
11 Hampton; Mortensen, Badge No. 067; Whitten, Badge No. 068;
12 Morales, Badge No. 069; Mara, Badge No. 072; Pacheco, Badge
13 No. 076; Zheng, Badge No. 078; Plucker, Badge No. 080; Deleon,
14 Badge No. 097; Delappi, Badge No. 099; Valandingham, Badge No.
15 117; Jacks, Badge No. 143; and then as to Badge No. 155,
16 Jackson-Jones, the parties were going to submit it to the
17 Court's discretion.

18 THE COURT: Okay. I am going to excuse her because
19 she has prepaid tickets to Canada, and that she has an
20 appointment this Friday for her passport.

21 MS. MERCER: And then on Badge No. 169, Manriquez,
22 the parties agreed upon excusing that juror, and Badge No.
23 178, Mauer.

24 THE COURT: Okay. All right. Okay. What I'll do
25 is I'll bring the jurors back in. It's 4:00 now. I'll bring

1 the jurors back in. Let's see where we're at, and then maybe
2 I can get some more questions done. If not, I've asked for
3 another jury pool. We're going to get another 65 tomorrow.

4 MS. MERCER: Okay.

5 MR. TANASI: Okay.

6 THE COURT: And then we can -- we can look at it the
7 same way we did today with the panel. Okay.

8 Jim, why don't you bring them back in, then I'll go
9 ahead and -- and it looks like I'm going to be able to do all
10 day Friday.

11 MR. TANASI: All day Friday.

12 THE COURT: Yeah, we don't have a hearing Friday.

13 MR. TANASI: Okay.

14 THE COURT: Okay.

15 (Inside the presence of the prospective jury panel)

16 THE COURT: Okay. Ladies and gentlemen, I
17 appreciate your patience in this matter. Just for the record,
18 we're back on the record in Case C303022, State of Nevada
19 versus Tony Hobson and Brandon Starr. The record will reflect
20 the presence of the State and their attorneys, the defendants
21 and their attorneys, and all the members of the prospective
22 jury panel.

23 Will the parties stipulate to the members of the
24 prospective jury panel?

25 MS. MERCER: Yes, Your Honor.

1 MR. TANASI: Yes, Your Honor.

2 MS. LOBO: Yes, Your Honor.

3 THE COURT: Ladies and gentlemen, during the break,
4 as I told you we were going to discuss all the issues that was
5 brought up with that one question I had. And so I'm going to
6 decide. Usually I go on to finish my questioning, but because
7 it sparked such attention, we went ahead and had discussions
8 on who we were going to excuse at this time. Understand that
9 if your name is not called, that doesn't mean that we're not
10 considering still what was said, it's just at the point in
11 time that we're at this stage we're not in agreements and I'm
12 not going to be excusing you at this point.

13 If you hear your name, you will be excused. I'm
14 going to ask that you go back to the jury commission room and
15 let them know you've been excused. And maybe they can get you
16 another court with less time and it won't be as cumbersome for
17 you. Please don't leave until after I call all the names,
18 that way you guys don't trample each other trying to get out
19 the door so fast, okay.

20 I will also tell you, though, I do appreciate you
21 giving me your time and attention. And for what it's worth,
22 for all of you that tried to get out of this just simply
23 because you wanted to get out of it, that's on your
24 conscience. I think this is important and just because you
25 gave me your time, I appreciate that. And maybe I'll get to

1 see you again sometime on a case that's probably more suited
2 for you and your circumstances, okay. So if you hear your
3 name, you will be excused.

4 Badge No. 005, Carla Coffers; Badge No. 006, Anthony
5 Raftery; Badge No. 012, Taylor Kilgore; Badge No. 013, Todd
6 Cressman; Badge No. 018, Patricia Dooley; Badge No. 025,
7 Stephanie Outley; Badge No. 026, Carol Shubinski; Badge No.
8 027, Rickie Poyner; Badge No. 031, Christopher Argento; Badge
9 No. 032, Haeyon Golden; Badge No. 033, Dana Chavez; Badge No.
10 034, David Barret; Badge No. 042, Anita Ramirez-Horna; Badge
11 No. 044, Gregory Spindle; Badge No. 045, Angela Drahos; Badge
12 No. 048, Jennifer Robinson; Badge No. 050, Ryan Stull; Badge
13 No. 067, Jonna Mortensen; Badge No. 068, Kelly Whitten; Badge
14 No. 069, Melissa Morales; Badge No. 072, Mitsue Mara; Badge
15 No. 076, Janer Pacheco; Badge No. 078, Donna Zheng; Badge No.
16 080, Dalton Plucker; Badge No. 097, Veronica Deleon; Badge No.
17 099, Jaclyn Delappi; Badge No. 117, Kenneth Valandingham;
18 Badge No. 143, Christopher Jacks; Badge No. 155, Tawana
19 Jackson-Jones, and Badge No. 169, Nancy Manriquez; Badge No.
20 178, Marcia Mauer.

21 All right. Ladies and gentlemen, thank you so much
22 for your attention here. All of you are excused at this time.
23 Please go back to the jury commission room. Let them know
24 you've been excused.

25 MS. MERCER: Your Honor, may we approach, please?

1 THE COURT: What's that?

2 MS. MERCER: May we approach when they're done.

3 THE COURT: Yes. Uh-huh.

4 (Prospective jurors excused at 4:13 p.m.)

5 (Off-record bench conference)

6 THE COURT: Okay. Ladies and gentlemen, there was
7 one additional name that I neglected to call. I had it marked
8 here, but somehow I missed it. And it is Badge No. 066,
9 Christy Hampton. Okay. All right.

10 Ladies and gentlemen, what I want to do at this
11 point in time is I'm going to have my clerk call the next in
12 order with the names that we have to fill in the spots we have
13 in this group here. And then -- and then I have to take
14 another recess because I have to bring another 65 individuals
15 in here and kind of go through what we just went through
16 tomorrow. All right.

17 So go ahead and call the names next in order. I
18 know we don't have enough to fill these boxes, but that's why
19 I have to call additional people. But go ahead and fill them
20 up.

21 THE CLERK: In seat No. 2 is going to be Badge 058.
22 In Seat No. --

23 THE COURT: Hold on. Don't -- don't move yet, okay,
24 sir. Because it will be a waste of time for you to have to
25 come up here and sit here and I just send you out again, all

1 right. Just -- we're just going to make sure that you know
2 where you're going to be tomorrow, okay. So as -- just so you
3 know, it's counted 1, 2, 3, 4, 5 in the back row, 6, 7, 8, 9,
4 10 and so forth all the way up here to No. 32 is this position
5 right over here, okay. All right.

6 Okay. So go ahead and call the name again.

7 THE CLERK: In Seat No. 2 is going to be Badge 058,
8 Nitin Luhar. In Seat No. 3 it's going to be Badge 062, Regina
9 Lockhart. In Seat No. 7 is going to be Badge No. 063, Angila
10 Jenkins. In Seat No. 8 it's going to be Badge No. 065, Pamela
11 Regan. In Seat No. 9 it's going to be Badge No. 070, Monte
12 Lai. In Seat No. 15 it's going to be Badge No. 071, David
13 Snyder. In Seat No. 16 it's going to be Badge No. 074, Glynis
14 Bernard. In Seat No. 17 it's going to be Badge No. 077,
15 Daniel Powers. In Seat No. 19 it's going to be Badge No. 082,
16 Austin Guggia. In Seat No. 20 it's going to be Badge No. 084,
17 Jacqueline Ayala.

18 PROSPECTIVE JUROR NO. 084: Ayala.

19 THE CLERK: Ayala. In Seat No. 21 it's going to be
20 Badge No. 106, Charles Worth. In Seat No. 22 it's going to be
21 Badge No. 124, Hernan Rios. In Seat 24 it's going to be Badge
22 No. 132, Gretchen Eisenman. In Seat 25 it's going to be Badge
23 No. 139, Bryce Gines. In Seat 26 it's going to be Badge No.
24 147, Janet Swanson-Sulerud. In Seat 28 it's going to be Badge
25 No. 154, Jerry Eldridge. In Seat 30 it's going to be Badge

1 No. 175, Heather Hedrick.

2 THE COURT: And then we're going to fill up four
3 more on top of that tomorrow?

4 THE CLERK: Six more. We have to seat 36.

5 THE COURT: Yeah. So we need four more. Four more.
6 Okay.

7 Okay. Ladies and gentlemen, I'm going to -- I'm
8 going to give you the evening for now. You know, I apologize
9 for -- this oftentimes is probably the most tedious part of
10 the whole case. The parties have their cases ready, they know
11 what they want to do, how they want to present it, but this
12 they don't. And it -- you know, so with that being said, I'm
13 going to go ahead and give you your evening recess. Tomorrow
14 I'm going to ask that you be here by 10:00. And please
15 understand something -- yeah, back here.

16 PROSPECTIVE JUROR: This room?

17 THE COURT: Yeah, you will wait outside the
18 courtroom. My marshal -- you will not come in the courtroom.
19 My -- sir?

20 PROSPECTIVE JUROR NO. 049: I wasn't assigned a
21 seat.

22 THE COURT: What --

23 PROSPECTIVE JUROR NO. 049: Badge No. 049, James
24 Keegan.

25 THE COURT: Oh, did you miss him?

1 THE CLERK: He's already in Seat 29.
2 THE COURT: Okay. Was he up here?
3 THE CLERK: No, but our first row because we have to
4 qualify so many. He goes over there.
5 THE COURT: Yeah. Okay. I got you. All right.
6 Okay.
7 You have another question, sir?
8 PROSPECTIVE JUROR NO. 047: Yes. Ricardo Oliver,
9 Badge 047. I wasn't called.
10 THE COURT: Oliver.
11 THE CLERK: He -- yeah, he's in Seat 27.
12 THE COURT: Yeah.
13 THE CLERK: He's in Seat 27.
14 THE COURT: In 27?
15 THE CLERK: Correct.
16 THE COURT: Yeah. Okay.
17 PROSPECTIVE JUROR NO. 049: You're still in the seat
18 you're going to remain in.
19 PROSPECTIVE JUROR NO. 047: Oh, okay.
20 PROSPECTIVE JUROR NO. 049: That's why you --
21 THE COURT: Are you guys making new ones before we
22 come back?
23 THE CLERK: I will make a new one tomorrow. Yes,
24 sir.
25 THE COURT: Okay. All right. Okay. But how did he

1 end up out there?

2 THE CLERK: Because we only have 24 seats here, but
3 we haven't passed 36 for cause.

4 THE COURT: Okay.

5 THE CLERK: So we have to use those rows, too.

6 THE COURT: I got you.

7 THE CLERK: Because --

8 THE COURT: Okay. All right. Okay. I got you.

9 All right. So anyone else have any questions?

10 Okay, Mr. Oliver?

11 PROSPECTIVE JUROR NO. 047: Yeah, I've got a
12 question. It took me like two hours to get here.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 047: And that's just from
15 Spencer and [indiscernible] here.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 047: And I've got callouses
18 on my hands and my hand is swollen now. And this is just --
19 just painful. Oh, I'm sorry. This is just painful.

20 THE COURT: Okay.

21 MS. MERCER: Your Honor, may we approach, please?

22 THE COURT: Yes.

23 (Off-record bench conference)

24 THE COURT: Mr. Oliver. Mr. Oliver, you had
25 indicated that you have an opportunity to do some blood work

1 and get your blood work done.

2 PROSPECTIVE JUROR NO. 047: Yes.

3 THE COURT: And once you do that, then they're going
4 to set a time for your back surgery?

5 PROSPECTIVE JUROR NO. 047: Yeah.

6 THE COURT: Okay. And -- and so the sooner you get
7 that done, the sooner you get your back surgery, is that what
8 you're saying?

9 PROSPECTIVE JUROR NO. 047: Yes.

10 THE COURT: Okay. And other than that, you don't
11 have any other means of transportation other than the
12 wheelchair that you're in? When you come down are you able to
13 get on the bus with the wheelchair?

14 PROSPECTIVE JUROR NO. 047: Yeah, they've got the
15 lift.

16 THE COURT: Okay. And you said it takes about two
17 hours for you to get here?

18 PROSPECTIVE JUROR NO. 047: Yeah.

19 THE COURT: And are you planning on then either
20 tomorrow or Friday, are you planning on going in and getting
21 your blood work done?

22 PROSPECTIVE JUROR NO. 047: I'm going to try.

23 THE COURT: Okay. And where do you have to go get
24 that done?

25 PROSPECTIVE JUROR NO. 047: Oh, what is it. It's

1 off of Martin.

2 THE COURT: Okay. So are you able to just -- are
3 you able to just go in and do it, or do you have to make an
4 appointment?

5 PROSPECTIVE JUROR NO. 047: No, I can go in --

6 THE COURT: Okay.

7 PROSPECTIVE JUROR NO. 047: -- and get lab work
8 done.

9 THE COURT: All right. And you've been waiting now
10 a few months to get this done?

11 PROSPECTIVE JUROR NO. 047: Yes.

12 THE COURT: Sir, I'm going to go ahead and release
13 you. I am finding that -- that there is cause to allow you to
14 be released in this matter. I'll let you go ahead and let you
15 go back over to the jury. You have to let them know that
16 you're done, okay.

17 PROSPECTIVE JUROR NO. 047: Okay.

18 THE COURT: So when you go out, you have to back
19 over there, okay. You know, good luck with your medical
20 issues. I hope you get it taken care of, okay.

21 PROSPECTIVE JUROR NO. 047: Yeah.

22 THE COURT: All right. So fill that spot, then.

23 THE CLERK: We done have anybody.

24 THE COURT: You don't have one yet?

25 THE CLERK: No, we don't have anybody until tomorrow

1 when we get them down.

2 THE COURT: Okay. All right. So does anyone else
3 have any questions before I -- all right. Ladies and
4 gentlemen, okay -- oh, someone has a question. All right,
5 sir. Can you speak up because my marshal went outside?

6 PROSPECTIVE JUROR NO. 070: Yeah, actually, as I
7 said earlier, I'm real estate, if I don't work, I don't really
8 make any money.

9 THE COURT: Right. And I understand.

10 PROSPECTIVE JUROR NO. 070: I just had
11 [indiscernible] I served a jury before for shorter days. And
12 my wife only work part-time, I have a son. So I don't know --
13 this kills me because three weeks is very too long for me.

14 THE COURT: Sir, what is your badge number?

15 PROSPECTIVE JUROR NO. 070: I'm Badge No. 70.

16 THE CLERK: 070.

17 THE COURT: Okay. Yeah.

18 THE CLERK: Monte Lai.

19 THE COURT: Mr. Monte Lai.

20 PROSPECTIVE JUROR NO. 070: Yes.

21 THE COURT: Yeah. So I understand. We noted that.
22 And like I tried to tell everybody, we're not discounting what
23 you've already told us. It's just we're looking to see -- I
24 mean, you can see how tough it is to get juries. And quite
25 honestly, you know, with all due respect to you, there's some

1 issues that are a little bit probably more important. I mean,
2 I know -- I know that's not probably the best way to say it
3 and I'm not trying to put you on a different position, but at
4 this point in time I can't let you go, okay. All right? So
5 does anyone else have any questions?

6 Okay. Sir?

7 PROSPECTIVE JUROR NO. 021: Is it okay if --

8 THE COURT: Hold on. What's your badge number?

9 PROSPECTIVE JUROR NO. 021: Oh. 21.

10 THE COURT: Okay. Daniel Boggs?

11 PROSPECTIVE JUROR NO. 021: That's me.

12 THE COURT: Okay. Mr. Boggs?

13 PROSPECTIVE JUROR NO. 021: Is it okay to tell our
14 employer now that we may be out for [inaudible]?

15 THE COURT: Yeah. Yeah.

16 PROSPECTIVE JUROR NO. 021: Okay.

17 THE COURT: Just let them know there's a potential
18 of that.

19 PROSPECTIVE JUROR NO. 021: Okay.

20 THE COURT: All right? So if you have to, it would
21 be good tonight to probably to do that. All right? Okay.

22 Ladies and gentlemen, this is my overnight
23 admonishment. It sounds exactly like the other one. But I
24 want you to understand you are -- although you are not my jury
25 yet, you are still in my jury panel and you've started this

1 process.

2 So you you're admonished not to converse amongst
3 yourselves or with anyone else on any subject connected with
4 this trial, read, watch, or listen to any report of or
5 commentary on the trial or any person connected with this case
6 and by any medium of information, including, without
7 limitation, newspapers, television, the Internet, or radio.
8 You are further admonished not to form or express any opinion
9 on any subject connected with this trial until the case is
10 finally submitted to you.

11 Ladies and gentlemen, what I'm going to do is I want
12 to get the rest of the panel caught up to you. And you saw it
13 took us probably a couple of hours to get to at least this
14 stand. So what I'm going to do tomorrow, I anticipated that
15 you would need to be back here by 10:00. Do not come in until
16 12:30, all right.

17 So I won't see you all until 12:30. I'm going to go
18 ahead and start with the other panel, get them caught up,
19 introductions, all that kind of thing, put them in place and
20 get to the questions where we're at now. And then when you
21 come back we'll fill in the spot and I'll go from there, okay.

22 PROSPECTIVE JUROR: So not 10:00. 12:30?

23 THE COURT: 12:30. Okay. Eat lunch, too, okay.
24 Before you come, eat lunch because we're going to go all the
25 way through until -- when we start at 12:30, the group that

1 comes in earlier is probably going to -- I'll be sending them
2 out to lunch and then -- and then we'll get started again at
3 12:30 with everybody, hopefully. That's the plan. All right?

4 Okay. So we'll be at ease while you all leave the
5 room. I'll see you all tomorrow morning. Make sure, once
6 again, do not do any independent research on this matter, and
7 don't get on the Internet and look things up, okay. All
8 right.

9 (Prospective jury panel recessed at 4:26 p.m.)

10 THE COURT: Okay. We're outside the presence of the
11 jury. What I wanted to explain to the parties is tomorrow,
12 usually we have like a seating chart. This is what we have
13 here that we use, what's in this group here. I'm just going
14 to bring everybody in without that and just go on this list
15 here just like we did today. And then when we're done, up to
16 the point where we left off today, I'll bring everybody back
17 in, we'll put them all in order to fit.

18 So these people that are here now will fit in that
19 same order, and there's a number that we have to fill in from
20 the new group. And then -- and then depending on how far we
21 get, because -- and then I'll just ask some additional
22 questions. I know based on some of the answers we just had we
23 will have further challenges. I recognize that. That's why I
24 said I need to call more people.

25 So I figure if we get started by 10:00 tomorrow,

1 we'll probably be about this time frame, around -- around, you
2 know, 11:30 or so. And I'll give you the same option to
3 challenge everybody like you did today, and then hopefully by
4 12:30 I can get back in to normal and we can get started. And
5 we'll have a number of people already excluded that will get
6 over those humps, okay?

7 MS. MERCER: Okay.

8 THE COURT: All right. You guy have anything you
9 want to put on the record at this time at all?

10 MS. MERCER: No, Your Honor.

11 MS. LOBO: Yeah, Judge. We just wanted our
12 objection noted for the record. We understand Mr. Oliver's
13 situation, the predicament we were in. It's just so that way
14 the issue is preserved. But we agree with the Court in terms
15 of it is a hardship, but for the record we had to objection.

16 THE COURT: Okay.

17 MS. MERCER: And, Your Honor, they actually never
18 objected. They just said that they couldn't agree to it.
19 There's a difference.

20 THE COURT: Right, well, that's -- they couldn't
21 agree to it.

22 MS. MERCER: Right.

23 THE COURT: So I took that as an objection.

24 MS. LOBO: An objection.

25 THE COURT: That's fair. That's why I wanted to ask

1 additional questions and -- and I think it's unfortunate under
2 these circumstances based on your previous objection. But
3 tomorrow we'll have a new panel and we'll go from there and
4 we'll look at it and see what we can do, okay.

5 MR. TANASI: Thank you, Your Honor.

6 MR. MANINGO: Thank you, Judge.

7 MS. MERCER: Your Honor, with regards to Mr. Oliver,
8 when he returned from the break, I just want to make a record
9 that when he was addressing the Court, it sounded like he was
10 about to start crying. His voice was cracking.

11 THE COURT: Yeah. It's clear to me that he's
12 struggling with his medical issue right now. And, you know,
13 he is confined to a wheelchair and he had issues being able to
14 get to court. That's why I addressed that. And I'm sure that
15 he would be a great juror if he had the opportunity. But at
16 this point in time, I think it's probably not the best time
17 for him. And I -- I was kind of -- I was impressed with him
18 coming back after already asking to postpone it. Okay.

19 MS. MERCER: Thank you, Your Honor.

20 MR. MANINGO: Thank you, Judge.

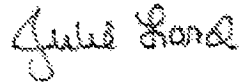
21 MR. TANASI: Thanks Judge.

22 THE COURT: All right. We'll see you tomorrow,
23 okay.

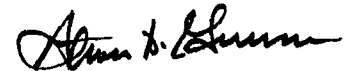
24 (Court recessed at 4:30 p.m., until Thursday,
25 May 5, 2016, at 10:11 a.m.)

CERTIFICATE

ATTEST: I hereby certify that I have truly and correctly transcribed the audio/visual proceedings in the above-entitled case to the best of my ability.



JULIE LORD, INDEPENDENT TRANSCRIBER



CLERK OF THE COURT

TRAN

DISTRICT COURT
CLARK COUNTY, NEVADA
* * * * *

THE STATE OF NEVADA,	.	CASE NO. C-14-303022-1
	.	CASE NO. C-14-303022-2
Plaintiff,	.	
	.	DEPT. NO. XIX
vs.	.	
	.	TRANSCRIPT OF
TONY LEE HOBSON,	.	PROCEEDINGS
and BRANDON STARR,	.	
	.	
Defendants.	.	
.....	.	

BEFORE THE HONORABLE WILLIAM D. KEPHART, DISTRICT COURT JUDGE

JURY TRIAL - DAY 2

THURSDAY, MAY 5, 2016

APPEARANCES:

FOR THE STATE:	ELIZABETH A. MERCER, ESQ. KENNETH PORTZ, ESQ. <i>Deputy District Attorneys</i>
FOR DEFENDANT HOBSON:	RICHARD E. TANASI, ESQ.
FOR DEFENDANT STARR:	LANCE A. MANINGO, ESQ. ADRIAN LOBO, ESQ.

COURT RECORDER:

CHRISTINE ERICKSON
District Court

TRANSCRIPTION BY:

VERBATIM DIGITAL REPORTING, LLC
Englewood, CO 80110
(303) 798-0890

Proceedings recorded by audio-visual recording, transcript
produced by transcription service.

00687

1 LAS VEGAS, NEVADA, THURSDAY, MAY 5, 2016, 10:11 A.M.

2 (Outside the presence of the prospective jurors)

3 (Pause in the proceedings)

4 THE COURT: All right. Okay. Good morning,
5 everybody.

6 MR. TANASI: Morning.

7 MS. LOBO: Good morning.

8 MR. MANINGO: Good morning.

9 THE COURT: All right. Let's try this again, huh?

10 MS. LOBO: Yes.

11 THE COURT: Where's the defendants?

12 MS. LOBO: They're in the back.

13 MR. MANINGO: We asked that they be held. We're --
14 we'll have them out soon, Judge. Thank you.

15 THE COURT: Okay. All right, so what I'm going to
16 do -- are we on the record?

17 THE COURT RECORDER: Yes, Your Honor.

18 THE COURT: Yeah. This is Case No. -- State of
19 Nevada versus Tony Hobson and Brandon Starr. The case is
20 C-303022. Plaintiff's -- State's attorneys, Ms. Mercer and
21 Mr. Portz are both here. Mr. Hobson's attorney, Mr. Tanasi's
22 here. Mr. Lance Maningo and Ms. Adrian Lobo are for Brandon
23 Starr. They're both here. And the defendants are just now
24 arriving.

25 Do you have any questions as to what I explained

1 last time or do you want me to go over it again what I'm
2 going to do? We asked for a --

3 MS. LOBO: I think I'm clear.

4 MR. TANASI: Sure.

5 THE COURT: -- whole -- a whole additional panel,
6 and I believe that it is -- how many is it?

7 THE CLERK: A new panel of 65, Your Honor.

8 THE COURT: 65 additional jurors.

9 THE CLERK: And it starts with Badge No. 001 on the
10 second page halfway down.

11 THE COURT: Okay.

12 THE CLERK: Is where the new panel begins.

13 THE COURT: 00 -- okay. You should have a list and
14 there's a black mark that goes an I cross.

15 MR. TANASI: Yep.

16 MS. LOBO: Yes.

17 THE COURT: From there down is the new panel.

18 MR. TANASI: Okay.

19 THE COURT: So I'm just going to bring them in and
20 start from the very beginning again, as if it's just a brand
21 new case, and let you all introduce yourself to them, just
22 like we did yesterday, and then go through the questioning.
23 And when I get to the point where I ask that one question
24 that gets all the answers, when we're done with that, I'm
25 going to ask you all to go through preempts -- I mean,

1 challenges again. And then after that, what's left is we'll
2 go in order. These guys will actually be at the end. And
3 we'll go in order from there. And then we'll start our --
4 we'll start -- I'll have additional questions. There'll
5 probably be more challenges. And then I'll turn it over to
6 you all to -- you all so -- for -- to question and then I'll
7 address any challenges further.

8 And then once we get everybody -- you all agree on
9 who's in this group here then -- it's 36, right? Thirty-six.

10 THE CLERK: We need --

11 MR. PORTZ: Thirty-six.

12 THE CLERK: We have --

13 THE COURT: Yeah.

14 THE CLERK: -- 30 jurors from yesterday's panel,
15 but we need to pass 36 --

16 THE COURT: Yeah.

17 THE CLERK: -- for cause.

18 THE COURT: Thirty-six. Once we pass them for
19 cause, then -- and then that's who you'll be dealing with
20 your peremptories on, okay?

21 MR. TANASI: Understood.

22 MS. LOBO: Sounds good.

23 THE COURT: All right. Okay.

24 MR. TANASI: Thank you, Judge.

25 THE COURT: So have you had an opportunity --

1 before I bring them in, had an opportunity to look at this
2 group as well? Do you have any --

3 MS. LOBO: We are not making a motion after.

4 THE COURT: Okay.

5 MS. LOBO: We reviewed it. I believe that there is
6 -- I -- you -- the sufficient amount.

7 THE COURT: Okay.

8 MS. LOBO: And commensurate with the demographics.

9 THE COURT: All right.

10 MR. TANASI: That's correct, Your Honor.

11 THE COURT: Okay. Okay. All right, great. So Jim
12 -- well, other than that, does anyone have -- do you have
13 anything outside the presence at this time?

14 MS. MERCER: No, Your Honor.

15 THE COURT: Okay. All right, Jim, go ahead and
16 bring them in. Okay. Mr. Portz, I do need you to make sure
17 you give them that list again of all the witnesses because --

18 MR. PORTZ: Yes, Your Honor.

19 THE COURT: -- there's a lot of people --

20 MR. PORTZ: I was just --

21 THE COURT: -- on this.

22 MR. PORTZ: I'm glad I brought it again.

23 THE COURT: Okay. All right, good, good, good.

24 (Pause in the proceedings)

25 (In the presence of the prospective jurors)

1 THE MARSHAL: Rise for the jury, please. Please be
2 seated. Department 19 is back in session.

3 THE COURT: Thank you, Jim. Good morning, ladies
4 and gentlemen. This is the time set for jury trial in a
5 criminal matter in Case No. C-303022. It is State of Nevada
6 is the plaintiff versus Tony Hobson and Brandon Starr,
7 they're the defendants here.

8 I want the record to reflect the presence of the
9 defendant, both their counsel, as well as counsel for State
10 and all officers of the court.

11 Once again, are the parties ready to proceed in
12 this matter?

13 MS. MERCER: Yes, Your Honor.

14 MR. TANASI: Yes, Your Honor.

15 THE COURT: Ladies and gentlemen, you're in
16 Department 19 of the Eighth Judicial District, County of
17 Clark here in the State of Nevada. I am the presiding judge
18 over this matter. My name is William Kephart. And I want to
19 welcome you all here to the courthouse for purposes of jury
20 selection.

21 You are right now involved in what is called voir
22 dire, and before we get any further, I want to take an
23 opportunity to introduce to you somebody that you might be
24 coming into contact throughout this proceeding, if you --
25 during this point as well as if you become one of our jurors.

1 To my immediate left is Corey Schlitz (phonetic).
2 She's a court clerk here working with my court clerk, Tia
3 Everett, to immediate -- to the -- in the middle here. Both
4 these a lady are -- handle my witnesses, they mark exhibits,
5 they track my evidence, and they prepare my official record.

6 The reason we get started sometimes at this time is
7 because I have morning calendars. I start my morning
8 calendars at 8:30, and on occasion they may go a little bit
9 longer, sometimes a little quicker, but these two ladies here
10 handle my official record for that as well.

11 Also, to -- three ladies over is Christine
12 Erickson. She's my court recorder. If you look around the
13 room, you'll see a bunch of microphones as well as some
14 cameras around the room as well. Not only are you being
15 recorded audibly, you're being recorded visually. So I
16 always say if you make dirty faces or anything, we pick that
17 up.

18 It's a real sensitive system so I'm going to ask
19 that you turn your phones off. It picks vibrations and
20 oftentimes I'll hear from Ms. Erickson that she's having
21 trouble picking things up because there's something
22 vibrating.

23 Many times the attorneys, they're always busy and
24 they've got other work going on and they keep their phones
25 with them, and I have to remind them as well because they'll

1 set them on their table and sometimes you'll even hear it.
2 It will vibrate and it vibrates through the system.

3 So at this point in time, go ahead and turn your
4 phones off, okay?

5 You've met already my marshal, that's Jim Kinnally.
6 A lot of people call them bailiffs. He's the individual you
7 will be coming in contact most of all in this proceeding, and
8 if you are a juror, that's how you communicate with the
9 Court.

10 Ladies and gentlemen, the way our courtroom is set
11 up, it's -- I have probably the smallest courtroom in the
12 courthouse, and so that's why you're seated the way you are.
13 You are actually the second half or portion of a jury panel
14 that we're working on. We did 65 yesterday, we're on the
15 second 65 today.

16 There's a number of individuals that we're still
17 talking to in that, but I wanted to get you all caught up. I
18 don't have the room to put a hundred and some people in here,
19 otherwise, I would have, and we would have been done with you
20 yesterday. But because of that, that's why you're here now.

21 They're due to be back here at 12:30 today. So we
22 would have you mixed in.

23 So basically, we're starting at very beginning
24 again of what we went through yesterday already. So I guess,
25 yesterday was our dry run.

1 But, first of all, I want to tell you if
2 something's happening that you they'd to leave the courtroom
3 because of an emergency, please let me know by raising --
4 okay, sir?

5 JUROR NO. 041: Yeah. I'm in --

6 THE COURT: Hold on. Jim, can you give him a mic?
7 Sir, on your chest, you have a badge there. Can you give me
8 the three digits of your badge number and your name?

9 JUROR NO. 041: You want my full name?

10 THE COURT: Yes.

11 JUROR NO. 041: Michael Voutsinas. Michael
12 Voutsinas. The last four numbers are 0041.

13 THE COURT: Okay. All right, Mr. Voutsinas, what
14 did you want to tell me?

15 JUROR NO. 041: I'm in high school still.

16 THE COURT: Okay.

17 JUROR NO. 041: And I have finals coming up this
18 week, and so I just wanted to know how I'm supposed to juggle
19 this and --

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 041: -- trying to --

22 THE COURT: All right. I'll get to you on that,
23 all right? I will. I have -- I get to another area, I'll be
24 asking questions for people that are going to be
25 inconvenienced by this, and that's where you'd be on that,

1 okay?

2 PROSPECTIVE JUROR NO. 041: Okay.

3 THE COURT: What I'm saying now is if there's
4 anyone that has an emergency that they have to leave the
5 room, please don't just get up and walk out. Raise your hand
6 and let us know that you have an emergency or something's
7 happening that you need to leave the room.

8 You can't hear? Okay. And if you can't hear me --
9 is there anyone that can't hear me now? We have a gentleman
10 back there that that he can't. I have some equipment that
11 will help, okay? Do you have trouble hearing as well?

12 UNIDENTIFIED PROSPECTIVE JUROR: It's a little
13 tough, yeah.

14 THE COURT: All right. Jim, we have another
15 gentleman here as well.

16 (Pause in the proceedings)

17 THE COURT: Can you hear me now, sir? Sir, can you
18 hear me? Can you hear me?

19 UNIDENTIFIED PROSPECTIVE JUROR: He has hearing
20 aids.

21 UNIDENTIFIED PROSPECTIVE JUROR: A little bit.

22 THE COURT: Okay. Jim, in the second row there's a
23 gentleman as well that has trouble hearing. Just put it on
24 and hang it underneath. Down.

25 THE MARSHAL: No, no, in front of you.

1 THE COURT: Just like that. There. Can you hear
2 now? Does that help?

3 UNIDENTIFIED PROSPECTIVE JUROR: Yeah.

4 THE COURT: All right. Okay. So on behalf of
5 State, I'm going to ask them to introduce themselves to you,
6 and I'm going to ask them to make a brief statement of the
7 nature of the case and state any witnesses that they believe
8 that they'd be intending to call.

9 Keep in mind the information they provide to you,
10 I'll be asking further questions based on this. Ms. Mercer,
11 Mr. Portz. Okay.

12 MR. PORTZ: Thank you, Your Honor. And good
13 morning, everyone. Thank you all for taking the time out of
14 your day to --

15 THE COURT: Mr. Portz, let me --

16 MR. PORTZ: Yes, Your Honor.

17 THE COURT: -- let you have this mic, okay,
18 because --

19 MR. PORTZ: Sure.

20 THE COURT: -- right now we're pretty muffled with
21 as many people that's in here.

22 MR. PORTZ: Thank you. Good morning. Can everyone
23 hear?

24 UNIDENTIFIED PROSPECTIVE JUROR: Yeah.

25 MR. PORTZ: Okay. My name is Nick Portz. This is

1 Liz Mercer. We are deputy district attorneys at the Clark
2 County District Attorney's Office, and we represent the State
3 of Nevada in the case against Tony Hobson and Brandon Starr.

4 Mr. Hobson and Mr. Starr are charged with
5 committing a series of armed robberies throughout the Las
6 Vegas Valley from October 28th, 2014 through November 25th,
7 2014. In total, there are 14 separate events in this case.
8 They generally are -- revolve around fast food restaurants
9 and there's one convenience store, 7-Eleven.

10 Now, in this case, these are takeover style armed
11 robberies. They typically take place at night. Times when
12 the stores are closing, and only the employees at the stores
13 are present. By takeover style armed robberies, I mean that
14 the defendants are alleged to have broken into these
15 restaurants, taken the employees by force or fear of violence
16 or actually using violence to confine them in their stores
17 and then take property specifically cash from the stores or
18 personal property from their victims and then flee the scene.

19 On occasion in this 14 series robbery, they used a
20 getaway driver by the name of Donte Johns. Donte Johns is
21 the half brother of the Defendant Tony Hobson. Now, as of
22 today, they stand charged or today they stand charged with
23 the following: Thirteen counts of burglary while in
24 possession of a deadly weapon, 14 counts of conspiracy to
25 commit robbery, 40 counts of robbery with use of a deadly

1 weapon, 3 counts of attempt robbery with use of a deadly
2 weapon, 3 counts of conspiracy to commit kidnapping, 8 counts
3 of first degree kidnapping with use of a deadly weapon and 1
4 count of attempt first degree kidnapping with use of a deadly
5 weapon.

6 In total there are 43 individual victims listed in
7 the charging document. Now, I'm going to go through a list
8 of names of people that the State may call to trial. It's a
9 very long list, and I will ask that you please pay attention
10 to the names that are being called because the Court is going
11 to ask you at some point later today whether or not you're
12 familiar with any of those names.

13 The first group of people that I'm going to read
14 from include victims or lay witnesses in this case. They're
15 as follows: Angelica Abrego, Karina Aguilar, Lori Angie,
16 Thomas Bagwell, Jose Borja, Guy Brown, Darnell Butler, David
17 Caballero, Ashley Charmichael, Cornell Combs, Angelica
18 Cornelias-Pedroz or Angelica Ornelas-Pedroz, Skyler Cox, James
19 Dorame or Jesus Dorame, Gamaliel Enriquez, Jose Espinoza,
20 Janie Fannon, Trevor Faraone, Alma Gomez, Vanessa
21 Gonzalez-Aparicio, Holly Hadeed, Daniel Heffner, Jennifer
22 Hernandez, Sergio Hernandez-Bautista, Jessica Hubbard, Laura
23 Lopez, Luis Lopez, Jesus Lopez, Anthony Maddaford, Diana
24 Mena, Juan Mendoza, Jorge Morales, Noemy Morrquin, Gabriela
25 Oyoque, Shanon Poole, Guillermo Ramirez, Jose Romero, Idania

1 a lot from us over the case of this trial, so I'll keep this
2 very short. I want to thank you all in advance for your time
3 and your careful consideration of all of the allegations and
4 accusations that you have just heard. Thank you.

5 THE COURT: Okay. Mr. Maningo and Ms. Lobo, would
6 you like to introduce yourselves or each other, as well as
7 your client.

8 MR. MANINGO: Thank you very much, Your Honor. I'll
9 take that one on.

10 THE COURT: Okay.

11 MR. MANINGO: Good afternoon, everyone. My name is
12 Lance Maningo. This is Adrian Lobo. We're with the law firm
13 Bellon & Maningo. We represent Brandon Starr. We contest
14 every count that the State alleges against Brandon.

15 Just to be clear, Your Honor, just to be safe,
16 everyone in my office that I'm going to list are other
17 attorneys or support staff that I have. It's myself, Lance
18 Maningo, Adrian Lobo, Peter Bellon, Elyse Grossman, Sherri
19 Kendrick, Dawn Tranquillo, Larissa Bustamante, Carelli Navarez
20 (phonetic), also in my office Rachelle Winn, Matt Lay.
21 Witnesses we may call during this trial would include
22 Investigator Toby Tobiason, Karren Starr, Rashida McCullough.
23 Thank you, everyone.

24 THE COURT: Thank you, Mr. Maningo.

25 MR. MANINGO: Thank you, sir.

1 THE COURT: Okay. Ladies and gentlemen, at this
2 time I'm going to have the clerk call your name. If you are
3 here I want you to answer by saying here or present. Okay.
4 Go ahead.

5 THE CLERK: Carole Halford.

6 PROSPECTIVE JUROR NO. 003: Here.

7 THE CLERK: Carla Coffers.

8 PROSPECTIVE JUROR NO. 005: Here.

9 THE CLERK: Anthony Raftery.

10 PROSPECTIVE JUROR NO. 006: Here.

11 THE CLERK: Susan Miller.

12 PROSPECTIVE JUROR NO. 007: Here.

13 THE CLERK: Fatima Cabrera.

14 PROSPECTIVE JUROR NO. 009: Here.

15 THE CLERK: Robert Bass.

16 PROSPECTIVE JUROR NO. 010: Here.

17 THE CLERK: Taylor Kilgore.

18 PROSPECTIVE JUROR NO. 012: Here.

19 THE CLERK: Todd Cressman.

20 PROSPECTIVE JUROR NO. 013: Here.

21 THE CLERK: Patricia Dooley.

22 PROSPECTIVE JUROR NO. 018: Here.

23 THE CLERK: Vince Gaeta.

24 PROSPECTIVE JUROR NO. 019: Here.

25 THE CLERK: Lin Addington.

1 PROSPECTIVE JUROR NO. 020: Here.
2 THE CLERK: Daniel Boggs.
3 PROSPECTIVE JUROR NO. 021: Here.
4 THE CLERK: Samuel Menor.
5 PROSPECTIVE JUROR NO. 022: Here.
6 THE CLERK: Lori Owen.
7 PROSPECTIVE JUROR NO. 023: Here.
8 THE CLERK: Stephanie Outley.
9 PROSPECTIVE JUROR NO. 025: Here.
10 THE CLERK: Carol Shubinski.
11 PROSPECTIVE JUROR NO. 026: Here.
12 THE CLERK: Rickie Poyner.
13 PROSPECTIVE JUROR NO. 027: Here.
14 THE CLERK: Joseph Deluca.
15 PROSPECTIVE JUROR NO. 029: Here.
16 THE CLERK: Christopher Argentino.
17 PROSPECTIVE JUROR NO. 031: Argentino. Here.
18 THE CLERK: Excuse me, Argentino. Haeyon Golden.
19 PROSPECTIVE JUROR NO. 032: Here.
20 THE CLERK: Dana Chavez.
21 PROSPECTIVE JUROR NO. 033: Here.
22 THE CLERK: David Barrett.
23 PROSPECTIVE JUROR NO. 034: Here.
24 THE CLERK: Gloria Sneen.
25 PROSPECTIVE JUROR NO. 037: Here.

1 THE CLERK: Anita Ramirez-Horna.
2 PROSPECTIVE JUROR NO. 042: Here.
3 THE CLERK: Gregory Spindle.
4 PROSPECTIVE JUROR NO. 044: Here.
5 THE CLERK: Angela Drahos.
6 PROSPECTIVE JUROR NO. 045: Here.
7 THE CLERK: Ricardo Oliver.
8 PROSPECTIVE JUROR NO. 047: Here.
9 THE CLERK: Jennifer Robinson.
10 PROSPECTIVE JUROR NO. 048: Here.
11 THE CLERK: James Keegan.
12 PROSPECTIVE JUROR NO. 049: Here.
13 THE CLERK: Ryan Stull.
14 PROSPECTIVE JUROR NO. 050: Here.
15 THE CLERK: William Burns.
16 PROSPECTIVE JUROR NO. 056: Here.
17 THE CLERK: Steven Goulder.
18 PROSPECTIVE JUROR NO. 057: Here.
19 THE CLERK: Nitin Luhar.
20 PROSPECTIVE JUROR NO. 058: Here.
21 THE CLERK: Da Li.
22 PROSPECTIVE JUROR NO. 061: Here.
23 THE CLERK: Regina Lockhart.
24 PROSPECTIVE JUROR NO. 062: Here.
25 THE CLERK: Angila Jenkins.

1 PROSPECTIVE JUROR NO. 063: Here.
2 THE CLERK: Pamela Regan.
3 PROSPECTIVE JUROR NO. 065: Here.
4 THE CLERK: Christy Hampton.
5 PROSPECTIVE JUROR NO. 066: Here.
6 THE CLERK: Jonna Mortensen.
7 PROSPECTIVE JUROR NO. 067: Here.
8 THE CLERK: Kelly Whitten.
9 PROSPECTIVE JUROR NO. 068: Here.
10 THE CLERK: Melissa Morales.
11 PROSPECTIVE JUROR NO. 069: Here.
12 THE CLERK: Monte Lai.
13 PROSPECTIVE JUROR NO. 070: Here.
14 THE CLERK: David Snyder.
15 PROSPECTIVE JUROR NO. 071: Here.
16 THE CLERK: Mitsue Mara.
17 PROSPECTIVE JUROR NO. 072: Here.
18 THE CLERK: Glynis Bernard.
19 PROSPECTIVE JUROR NO. 074: Here.
20 THE CLERK: Janer Pacheco.
21 PROSPECTIVE JUROR NO. 076: Here.
22 THE CLERK: Daniel Powers.
23 PROSPECTIVE JUROR NO. 077: Here.
24 THE CLERK: Donna Zheng.
25 PROSPECTIVE JUROR NO. 078: Here.

1 THE CLERK: Dalton Plucker.
2 PROSPECTIVE JUROR NO. 080: Here.
3 THE CLERK: Austin Guggia.
4 PROSPECTIVE JUROR NO. 082: Here.
5 THE CLERK: Jacqueline Ayala.
6 PROSPECTIVE JUROR NO. 084: Here.
7 THE CLERK: Veronica Deleon.
8 PROSPECTIVE JUROR NO. 097: Here.
9 THE CLERK: Jaclyn Delappi.
10 PROSPECTIVE JUROR NO. 099: Here.
11 THE CLERK: Charles Worth.
12 PROSPECTIVE JUROR NO. 106: Here.
13 THE CLERK: Kenneth Valandingham.
14 PROSPECTIVE JUROR NO. 117: Here.
15 THE CLERK: Hernan Rios.
16 PROSPECTIVE JUROR NO. 124: Here.
17 THE CLERK: Gretchen Eisenman.
18 PROSPECTIVE JUROR NO. 132: Here.
19 THE CLERK: Bryce Gines.
20 PROSPECTIVE JUROR NO. 139: Present.
21 THE CLERK: Christopher Jacks.
22 PROSPECTIVE JUROR NO. 143: Here.
23 THE CLERK: Janet Swanson-Sulerud.
24 PROSPECTIVE JUROR NO. 147: Here.
25 THE CLERK: Jerry Eldridge.

1 PROSPECTIVE JUROR NO. 154: Here.

2 THE CLERK: Tawana Jackson-Jones.

3 PROSPECTIVE JUROR NO. 155: Here.

4 THE CLERK: Nancy Manriquez.

5 PROSPECTIVE JUROR NO. 169: Here.

6 THE CLERK: Heather Hedrick.

7 PROSPECTIVE JUROR NO. 175: Here.

8 THE CLERK: Marcia Mauer.

9 PROSPECTIVE JUROR NO. 178: Here.

10 THE COURT: Is there anyone whose name wasn't
11 called? Okay. For the record, no one has answered.

12 Ladies and gentlemen, because we're going to be
13 asking you questions, I'm going to ask that you all stand at
14 this time, raise your right hand. I'm going to have my clerk
15 swear you in, okay.

16 (Prospective jury panel sworn)

17 THE COURT: Is there anyone that would not take that
18 oath? All right. No one has indicated otherwise.

19 Ladies and gentlemen, we're going to commence what
20 is called the jury selection process. It's also known as voir
21 dire. During this process you're going to be asked questions
22 bearing on your ability to sit as fair and impartial jurors.
23 The term fair and impartial will come up a lot. To accomplish
24 this, questions will be asked of you by myself, and also
25 counsel for the parties if they choose.

1 On occasion some of these questions will seem
2 somewhat personal, but they are necessary so that counsel, as
3 well as the Court, can make an intelligent determination as to
4 your capabilities to serve as fairly and impartially as you
5 can in this case. It is important that you know the
6 significance to full and accurate and complete honest answers
7 to all the questions that we are about to ask you. Please do
8 not try to hide or withhold anything which might indicate some
9 type of bias or prejudice of any sort by any of you. Should
10 you fail to answer truthfully, or if you hide or withhold
11 anything touching on your qualifications, that fact may tend
12 to contaminate your verdict, and it will possibly have a
13 concern by the Court.

14 I'm going to conduct general examination of all of
15 you while you're all seated here in the audience, and then
16 there will be a point in time where, if you look here, my
17 courtroom is small compared to a lot of the courts in the
18 courthouse. That's why a lot of you are all sitting up here
19 already. I mean, look, the courtroom is completely full. We
20 had to put some chairs out for some other people to fit.
21 That's always. So don't feel like you're being singled out or
22 anything. And don't feel like I'm putting you up from for any
23 particular reason. You're just -- you're just the next in
24 order, okay.

25 So what happens is I'm going to question the whole

1 group, and then the group seated up here, I'll be questioning
2 you probably individually, and then turn it over to the
3 parties and they'll question you they'd like. And there's --
4 during the selection process, some of you may be asked to
5 leave. And it's not particularly -- please don't, you know,
6 be offended by that because we're not -- we're not trying to
7 single you out. It's just that during this process the whole
8 purpose is to -- and the people know their -- the parties know
9 their case.

10 Based on some of your answers, they may find that
11 you're not probably well suited for this trial. So please
12 don't be offended should you be excused by one of these
13 procedures. They're called challenges. As I said, they're
14 simply part of the procedure designed to protect the right of
15 the parties under our system of government.

16 If you wish to respond to a question individually
17 and in the affirmative, just raise your hand. And when we get
18 to you, because we're going to be using a microphone. When
19 you have the microphones, please talk directly into the mic.
20 A lot of people hold it down and we can't hear you. You'll be
21 hearing from my court recorder if we can't hear you.

22 And so when you do raise your hand and we give you
23 the mic, on your chest right now you all have a badge. On
24 that badge there's a number on there and it's a pretty long
25 number. We try to use the last three digits of the number. I

1 always call on the No. 1 seat just for purposes of this. It's
2 Carole Halford.

3 Ms. Halford, your number would be 003.

4 PROSPECTIVE JUROR NO. 003: Correct.

5 THE COURT: Okay. Does anyone have any questions
6 about that? So if I call on Ms. Halford because she has her
7 hand up, I'll point to her, she'll say my name is Ms. Halford,
8 and my badge number is 003. That way we know who is talking
9 on the record, we just don't see somebody just talking. And
10 so based on the answers that you give, if you're being excused
11 or you're being kept on, then we know who it is.

12 Also, I want to point this out now because we have
13 such a big pool, is that I'll be taking breaks occasionally.
14 I will tell you it's probably going to take -- I'm going to
15 stop today at 5:00. I will be really surprised if the parties
16 have come to a conclusion with this jury selection by 5:00,
17 but I'm going to -- I'm going to stop by 5:00. I do -- I do
18 so pretty much every day so you can arrange your schedules to
19 reflect -- to understand that.

20 Also, during the time, though, I do take breaks.
21 And if you need a break, let me know. If there's someone in
22 here and something is happening and you need to go to the
23 restroom or you -- or there's an emergency or something,
24 please let me know. Please don't -- don't hide it from me,
25 and please don't just get up in the middle of the process and

1 walk because that puts my marshal kind of at ease -- or not at
2 ease.

3 So also, when you're outside, if you've already been
4 out there, we don't have the best accommodations for jurors.
5 Oftentimes, you know, walking around the hall, just waiting
6 around or whatever, and the parties will move in and out of
7 the courtroom, meaning the State attorneys, the defendants,
8 the defense attorneys. They've move in and out of the
9 courtroom.

10 When they do so, they're specifically instructed not
11 to communicate in any manner with the jury. They're not even
12 supposed to look at you. So please don't think that they're
13 trying to be rude or -- or trying to be mean to you at all.
14 They're not. They're specifically designed or told not to do
15 so and it would be a violation of their ethics to do so.

16 Also, if you come up to them and you try to start a
17 conversation with them, then they are also told to make sure
18 they notify the Court, so then your name comes out on the
19 record by itself. A lot of people don't feel that they really
20 want to do that. So please understand that. So while -- and
21 also while you're in the courthouse throughout this
22 proceeding, and if you are selected as a juror, you'll be
23 given a different badge. Keep that badge on at all times,
24 that way people know that you have -- that you're a
25 prospective juror or possibly a juror.

1. You'll be admonished throughout the proceedings
2 here. Every time we take a break you'll be admonished not to
3 talk or converse amongst yourself or with anyone else on any
4 subject connected with this trial, read, watch, or listen to
5 any commentary or any newspapers medium, that type of thing,
6 regarding this trial. A lot of it is on your honor.

7 And so what I do tell you to do, though, and if I
8 catch you doing this, this really will get me upset. Do not
9 go out in the hall when you get a break and get on your phone
10 and take a selfie of yourself out in front of the courthouse,
11 ha ha ha, I'm here in court and this is the case.

12 Do not do anything with regards to investigating the
13 case. Don't investigate the attorneys, don't investigate the
14 defendants. Don't look their names up, don't look up anything
15 that has to do with this case. If someone -- today I said
16 voir dire, I described it as jury selection. Don't get on
17 there and get on -- on your Google and Google voir dire to
18 find out what the definition of it is. And do not investigate
19 me, okay. You'll be able to when we're all done. You'll have
20 that full access and be able to look at it when we're all
21 done. But I just wanted to kind of lay those ground rules
22 first of all.

23 Also, if you have spouses that are -- and you'll
24 hear this later. If you have spouses that have a question
25 about actually what you're doing during the day, believe me,

1 that's probably the most interested individuals when you're
2 not at home or when you're not at work. They want to know
3 where you're at. You can't even talk to them about the case.
4 You can tell them that you're on a -- on a selection for jury,
5 they probably know that already. And if you get selected as a
6 juror, you can tell them that you are on a jury. You can't
7 talk about the case. And if anyone tries to persist to ask
8 you questions about the case, please let my marshal know and
9 we'll put a stop to that, including your spouse.

10 Also understand, as soon as we get more room in the
11 courtroom, because a lot of you are all going to be gone,
12 we're only going to be seating 12 juror and 4 alternates in
13 this case. And if -- if -- so at that point in time there's
14 only going to 16 of this whole group that's going to be left.
15 So there'll be space in the courtroom. If you'd like, you can
16 bring anyone you'd like to this court proceeding,
17 understanding, though, that that they're not to discuss with
18 you anything about the case and tell you their point of you,
19 that type of thing. It's all -- it's all up to the jurors.

20 And also, I don't -- I don't like -- I think it's
21 rude when the parties are presenting their case when we have
22 witnesses on the stand and people are walking into my
23 courtroom. I have a button here that I can push and it locks
24 those doors and I have done that. I have had press in here
25 that have been in and out of my courtroom while I have

1 witnesses on the stand and I have locked them in my courtroom.

2 They always look over at my marshal like what did I do.

3 But I try to set the ground rules now. So if you
4 invite anybody, please let them understand that they'll be --
5 have to stay in the courtroom while the proceedings are going
6 forward. They can't go in and out. Obviously, if they have
7 an emergency, that's different.

8 But to start this off with this whole group, has any
9 one of you been convicted of a felony? Anybody here? Okay.
10 No one has raised their hand.

11 Is anyone not a United States Citizen? Okay. No
12 one has raised their hand. Wait, did somebody raise their
13 hand that is not a United States citizen? Okay. All right,
14 sir.

15 THE MARSHAL: He doesn't understand English.

16 THE COURT: Sir, what's your name?

17 PROSPECTIVE JUROR NO. 061: Da Li.

18 THE MARSHAL: Da Li.

19 PROSPECTIVE JUROR NO. 061: Dasum Li.

20 THE CLERK: 061, Judge.

21 THE COURT: What number?

22 THE CLERK: 061 is the badge number.

23 THE COURT: Okay. All right. So it's Da Li?

24 MS. WU: Yeah.

25 PROSPECTIVE JUROR NO. 061: Yeah.

1 THE COURT: Okay. I heard two people answer. Is
2 that -- are you just speaking for him or -- okay. There we
3 go. Mr. Li?

4 PROSPECTIVE JUROR NO. 061: Yeah.

5 THE COURT: You don't understand English?

6 MS. WU: No.

7 PROSPECTIVE JUROR NO. 061: No.

8 THE COURT: No. Okay. So I just said some things
9 in English and you answered, and somebody answered for you, as
10 well. So what's your native language?

11 MS. WU: Chinese.

12 PROSPECTIVE JUROR NO. 061: Chinese.

13 THE COURT: Ma'am, who are you?

14 THE MARSHAL: Who are you? What your name?

15 MS. WU: Paytee (phonetic) Wu.

16 THE COURT: What's your name?

17 MS. WU: Paytee Wu. I'm wife.

18 THE MARSHAL: Are you in the jury pool?

19 MS. WU: No.

20 THE COURT: So do you understand English?

21 MS. WU: No. No.

22 THE COURT: Okay.

23 MS. WU: Just --

24 THE COURT: So when I asked if anyone's name I
25 didn't call, you didn't raise your hand. That's why I'm a

1 little confused, but okay. What's your native language,
2 Chinese?

3 MS. WU: Yes.

4 THE COURT: Mr. -- you're here with Mr. -- Mr. Li,
5 or Da Li?

6 THE MARSHAL: It's her husband.

7 THE COURT: Oh, okay. That explains it. All right.
8 Can the parties approach.

9 (Off-record bench conference)

10 THE COURT: Okay. Mr. Li, Juror No. 061, I'm going
11 to release you back to the jury commission room.

12 Do you understand, ma'am? I really appreciate you
13 coming down, though, and wanting to be part of the system,
14 but, unfortunately, at this point the parties aren't
15 comfortable with the fact that you don't understand English,
16 okay.

17 Jim, why don't you do me a favor. Do you want to
18 walk them over there?

19 THE MARSHAL: Excuse me?

20 THE COURT: Walk them over there, okay. Thanks,
21 Jim.

22 Okay.

23 PROSPECTIVE JUROR NO. 042: [Inaudible].

24 THE COURT: Huh? What's your badge number, ma'am?

25 PROSPECTIVE JUROR NO. 042: I'm sorry. No

1 understand English. It's --

2 THE COURT: What's your badge number?

3 THE CLERK: 042.

4 THE COURT: 042?

5 PROSPECTIVE JUROR NO. 042: Si.

6 THE COURT: Okay.

7 THE CLERK: Anita Ramirez-Horna.

8 THE COURT: All right. Ms. Anita Ramirez-Horna?

9 PROSPECTIVE JUROR NO. 042: Yes.

10 THE COURT: Okay. Ma'am, how long have you lived in

11 the United States?

12 PROSPECTIVE JUROR NO. 042: 15 years.

13 THE COURT: 15 years?

14 PROSPECTIVE JUROR NO. 042: Yeah.

15 THE COURT: Okay. Are you working here?

16 PROSPECTIVE JUROR NO. 042: Yes.

17 THE COURT: What do you do for work?

18 PROSPECTIVE JUROR NO. 042: Work at market.

19 THE COURT: You work in a market?

20 PROSPECTIVE JUROR NO. 042: [Inaudible] market.

21 THE COURT: Okay. All right. What's your native

22 language, Spanish? Okay. So you don't feel comfortable with

23 -- you don't understand the language? I mean, I understand

24 the legal issues, but if I brought an interpreter in, would

25 you be more comfortable?

1 PROSPECTIVE JUROR NO. 042: [Inaudible].

2 THE COURT: Interpreter? Do you understand that?

3 Whey don't -- why don't you do that. Call and see
4 if they have an interpreter, okay. I'm going to call and see
5 if we have an interpreter.

6 I'm going to call and see if we have an Spanish
7 interpreter, okay.

8 PROSPECTIVE JUROR NO. 042: Okay. All right.

9 All right. Anyone else with that concern? Anyone
10 else that has issues with English?

11 PROSPECTIVE JUROR NO. 076: Spanish.

12 THE COURT: Jim.

13 THE MARSHAL: He speaks Spanish, also.

14 THE COURT: All right.

15 PROSPECTIVE JUROR NO. 076: Janer Pacheco.

16 THE COURT: What's your badge number, sir?

17 PROSPECTIVE JUROR NO. 076: 76.

18 THE COURT: So it's Janer Pacheco?

19 PROSPECTIVE JUROR NO. 076: Yes.

20 THE COURT: Okay. How long have you been in the
21 United State, sir?

22 PROSPECTIVE JUROR NO. 076: Four year.

23 THE COURT: How many years?

24 PROSPECTIVE JUROR NO. 076: Four.

25 THE COURT: Four years? Where are you -- where are

1 you from?

2 PROSPECTIVE JUROR NO. 076: Puerto Rico.

3 THE COURT: And what's your native language?

4 PROSPECTIVE JUROR NO. 076: Spanish.

5 THE COURT: You feel uncomfortable here with the
6 English? Do you understand what I'm saying?

7 PROSPECTIVE JUROR NO. 076: No.

8 THE COURT: Why would you shake your head no if I
9 asked you if you understand what I'm saying? Okay. Did we
10 call?

11 THE CLERK: Yes. They're sending one over.

12 THE COURT: We probably need two.

13 THE CLERK: Okay.

14 THE COURT: Okay. I'm going to get an interpreter
15 for you, okay, sir?

16 PROSPECTIVE JUROR NO. 076: Okay.

17 THE COURT: Anyone else? All right. No one else
18 has raised their hand. Is there anyone who has such a
19 sympathy, prejudice, or bias relating to age, religion, race,
20 gender, or national origin that they feel would affect their
21 ability to be open-minded and fair and impartial jurors? Do
22 you all understand that? Do you want me to repeat it? Is
23 everyone okay with that? Anyone want me to repeat it?

24 Okay. Is there anyone that has a concern of that
25 nature? You have a sympathy, prejudice, or bias relating to

1 age, religion, race, gender, or national origin that you
2 believe that you couldn't be fair and impartial and
3 open-minded? Anyone? Okay. No one has raised their hand.

4 Are any of you acquainted with the defendants here,
5 Mr. Starr or Mr. Hobson or their attorneys, Mr. Tanasi, Mr.
6 Maningo, and Ms. Lobo? Or any attorney or associate that's in
7 Mr. Maningo's office that he named off? Anyone? Okay. No
8 one raised their hand.

9 Are any of you acquainted with the Deputy District
10 Attorneys here, Ms. Mercer and Mr. Portz?

11 Okay. What about anybody -- are you acquainted with
12 any of the deputies in the District Attorney's office that you
13 know that works in the DA's office or investigators in that
14 DA's office? Anybody? Okay. No one has raised their hand.

15 Are any of you acquainted with any of the witnesses
16 whose names were previously mentioned by Mr. Portz, as well as
17 Mr. Maningo?

18 Okay. Jim, right here in the second row.

19 PROSPECTIVE JUROR NO. 031: No. 031, Your Honor.
20 I'm not sure actually. I was a middle school teacher here in
21 town from 2010 through 2013.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR NO. 031: And it was like 95
24 percent Hispanic in my school and like ten of those names
25 sounded very familiar.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR NO. 031: So I won't know until I
3 see them, to tell you the truth.

4 THE COURT: Okay. All right. Okay. Well, you'll
5 let us know if you're --

6 PROSPECTIVE JUROR NO. 031: Yes, sir.

7 THE COURT: -- if you're selected as a juror? Is
8 there anything about any of those names specifically that you
9 believe stands out that you believe that would affect your
10 ability to be fair and impartial here?

11 PROSPECTIVE JUROR NO. 031: If it was one of my
12 students in there, I would not be able to be impartial, to
13 tell you the truth.

14 THE COURT: What's that?

15 PROSPECTIVE JUROR NO. 031: If one of my students
16 was a victim in this case, I would not be able to be
17 impartial.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 031: To tell you the truth,
20 sir.

21 THE COURT: So maybe some of those -- those names
22 that were read off you think may -- and you --

23 PROSPECTIVE JUROR NO. 031: Again, I wouldn't know
24 until I saw their faces, but --

25 THE COURT: Okay.

1 PROSPECTIVE JUROR NO. 031: -- a lot of the names
2 sounded very familiar. But, again, it's Hispanic names, so I
3 wouldn't know until I saw them.

4 THE COURT: Okay. All right. Well, maybe at the
5 point when the State, if they're asking questions, you can
6 address that with --

7 PROSPECTIVE JUROR NO. 031: Yes, sir.

8 THE COURT: -- they'll address that with you, okay.
9 All right. Thank you. Let's see. And your number was --

10 PROSPECTIVE JUROR NO. 031: 031.

11 THE COURT: Okay. Mr. Argento. Okay. Thank you.

12 Anyone else? Anyone else acquainted with any of the
13 names that were previously called?

14 Ladies and gentlemen, this trial is -- I mean, you
15 can probably just kind of surmise based on what Mr. Portz
16 indicated on the -- on the number of counts that are in this
17 case. This is a big case. It's going to take a lot time to
18 do it. And the State has told me that they anticipate, once
19 we get a jury, roughly two weeks.

20 Is that right?

21 MS. MERCER: Two to three weeks, Your Honor.

22 THE COURT: Okay. So with that -- okay, let's just
23 say three weeks. I'm going to count the rest of this week, as
24 well. Would serving that period -- period of time present an
25 undue burden upon any of you? That's the one we get -- yeah.

1 Don't worry. That's where we always get the questions, okay.
2 We'll just start in the back row and work our way throughout
3 the whole -- the whole courtroom, okay. So once again,
4 identify yourself by name and your badge number.

5 PROSPECTIVE JUROR NO. 003: Carole Halford, No. 3.

6 THE COURT: Okay. What's -- what's your concern?

7 PROSPECTIVE JUROR NO. 003: I have plans at the end
8 of this month to go to a 90th birthday party for my mom in
9 Albuquerque.

10 THE COURT: When is it that you plan on leaving?

11 PROSPECTIVE JUROR NO. 003: The 26th of May.

12 THE COURT: Okay. And that's already scheduled?

13 PROSPECTIVE JUROR NO. 003: Yes, sir.

14 THE COURT: Okay. Anything else?

15 PROSPECTIVE JUROR NO. 003: No.

16 THE COURT: All right. Thank you.

17 Anyone else in the back row? Okay.

18 PROSPECTIVE JUROR NO. 005: Carla Coffers, No. 005.

19 Carla Coffers, No. 005.

20 THE COURT: Speak into the black -- the little fuzzy
21 thing. There you go. Okay.

22 PROSPECTIVE JUROR NO. 005: Carla Coffers, No. 005.

23 THE COURT: Okay

24 PROSPECTIVE JUROR NO. 005: I'm -- my son is a
25 single father and he goes to work at 3:00 in the morning. So

1 I'm grandma and every day I get them off to school, the kids,
2 and then I'm there for them after school. And there really
3 isn't an alternative for someone to do that.

4 THE COURT: Okay. How many children?

5 PROSPECTIVE JUROR NO. 005: Two, ages 9 and 13.

6 THE COURT: Okay. So there's no one else in the
7 family that can help?

8 PROSPECTIVE JUROR NO. No, it was difficult today.

9 THE COURT: Jim, we have just one for now.

10 THE CLERK: Well, we've got two headsets.

11 THE COURT: Sorry, ma'am.

12 THE CLERK: He's going to bring one microphone and
13 two headsets --

14 THE COURT: All right.

15 THE CLERK: -- so you Council speak to [inaudible].

16 THE COURT: Oh, great. Great. Okay. All right.
17 Okay. Anything else?

18 PROSPECTIVE JUROR NO. 005: No.

19 THE COURT: All right. Thank you.

20 Anyone else in that row?

21 PROSPECTIVE JUROR NO. 006: Anthony Raftery, 006.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR NO. 006: I have three young kids
24 at home and a pregnant wife that is not doing so great.

25 THE COURT: How far along?

1 PROSPECTIVE JUROR NO. 006: About 15 weeks.

2 THE COURT: Okay. Thank you.

3 PROSPECTIVE JUROR NO. 007: Susan Miller.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 007: 007. I'm a small
6 business owner. I wear probably five hats at work and I don't
7 know how I'd possibly miss three weeks of work.

8 THE COURT: What's that? I didn't hear you. I
9 can't -- I can't hear you.

10 PROSPECTIVE JUROR NO. 007: You can't hear me?

11 THE COURT: No. There you are.

12 PROSPECTIVE JUROR NO. 007: All right. Sorry.
13 Susan Miller, 007. I'm a small business owner and I wear
14 about five hats at work and I just don't know how I could miss
15 three weeks of work.

16 THE COURT: Okay. What type of work is it?

17 PROSPECTIVE JUROR NO. 007: It's a digital graphics
18 business. I have 15 employees that I work with constantly.

19 THE COURT: Okay. Okay. Thank you.

20 Anyone else? Ma'am? Okay. Could you pass it all
21 the way down to the other end of your row.

22 PROSPECTIVE JUROR NO. 019: Certainly.

23 THE COURT: And just keep it in order here.

24 PROSPECTIVE JUROR NO. 019: You bet.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR NO. 012: Taylor Kilgore, No. 12.
2 I wouldn't be able to financially support myself. I only have
3 one part-time job.

4 THE COURT: All right. Do you have a family?

5 PROSPECTIVE JUROR NO. 012: My family is out of
6 state.

7 THE COURT: Do you have any children?

8 PROSPECTIVE JUROR NO. 012: No.

9 THE COURT: And what do you do for work?

10 PROSPECTIVE JUROR NO. 012: I work at CSN.

11 THE COURT: Are you a student, as well?

12 PROSPECTIVE JUROR NO. 012: Yes. Yes.

13 THE COURT: Okay. What are you studying?

14 PROSPECTIVE JUROR NO. 012: Theater.

15 THE COURT: Theater. Okay. Thank you.

16 PROSPECTIVE JUROR NO. 013: Todd Cressman, Juror No.
17 013. Lucky number 13.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 013: I'm a dentist in town,
20 Your Honor. I have an office staff of about 12 people who
21 don't work unless I'm there. I would -- all the names we've
22 read, probably a dozen of those people you've read are
23 probably patients of mine. I have about 15,000 patients of
24 record in town. I've already seen -- there's another juror
25 here there's a patient of mine and my office manager happens

1 to be in this jury pool, also, so that would get a little
2 complicated.

3 THE COURT: Yeah. Okay.

4 PROSPECTIVE JUROR NO. 013: And I'm also the sole
5 breadwinner for my -- my household. Thank you, Your Honor.

6 THE COURT: Okay. All right. Thank you.

7 PROSPECTIVE JUROR NO. 018: My name is Patricia
8 Dooley, Juror No. 018. I live in Laughlin, Nevada, and I
9 don't drive well in traffic. I was driven here today by my
10 husband. And to be on a trial for three weeks would,
11 especially at my age, be very draining to try to make that
12 trip on a daily basis. I certainly wouldn't want to be
13 staying at a casino for three weeks, either.

14 THE COURT: Okay. All right. Thank you, Ms.
15 Dooley.

16 PROSPECTIVE JUROR NO. 019: Judge, Vincent Gaeta,
17 Juror No. 19. And before I give you all the reasons why I
18 can't be here, I would be delighted to serve, but is there gap
19 between the jury selection and when the trial begins --

20 THE COURT: No.

21 PROSPECTIVE JUROR NO. 019: -- to wrap up some
22 things. Because I am the CEO of a [indiscernible] company in
23 San Francisco and I travel back and forth routinely and have
24 appointments on the calendar that I could reschedule if given
25 the time.

1 THE COURT: Well, the only -- the only gap would be
2 in the time frame when I'm in another calendar. So in the
3 mornings on some of the days we won't get started until later.
4 Some days I might not get started until 1:00. I anticipate
5 tomorrow we'll get started probably around 10:00. And then
6 Friday -- do we have a hearing Friday, too?

7 THE CLERK: Yes, we do, at 8:30.

8 THE COURT: So probably 10:00 on Friday, as well.

9 PROSPECTIVE JUROR NO. 019: And I don't want to give
10 you reasons why I can't or am unable. I'd be delighted to do
11 it. It's interesting to me to have the opportunity. Just I'm
12 concerned that if it's something that does take two weeks with
13 things on the calendar and some high-level meetings to
14 reschedule it could --

15 THE COURT: What do you do again?

16 PROSPECTIVE JUROR NO. 019: I do offsite commercial
17 record information management business in the Bay Area. So
18 like you have a custodian of records.

19 THE COURT: Uh-huh.

20 PROSPECTIVE JUROR NO. 019: We used to actually do
21 all the record retention for the Clark County Detention
22 Center, State of Nevada Attorney General, customers in town
23 here, as well. Sold that business in 2003. That's what
24 brought me here --

25 THE COURT: Okay.

1 PROSPECTIVE JUROR NO. 019: -- to the state because
2 I love it, and I have the same business in the Bay Area, as
3 well.

4 THE COURT: All right. Okay. Thank you. Can you
5 pass that forward all the way to your left.

6 PROSPECTIVE JUROR NO. 025: My name is Stephanie
7 Outley, No. 025.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR NO. 025: Next week my parents are
10 going out of town to Hawaii, and the week after that my mom is
11 going to Italy for three weeks. And my sister is a single
12 mother and I promised her I would help her take care of my
13 niece, she's only six years old and my grandma is 86 and she
14 can't stay in the house alone that long. I have a full-time
15 job and we already arranged for time I can leave early so I
16 can go help pick up my niece from school and go home to my
17 grandma.

18 THE COURT: Okay. Thank you. Pass it forward and
19 all the way to your left there, ma'am. Pass it all the way
20 down.

21 PROSPECTIVE JUROR NO. 026: Carol Shubinski, 026.
22 And I am a teacher K5 science lab, and if I would have to have
23 a substitute every day for three weeks that would actually
24 mean double work because every night then I would have to come
25 home, go to the school, plan all my lessons for the next day,

1 get everything ready, and then come here the next day. Plus,
2 my husband and I only have one car. He's a substitute
3 teacher, so he has -- he brings me in the morning and then he
4 goes. And then he'd have to pick me up. Plus, we're primary
5 caregivers for my 10 year old grandson. We also have to take
6 him and get him from school. So thank you.

7 THE COURT: Okay. Thank you.

8 PROSPECTIVE JUROR NO. 027: Rick, 027. Mine is just
9 purely economic. I've been off work for three months now.
10 And even on unemployment, it doesn't pay my bills. And so I
11 knew that this would probably come up today. I stopped at a
12 bank and I got receipts of today's date of my savings and
13 checking accounts, how depleted they are. I can't make my
14 monthly payments. That's a long time. So I've depleted any
15 moneys I've got in the bank. I've got to find work and I've
16 got to find it now.

17 THE COURT: How long have you been on unemployment?

18 PROSPECTIVE JUROR NO. 027: Three months.

19 THE COURT: Okay. So --

20 PROSPECTIVE JUROR NO. 027: And I know you could
21 say, well, gee, you've got all the time in the world. No, I
22 don't, because it's depleting all my savings.

23 THE COURT: What do you do for work?

24 PROSPECTIVE JUROR NO. 027: I sell vacation
25 ownership. That -- that used to be a great job. I did it for

1 12 years. It's terrible now. It's a luxury item in life that
2 people don't buy.

3 THE COURT: Do you have any leads on a job that you
4 think you're going to get in the next three weeks?

5 PROSPECTIVE JUROR NO. 027: There's always a chance.
6 This is actually a good time of year to be looking because
7 they're -- they're going to gear up for spring and summer.
8 And -- but so far I haven't had a bite yet.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR NO. 027: The industry has bene
11 hurt a lot. I can't even go into an old industry. For 25
12 years I worked on the casinos here in town building hotels. I
13 was a superintendent. I can't get a job in that, either, even
14 with all that experience.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 027: There's just now work.
17 It just happens the two things I do in life have been hurt
18 drastically, the worse.

19 THE COURT: Okay. All right. Thank you, Mr.
20 Poyner.

21 PROSPECTIVE JUROR NO. 031: 031, Chris Argento, Your
22 Honor. I actually have a couple of reasons. The first is
23 economic. I'm coming off of Chapter 7 bankruptcy in October.
24 I'm self-employed and if I don't work I don't get paid. So
25 taking two or three weeks off would be -- mean I couldn't pay

1 my bills this month, either. I am also a single dad. I have
2 shared custody of my son and he goes to daycare Monday,
3 Wednesday, Friday, so I keep him home with me Tuesday and
4 Thursday since I work from home. And I don't know what I
5 would do with him, to tell you the truth. I'm happy to be on
6 another trial that is shorter if we could arrange that. I'm
7 not trying to get out of jury duty, but I just can't see how I
8 would make that work.

9 THE COURT: I understand. Okay. Thank you. All
10 right.

11 PROSPECTIVE JUROR NO. 032: Haeyon Golden, 031. I'm
12 single income and three weeks will be -- it would be difficult
13 for me and --

14 THE COURT: What do you do for work, ma'am?

15 PROSPECTIVE JUROR NO. 032: At the casino dealer.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 032: Table games. Also,
18 Monday and Tuesday I take care of my sick friend.

19 THE COURT: Okay. Thank you.

20 PROSPECTIVE JUROR NO. 032: Thank you.

21 THE COURT: Can you pass that forward. Anyone in
22 the front row? All right. Can you hand that to that
23 gentleman? Hand it to the lady next to you, ma'am.

24 PROSPECTIVE JUROR NO. 033: My name is Dana Chavez,
25 033. I have a son that is -- has schizophrenia, and my

1 husband was the sole caretaker of him until a couple days ago,
2 he got a job, my husband got a job, so that has been put back
3 in my hands. So it would be difficult. He's got to be
4 carefully monitored. He is 25. He does have a part-time job,
5 but he has to be carefully monitored all the time, day and
6 night.

7 THE COURT: How do you monitor him when he's
8 working?

9 PROSPECTIVE JUROR NO. 033: Through his job. He's
10 with the Dieter program and his job at Albertson's is aware of
11 his condition. And there's several times where they've called
12 -- they keep in close contact with myself and my husband.

13 THE COURT: Okay. What days does --

14 PROSPECTIVE JUROR NO. 033: Calling us unless he
15 does have episodes.

16 THE COURT: What days does he work?

17 PROSPECTIVE JUROR NO. 033: Excuse me?

18 THE COURT: What days does he work?

19 PROSPECTIVE JUROR NO. 033: He works Tuesdays
20 through Fridays.

21 THE COURT: Okay.

22 PROSPECTIVE JUROR NO. 033: My husband is off
23 Friday, so it would just basically because Tuesday, Wednesday,
24 and Thursday that would be difficult.

25 THE COURT: And when -- when does he go to work?

1 PROSPECTIVE JUROR NO. 033: He goes in at 8:00 and
2 gets off at 12:00.

3 THE COURT: Okay. Thank you.

4 PROSPECTIVE JUROR NO. 034: My name is David
5 Barrett. My number is 034. My fiancé lost her job in
6 December. Since then I have taken over both of our bills.
7 Most recently I was out of work for two and a half weeks for a
8 back injury, this was about three weeks ago, and have been
9 working 70-hour weeks trying to catch up to keep the bills
10 paid. If I were off for three weeks, I would not be able to
11 pay my bills.

12 THE COURT: Where do you work?

13 PROSPECTIVE JUROR NO. 034: I'm an emergency room
14 nurse.

15 THE COURT: For?

16 PROSPECTIVE JUROR NO. 034: Desert Springs.

17 THE COURT: And they don't pay you while you're in
18 jury service?

19 PROSPECTIVE JUROR NO. 034: Not that I'm aware of.

20 THE COURT: Okay. Okay. All right. Thank you.

21 PROSPECTIVE JUROR NO. 034: Is now an appropriate
22 time for another piece of information?

23 THE COURT: Go ahead.

24 PROSPECTIVE JUROR NO. 034: Also, in December my
25 house was robbed. They took just about everything of value.

1 I lost a lot of money. We have not been able to replace most
2 of those things, and it will probably take me a decade of work
3 just to replace what was taken, the things that could be
4 replaced. And things that cannot that were family heirlooms
5 and things passed down from family members won't ever be
6 replaced. The insurance company paid us about 7.5 percent of
7 the claim. That was another part of our problem and I have
8 very hard feelings about that and about people that would rob
9 somebody.

10 THE COURT: Okay. Thank you, sir.

11 Okay. Anyone else on that?

12 Ms. Ramirez, can you -- are you hearing okay? The
13 interpreter is --

14 PROSPECTIVE JUROR NO. 042: Yeah, in the
15 [inaudible].

16 THE RECORDER: I can't hear her.

17 THE COURT: Can you -- can you hear?

18 PROSPECTIVE JUROR NO. 042: I need an interpreter.

19 THE COURT: Okay. The interpreter is right here.
20 Can you hear him?

21 THE INTERPRETER: Not all that well. I asked her to
22 raise her hand in case she --

23 THE COURT: Okay. Okay. Can you hear him okay now?

24 PROSPECTIVE JUROR NO. 042: Thank you.

25 THE COURT: Okay. Is there -- other than -- other

1 than the explanation that you're having trouble with Spanish,
2 I think we've solved that. We have an interpreter here now.
3 Is there any hardship that this would put on you to serve as a
4 juror for approximately three weeks?

5 PROSPECTIVE JUROR NO. 042: Well, it is a hardship
6 because I have to work. I work full-time so I cannot
7 participate.

8 THE COURT: And what do you do for work, again?

9 PROSPECTIVE JUROR NO. 042: I work at Whole Foods
10 Market.

11 THE COURT: Okay. And do you -- do you live by
12 yourself, do you have family or --

13 PROSPECTIVE JUROR NO. 042: I live by myself. I
14 live alone.

15 THE COURT: Okay. So you have -- you have no one
16 that helps take care of you at all?

17 PROSPECTIVE JUROR NO. 042: No, I don't.

18 THE COURT: Okay. Okay. Thank you. All right.
19 We'll get back to you.

20 Anyone out in the audience now? Okay. There we go.
21 All right. Everyone in the audience now. Okay All right.
22 We'll start next in line.

23 PROSPECTIVE JUROR NO. 044: my name is Gregory
24 Spindle, Juror No. 044. I have a medical appointment that I
25 can't miss Friday at 12:30. And subsequent to medical follow

1 ups after that, as well.

2 THE COURT: Okay. What type of medical appointment
3 is it?

4 PROSPECTIVE JUROR NO. 044: For cancer.

5 THE COURT: Okay. Thank you.

6 Anyone else in that row?

7 PROSPECTIVE JUROR NO. 045: My name is Angela

8 Drahos, 045. And, Your Honor, I am a second grade teacher.

9 This is the last three weeks of school. I don't even know if
10 I can get a substitute for tomorrow. Substitutes in this
11 district are very difficult, and more than that my kids need
12 me there. We have state testing, and we have three more weeks
13 of just getting ready for third grade. And I work at a Title
14 I Hybrid school and they need me.

15 THE COURT: Okay. All right. Thank you.

16 Anyone else in that row?

17 PROSPECTIVE JUROR NO. 048: My name is Jennifer

18 Robinson, It's 048. I just started a brand new job at a law

19 firm after being out of work for three months. They do not

20 pay me if I am not there. I'm wondering if I'll have a job if

21 I'm on a case this long. So it would be a hardship on me.

22 I'm trying to play catchup on all the bills that I have.

23 THE COURT: Who is the law firm?

24 PROSPECTIVE JUROR NO. 048: Rushforth Firm in

25 Summerlin.

1 THE COURT: First of all, I want everybody to be
2 rest assured that you cannot lose your job because you're on a
3 jury. And if you do and then the people that are letting you
4 go are going to have a lot more trouble in this courtroom than
5 you would even think about. So I want you to be rest assured
6 of that. You will not lose your job for reasons of being on a
7 jury, okay.

8 PROSPECTIVE JUROR NO. 048: Okay.

9 THE COURT: All right. So, I mean, I understand
10 what you're saying and I'm taking it into consideration when
11 we discuss this, okay. So anything else, Ms. Robinson?

12 PROSPECTIVE JUROR NO. 048: I, too, have a doctor's
13 appointment tomorrow morning, as well, that I've had for a
14 long time. I really don't want to reschedule, but --

15 THE COURT: Why wouldn't you tell me that first? It
16 makes me kind of wonder if you really do.

17 PROSPECTIVE JUROR NO. 048: Oh, I do. I talked to
18 them this morning and they --

19 THE COURT: Okay. What time is your doctor's
20 appointment?

21 PROSPECTIVE JUROR NO. 048: 10:15.

22 THE COURT: 10:15? What type of appointment is it?

23 PROSPECTIVE JUROR NO. 048: A lady's appointment.

24 THE COURT: Okay. All right. Okay. Thank you.

25 All right. Anyone else in that row?

1 PROSPECTIVE JUROR NO. 050: Ryan Stull, 217.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR NO. 050: I have plans to --

4 THE COURT: Your badge number is actually 050.

5 PROSPECTIVE JUROR NO. 050: Oh, I'm sorry.

6 THE COURT: See that?

7 PROSPECTIVE JUROR NO. 050: 050. Correct.

8 THE COURT: Okay. All right. Go ahead.

9 PROSPECTIVE JUROR NO. 050: I have plans to leave
10 next Friday the 13th returning Monday the 23rd to visit an ill
11 mother-in-law. My wife and son also have tickets to go there
12 that we've already purchased.

13 THE COURT: Where are you going?

14 PROSPECTIVE JUROR NO. 050: Akron, Ohio.

15 THE COURT: And you already have tickets for it?

16 PROSPECTIVE JUROR NO. 050: Yes, sir.

17 THE COURT: Okay. Okay. Thank you.

18 Anyone else? All right.

19 PROSPECTIVE JUROR NO. 056: Sir, William Burns, 056.
20 And likely you answered my question. My only concern, not
21 financial or any other reasons, is I'm on probation 90 days
22 with my employer. So if it can't be held against me even
23 though I'm on probation, then I have nothing.

24 THE COURT: Okay. Thank you.

25 PROSPECTIVE JUROR NO. 057: Steven Goulder, 057.

1 I'm the vice president of operations for a software company.
2 I think my question is more -- and I think I heard you, but I
3 just want clarification because I can adjust some scheduling.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 057: What time will we start
6 in the morning?

7 THE COURT: Tomorrow probably around 10:00.

8 PROSPECTIVE JUROR NO. 057: Okay. Thank you.

9 THE COURT: Sometimes -- like some days if we have
10 the full days, I start at 8:30.

11 PROSPECTIVE JUROR NO. 057: Okay.

12 THE COURT: But tomorrow we're starting at 10:00.
13 Friday we're starting at 10:00.

14 PROSPECTIVE JUROR NO. 057: Okay. Thank you.

15 THE COURT: Okay. All right. Thank you.

16 PROSPECTIVE JUROR NO. 058: My name is Nitin Luhar.
17 I am Juror 058.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 058: I have a couple of
20 factors that make this difficult for me. We were -- my family
21 business was robbed at gunpoint and we're -- my sister and my
22 wife were roughed up a little bit, and so it would be hard for
23 me to be unbiased with armed robbery.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR NO. 058: And the other factor is

1 I'm a remote employee for my company where I cover four states
2 that includes extensive travel for equipment and services for
3 power plant equipment. So being away from work or out three
4 weeks is extremely difficult to reschedule things.

5 THE COURT: Okay. Thank you.

6 Sir, can you give me your badge number and your name
7 because I know -- I now we're out of order; right?

8 PROSPECTIVE JUROR NO. 047: Okay. Yeah. Ricardo
9 Oliver, 047.

10 THE COURT: Okay. Mr. Oliver, did you have any
11 concerns about being here for that time period?

12 PROSPECTIVE JUROR NO. 047: Yes, because I'm
13 supposed to be scheduled for back surgery and then rehab after
14 that.

15 THE COURT: When is that to take place?

16 PROSPECTIVE JUROR NO. 047: I've got to get to the
17 hospital to do lab work.

18 THE COURT: When do you have to do that?

19 PROSPECTIVE JUROR NO. 047: Well, I should have been
20 in there about a week ago. I haven't been able to make it
21 down. This is my only means of transportation.

22 THE COURT: Okay. Do you have an appointment with
23 the hospital?

24 PROSPECTIVE JUROR NO. 047: I've got to call them
25 and get it set up. I've canceled twice already.

1 THE COURT: You did what? You canceled?

2 PROSPECTIVE JUROR NO. 047: I've canceled twice
3 because of juries.

4 THE COURT: Well, when's your appointment? When is
5 your next appointment?

6 PROSPECTIVE JUROR NO. 047: I've got to get it set
7 up.

8 THE COURT: So you haven't set an appointment yet?

9 PROSPECTIVE JUROR NO. 047: No.

10 THE COURT: How long have you been confined to the
11 wheelchair?

12 PROSPECTIVE JUROR NO. 047: Oh, for about -- well,
13 since after Christmas.

14 THE COURT: Of this year?

15 PROSPECTIVE JUROR NO. 047: I was in an auto
16 accident.

17 THE COURT: Okay. So just -- you mean Christmas of
18 last year?

19 PROSPECTIVE JUROR NO. 047: Yeah, I've canceled
20 twice because of the jury.

21 THE COURT: Okay. You canceled --

22 PROSPECTIVE JUROR NO. 047: I've canceled --

23 THE COURT: -- the doctor appointment twice because
24 of this -- this --

25 PROSPECTIVE JUROR NO. 047: Yeah.

1 THE COURT: -- one time jury summons?

2 PROSPECTIVE JUROR NO. 047: No, no. I've been --
3 let's see, it was the 29th of the December --

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 047: -- when I had plans.
6 They gave me a jury summons.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR NO. 047: And then I canceled
9 that.

10 THE COURT: You canceled the jury summons?

11 PROSPECTIVE JUROR NO. 047: Yes, because --

12 THE COURT: Okay.

13 PROSPECTIVE JUROR NO. 047: -- I was going to
14 Escondido.

15 THE COURT: Okay. So --

16 PROSPECTIVE JUROR NO. 047: Okay. And once -- once
17 I get back there, they didn't send me another jury summons.
18 And I'm going, well, what's going to happen? So I call them
19 up, and then they sent me the one for today.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 047: And so until, you know,
22 I get this out of the way, then I can have the back surgery,
23 and after that physical rehab.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR NO. 047: Which I don't -- I don't

1 know how long that's going to take.

2 THE COURT: Okay. So the doctor has already told
3 you you have to have back surgery?

4 PROSPECTIVE JUROR NO. 047: Yes.

5 THE COURT: And you're just waiting to do the blood
6 work and everything --

7 PROSPECTIVE JUROR NO. 047: Yeah.

8 THE COURT: -- to get ready for it?

9 PROSPECTIVE JUROR NO. 047: To get all the lab work
10 done.

11 THE COURT: Okay. All right. Okay. Thank you.
12 All right. Can you pass it down to your -- to your left, sir,
13 all the way to that -- the second row down there.

14 Anyone in the second row?

15 PROSPECTIVE JUROR NO. 066: I guess that me.
16 Christy Hampton, Juror 66.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 066: I run the business for
19 Todd Cressman who had already spoke. So it definitely would
20 have a negative impact on my business if I were not there. I
21 would not have the coverage to cover me not being there, and
22 it would also be a financial strain on myself being a single
23 woman that I do not have anybody else to depend on.

24 THE COURT: You guys want to flip a coin? You can
25 see, I've got to weed through this. I'm running out of

1 people.

2 PROSPECTIVE JUROR NO. 066: Well, obviously --

3 THE COURT: I understand. I will tell you now, I
4 promise you there's going to be a lot more questioning. If we
5 get to the point where you both are going to -- I won't allow
6 that. I'm sorry. I mean, the parties might not agree with
7 it, but she's way down on the list. She may not even make it
8 to the point. You may be excused before that. But I've got,
9 you know -- I understand. I'll keep it in mind, okay. They
10 might come up and say, well, Judge, we don't want either one
11 of them.

12 PROSPECTIVE JUROR NO. 066: Thank you.

13 THE COURT: Okay. All right.

14 PROSPECTIVE JUROR NO. 067: My name is Jonna
15 Mortensen, No. 67.

16 THE COURT: Uh-huh.

17 PROSPECTIVE JUROR NO. 067: My husband and I are
18 self-employed. He's a chiropractor, and I manage the office,
19 as well as the business. We recently lost our front desk girl
20 so I'm trying to cover for her, also. So this would just be a
21 big strain on our business and my mental health.

22 THE COURT: Okay. Thank you.

23 Anyone else in that row?

24 PROSPECTIVE JUROR NO. 068: My name is Kelly
25 Whitten, No. 68.

1 THE COURT: Uh-huh.

2 PROSPECTIVE JUROR NO. 068: I'm the only money maker
3 in my household. I support my husband and my two kids. We
4 have another one on the way and paying for that one out of
5 pocket. So definitely a financial hardship for three weeks
6 out of work.

7 THE COURT: What do you do for work?

8 PROSPECTIVE JUROR NO. 068: I'm a registered nurse
9 at a small clinic.

10 THE COURT: And what does your husband do?

11 PROSPECTIVE JUROR NO. 068: He's unemployed.

12 THE COURT: What does he do when he works, or does
13 he not?

14 PROSPECTIVE JUROR NO. 068: He's been unemployed for
15 a very long time. He watches over our kids. They're 8 and
16 10. He takes them to school and back.

17 THE COURT: Where do you work

18 PROSPECTIVE JUROR NO. 068: I work at the Vaccine
19 Center.

20 THE COURT: Okay. Thank you.

21 PROSPECTIVE JUROR NO. 068: Thank you.

22 THE COURT: Anyone else in that row?

23 PROSPECTIVE JUROR NO. 069: Yes. Melissa Morales,
24 Badge No. 069. I travel internationally for my job. I'm
25 scheduled to leave the county on Monday, and will not be

1 returning until about the 28th of May.

2 THE COURT: What type of work do you do?

3 PROSPECTIVE JUROR NO. 069: I work in healthcare,
4 the finance administration. My corporate office is based in
5 Irving, Texas, but I travel significantly abroad, South
6 America and Mexico.

7 THE COURT: Okay. Thank you.

8 Anyone else in that row?

9 PROSPECTIVE JUROR NO. 070: Yeah, my name is Monte
10 Lai, Badge No. 70.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR NO. 070: Yeah, I'm a real estate
13 agent. I really cannot really go without work for three
14 weeks. It'll be like financial hardship for me.

15 THE COURT: Okay. Thank you, sir.

16 Anyone else?

17 PROSPECTIVE JUROR NO. 072: Good afternoon. My name
18 is Mitsue Mara. My badge is 72.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR NO. 072: I have my niece and her
21 family visiting from Japan until the 11th, and I would like to
22 spend some time with them. I'll be free after 11th, but until
23 11th they go back, I -- she needs interpreting. My husband
24 doesn't speak Japanese very much, so --

25 THE COURT: Okay.

1 PROSPECTIVE JUROR NO. 072: Thank you.

2 THE COURT: Okay. Thank you. All right. Can you
3 pass it back to the back row. And then we'll

4 PROSPECTIVE JUROR NO. 080: Hello. I'm Dalton
5 Plucker, No. 80. And I wouldn't be financially able to work
6 -- to do this for three weeks. I work for Bonanza Beverage as
7 a quality control in the draft department.

8 THE COURT: How long have you worked for Bonanza
9 Beverage?

10 PROSPECTIVE JUROR NO. 080: Nine months.

11 THE COURT: Okay. And you work in quality control?

12 PROSPECTIVE JUROR NO. 080: Yes, sir.

13 THE COURT: What do you do in quality control?

14 PROSPECTIVE JUROR NO. 080: I go to all the casinos
15 and I go through all the bars and I pull out beer and then
16 toss it if it's out of date, check dates.

17 THE COURT: Okay. Okay. Thank you.

18 PROSPECTIVE JUROR NO. 080: Thank you.

19 THE COURT: Anyone in the back row?

20 PROSPECTIVE JUROR NO. 084: My name is Jacqueline
21 Ayala, No. 084. Three weeks is not going to work for me
22 because I work for a company called Acceptance Now who is
23 owned by Rent-A-Center. We're currently located inside R.C.
24 Willey and there's only two employees working there. I fear
25 that when I got back on my job I might not be an assistant

1 manager anymore. So since there's only two of working and our
2 business hours are from Monday through Saturday from 10:00 to
3 9:00, there's only two of us to cover shifts.

4 THE COURT: Okay. Thank you, Ms. Ayala.

5 Anyone else in that row?

6 PROSPECTIVE JUROR NO. 097: My name is Veronica
7 Deleon and 097.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR NO. 097: It would also be
10 financially hard for me, and plus I work in a casino so I have
11 to make a certain amount of hours to keep my insurance since
12 I'm 30 weeks pregnant right now. And also I'm going to be
13 having appointments for my prenatal appointments and actually
14 tomorrow I have an appointment for an ultrasound since I
15 haven't been feeling my baby move as I'm supposed to. So
16 they're going to make sure she's okay. And it'll be kind of
17 hard for me for that, too.

18 THE COURT: When is your doctor's appointment?

19 PROSPECTIVE JUROR NO. 097: Tomorrow.

20 THE COURT: What time?

21 PROSPECTIVE JUROR NO. 097: 4:30.

22 THE COURT: Okay. Thank you.

23 Anyone else?

24 PROSPECTIVE JUROR NO. 099: Hi. Jaclyn Delappi,
25 Juror 99.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR NO. 099: I have a trip planned to
3 Chicago May 25th. The tickets are paid for and everything is
4 planned. I also have -- my husband and I both work in the
5 healthcare field. His -- when he is on call and working, I'm
6 the only one that is there for my children. I don't have
7 anybody else to watch them. He goes in for a trauma call and
8 then I also work at the hospital and I take a lot of on call.
9 So my patients depend on me. And then also I have a doctor's
10 appointment that I've been waiting four months to get in to
11 see this doctor. And it's -- I have to check in --

12 THE COURT: When is that?

13 PROSPECTIVE JUROR NO. 099: It's in the middle of
14 May.

15 THE COURT: Okay. Thank you.

16 PROSPECTIVE JUROR NO. 117: Kenneth Valandingham.
17 My badge number is 117. I have three reasons. I'm the only
18 provider in my household. I have four kids and a wife. My
19 wife is currently just on a call basis, a CNA. I work for the
20 Palazzo Venetian. My second reason is I'm a Little League
21 coach for my two boys, and the baseball games start at 5:00.
22 And the third reason is my brothers own repair shops and
23 they've been robbed numerous times and I think I would be
24 impartial.

25 THE COURT: Okay. Thank you.

1 **CERTIFICATE OF SERVICE**

2 I hereby certify I am an assistant to Terrence M. Jackson, Esq., not a party to
3 this action, and on the 23rd day of September, 2016, I served a true, correct and e-
4 filed stamped copy of the foregoing: Defendant, BRANDON STARR'S, CASE
5 APPEAL STATEMENT as follows:

6
7 [X] Via Electronic Service (CM/ECF) to the Eighth Judicial District Court;
8 [X] Via the NSC Drop Box on the 17th floor of the Regional Justice Center;
9 [X] and by United States first class mail to the Nevada Attorney General and the
10 Defendant as follows:

11
12
13 STEVEN B. WOLFSON

14 Clark County District Attorney
15 steven.wolfson@clarkcountyda.com

STEVEN S. OWENS

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16
17
18 BRANDON STARR

19 Scope ID#7014732
20 Clark County Detention Ctr.
21 330 S. Casino Center Dr.
22 Las Vegas, NV 89101

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100 North Carson Street
Carson City, Nevada 89701

23
24 By: /s/ Ila C. Wills
25 Assistant to T. M. Jackson, Esq.

Heather B. Hume
CLERK OF THE COURT

1 ASTA

2
3
4
5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**

9
10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 BRANDON STARR,

14 Defendant(s),

Case No: C-14-303022-2

Dept No: XIX

15
16
17 **CASE APPEAL STATEMENT**

18 1. Appellant(s): Brandon Starr

19 2. Judge: William D. Kephart

20 3. Appellant(s): Brandon Starr

21 Counsel:

22 Brandon Starr #1165964
23 P.O. Box 650
24 Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney
28 200 Lewis Ave.
Las Vegas, NV 89101

(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes
Permission Granted: N/A

6. Appellant Represented by Appointed Counsel In District Court: Yes

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: December 12, 2014

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Judgment of Conviction

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 4 day of October 2016.

Steven D. Grierson, Clerk of the Court

/s/ Chaunte Pleasant

Chaunte Pleasant, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Brandon Starr


CLERK OF THE COURT

ORDER
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Counsel for Brandon Starr

IN THE EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,
v.
BRANDON STARR,
#7014732,
Defendant.

District Case No.: C-14-303022-2

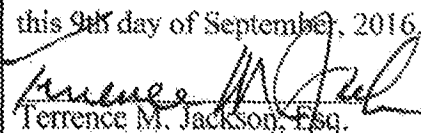
Dept.: XIX

ORDER

THIS MATTER having come before the court and there appearing good cause therefore,
TERRENCE M. JACKSON, ESQUIRE is appointed as appellate counsel for Brandon Starr in case
number C-14-303022-2, in Department number 19.

DATED this 20th day of September, 2016.


DISTRICT COURT JUDGE

Respectfully Prepared by
Terrence M. Jackson, Esq., on
this 9th day of September, 2016.

Terrence M. Jackson, Esq.

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1
2 Notice of Appeal to the Supreme Court from A Judgment
3 or order of A District Court
4

5 CASE NO. C-14-303022-2
6

7
8 Dept No. XV111
9 Electronically Filed
10 Oct 10 2016 10:53 a.m.
11 Tracie K. Lindeman
12 Clerk of Supreme Court
13 Electronically Filed
14 10/03/2016 02:32:39 PM

15 IN The 8th Judicial District Court of the
16 State of Nevada IN And for
17 The County of Clark

18
19 *Tracie K. Lindeman*
20 CLERK OF THE COURT

21 State of Nevada

22 VS

23 Brandon Starr
24

25 Notice of Appeal
26

27 Notice is hereby given that, Brandon Starr, Defendant
28 above named, hereby appeals to the Supreme Court
of Nevada from the final Judgment from the order
of conviction entered in this action on the 8th day
of Sep 2016

Dated this 24th day of Sep-2016

Signature *[Signature]*

RECEIVED

OCT 03 2016

CLERK OF THE COURT

24

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Brandon Starr
#1165944

HDSP P.O. Box 650

Indian Springs, NV 89070

Hasler
09/30/2016
FIRST-CLASS MAIL
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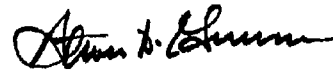
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Steven D. GrierSon
Clerk of the Court
200 Lewis Avenue 2nd floor
Las Vegas NV 89156

33 HRDENMP 89155

NSF 3763

HIGH DESERT STATE PRISON
SEP 29 2016
UNIT 5 C/D



CLERK OF THE COURT

1 AJOC

2 DISTRICT COURT

3 CLARK COUNTY, NEVADA

4
5 THE STATE OF NEVADA,

6 Plaintiff,

CASE NO. C303022-2

7
8 -vs-

9 BRANDON STARR
10 #7014732

DEPT. NO. XIX

11 Defendant.

12
13 AMENDED JUDGMENT OF CONVICTION

14 (JURY TRIAL)

15
16 The Defendant previously entered a plea of not guilty to the crimes of COUNTS
17 1, 8, 11, 16, 22, 26, 33, 37, 44, 48, 52, 60, and 68 – BURGLARY WHILE IN
18 POSSESSION OF A DEADLY WEAPON (Category B Felony) in violation of NRS
19 205.060, COUNTS 2, 9, 12, 17, 23, 27, 34, 38, 45, 49, 54, 61, 69 and 81 –
20 CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in violation of NRS
21 200.380, 199.480, COUNTS 3, 4, 5, 6, 7, 10, 13, 14, 15, 18, 19, 20, 21, 24, 25, 28, 29,
22 30, 31, 32, 39, 40, 41, 42, 43, 46, 47, 50, 51, 56, 57, 58, 59, 64, 66, 72, 74, 76, 78 and
23 80 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation
24 of NRS 200.380, 193.165, COUNTS 35, 36, and 82 – ATTEMPT ROBBERY WITH USE
25 OF A DEADLY (Category B Felony) in violation of NRS 200.380, 193.330, 193.165,
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1 COUNTS 53, 62 and 70 – CONSPIRACY TO COMMIT KIDNAPPING (Category B
2 Felony) NRS 200.310, 200.320, 199.480, COUNT 55 – FALSE IMPRISONMENT WITH
3 USE OF A DEADLY WEAPON (Category B Felon) in violation of NRS 200.460.3b,
4 COUNTS 63 and 65 – SECOND DEGREE KIDNAPPING WITH USE OF A DEADLY
5 WEAPON (Category B Felony) NRS 200.310.2, 193.165, COUNT 67 – ATTEMPT
6 FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Category B
7 Felony) in violation of NRS 200.310, 200.320, 193.330, 193.165, **COUNTS 71, 73, 75,**
8 **77 and 79 – FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON**
9 **(Category A Felony) in violation of NRS 200.310, 200.320, 193.165;** and the matter
10 having been tried before a jury and the Defendant having been found guilty of the
11 crimes of COUNTS 1, 11, 16, 22, 26, 33, 37, 44, 48, 52, 60, and 68 – BURGLARY
12 WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony) in violation of
13 NRS 205.060, COUNTS 2, 12, 17, 23, 27, 34, 38, 45, 49, 54, 61, 69 and 81 –
14 CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in violation of NRS
15 200.380, 199.480, COUNTS 3, 4, 5, 6, 7, 13, 14, 15, 18, 19, 20, 21, 24, 25, 28, 29, 30,
16 31, 32, 39, 40, 41, 42, 43, 46, 47, 50, 51, 56, 57, 58, 59, 64, 66, 72, 74, 76, 78 and 80 –
17 ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of
18 NRS 200.380, 193.165, COUNTS 35, 36, and 82 – ATTEMPT ROBBERY WITH USE
19 OF A DEADLY (Category B Felony) in violation of NRS 200.380, 193.330, 193.165,
20 COUNTS 63 and 65 – SECOND DEGREE KIDNAPPING WITH USE OF A DEADLY
21 WEAPON (Category B Felony) NRS 200.310.2, 193.165, **COUNTS 71, 73, 75, 77 and**
22 **79 – FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON (Category B**
23 **Felony) in violation of NRS 200.460.3b, 193.165;** thereafter, on the 8th day of
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1 September, 2016, the Defendant was present in court for sentencing with counsel
2 LANCE MANINGO, ESQ., and good cause appearing,

3 THE DEFENDANT WAS THEREBY ADJUDGED guilty of said offenses and, in
4 addition to the \$25.00 Administrative Assessment Fee, \$12,179.45 Restitution with
5 \$10,279.45 Restitution payable jointly and severally with Co-Defendant Hobson and
6 \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00
7 DNA Collection Fee, the Defendant is SENTENCED to the Nevada Department of
8 Corrections (NDC) as follows: **COUNT 1** - a MAXIMUM of EIGHTY-FOUR (84)
9 MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS; **COUNT 2** - a
10 MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE
11 (12) MONTHS; **COUNT 3** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
12 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE
13 term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
14 MONTHS for the Use of a Deadly Weapon; **COUNT 4** – a MAXIMUM of EIGHTY-
15 FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24)
16 MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM
17 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 5**
18 – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
19 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS
20 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
21 Weapon; **COUNT 6** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
22 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
23 SIXTY(60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
24 the Use of a Deadly Weapon; **COUNT 7** – a MAXIMUM of EIGHTY-FOUR (84)

1 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
2 CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM parole eligibility of
3 TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS 1 – 7
4 CONCURRENT with EACH OTHER; **COUNT 11** - a MAXIMUM of EIGHTY-FOUR (84)
5 MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS; **COUNT 12** - a
6 MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE
7 (12) MONTHS; **COUNT 13** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
8 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE
9 term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
10 MONTHS for the Use of a Deadly Weapon; COUNTS 8 – 10 CONCURRENT with
11 EACH OTHER and CONSECUTIVE to COUNT 7; **COUNT 14** - a MAXIMUM of
12 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12)
13 MONTHS; **COUNT 15** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
14 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE
15 term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
16 MONTHS for the Use of a Deadly Weapon; COUNTS 11 – 15 CONCURRENT with
17 EACH OTHER and CONSECUTIVE to COUNT 7; **COUNT 16** - a MAXIMUM of
18 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12)
19 MONTHS; **COUNT 17** - a MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM
20 parole eligibility of TWELVE (12) MONTHS; **COUNT 18** – a MAXIMUM of EIGHTY-
21 FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24)
22 MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM
23 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT**
24 **19** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of

1 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
2 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
3 Weapon; **COUNT 20** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
4 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
5 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
6 the Use of a Deadly Weapon; **COUNT 21** – a MAXIMUM of EIGHTY-FOUR (84)
7 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
8 CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of
9 TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS 16 – 21
10 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 15; **COUNT 22** - a
11 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
12 TWELVE (12) MONTHS; **COUNT 23** - a MAXIMUM of THIRTY-SIX (36) MONTHS with
13 a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 24** – a MAXIMUM of
14 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR
15 (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM
16 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT**
17 **25**– a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
18 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
19 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
20 Weapon; COUNTS 22 – 25 CONCURRENT with EACH OTHER and CONSECUTIVE to
21 COUNT 21; **COUNT 26** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
22 MINIMUM Parole Eligibility of TWELVE (12) MONTHS; **COUNT 27** - a MAXIMUM of
23 THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
24 MONTHS; **COUNT 28** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a

1 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE
2 term of SIXTY(60) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
3 MONTHS for the Use of a Deadly Weapon; **COUNT 29** – a MAXIMUM of EIGHTY-
4 FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24)
5 MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM parole
6 eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 30** – a
7 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
8 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
9 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
10 Weapon; **COUNT 31** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
11 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
12 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
13 the Use of a Deadly Weapon; **COUNT 32** – a MAXIMUM of EIGHTY-FOUR (84)
14 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
15 CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of
16 TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS 26 – 32
17 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 21; **COUNT 33** - a
18 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
19 TWELVE (12) MONTHS; **COUNT 34** - a MAXIMUM of THIRTY-SIX (36) MONTHS with
20 a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 35** – a MAXIMUM of
21 SIXTY (60) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS,
22 plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM parole eligibility
23 of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 36** – a MAXIMUM
24 of SIXTY (60) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS,
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1 plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM parole eligibility
2 of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS 33 – 36
3 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 25; **COUNT 37** - a
4 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
5 TWELVE (12) MONTHS; **COUNT 38** - a MAXIMUM of THIRTY-SIX (36) MONTHS with
6 a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 39** – a MAXIMUM of
7 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR
8 (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM
9 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT**
10 **40** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
11 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
12 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
13 Weapon; **COUNT 41** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
14 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
15 SIXTY(60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
16 the Use of a Deadly Weapon; **COUNT 42** – a MAXIMUM of EIGHTY-FOUR (84)
17 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
18 CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM parole eligibility of
19 TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 43** – a MAXIMUM of
20 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR
21 (24) MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM
22 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS
23 37 – 43 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 36;
24 **COUNT 44** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole
25
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1 Eligibility of TWELVE (12) MONTHS; **COUNT 45** - a MAXIMUM of THIRTY-SIX (36)
2 MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 46** - a
3 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
4 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
5 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
6 Weapon; **COUNT 47** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
7 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
8 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
9 the Use of a Deadly Weapon; COUNTS 44 - 47 CONCURRENT with EACH OTHER
10 and CONSECUTIVE to COUNT 43; **COUNT 48** - a MAXIMUM of EIGHTY-FOUR (84)
11 MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS; **COUNT 49** - a
12 MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE
13 (12) MONTHS; **COUNT 50** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
14 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE
15 term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
16 MONTHS for the Use of a Deadly Weapon; **COUNT 51** - a MAXIMUM of EIGHTY-
17 FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24)
18 MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM
19 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS
20 48 - 51 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 47;
21 **COUNT 52** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole
22 Eligibility of TWELVE (12) MONTHS; **COUNT 54** - a MAXIMUM of THIRTY-SIX (36)
23 MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 56** - a
24 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of

1 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
2 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
3 Weapon; **COUNT 57** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
4 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
5 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
6 the Use of a Deadly Weapon; **COUNT 58** – a MAXIMUM of EIGHTY-FOUR (84)
7 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
8 CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of
9 TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 59** – a MAXIMUM of
10 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR
11 (24) MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM
12 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS
13 52 – 59 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 51;
14 **COUNT 60** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole
15 Eligibility of TWELVE (12) MONTHS; **COUNT 61** - a MAXIMUM of THIRTY-SIX (36)
16 MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 63** – a
17 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
18 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
19 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
20 Weapon; **COUNT 64** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
21 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
22 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
23 the Use of a Deadly Weapon; **COUNT 65** – a MAXIMUM of EIGHTY-FOUR (84)
24 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a

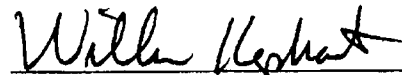
1 CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM parole eligibility of
2 TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 66** – a MAXIMUM of
3 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR
4 (24) MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM
5 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS
6 60 – 66 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 59;
7
8 **COUNT 68** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole
9 Eligibility of TWELVE (12) MONTHS; **COUNT 69** - a MAXIMUM of THIRTY-SIX (36)
10 MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 55** - a
11 MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE
12 (12) MONTHS; **COUNT 71** – a MAXIMUM of THIRTY-SIX (36) MONTHS with a
13 MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 72** – a MAXIMUM of
14 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR
15 (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM
16 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT**
17 **73** - a MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of
18 TWELVE (12) MONTHS; **COUNT 74** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS
19 with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
20 CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of
21 TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 75** - a MAXIMUM of
22 THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
23 MONTHS; **COUNT 76** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
24 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE
25 term of SIXTY(60) MONTHS with a MINIMUM parole eligibility of TWELVE (12)

1 MONTHS for the Use of a Deadly Weapon; **COUNT 77** - a MAXIMUM of THIRTY-SIX
2 (36) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT**
3 **78** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
4 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS
5 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
6 Weapon; **COUNT 79** - a MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM
7 parole eligibility of TWELVE (12) MONTHS; **COUNT 80** - a MAXIMUM of EIGHTY-
8 FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24)
9 MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM parole
10 eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS 68 - 80
11 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 66; **COUNT 81** - a
12 MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE
13 (12) MONTHS; and **COUNT 82** - a MAXIMUM of SIXTY (60) MONTHS with a
14 MINIMUM Parole Eligibility of TWELVE (12) MONTHS, plus a CONSECUTIVE term of
15 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
16 the Use of a Deadly Weapon; COUNTS 81 - 82 CONCURRENT with EACH OTHER
17 and CONSECUTIVE to COUNT 80; with SIX HUNDRED FIFTY-FOUR (654) DAYS
18 credit for time served. The AGGREGATE TOTAL sentence is ONE THOUSAND
19 EIGHT HUNDRED TWENTY-FOUR (1,824) MONTHS MAXIMUM with a MINIMUM
20 PAROLE ELIGIBILITY OF FOUR HUNDRED FORTY-FOUR (444) MONTHS.

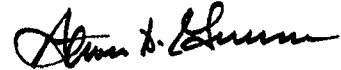
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25 THEREAFTER, a clerical error having been discovered, the Amended Judgment
26 of Conviction reflects the following correction: Having been tried before a jury and the
27 Defendant having been found guilty to the crimes of COUNTS 71, 73, 75, 77 and 79 -
28 FALSE IMPRISONMENT WITH USE OF A DEADLY WEAPON (Category B Felony) in

1 violation of NRS 200.460.3b, 193.165 and not COUNTS 71, 73, 75, 77 and 79 – FALSE
2 IMPRISONMENT (Gross Misdemeanor) in violation of NRS 200.460.1, 193.165.

3 DATED this 18th day of October, 2016
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8 WILLIAM D. KEPHART
9 DISTRICT COURT JUDGE 
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CLERK OF THE COURT

TRAN

DISTRICT COURT
CLARK COUNTY, NEVADA

* * * * *

THE STATE OF NEVADA,

Plaintiff,

vs.

TONY LEE HOBSON,
and BRANDON STARR,

Defendants.

.....

CASE NO. C-14-303022-1

CASE NO. C-14-303022-2

DEPT. NO. XIX

**TRANSCRIPT OF
PROCEEDINGS**

BEFORE THE HONORABLE WILLIAM D. KEPHART, DISTRICT COURT JUDGE

JURY TRIAL - DAY 1

WEDNESDAY, MAY 4, 2016

APPEARANCES:

FOR THE STATE:

ELIZABETH A. MERCER, ESQ.
KENNETH PORTZ, ESQ.
Deputy District Attorneys

FOR DEFENDANT HOBSON:

RICHARD E. TANASI, ESQ.

FOR DEFENDANT STARR:

LANCE A. MANINGO, ESQ.
ADRIAN LOBO, ESQ.

COURT RECORDER:

CHRISTINE ERICKSON
District Court

TRANSCRIPTION BY:

VERBATIM DIGITAL REPORTING, LLC
Englewood, CO 80110
(303) 798-0890

Proceedings recorded by audio-visual recording, transcript
produced by transcription service.

00568

INDEXWITNESSES

<u>NAME</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>BY THE COURT</u>
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WITNESS:

MARIAH WITT	14/16	17			9
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* * * * *

EXHIBITS

<u>DESCRIPTION</u>	<u>ADMITTED</u>
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(No exhibits admitted)

1 LAS VEGAS, NEVADA, WEDNESDAY, MAY 4, 2016, 1:13 P.M.

2 (Court was called to order)

3 (Outside the presence of the prospective jurors)

4 THE COURT: All right. Good afternoon, ladies and
5 gentlemen.

6 MR. PORTZ: Good afternoon, Judge.

7 MS. MERCER: Good afternoon, Your Honor.

8 THE COURT: We're on the record in the case of State
9 of Nevada versus Tony Hobson and Brandon Starr. This is Case
10 No. C303022. I'd like the record to reflect the presence of
11 the State with Elizabeth Mercer and Nicholas Portz, as well as
12 defense counsel, Mr. Tanasi on behalf of -- is it Mr. Starr?

13 MR. TANASI: Mr. Hobson.

14 THE COURT: Mr. Hobson. I'm sorry. And Mr. Maningo
15 and Ms. --

16 MS. LOBO: Lobo.

17 THE COURT: -- Lobo on behalf of Mr. Starr. This is
18 the time set for jury trial. Are the parties ready to proceed
19 on this?

20 MS. MERCER: Yes, Your Honor. I just wanted to make
21 a brief record about the exhibits so that your clerk can start
22 marking them.

23 THE COURT: Okay.

24 MS. MERCER: The parties have stipulated to all of
25 the exhibits with the exception of the surveillance video,

1 which they would like further foundation laid before it's
2 admitted. And those are Exhibits 31, 36, 52, 64 --

3 THE COURT: Wait. Hold on. 31. 36?

4 MS. MERCER: Yes. 52.

5 THE COURT: 52.

6 MS. MERCER: 64.

7 THE COURT: 64.

8 MS. MERCER: 71.

9 THE COURT: Uh-huh.

10 MS. MERCER: 82.

11 THE COURT: Uh-huh.

12 MS. MERCER: 92.

13 THE COURT: Okay.

14 MS. MERCER: 101.

15 THE COURT: Okay.

16 MS. MERCER: 115.

17 THE COURT: Okay.

18 MS. MERCER: 136.

19 THE COURT: Okay.

20 MS. MERCER: 154.

21 THE COURT: Uh-huh.

22 MS. MERCER: 165.

23 THE COURT: Okay.

24 MS. MERCER: And 179.

25 THE COURT: What's the last one?

1 MS. MERCER: 179.

2 THE COURT: Okay. Now, what is the record you're
3 making with regards to these ones?

4 MS. MERCER: The parties have stipulated to their
5 admission.

6 THE COURT: Okay.

7 MS. MERCER: Except for those exhibits that I just
8 listed off.

9 MR. MANINGO: And, Your Honor.

10 THE COURT: Okay. Hold on. The parties have
11 stipulated to the admission of all exhibits --

12 MS. MERCER: Except for those.

13 THE COURT: -- except for these ones?

14 MS. MERCER: Yes.

15 THE COURT: Okay. So that's what I didn't
16 understand. Okay.

17 MR. MANINGO: I just -- we have made some agreements
18 with respect to exhibits.

19 THE COURT: Uh-huh.

20 MS. MERCER: I just didn't know that record was
21 going to be made this morning and I don't have with me the
22 exhibit list and I don't know that I'm prepared to fully
23 acquiesce to that right this second, but -- thank you.

24 THE COURT: Okay.

25 MR. TANASI: And Court's indulgence.

1 THE COURT: Why don't we just go to the point when
2 you're moving to admit them just move to admit. And if
3 there's no objection, then I'm sure they'll say no objection.

4 MS. MERCER: Okay. I was just trying to --

5 THE COURT: I appreciate what you're trying to do
6 here and trying to speed things along.

7 MR. MANINGO: Yeah, I'm not contesting it, Your
8 Honor. I just didn't have the numbers --

9 THE COURT: I understand.

10 MR. MANINGO: -- in front of me.

11 THE COURT: It's fine. No heartburn here.

12 MR. MANINGO: Okay. Very good.

13 THE COURT: All right.

14 MR. MANINGO: Do you need this back, Liz?

15 MS. MERCER: Yeah, I do.

16 THE COURT: So are we ready to get the jury in,
17 then? The proposed panel?

18 MS. LOBO: I actually, Judge, to take care of one
19 motion outside of the presence of the jury. And I'm making
20 this on behalf of Mr. Starr, and I believe Mr. Hobson, as
21 well. After looking at the juror list and going through the
22 biographical data, it appears that we only have out of the
23 jurors that were ordered, 65, two African-American identifying
24 jurors that are in our pool.

25 At this time Mr. Starr and Mr. Hobson would be

1 moving to strike the venire, and that would be pursuant to
2 Williams v. State, and that citation for the record is 121
3 Nev. 934, where defendant is entitled to a fair cross-section
4 of the entire community. In order for us to establish a prima
5 facie violation, the defendant must show that the group
6 alleged to be excluded is distinct, number two, that the
7 representation of this group from the venire in which the jury
8 is selected is not fair and reasonable in relation to the
9 number of persons that are present in the community, and
10 number three, underrepresentation is due to a systematic
11 exclusion of the group in a jury selection process.

12 Preparing for today's jury trial to begin, I pulled
13 the statistics for the Clark County demographics in 2015 being
14 that African-Americans are totaling for a 10 percent of the
15 population in Clark County. That being said, there is a
16 deficiency of four that would be missing to meet the 10
17 percent requirement. Now, we do also have to show that that
18 is a systematic exclusion. That proves to be a little bit
19 more challenging because of the fact that the jury
20 commissioner, at least to my knowledge, what has happened, how
21 they get to a venire process is that they are pulled from
22 driver's licenses.

23 And that since they are pulled from driver's
24 licenses, a lot of underrepresented people do not get into the
25 jury panel process and that is because they predominantly rely

1 on public transportation or they bike or they walk to work.
2 They don't have a driver's license, therefore, excluding them
3 from the process of being able to serve on the panel. So we
4 would be moving to strike the venire at this time and ask for
5 a venire that would be representative of the population.

6 MS. MERCER: Your Honor, as Ms. Lobo has already
7 indicated, they haven't met their burden under the third prong
8 of showing the systematic exclusion. I just had this issue
9 come up in March when I tried a case in front of Judge Scotti.
10 We called the jury commissioner. They pull, not only from DMV
11 records, but from Nevada Energy records so that those people
12 who might not possess a driver's license or vehicle
13 registration or identifying card are accounted for in the
14 Nevada Energy databases. But if Your Honor wants to call the
15 clerk in, I think that would probably be the safest route. I
16 just don't know that it necessarily needs to be done right
17 now.

18 THE COURT: What I'm going to do at this point in
19 time is I'm going to ask -- yeah, I'm going to make a phone
20 call. I'm going off the record.

21 (Court recessed at 1:19 p.m., until 1:38 p.m.)

22 THE COURT: Okay. We're back on the record in the
23 State of Nevada versus Tony Hobson and Brandon Starr, in Case
24 No. 303022. The record will reflect the presence of the
25 plaintiff, their counsel, as well as defendants and their

1 counsel.

2 This is prior to jury selection and the -- Ms. Lobo
3 from the -- on behalf of both defendants has challenged the
4 jury pool based on race. And so what I -- what I wanted to do
5 is to make a record as to how the -- how we go about selecting
6 jurors and how is it that we ended up in this particular pool
7 with two African-Americans.

8 So I need to -- can you come on up?

9 MR. ESPINOZA: And, good afternoon, Your Honor.
10 Andre Espinoza. I'm staff training for the District Court.
11 I'm just here to accompany the jury commissioner.

12 THE COURT: Okay. Thank you.

13 MARIAH WITT, JURY COMMISSIONER, SWORN

14 THE CLERK: Thank you. Please be seated. If you
15 could state your full name, spelling of the first and last
16 name for the record, please.

17 THE WITNESS: Mariah Witt; M-a-r-i-a-h W-i-t-t.

18 THE COURT: Okay. Ms. Witt, thank you for being
19 here today.

20 THE WITNESS: Of course.

21 THE COURT: You are the jury commissioner for Clark
22 County, the Eighth Judicial District here in Clark County?

23 THE WITNESS: Yes, I am.

24 THE COURT: Okay. I called you in today because
25 there's been a challenge made on behalf of the two defendants

1 in this case as to the jury pool that we have here today. We
2 are starting on Wednesday and in the middle of the week.

3 THE WITNESS: Correct.

4 THE COURT: And I know that that does change in some
5 regards the number that you bring down; is that correct?

6 THE WITNESS: Well, the pool is smaller than we
7 summon, but --

8 THE COURT: Okay.

9 THE WITNESS: -- we should still be able to provide
10 whatever size panel --

11 THE COURT: Okay.

12 THE WITNESS: -- you request normally.

13 THE COURT: Just for the record, I know you've
14 testified in these matters before, can you explain on the
15 record the manner in which the -- how it is that we go about
16 for the purpose of the Eighth Judicial District selecting or
17 summonsing individuals to serve on jurors --

18 THE WITNESS: Correct.

19 THE COURT: -- as jurors.

20 THE WITNESS: Sure. We have a master list which is
21 compiled from Nevada DMV and Nevada Energy. So from that
22 master list we create summonses on a weekly basis which are
23 created six weeks in advance. And they're fairly large pools
24 based on volume of trials. We typically have a much higher
25 volume earlier in the week. So we summon 2,000 on a Monday,

1 1,500 on a Tuesday, 1,000 on Wednesdays, 1,000 on Thursdays,
2 and 800 on Fridays. Okay. So we summon the pools, and then
3 they're sent six weeks in advance.

4 And then when people receive their summons, they are
5 directed to complete a qualifying questionnaire in advance of
6 reporting, okay. Some of them do, some of them do not. So
7 when they are here, if they have not done so, we ask them to
8 do so while they're here. Okay. We have the tools do that
9 now. So we have them complete that questionnaire when they
10 actually appear.

11 So when they arrive they are scanned in for
12 attendance and then I just enter into the system for a given
13 case the number of people that were requested for that
14 particular case, and then it will assign those people to the
15 case based on the number of people that are actually in
16 attendance.

17 THE COURT: Okay. There is a -- you provided the
18 Court with a breakdown of in the manner of how -- how you
19 summons. Not how, but the -- I guess the race of the
20 individuals that are summonsed.

21 THE WITNESS: The race information of those that
22 responded --

23 THE COURT: Okay.

24 THE WITNESS: -- to the request to provide the
25 information.

1 THE COURT: So with respect to that, the report I
2 have here, it's entitled at the top race report, dated May 4,
3 2016.

4 THE WITNESS: Correct.

5 THE COURT: And it has a number of 101 -- I mean,
6 1,011 total individuals --

7 THE WITNESS: Correct.

8 THE COURT: -- that responded; is that correct?

9 THE WITNESS: Yes, that's the total pool.

10 THE COURT: Okay. And that's for the Wednesday
11 pool?

12 THE WITNESS: Yes.

13 THE COURT: All right. And of that it has numbers
14 consistent with individuals that completed the actual
15 questionnaire or the qualifications of individuals that
16 actually qualified and other reasons, individuals that have
17 been excused, individuals that have been disqualified,
18 postponed, transferred, for everything, it goes -- it goes
19 through that and it gives us a number --

20 THE WITNESS: Correct.

21 THE COURT: -- for each individual; is that correct?

22 THE WITNESS: Correct. And the completed number is
23 not people that completed the questionnaire. It is the number
24 of people that were -- their service was considered complete
25 because they were not required to appear.

1 THE COURT: Okay. And the summonsing is done -- is
2 it done randomly?

3 THE WITNESS: Yes, the summonsing is done randomly.
4 It's built within the system.

5 THE COURT: Okay. What I'm going to do at this
6 point in time, there's three documents. Can you -- can you
7 identify each one of these? I'm going to have them -- I'm
8 going to have them marked.

9 THE WITNESS: Okay.

10 THE COURT: So just for the record tell us what the
11 first document is.

12 THE WITNESS: Okay. The first document is the race
13 report for May 4th for the entire pool.

14 THE COURT: Okay.

15 THE WITNESS: Okay. The second document entitled
16 race report for attendance date 5/4/2016 is the race
17 composition of those in attendance for today, of those that
18 actually appeared.

19 THE COURT: Okay.

20 THE WITNESS: And the third document is a race
21 report for Case C303022-1/2. That's the race composition for
22 this case.

23 THE COURT: Okay. All right. Thank you. Okay.
24 Do you have a copy of these, Mr. Tanasi?

25 MR. TANASI: Yes, Your Honor.

1 THE COURT: And Mr. Maningo, Ms. Lobo?

2 MS. LOBO: Yes.

3 MR. MANINGO: We do, yes. Thank you.

4 THE COURT: Okay. Do you have a copy, as well?

5 MS. MERCER: Yes, Your Honor.

6 THE COURT: Do you have any questions of the
7 commissioner?

8 MS. LOBO: Yes, Your Honor.

9 THE COURT: Okay.

10 MS. LOBO: If I may.

11 EXAMINATION

12 BY MS. LOBO:

13 Q Ms. Witt, I just have a couple of questions about
14 specifically NV Energy records. When somebody is receiving
15 public assistance, those records aren't captured by NV energy
16 and sent to your office; correct?

17 A I'm sorry, public assistance? I'm not following.

18 Q Correct. If they're having the State pay for their
19 bills, they're receiving public assistance and they would not
20 be captured in the database?

21 A That information isn't provided to us specifically.
22 The information that we receive on the list are the names and
23 addresses, the basic demographic type information that's
24 captured by a driver's license. It would not identify in our
25 master list whether or not somebody was on public assistance.

1 Q I guess, let me -- that was maybe a poor question on
2 my part. What I'm asking is that if somebody is receiving
3 public assistance and they're not on the list because their
4 name would not be provided as the property owner --

5 A Right.

6 Q -- then you wouldn't have access to that information
7 to make your composition for the jury pool.

8 A Are you talking about for Nevada Energy? Is that
9 what you're saying?

10 Q Correct. Specifically just for --

11 A That's why we use two sources. Actually, Nevada DMV
12 is the primary source. According to EDCR I think it's 6.10, I
13 can't remember now, which is the Eighth Judicial District
14 Court Rules that cover the master list and where we pull our
15 records. It designates Nevada DMV as the primary source and
16 then says that additional sources may be added as deemed
17 appropriate by the chief judge. And so Nevada Energy is
18 actually the second source, and those are compiled together.
19 They're merged, and then they make it into a single record.
20 So part of the reason they do that is to have a wider base.

21 Q What do you know, if you know the breakdown since
22 you said that -- that the DMV records are the primary source,
23 do you know a percentage breakdown between the Nevada DMV
24 records versus the Nevada Energy records?

25 A No, ma'am, they are merged into one record.

1 Q I understand that, but you said that Nevada DMV was
2 the primary source so it's greater than 50 percent accounting?

3 A I couldn't tell you what the percentage is, ma'am.

4 Q Okay. So you don't have that knowledge, you just
5 get the list. You're not part of the procedure process?

6 A Right. The master list is -- is something that's
7 done through our IT department.

8 Q Okay. And when you -- looking, I think it's at page
9 2, does your office have any sort of procedures when you see
10 that a race report for an attendance date is falling below the
11 demographic standards set forth by the census for Clark
12 County?

13 A We do not have a procedure in place.

14 Q You do not. Okay. So if somebody does not have an
15 energy bill in their name and does not have a driver's
16 license, that would not be captured as part of your list?

17 A I would assume not, ma'am. Huh-uh.

18 EXAMINATION

19 BY MR. TANASI:

20 Q Ma'am, if I may just ask you one quick questions.
21 So you told the Court a little bit about this No. 26 on the
22 first page in the completed section. I just wanted a little
23 bit more clarity on that.

24 A 26. Okay. I'm not following you, sir. Where are
25 we talking about?

1 Q Sure. On the first page.

2 A On the race report for the day -- for the pool?

3 Q Yes.

4 A Okay.

5 Q The African-American section, the No. 26 in the
6 completed column, what does that mean again?

7 A Okay. That's actually -- the number 26 refers to
8 the total for Asian. The number under African-American is
9 actually 16.

10 Q Okay. So, again, what does the number 16 completed
11 -- what does the word completed mean?

12 A Those would be the people that were not required to
13 appear.

14 Q Okay. Okay, thank you, ma'am.

15 A Uh-huh.

16 THE COURT: Anything further?

17 MS. MERCER: Just may I ask a couple brief questions.

18 EXAMINATION

19 BY MS. MERCER:

20 Q Ma'am, do you have any idea as to whether people on
21 public assistance still have to have an account with NV
22 Energy?

23 A No, I don't have any knowledge.

24 Q Okay. And with regards to DMV records, you're not
25 -- it's not simply pulling people who possess driver's

1 licenses; correct?

2 A That's correct. It pulls anybody that has a record
3 with the Nevada DMV, be it an ID card or driver's license.

4 Q Vehicle registration, anything like that?

5 A Correct. Correct.

6 Q Okay. Thank you.

7 THE COURT: Anything further?

8 MS. LOBO: No, Your Honor.

9 MR. TANASI: No, Your Honor.

10 THE COURT: Just so we're clear, for purposes of
11 this pool of the 1,001 individuals.

12 THE WITNESS: Correct.

13 THE COURT: There was actually 41 African-Americans
14 that were -- that were summoned; is that --

15 THE WITNESS: Well, that responded, sir.

16 THE COURT: Responded to the summons. Okay.

17 THE WITNESS: You can see at the bottom with the
18 category unknown. There's a large number of people that are
19 -- where race is unknown because --

20 THE COURT: Oh, okay.

21 THE WITNESS: -- they either didn't answer the
22 question or it was not provided.

23 THE COURT: Okay. So you send it out as a whole to
24 just randomly to people that have driver's licenses, ID cards,
25 or NV Energy information --

1 THE WITNESS: Correct.

2 THE COURT: -- and you don't know what race they are
3 when you're doing that?

4 THE WITNESS: No, sir.

5 THE COURT: Okay. And as a result of that randomly
6 sent out, you have individuals that respond, and in this
7 particular case 464 individuals out of 1,001 were unknown
8 because they didn't respond; is that right?

9 THE WITNESS: Yes. 474, yes.

10 THE COURT: Okay. And then of that group there was
11 41 individuals who actually responded that identified
12 themselves as African-American?

13 THE WITNESS: That's correct.

14 THE COURT: And of that group only 12 qualify;
15 correct?

16 THE WITNESS: Correct. Hang on just a second.
17 Okay. Now, there are two that are in pool. That means that
18 there are two people that actually did not complete the
19 questionnaire.

20 THE COURT: Okay.

21 THE WITNESS: Correct.

22 THE COURT: But what I'm saying is that of the 41,
23 12 of them qualified; is that right?

24 THE WITNESS: They were in qualified status, yes --

25 THE COURT: Okay.

1 THE WITNESS: -- from the pool.

2 THE COURT: And two of them were in a pool, two of
3 them were excused, eight of them asked to postpone?

4 THE WITNESS: Correct.

5 THE COURT: Okay. So of that we ended up with, as
6 we look at the last page, we have two, one female and one
7 male; is that correct?

8 THE WITNESS: That is correct.

9 THE COURT: And they both made it to this jury
10 panel?

11 THE WITNESS: Correct.

12 THE COURT: Okay. Do you have any further questions
13 as a result of my questions?

14 MR. TANASI: No, thank you, Your Honor.

15 MS. LOBO: No, Your Honor.

16 THE COURT: Okay. Anything further?

17 MS. MERCER: No, Your Honor.

18 THE COURT: Okay. Thank you, Ms. Witt, so much --

19 THE WITNESS: You're welcome.

20 THE COURT: -- for your testimony.

21 THE WITNESS: Of course.

22 THE COURT: You may step down.

23 Okay. Ms. Lobo, did you want to address the Court
24 any further?

25 MS. LOBO: Your Honor, if I could just to make a

1 very brief record --

2 THE COURT: Okay.

3 MS. LOBO: -- just as to the information that we
4 have now. It's still the defense's position for both Mr.
5 Hobson and Mr. Starr that there is a disparity and that it has
6 been shown. I know that Ms. Witt doesn't have control over
7 the records and who is subpoenaed, but we can see that there
8 is some sort of disparity because she at least said that if
9 somebody was on public assistance that they wouldn't be making
10 it into the records.

11 And as far as that goes, the percentages that she
12 provided and with the Court's calculation that I worked out it
13 would be 4 percent and that I believe 3 percent actually
14 showed up to day when the population demographic is at 10
15 percent. And so we believe that we have met the burden under
16 Williams v. State and would ask for a different venire.

17 THE COURT: State, did you want to you respond at
18 all?

19 MS. MERCER: No, Your Honor.

20 THE COURT: Okay. At this point in time, and I'm
21 going to quote specifically from the most recent case filed
22 March 31, 2016, by the Nevada Supreme Court. It's 132 Nev.
23 Adv. Op. 20, Jason Duval McCarty versus the State of Nevada.
24 In that case they readdress the Batson issue. That's
25 basically what your argument is here now.

1 And it's very clear that the opponent of the
2 peremptory -- we're not even talking about a peremptory
3 challenge, but you're trying to challenge the whole -- whole
4 group, that you need to make a prima facie case of
5 discrimination. And it's always your burden to persuade the
6 Court, I guess I would say, for lack of a better word,
7 regarding racial motivation, and I haven't seen that you've
8 done that. So for that purpose I'm going to deny your motion
9 to strike the whole panel and we'll go ahead and proceed. We
10 made a record, okay. All right.

11 MR. TANASI: Thank you, Judge.

12 THE COURT: Thank you. Okay. Go ahead and bring
13 the jury in.

14 MR. TANASI: Your Honor, one quick question.

15 THE COURT: Something else?

16 MR. TANASI: One matter, and this will be quick.
17 Just with respect to the one ruling that was pending with
18 respect to the lady, the gal who was pistol whipped and she
19 was pregnant at the time, I was hoping to potentially get the
20 Court's ruling on that before we even started jury selection
21 just, again, in case factual questions like that may or may
22 not come out. I just, again, I think it's a pretty sensitive
23 topic and if the Court could just make a decision on that
24 beforehand, that would be my request. I have the actual
25 statement from the gal and I have her grand jury testimony. I

1 can provide that to the Court if you'd like to review it.

2 THE COURT: Well, the -- the position you're taking
3 on this is that you do not want the State to address the fact
4 that the -- that the young lady who was pistol whipped was
5 pregnant.

6 MR. TANASI: Correct.

7 THE COURT: And, quite honestly, just -- Ms. Mercer?

8 MS. MERCER: I would just make a record that it's
9 not our fault the defendant chose a pregnant victim.

10 THE COURT: Right.

11 MS. MERCER: It's a circumstance of the case. I
12 would note that when I pretrialed another employee who was
13 present, Diana Mena, she specifically said that her and the
14 other employees told the defendant she's pregnant, don't do
15 that, and the defendant did it again.

16 THE COURT: Oh, okay. I wasn't aware of that. Were
17 you --

18 MR. TANASI: I wasn't aware --

19 THE COURT: -- aware of that?

20 MR. TANASI: -- of that either, Your Honor.

21 THE COURT: All right. Well, with that
22 understanding --

23 MR. TANASI: I haven't had a chance --

24 THE COURT: -- and based on the representation by --
25 by Ms. Mercer, I'm going to deny your motion, then.

1 MR. TANASI: Understood.

2 THE COURT: Okay.

3 MR. MANINGO: Your Honor, briefly, and I'm sorry,
4 this issue just came up so we didn't have the full opportunity
5 to brief it, but I want to go back just briefly to the record
6 that we made on challenging the venire. I would just want to
7 cite that to the Williams case and State. And that's the one
8 we've already cited, 125 P.3d 627. I believe that case
9 suggests or states that there's a requirement of three sources
10 that we pull from and the jury commissioner here in this --
11 just now on the stand said that they only pulled from two, the
12 Nevada Energy and the DMV.

13 THE COURT: But don't you have three sources in the
14 sense driver's license, ID cards, and Nevada Energy?

15 MR. MANINGO: No. I would say no. I would say that
16 the ID and the driver's license come from the same source.

17 THE COURT: Okay.

18 MR. MANINGO: Which is the Department of Motor
19 Vehicles. And I also just want to make a record that I
20 believe the Court's, with all respect, analysis and decision
21 with Batson and discrimination is misplaced. I think this is
22 more a challenge to the venire and I think the Williams case
23 is more controlling than Batson.

24 THE COURT: Okay. I understand. Okay. Thank you.

25 MS. MERCER: Your Honor, Mr. Portz pointed out to me

1 that Mr. Tanasi misspoke. It wasn't a pistol whipping, it was
2 a striking.

3 THE COURT: Okay. So we're on a different issue
4 now. We're back on the original one.

5 MS. MERCER: The pregnant one.

6 THE COURT: Yeah.

7 MS. MERCER: Yes. I just wanted to make that clear.

8 THE COURT: Well, he -- okay.

9 MR. TANASI: I apologize, Your Honor.

10 THE COURT: That's fine. Okay. All right. So Mr.
11 Maningo, you've made your record. I understand.

12 MR. MANINGO: Thank you, sir.

13 THE COURT: Okay. So go ahead and bring the jury
14 in, Jim.

15 While he's doing that, there's eight peremptory
16 challenges, eight per side. Not per defendant, but per side,
17 okay.

18 MS. MERCER: Your Honor, as to the alternate
19 peremptory, do you require that we exercise it only on the
20 people in the alternate positions, or can it be --

21 THE COURT: Yeah, the alternates will be at the end.

22 MS. MERCER: Okay.

23 THE COURT: They'll be at the end of the -- so you
24 have 1 through 12 --

25 MS. MERCER: Okay.

1 THE COURT: -- is what you're going to be
2 challenging on your peremptory, so it would be the first 1
3 through 12.

4 MS. MERCER: Okay.

5 THE COURT: And then eight and eight.

6 MS. MERCER: Okay.

7 THE COURT: So 16 on top of that. The rest are
8 alternates. I mean, in this box.

9 (Inside the presence of the prospective jury panel)

10 THE COURT: Good afternoon, ladies and gentlemen.
11 This is the time set for trial in the Case No. C303022. It's
12 the State of Nevada versus Tony Hobson and Brandon Starr.
13 They're the defendants in this matter. I want the record to
14 reflect the presence of the defendants, their counsel, as well
15 as counsel for the State, and all officers of the court.

16 For the record, are the parties ready to proceed in
17 this matter?

18 MS. MERCER: Yes, Your Honor.

19 MR. TANASI: Yes, Your Honor.

20 MS. LOBO: Yes, Your Honor.

21 MR. MANINGO: Yes, Your Honor.

22 THE COURT: Thank you.

23 Ladies and gentlemen, you're in Department 19 of the
24 Eighth Judicial District Court here in the State of Nevada,
25 County of Clark. My name is William Kephart. I am the

1 presiding judge in this matter. I want to take the
2 opportunity at this time to introduce my court staff with you.
3 You may be coming into contact with, you'll hear their names
4 occasionally throughout this proceeding.

5 Immediately to my left is Cori Schlitz. She's
6 involved in the -- she's actually the court recorder in this
7 matter. She's working with Tia Everette who is my permanent
8 court reporter, I mean court recorder. And what they do,
9 acting as clerk, is they swear in witnesses, they mark the
10 exhibits, they keep track of the evidence, they prepare my
11 official record. You'll -- if you're selected as a -- as a
12 juror, as a matter of fact today because -- the reason why
13 we're starting so late is I had a pretty long calendar this
14 morning. And so that's what they're doing at the time,
15 they're handling those for me.

16 Also, the third one over to my left is Christine
17 Erickson. She's my court recorder. If you look around the
18 courtroom you'll see a number of mics and you'll see a number
19 of cameras throughout the courtroom. Everything you're saying
20 and doing is being recorded either by audio or visually. So
21 if you have a smirk on your face when I say something, then we
22 catch it, okay. Just kidding.

23 But because we have it in that nature, we have some
24 very sensitive equipment in here. I'm going to ask while
25 you're in the courtroom please turn off your cell phones

1 because we pick up the vibration if it's on vibrate, and
2 certainly if it's -- if it makes a noise we pick that up. And
3 everything, like I said, is being set and being recorded so,
4 if need be, it's looked at later.

5 You've met my marshal already. His name is Jim
6 Kinnally. A lot of people call them bailiffs. And he'll
7 probably be the individual throughout this process and if
8 you're selected as a juror that you'll have the most contact
9 with. Anything that you want to do or communicate with the
10 Court you do through my marshal.

11 At this time on behalf of the State, I'm going to
12 ask them to introduce themselves to you and make a brief
13 statement of the nature of the case and state any witnesses
14 they intend to call in this matter if they wish.

15 Okay. Mr. Portz.

16 MR. PORTZ: Thank you, Your Honor. And good
17 afternoon, everyone. My name is Nick Portz. With me is Liz
18 Mercer. We are Deputy District Attorneys at the Clark County
19 District Attorney's office and we represent the State of
20 Nevada in the case against Tony Hobson and Brandon Starr.

21 Now, Mr. Hobson and Mr. Starr are alleged to have
22 committed a series of armed robberies across the Las Vegas
23 valley during the period of October 28, 2014, through November
24 25, 2014. There are 14 separate incidents. Most of these
25 occur at fast food restaurants. There is one 7-Eleven

1 included in this series. And this is an armed robbery series.

2 They are takeover style robberies in which the
3 defendants are alleged to have entered the businesses,
4 typically late at night, typically around closing hours, taken
5 and confined the employees therein, and then used threats of
6 violence or actual violence to either extract money from the
7 businesses themselves or take property from those employees.
8 When they completed these crimes they would then flee from
9 time to time on occasion in a few of these series they would
10 use as a getaway driver, Mr. Hobson's half-brother, a man by
11 the name of Donte Johns.

12 As such they stand today charged with 13 counts of
13 burglary while in possession of a deadly weapon, 14 counts of
14 conspiracy to commit a robbery, 40 counts of robbery with use
15 of a deadly weapon, 3 counts of attempt robbery with use of a
16 deadly weapon, 3 counts of conspiracy to commit kidnapping, 8
17 counts of first degree kidnapping with use of a deadly weapon,
18 and one count of attempt first degree kidnapping with use of a
19 deadly weapon.

20 In total there are 43 individuals named as victims
21 in the charging documents that will be read to you at some
22 point later in these proceedings. Now, as -- excuse me. As
23 Judge Kephart mentioned, I'm going to be reading to you a list
24 of names of people that we may be calling at trial. It's
25 going to sound like I'm ready from a phone book, but please

1 pay attention because it's important. The judge is going to
2 ask if you recognize any of these names later on down the
3 road.

4 Now the first list plaintiff people's names I'm
5 going to read are victims or lay witnesses in this case.
6 These are people that are not associated with any police
7 agency inside Nevada.

8 There is Angelica Abrego, Karina Aguilar, Lori
9 Angie, Thomas Bagwell, Jose Borja, Guy Brown, Darnell Butler,
10 David Cabllero, Ashley Charmichael, Cornell Comb, Angela
11 Cornelas-Pedroz or Angela Ornelas-Pedroz, Skyler Cox, James
12 Dorame or Jesus Dorame, Gamaliel Enriquez, Jose Espinoza,
13 Janie Fannon, Trevor Faraone, Alma Gomez, Vanessa
14 Gonzalez-Aparicio, Holly Hadeed, Daniel Heffner, Jennifer
15 Hernandez, Sergio Hernandez-Bautista, Jessica Hubbard, Laura
16 Lopez, Luis Lopes, Jesus Lopez, Anthony Maddaford, Diana Mena,
17 Juan Mendoza, Jorge Morales, Noemy Morrrquin, Gabriela Oyoque,
18 Shannon Poole, Guillermo Ramirez, Jose Romero, Idania Sacba,
19 Maria Sanchez, Jamie Schoebel, Alejandra Silva or Yanais
20 Silva-Rios, Sonia Soto de Mason, Juan Tarango or Juan Taingo,
21 George Thimakis, Jeronimo Urbina, Alejandra Uribe, Johana
22 Vasquez, Rafael Velazquez-Borragan, Silvia Villegas, and Jamie
23 Ward. You will also be hearing in this trial from, as I
24 mentioned, the getaway driver, Donte Johns, the half-brother
25 of Tony Hobson.

1 And we intend to call the following individuals from
2 the Las Vegas Metropolitan Police Department. These are
3 detectives and officers from the Las Vegas Metropolitan Police
4 Department, Detective Jeffery Abell, Detective Karl Lorson,
5 Detective Ronald Matlock, Detective Linda Turner, Detective
6 Theodore Weirauch or Ted Weirauch, and Officer William Moore.

7 We will also call these following crime scene
8 analysts from the Las Vegas Metropolitan Police Department,
9 Noreen Charlton and Kristen Tucker Meckler. The following are
10 forensic analysts. There is Crystal May who is a DNA analyst
11 from the Las Vegas Metropolitan Police Department, Eric
12 Gilkerson who is a footwear impression analyst with the FBI
13 from Quantico, Virginia. We also have individuals from the
14 Henderson Police Department and we intend to call crime scene
15 analyst Patrick Farrell.

16 Now, there's also a list of a number of officers
17 associated with this case that I'm going to read. We do not
18 intend necessarily at this point to call them, but they are
19 noticed as witnesses, so I'm going to read their names, as
20 well. The following are officers with the Las Vegas
21 Metropolitan Police Department, C. Atwood, I. Austin, Austin
22 Bone, G. Cahoon, P. Cartedepalma, S. Dulatre, J. Firestine, C.
23 F. Orson, M. Franco, Malik Grego-Smith, Jorge Hager, C.
24 Herrell, J. Landers, Kristin Long, Lucas Marshall, J.
25 Marty-Pagan, Stephen Mohler, Eric Myrold, J. Nelson, K.

1 Pearson, J. Ramirez, J. Robertson, J. Robinson, B. Rocha,
2 Lance Spiotto, Caesar Urena, J. Vance, J. Van-Dyke, L. Viray,
3 M. Walt, Jason R.

4 The following are crime scene analysts in the Las
5 Vegas Metropolitan Police Department, Adam Felabom, Olivia
6 Klosterman, Jennifer Reiner, Shelly Shrum, and William Speas.
7 There's also DNA analyst Jessica Charak, latent print
8 examiners Kathryn Aoyama and Heather Gouldthorpe, multimedia
9 analysts from Metro Marc Moses and Patrick Flynn. Henderson
10 Police Department detectives and officers E. Aiken, Joseph
11 Ebert, and Bryan Hartshorn. The State has also noticed
12 investigators from the Clark County District Attorney's office
13 Craig Fabert, Jamie Honaker, and Marco Rafalovich.

14 And finally we may call custodians of records from
15 various businesses associated with or tied to the crimes
16 alleged herein, as well as custodians of records from the
17 Clark County Detention Center, Henderson Police Department,
18 and Las Vegas Metropolitan Police Department. Thank you all
19 for your time.

20 THE COURT: Thank you, Mr. Portz.

21 On behalf of the defendant, Mr. Tanasi, did you want
22 to introduce your client and yourself to the jury.

23 MR. TANASI: Absolutely. Thank you, Your Honor.

24 Good afternoon, folks. My name is Rich Tanasi.

25 I've been appointed to represent Mr. Tony Hobson. You'll hear

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRANDON STARR,)
#1165964,)
Appellant,)
v.)
STATE OF NEVADA,)
Respondent.)
_____)

CASE NO.: 71401 Electronically Filed
E-FILE Jun 21 2017 09:22 a.m.
D.C. Case: C-14-303922-2 Elizabeth A. Brown
Dept.: XIX Clerk of Supreme Court

APPELLANT'S APPENDIX VOLUME III

Appeal from a Denial of Post Conviction Relief
Eighth Judicial District Court, Clark County

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Counsel for Appellant

Counsel for Respondent

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CERTIFICATE OF SERVICE

I hereby certify that I am an assistant to Terrence M. Jackson, Esq., am a person competent to serve papers and not a party to the above-entitled action and on the 19th day of June, 2017, I served a copy of the foregoing: Appellant's Appendix and Index, Volumes I - XII, as follows:

[X] Via Electronic Service (*eFlex*) to the Nevada Supreme Court and to the Eighth Judicial District Court, and by U.S. mail with first class postage affixed to the Petitioner/Appellant as follows:

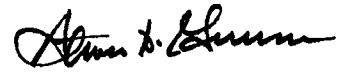
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By: /s/ Ila C. Wills
Assistant to Terrence M. Jackson, Esq.



CLERK OF THE COURT

1 **RTRAN**

2
3 **DISTRICT COURT**
4 **CLARK COUNTY, NEVADA**
5

6 **THE STATE OF NEVADA,**)

7 **Plaintiff,**)

8 **vs.**)

9
10 **TONY LEE HOBSON,**)
11 **And BRANDON STARR,**)

12 **Defendants.**)

CASE NO. C-14-303022-1

CASE NO. C-14-303022-2

DEPT. NO. XIX

TRANSCRIPT OF PROCEEDINGS

13 **BEFORE THE HONORABLE WILLIAM D. KEPHART, DISTRICT COURT JUDGE**

14 **MONDAY, MAY 23, 2016 AT 1:44 P.M.**

15 **JURY TRIAL - DAY 13**
16
17

18 **APPEARANCES:**

19 **FOR THE STATE:**

ELIZABETH A. MERCER, ESQ.

KENNETH PORTZ, ESQ.

Deputy District Attorneys

20
21 **FOR DEFENDANT HOBSON:**

RICHARD E. TANASI, ESQ.

22 **FOR DEFENDANT STARR:**

LANCE A. MANINGO, ESQ.

ADRIAN LOBO, ESQ.

23
24
25 **Recorded by: CHRISTINE ERICKSON, COURT RECORDER**

1 LAS VEGAS, NEVADA, MONDAY, MAY 23, 2016 at 1:44 P.M.

2
3 [IN THE PRESENCE OF THE JURY]

4 THE COURT: Okay. We're on the record in case C303022, State of
5 Nevada versus Tony Hobson and Brandon Starr. I'd like the record to reflect
6 the presence of the Defendants and their counsel as well as the State and
7 their counsel and all members of the Jury.

8 THE COURT: Is Vissa Noquez here?

9 JUROR NO. 1: Here.

10 THE COURT: Robert Bass?

11 JUROR NO. 2: Here.

12 THE COURT: Vince Gaeta?

13 JUROR NO. 3: Present.

14 THE COURT: Lin-Belle Addington?

15 JUROR NO. 4: Here.

16 THE COURT: Daniel Boggs?

17 JUROR NO. 5: Here.

18 THE COURT: Nicholas Kozlowski?

19 JUROR NO. 6: Here.

20 THE COURT: William Burns?

21 JUROR NO. 7: Here.

22 THE COURT: David Snyder?

23 JUROR NO. 9: Here.

24 THE COURT: Glynis Bernard?

25 JUROR NO. 10: Here.

1 THE COURT: Daniel Powers?

2 JUROR NO. 11: Here.

3 THE COURT: Charles Worth?

4 JUROR NO. 12: Here.

5 THE COURT: Heather Hedrick?

6 JUROR NO. 14: Here.

7 THE COURT: And Dustin Bigelow is not present, he's our alternate.

8 Has the jury elected a foreperson?

9 THE JURY FOREPERSON: Yes, Your Honor.

10 THE COURT: Can you put your name on the record, sir?

11 THE JURY FOREPERSON: Nicholas Kozlowski.

12 THE COURT: Have you reached a verdict?

13 THE JURY FOREPERSON: Yes, sir.

14 THE COURT: Can you hand the verdict to my marshal?

15 THE JURY FOREPERSON: Absolutely.

16 THE COURT: Okay. For the record I'm going to have my Clerks both
17 read them together. I'd ask the Defendants to rise.

18 THE COURT CLERK: District Court, Clark County, Nevada, the State
19 of Nevada, Plaintiff versus Tony Lee Hobson, Defendant, and Brandon Starr,
20 Defendant, in case number C-14-030022-1 [sic] and C-14-303022-2, in
21 Department 19. Verdict.

22 We, the jury in the above entitled case, find the Defendant, Tony
23 Lee Hobson and Brandon Starr, as follows: Count 1 to Tony Hopson --
24 Tony Hobson -- excuse me, Count 1, burglary while in possession of a
25 Deadly weapon, El Pollo Loco - 4011 East Charleston Boulevard; Guilty of

1 burglary while in possession of a deadly weapon.

2 As to Brandon Starr, Count 1, burglary while in possession of a
3 deadly weapon, El Pollo Loco - 4011 East Charleston Boulevard; Guilty of
4 burglary while in possession of a deadly weapon.

5 Tony Hobson and Count 2, Count 2, conspiracy to commit
6 robbery; Guilty of a conspiracy to commit robbery.

7 Count 2, Brandon Starr, conspiracy to commit robbery; Guilty of
8 conspiracy to commit robbery.

9 Tony Hobson of Count 3, robbery with use of a deadly weapon,
10 Jamie Schoebel; Guilty of robbery with use of a deadly weapon.

11 Count 3, Brandon Starr, robbery with use of a deadly weapon,
12 Jamie Schoebel; Guilty of robbery with use of a deadly weapon.

13 Count 4 as to Tony Hobson, robbery with use of deadly weapon,
14 Diana Mena; Guilty of robbery with use of a deadly weapon.

15 Count 4, Brandon Starr, robbery with use of deadly weapon,
16 Diana Mena; Guilty of robbery with use of a deadly weapon.

17 Count 5 as to Tony Hobson, robbery with use of a deadly
18 weapon, Jose Borja; Guilty of robbery with use of a deadly weapon.

19 Count 5, Brandon Starr, robbery with use of a deadly weapon,
20 Jose Borja; Guilty of robbery with use of a deadly weapon.

21 Count 6 as to Tony Hobson, robbery with use of a deadly
22 weapon, Jennifer Hernandez; Guilty of robbery with use of a deadly weapon.

23 Count 6, Brandon Starr, robbery with use of a deadly weapon,
24 Jennifer Hernandez; Guilty of robbery with use of a deadly weapon.

25 Count 7 to Tony Hobson, robbery with use of a deadly weapon,

1 David Caballero; Guilty of robbery with use of a deadly weapon.

2 Count 7, Brandon Starr, robbery with use of a deadly weapon,
3 David Caballero; Guilty of robbery with use of a deadly weapon.

4 Count 8 to Tony Hobson, burglary while in possession of a
5 deadly weapon, 7-Eleven, 4581 East Charleston Boulevard; Guilty of burglary
6 while in possession of a deadly weapon.

7 Count 8, Brandon Starr, burglary while in possession of a deadly
8 weapon, 7-Eleven, 4581 East Charleston Boulevard; Not guilty.

9 Count 9 for Tony Hobson, conspiracy to commit robbery; Guilty
10 of conspiracy to commit robbery.

11 Count 9, Brandon Starr, conspiracy to commit robbery; Not
12 guilty.

13 Count 10 for Tony Hobson, robbery with use of a deadly
14 weapon, Darnell Butler; Guilty of robbery with use of a deadly weapon.

15 Count 10, Brandon Starr, robbery with use of a deadly weapon,
16 Darnell Butler; Not guilty.

17 Count 11 for Tony Hobson, burglary while in possession of a
18 deadly weapon, Pizza Hut, 6130 West Lake Mead Boulevard; Guilty of
19 burglary while in possession of a deadly weapon.

20 Count 11 Brandon Starr, burglary while in possession of a deadly
21 weapon, Pizza Hut, 6130 West Lake Mead Boulevard; Guilty of burglary
22 while in possession of a deadly weapon.

23 Count 12 for Tony Hobson, conspiracy to commit robbery; Guilty
24 of conspiracy to commit robbery.

25 Count 12, Brandon Starr, conspiracy to commit robbery; Guilty of

1 conspiracy to commit robbery.

2 Count 13, Tony Hobson, robbery with use of a deadly weapon,
3 Shannon Poole; Guilty of robbery with use of a deadly weapon.

4 Count 13, Brandon Starr, robbery with use of a deadly weapon,
5 Shannon Poole; Guilty of robbery with use of a deadly weapon.

6 Count 14, Tony Hobson, robbery with use of a deadly weapon
7 for Daniel Heffner; Guilty of robbery with use of a deadly weapon.

8 Count 14, Brandon Starr, robbery with use of a deadly weapon,
9 Daniel Heffner; Guilty of robbery with use of a deadly weapon.

10 Count 15 for Tony Hobson, robbery with use of a deadly
11 weapon, George Thimaksi; Guilty of robbery with use of a deadly weapon.

12 Count 15, Brandon Starr, robbery with use of a deadly weapon,
13 George Thimaksi; Guilty of robbery with use of a deadly weapon.

14 Count 16, Tony Hobson, burglary while in possession of a deadly
15 weapon, Pizza Hut, 5015 East Sahara Avenue; Guilty of burglary while in
16 possession of a deadly weapon.

17 Count 16, Brandon Starr, burglary while in possession of a deadly
18 weapon, Pizza Hut, 5015 East Sahara Avenue; Guilty of burglary while in
19 possession of a deadly weapon.

20 Count 17 for Tony Hobson, conspiracy to commit robbery; Guilty
21 of conspiracy to commit robbery.

22 Count 17, Brandon Starr, conspiracy to commit robbery; Guilty of
23 conspiracy to commit robbery.

24 Count 18, Tony Hobson, robbery with use of a deadly weapon,
25 Trevor Faraone; Guilty of robbery with use of a deadly weapon.

1 Count 18, Brandon Starr, robbery with use of a deadly weapon,
2 Trevor Faraone; Guilty of robbery with use of a deadly weapon.

3 Count 19, Tony Hobson, robbery with use of a deadly weapon,
4 Ashley Carmichael; Guilty of robbery with use of a deadly weapon.

5 Count 19, Brandon Starr, robbery with use of a deadly weapon,
6 Ashley Carmichael; Guilty of robbery with use of a deadly weapon.

7 Count 20, Tony Hobson, robbery with use of a deadly weapon,
8 Thomas Bagwell; Guilty of robbery with use of a deadly weapon.

9 Count 20, Brandon Starr, robbery with use of a deadly weapon,
10 Thomas Bagwell; Guilty of robbery with use of a deadly weapon.

11 Count 21, Tony Hobson, robbery with use of a deadly weapon,
12 Guy Brown; Guilty of robbery with use of a deadly weapon.

13 Count 21, Brandon Starr, robbery with use of a deadly weapon,
14 Guy Brown; Guilty of robbery with use of a deadly weapon.

15 Count 22, Tony Hobson, burglary while in possession of a deadly
16 weapon, Little Caesar's, 4258 East Charleston Boulevard; Guilty of burglary
17 while in possession of a deadly weapon.

18 Count 22, Brandon Starr, burglary while in possession of a deadly
19 weapon, Little Caesar's, 4258 East Charleston Boulevard; Guilty of burglary
20 while in possession of a deadly weapon.

21 Count 23, Tony Hobson, conspiracy to commit robbery; Guilty of
22 conspiracy to commit robbery.

23 Brandon -- Count 23, Brandon Starr, conspiracy to commit
24 robbery; Guilty with -- Guilty of conspiracy to commit robbery.

25 Count 24, Tony Hobson, robbery with use of a deadly weapon,

1 Idania Sacba; Guilty of robbery with use of a deadly weapon.
2 Count 24, Brandon Starr, robbery with use of a deadly weapon,
3 Idania Sacba; Guilty of robbery with use of a deadly weapon.
4 Count 25, Tony Hobson, robbery with use of a deadly weapon,
5 Jesus Dorame; Guilty of robbery with use of a deadly weapon.
6 Count 25, Brandon Starr, robbery with use of a deadly weapon,
7 Jesus Dorame; Guilty of robbery with use of a deadly weapon.
8 Count 26, Tony Hobson, burglary while in possession of a deadly
9 weapon, Popeye's Chicken, 4505 East Bonanza Road; Not guilty.
10 Count 26, Brandon Starr, burglary while in possession of a deadly
11 weapon, Popeye's Chicken, 4505 East Bonanza Road; Guilty of burglary
12 while in possession of a deadly weapon.
13 Count 27, Tony Hobson, conspiracy to commit robbery; Not
14 guilty.
15 Count 27, Brandon Starr, conspiracy to commit robbery; Guilty of
16 conspiracy to commit robbery.
17 Count 28, Tony Hobson, robbery with use of a deadly weapon,
18 Jeronimo Urbina; Not guilty.
19 Count 28, Brandon Starr, robbery with use of a deadly weapon,
20 Jeronimo Urbina; Guilty of robbery with use of a deadly weapon.
21 Count 29, Tony Hobson, robbery with use of a deadly weapon,
22 Juan Taingo; Not guilty.
23 Count 29, Brandon Starr, robbery with use of a deadly weapon,
24 Juan Taingo; Guilty of robbery with use of a deadly weapon.
25 Count 30, Tony Hobson, robbery with use of a deadly weapon,

1 Angelica Ornelas; Not guilty.

2 Count 30, Brandon Starr, robbery with use of a deadly weapon,
3 Angelica Ornelas; Guilty of robbery with use of a deadly weapon.

4 Count 31, Tony Hobson, robbery with use of a deadly weapon,
5 Johana Vasquez; Not guilty.

6 Count 31, Brandon Starr, robbery with use of a deadly weapon,
7 Johana Vasquez; Guilty of robbery with use of a deadly weapon.

8 Count 32, Tony Hobson, robbery with use of a deadly weapon,
9 Karina Aguilar; Not guilty.

10 Count 32, Brandon Starr, robbery with use of a deadly weapon,
11 Karina Aguilar; Guilty of robbery with use of a deadly weapon.

12 Count 33, Tony Hobson, burglary while in possession of a deadly
13 weapon, Burger King, 2599 South Nellis Boulevard; Guilty of burglary while
14 in possession of a deadly weapon.

15 Count 33, Brandon Starr, burglary while in possession of a deadly
16 weapon, Burger King, 2599 South Nellis Boulevard; Guilty of burglary while
17 in possession of a deadly weapon.

18 Count 34, Tony Hobson, conspiracy to commit robbery; Guilty of
19 conspiracy to commit robbery.

20 Count 34, Brandon Starr, conspiracy to commit robbery; Guilty of
21 conspiracy to commit robbery.

22 Count 35, Tony Hobson, attempt robbery with use of a deadly
23 weapon, Cornell Combs; Guilty of attempt robbery with a dead -- excuse me
24 -- with use of a deadly weapon.

25 Count 35, Brandon Starr, attempt robbery with use of a deadly

1 weapon, Cornell Combs; Guilty of attempt robbery with use of a deadly
2 weapon.

3 Count 36, Tony Hobson, attempt robbery with use of a deadly
4 weapon, Sonia Soto De Mason; Guilty of attempt robbery with use of a
5 deadly weapon.

6 Count 36, Brandon Starr, attempt robbery with use of a deadly
7 weapon, Sonia Soto De Mason; Guilty of attempt robbery with use of a
8 deadly weapon.

9 Count 37, Tony Hobson, burglary while in possession of a deadly
10 weapon, Wendy's, 990 North Nellis Boulevard; Guilty of burglary while in
11 possession of a deadly weapon.

12 Count 37, Brandon Starr, burglary while in possession of a deadly
13 weapon; Guilty of burglary while in possession of a deadly weapon.

14 Count 38, Tony Hobson, conspiracy to commit robbery; Guilty of
15 conspiracy to commit robbery.

16 Count 38, Brandon Starr, conspiracy to commit robbery; Guilty of
17 conspiracy to commit robbery.

18 Count 39, Tony Hobson, robbery with use of a deadly weapon,
19 Noemy Morroquin; Guilty of robbery with use of a deadly weapon.

20 Count 39, Brandon Starr, robbery with use of a deadly weapon,
21 Noemy Morroquin; Guilty of robbery with use of a deadly weapon.

22 Count 40, Tony Hobson, robbery with use of a deadly weapon,
23 Janie Fannon; Guilty of robbery with use of a deadly weapon.

24 Count 40, Brandon Starr, robbery with use of a deadly weapon,
25 Janie Fannon; Guilty of robbery with use of a deadly weapon.

1 Count 41, Tony Hobson, robbery with use of a deadly weapon,
2 Jesus Lopez; Guilty of robbery with use of a deadly weapon.

3 Count 41, Brandon Starr, robbery with use of a deadly weapon,
4 Jesus Lopez; Guilty of Robbery with use of a deadly weapon.

5 Count 42, Tony Hobson, robbery with use of a deadly weapon,
6 Anthony Maddaford; Guilty of robbery with use of a deadly weapon.

7 Count 42, Brandon Starr, robbery with use of a deadly weapon,
8 Anthony Maddaford; Guilty of robbery with use of a deadly weapon.

9 Count 43, Tony Hobson, robbery with use of a deadly weapon,
10 Juan Mendoza; Guilty of robbery with use of a deadly weapon.

11 Count 43, Brandon Starr, robbery with use of a deadly weapon;
12 Juan Mendoza; Guilty of robbery with use of a deadly weapon.

13 Count 44, Tony Hobson, burglary while in possession of a deadly
14 weapon, Wendy's, 7150 West Lake Mead Boulevard; Guilty of burglary while
15 in possession of a deadly weapon.

16 Count 44, Brandon Starr, burglary while in possession of a deadly
17 weapon, Wendy's, 7150 West Lake Mead Boulevard; Guilty of burglary while
18 in possession of a deadly weapon

19 Count 45, Tony Hobson, conspiracy to commit a robbery; Guilty
20 of conspiracy to commit robbery.

21 Count 45, Brandon Starr, conspiracy to commit robbery; Guilty of
22 conspiracy to commit robbery.

23 Count 46, Tony Hobson, robbery with use of a deadly weapon,
24 Jessica Hubbard; Guilty of robbery with use of a deadly weapon.

25 Count 46, Brandon Starr, robbery with use of a deadly weapon,

1 Jessica Hubbard; Guilty of robbery with use of a deadly weapon.

2 Count 47, Tony Hobson, robbery with use of a deadly weapon,
3 Jorge Morales; Guilty of robbery with use of a deadly weapon.

4 Count 47, Brandon Starr, robbery with use of a deadly weapon,
5 Jorge Morales; Guilty of robbery with use of a deadly weapon.

6 Count 48, Tony Hobson, burglary while in possession of a deadly
7 weapon, Popeye's Chicken, 60 North Stephanie Street; Guilty of burglary
8 while in possession of a deadly weapon.

9 Count 48, Brandon Starr, burglary while in possession of a deadly
10 weapon, Popeye's Chicken, 60 North Stephanie Street; Guilty of burglary
11 while in possession of a deadly weapon.

12 Count 49, Tony Hobson, conspiracy to commit robbery; Guilty of
13 conspiracy to commit robbery.

14 Count 49, Brandon Starr, conspiracy to commit robbery; Guilty of
15 conspiracy to commit robbery.

16 Count 50, Tony Hobson, robbery with use of a deadly weapon,
17 Alejandro Uribe; Guilty of robbery with use of a deadly weapon.

18 Count 50, Brandon Starr, robbery with use of a deadly weapon,
19 Alejandro Uribe; Guilty of robbery with use of a deadly weapon.

20 Count 51, Tony Hobson, robbery with use of a deadly weapon,
21 Skyler Cox; Guilty of robbery with use of a deadly weapon.

22 Count 51, Brandon Starr, robbery with use of a deadly weapon,
23 Skyler Cox; Guilty of robbery with use of a deadly weapon.

24 Count 52, Tony Hobson, burglary while in possession of a deadly
25 weapon, El Pollo Loco, 7380 West Cheyenne Avenue; Guilty of burglary

1 while in possession of a deadly weapon.

2 Count 52, Brandon Starr, burglary while in possession of a deadly
3 weapon, El Pollo Loco, 7380 West Cheyenne Avenue; Guilty of burglary
4 while in possession of a deadly weapon.

5 Count 53, Tony Hobson, conspiracy to commit kidnapping; Not
6 guilty.

7 Count 53, Brandon Starr, conspiracy to commit kidnapping; Not
8 guilty.

9 Count 54, Tony Hobson, conspiracy to commit robbery; Guilty of
10 conspiracy to commit robbery.

11 Count 54, conspiracy to commit robbery; Guilty of conspiracy to
12 commit robbery, as to Brandon Starr.

13 Count 55, Tony Hobson, first degree kidnapping with use of a
14 deadly weapon, Yanais Silva-Rios; Guilty of false imprisonment with use of a
15 deadly weapon.

16 Count 55, Brandon Starr, first degree kidnapping with use of a
17 deadly weapon; Not guilty.

18 Count 56, Tony Hobson, robbery with use of a deadly weapon,
19 Yanais Silva-Rios; Guilty of robbery with use of a deadly weapon.

20 Count 56, Brandon Starr, robbery with use of a deadly weapon,
21 Yanais Silva-Rios; Guilty of robbery with use of a deadly weapon.

22 Count 57, Tony Hobson, robbery with use of a deadly weapon,
23 Laura Lopez; Guilty of robbery with use of a deadly weapon.

24 Count 57, Brandon Starr, robbery with use of a deadly weapon,
25 Laura Lopez; Guilty of robbery with use of a deadly weapon.

1 Count 58, Tony Hobson, robbery with use of a deadly weapon,
2 Sergio Bautista; Guilty of robbery with use of a deadly weapon.

3 Count 58, Brandon Starr, robbery with use of a deadly weapon,
4 Sergio Bautista; Guilty of robbery with use of a deadly weapon.

5 Count 59, Tony Hobson, robbery with use of a deadly weapon,
6 Luis Lopez; Guilty of robbery with use of a deadly weapon.

7 Count 59, Brandon Starr, robbery with use of a deadly weapon,
8 Luis Lopez; Guilty of robbery with use of a deadly weapon.

9 Count 60, Tony Hobson, burglary while in possession of a deadly
10 weapon, Taco Bell, 9480 West Lake Mead Boulevard; Guilty of burglary
11 while in possession of a deadly weapon.

12 Count 60, Brandon Starr, burglary while in possession of a deadly
13 weapon, Taco Bell, 9480 West Lake Mead Boulevard; Guilty of burglary
14 while in possession of a deadly weapon.

15 Count 61, Tony Hobson, conspiracy to commit robbery; Guilty of
16 conspiracy to commit robbery.

17 Count 61, Brandon Starr, conspiracy to commit robbery; Guilty of
18 conspiracy to commit robbery.

19 Count 62, Tony Hobson, conspiracy to commit kidnapping; Guilty
20 of conspiracy to commit kidnapping.

21 Count 62, Brandon Starr, conspiracy to commit kidnapping; Not
22 guilty.

23 Count 63, Tony Hobson, first degree kidnapping with use of a
24 deadly weapon for Vanessa Gonzalez-Aparicio; Guilty of second degree
25 kidnapping with use of a deadly weapon.

1 Count 63, Brandon Starr, first degree kidnapping with use of a
2 deadly weapon, Vanessa Gonzalez-Aparicio; Guilty of second degree
3 kidnapping with use of a deadly weapon.

4 Count 64, Tony Hobson, robbery with use of a deadly weapon,
5 Vanessa Gonzalez-Aparicio; Guilty of robbery with use of a deadly weapon.

6 Count 64, Brandon Starr, robbery with use of a deadly weapon,
7 Vanessa Gonzalez-Aparicio; Guilty of robbery with use of a deadly weapon.

8 Count 65, Tony Hobson, first degree kidnapping with use of a
9 deadly weapon, Holly Hadeed; Guilty of second degree kidnapping with use
10 of a deadly weapon.

11 Count 65, first degree kidnapping with -- as to Brandon Starr,
12 Count 65, first degree kidnapping with use of a deadly weapon, Holly
13 Hadeed; Guilty of second degree kidnapping with use of a deadly weapon.

14 Count 66, Tony Hobson, robbery with use of a deadly weapon,
15 Holly Hadeed; Guilty of robbery with use of a deadly weapon.

16 Count 66, Brandon Starr, robbery with use of a deadly weapon,
17 Holly Hadeed; Guilty of robbery with use of a deadly weapon.

18 Count 67, Tony Hobson, attempt first degree kidnapping with
19 use of a deadly weapon, Jamie Ward; Guilty of attempt second degree
20 kidnapping with use of a deadly weapon.

21 Count 67, Brandon Starr, attempt first degree kidnapping with
22 use of a deadly weapon, Jamie Ward; Not guilty.

23 Count 68, Tony Hobson, burglary while in possession of a deadly
24 weapon, Popeye's Chicken, 6121 Vegas Drive; Guilty of burglary while in
25 possession of a deadly weapon.

1 Count 68, Brandon Starr, burglary while in possession of a deadly
2 weapon, Popeye's Chicken, 6121 Vegas Drive; Guilty of burglary while in
3 possession of a deadly weapon.

4 Count 69, Tony Hobson, conspiracy to commit robbery; Guilty of
5 conspiracy to commit robbery.

6 Count 69, Brandon Starr, conspiracy to commit robbery; Guilty of
7 conspiracy to commit robbery.

8 Count 70, Tony Hobson, conspiracy to commit kidnapping; Not
9 guilty.

10 Count 70, Brandon Starr, conspiracy to commit kidnapping; Not
11 guilty.

12 Count 71, Tony Hobson, first degree kidnapping with use of a
13 deadly weapon, Alma Gomez; Guilty of false imprisonment.

14 Count 71, Brandon Starr, first degree kidnapping with use of a
15 deadly weapon, Alma Gomez; Guilty of second degree kidnapping with use
16 of a deadly weapon.

17 Count 72, Tony Hobson, robbery with use of a deadly weapon,
18 Alma Gomez; Guilty of robbery with use of a deadly weapon.

19 Count 72, Brandon Starr, robbery with use of a deadly weapon,
20 Alma Gomez; Guilty of robbery with use of a deadly weapon.

21 Count 73, Tony Hobson, first degree kidnapping with use of a
22 deadly weapon, Angelica Abrego; Guilty of false imprisonment.

23 Count 73, Brandon Starr, first degree kidnapping with use of a
24 deadly weapon, Angelica Abrego; Guilty of second degree kidnapping with
25 use of a deadly weapon.

1 Count 74, Tony Hobson, robbery with use of a deadly weapon,
2 Angelica Abrego; Guilty of robbery with use of a deadly weapon.

3 Count 74, Brandon Starr, robbery with use of a deadly weapon,
4 Angelica Abrego; Guilty of robbery with use of a deadly weapon.

5 Count 75, Tony Hobson, first degree kidnapping with use of a
6 deadly weapon, Gabriela Oyoque; Guilty of false imprisonment.

7 Count 75, Brandon Starr, first degree kidnapping with use of a
8 deadly weapon, Gabriela Oyoque; Guilty of second degree kidnapping with
9 use of a deadly weapon.

10 Count 76, Tony Hobson, robbery with use of a deadly weapon,
11 Gabriela Oyoque; Guilty of robbery with use of a deadly weapon.

12 Count 76, Brandon Starr, robbery with use of a deadly weapon,
13 Gabriela Oyoque; Guilty of robbery with use of a deadly weapon.

14 Count 77, Tony Hobson, first degree kidnapping with use of a
15 deadly weapon, Rafael Velazquez-Barragan; Guilty of false imprisonment.

16 Count 77, Brandon Starr, first degree kidnapping with use of a
17 deadly weapon, Rafael Velazquez-Barragan; Guilty of second degree
18 kidnapping with use of a deadly weapon.

19 Count 78, Tony Hobson, robbery with use of a deadly weapon,
20 Rafael Velazquez-Barragan; Guilty of robbery with use of a deadly weapon.

21 Count 78, Brandon Starr, robbery with use of a deadly weapon,
22 Rafael Velazquez-Barragan; Guilty of robbery with use of a deadly weapon.

23 Count 79, Tony Hobson, first degree kidnapping with use of a
24 deadly weapon, Jose Espinoza; Guilty of false imprisonment.

25 Count 79, Brandon Starr, first degree kidnapping with use of a

1 deadly weapon, Jose Espinoza; Guilty of second degree kidnapping with use
2 of a deadly weapon.

3 Count 80, Tony Hobson, robbery with use of a deadly weapon,
4 Jose Espinoza; Guilty of robbery with use of a deadly weapon.

5 Count 80, Brandon Starr, robbery with use of a deadly weapon,
6 Jose Espinoza; Guilty of robbery with use of a deadly weapon.

7 Count 81, conspiracy to commit robbery, Taco Bell, 3264 South
8 Nellis Boulevard; Guilty of conspiracy to commit robbery.

9 Count 81, Brandon Starr, conspiracy to commit robbery, Taco
10 Bell, 3264 South Nellis Boulevard; Guilty of conspiracy to commit robbery.

11 Count 82, Tony Hobson, attempt robbery with use of a deadly
12 weapon; Guilty of attempt robbery with use of a deadly weapon.

13 Count 82, Brandon Starr, attempt robbery with use of a deadly
14 weapon; Guilty of attempt robbery with use of a deadly weapon.

15 Dated this 23rd day of May of 2016. Signed by Nicholas
16 Kozlowski.

17 And ladies and gentlemen of the jury, are these your verdicts as
18 read?

19 THE JURY FOREPERSON: No. There's a mistake.

20 THE COURT CLERK: So say you one, so say you all?

21 THE JURY FOREPERSON: I made a mistake.

22 THE COURT CLERK: So say you one, so say you all?

23 THE COURT: No. They said there's a mistake.

24 THE JURY FOREPERSON: Yeah. No. I made a mistake. For sure.

25 THE COURT: Okay.

1 THE JURY FOREPERSON: I can tell you which one.

2 THE COURT: Okay. Which one?

3 THE JURY FOREPERSON: So, the thirteenth event. It should be all
4 false imprisonment for both. If both Defendants -- no second degree.
5 Should be false imprisonment for the whole thirteenth event. And it should
6 be not guilty on all conspiracy to commit -- commit --

7 THE COURT: Give it back to them.

8 THE JURY FOREPERSON: -- kidnapping. It should be not guilty. It's a
9 -- it's a big sheet, sorry [indiscernible].

10 THE COURT CLERK: Here's the clipped verdict.

11 THE JURY FOREPERSON: Yeah. As soon as I heard it I knew it was
12 wrong.

13 THE COURT: Okay.

14 THE JURY FOREPERSON: I can refill it out.

15 THE COURT: Jim? All right. Retire back in the deliberation room.

16 THE JURY FOREPERSON: Yeah. Yeah. And I'll read and fix them up.

17 THE COURT: Okay. Note the ones on a separate piece of paper so we
18 don't read through the whole verdicts form again.

19 THE JURY FOREPERSON: Yes.

20 THE COURT: Okay?

21 THE JURY FOREPERSON: Yeah.

22 THE COURT: All right. Go ahead and have a seat everybody.

23 [OUTSIDE THE PRESENCE OF THE JURY]

24 [SESSION ENDED at 2:06 PM]

25 [SESSION STARTED at 2:14 A.M.]

1 THE COURT: All right Jim, you want to bring the jury back? Christine,
2 are we back on the record?

3 THE COURT RECORDER: Yeah.

4 [IN THE PRESENCE OF THE JURY]

5 THE COURT: Okay. Go ahead and have a seat guys.

6 We're back on the record in C303022. State of Nevada versus
7 Tony Hobson and Brandon Starr. The jury had come back with a -- with a
8 verdict form. It's a quite extensive verdict form. We've -- after reading the
9 verdict in the jury foreman had -- well a number of individuals indicated that
10 that was not the correct verdict so the jury foreman had indicated that he
11 believed he may have made a mistake on a couple of those.

12 I asked them to return to the deliberation room to check to see if
13 that, in fact, was the -- was the issue. And I asked them also if they do find
14 any of them that were a mistake to correct them. The jury foreman is
15 initialing the correction. Also, he's supplied the Court with a separate sheet
16 of paper with a number of counts to look at to see. I guess -- Mr. Kozlowski
17 you're the jury foreman, correct?

18 THE JURY FOREPERSON: Yes, sir.

19 THE COURT: And you indicated that you may have - may have made a
20 mistake?

21 THE JURY FOREPERSON: Yeah. It's a big list, sir.

22 THE COURT: Okay. Yeah. So, what you provided the Court was a --
23 is a sheet of paper with a number of counts labeled under the name of
24 Brandon Starr and then a number of counts under the name of Tony Hobson?

25 THE JURY FOREPERSON: That's correct, sir.

1 THE COURT: And these are the ones that you corrected?

2 THE JURY FOREPERSON: Yes, sir.

3 THE COURT: Okay. And on the actual verdict form did you initial the
4 correction?

5 THE JURY FOREPERSON: Yes, sir.

6 THE COURT: Okay. And everyone was with you from the jury when
7 that occurred?

8 THE JURY FOREPERSON: Yes sir.

9 JUROR NO. UNKNOWN: Yes.

10 THE COURT: And everyone concurred?

11 THE JURY FOREPERSON: Yes sir.

12 JUROR NO. UNKNOWN: Yeah.

13 THE COURT: Okay. So, let me -- let me read those Counts in, okay?
14 And then we'll check again.

15 THE JURY FOREPERSON: Yes. Yes sir.

16 THE COURT: All right. Okay.

17 [COLLOQUY BETWEEN THE COURT AND THE COURT CLERKS]

18 THE COURT CLERK: You want us to read the caption in, Your Honor?

19 THE COURT: Yes, just that -- just with regards to the counts.

20 [COLLOQUY BETWEEN THE COURT CLERKS]

21 THE COURT CLERK: State of Nevada, excuse me -- District Court,
22 Clark County, Nevada, State of Nevada, Plaintiff, versus Tony Lee Hobson,
23 Defendant, in case number C-14-303022-1, Department 19. Verdict.

24 As to Count 62 for Tony Hobson, conspiracy to commit
25 kidnapping; Not guilty.

1 THE COURT: Okay.

2 THE COURT CLERK: Count 67, Tony Hobson, attempt first degree
3 kidnapping with use of a deadly weapon, Jamie Ward; Not guilty.

4 THE COURT: Okay.

5 THE COURT CLERK: As to Brandon Starr in Count 71, first degree
6 kidnapping with use of a deadly weapon, Alma Gomez; Guilty of false
7 imprisonment with use of a deadly weapon.

8 As to Brandon Starr in Count 73, first degree kidnapping with use
9 of a deadly weapon, Angelica Abrego; Guilty of false imprisonment with use
10 of a deadly weapon.

11 As to Brandon Starr in Count 75, first degree kidnapping with use
12 of a deadly weapon, Gabriela Oyoque; Guilty of false imprisonment with use
13 of a deadly weapon.

14 As to Brandon Starr in Count 77, first degree kidnapping with use
15 of a deadly weapon, Rafael Velazquez-Barragan; Guilty of false imprisonment
16 with use of a deadly weapon.

17 As to Brandon Starr in Count 79, first degree kidnapping with use
18 of a deadly weapon, Jose Espinoza; Guilty of false imprisonment with use of
19 a deadly weapon.

20 Dated the 23rd day of May, 2016. Signed Nicholas Kozlowski,
21 Foreperson.

22 Ladies and gentlemen of the jury, are these your verdicts as read
23 so say you one, so say you all?

24 THE JURY PANEL: Yes.

25 THE COURT: Poll them individually.

1 THE COURT CLERK: Okay.
2 THE COURT: Okay.
3 THE COURT CLERK: Juror number 1, are these your verdicts as read?
4 JUROR NO. 1: Yes.
5 THE COURT CLERK: Juror number 2, are these your verdicts as read?
6 JUROR NO. 2: Yes.
7 THE COURT CLERK: Juror number 3, are these your verdicts as read?
8 JUROR NO. 3: Yes.
9 THE COURT CLERK: Juror number 4, are these your verdicts as read?
10 JUROR NO. 4: Yes.
11 THE COURT CLERK: Juror number 5, are these your verdicts as read?
12 JUROR NO. 5: Yes.
13 THE COURT CLERK: Juror number 6, are these your verdicts as read?
14 JUROR NO. 6: Yes.
15 THE COURT CLERK: Juror number 7, are these your verdicts as read?
16 JUROR NO. 7: Yes.
17 THE COURT CLERK: Juror number 9, are these your verdicts as read?
18 JUROR NO. 9: Yes.
19 THE COURT CLERK: Juror number 10, are these your verdicts as
20 read?
21 JUROR NO. 10: Yes.
22 THE COURT CLERK: Juror number 11, are these your verdicts as
23 read?
24 JUROR NO. 11: Yes.
25 THE COURT CLERK: Juror number 12, are these your verdicts as

1 read?

2 JUROR NO. 12: Yes.

3 THE COURT CLERK: Juror number 14, are these your verdicts as
4 read?

5 JUROR NO. 14: Yes.

6 THE COURT: All right. At this point in time, I'm going to ask the Clerk
7 to record the verdict in the minutes of the Court.

8 Ladies and gentlemen, as you know the right to a jury trial is one
9 of our basic and fundamental guarantees constitutionally. And I -- I don't
10 know -- I'm sure I did it a number of times while we were selecting a jury is
11 try to impress upon you how I feel about the right to a jury trial. I think it's
12 -- separates us from the rest of the world in the sense that it gives the actual
13 public an opportunity to be part of what's happening in their community to
14 see what's happening, to see what goes on in the courtrooms.

15 Many of you -- many have never even been -- ever come here.
16 Would may have never seen anything other than what may appear on TV.
17 And from the jury selection you probably could take from that that a lot of
18 the stuff that happens on TV is probably not as true as what you get to see
19 in a courtroom.

20 I hope that it was a positive experience for you. I do tell you that
21 I appreciate all the time that you spent on this. Your verdict in my opinion
22 reflects that and I saw all of you were very conscientious. I can honestly tell
23 you I've not -- I've never had a jury ask so many questions. And that's a
24 good thing. You know some times it may appear that -- disturbing to the
25 parties in that, but it shows us that you're listening and I really appreciate it.

1 I do because it tells that -- and you can ask the parties and their going to
2 want to talk to you if you'd like to when we're done here to -- they're try to
3 get a better understanding of what maybe they could've done to make it
4 streamline better. Maybe what they could have done in their closing
5 arguments that you could've appreciated it better.

6 But I do want to tell you that a lot of people try to get out of
7 what you've done here and many of them you've probably heard it during
8 the selection process that we had.

9 In my years of being here on the bench and in previously
10 practicing I've -- this is almost close to 200 jury trials that I've done. And I
11 can tell you that every jury there's always a few people that really try to get
12 out of this let alone what they get out of at -- through the commissioner
13 when they call in and they have reasons. And I want to tell you that you're
14 reasons are valid for us and we take them -- we consider them always. And
15 the hardest part a lot of times for the parties is jury selection because we
16 know what it puts on all of you. Many of you will go home and talk about
17 this probably for years.

18 Before I became a lawyer, one of the -- I was in college here at
19 UNLV and I was on a jury when I was in college. I'll never forget it. I
20 remember it, I remember the parties that were involved, I remember the
21 judge and I thought it was pretty positive for me and part of that is kind of
22 what helped me kind of steer my path the way I did and where I've ended up
23 now. I've been doing this over 30 years now and I'm really impressed with
24 juries that pay attention to these. It's very perturbing though to me when I
25 have jurors that don't take this serious and it's not fair to the parties either in

1 a criminal matter or a civil matter. It's not fair at all that people come on and
2 they sit on the jury and they shirk their responsibility with it, they don't take
3 it serious, they show up when they want to, we have to send the marshal's
4 after people. It's just crazy. But I do want to tell you on behalf of the -- of
5 counsel here, the parties of the Eighth Judicial District Court, I want to thank
6 you for your careful deliberation in this matter in which you gave to this
7 case.

8 It may arise now whether or not you can talk to anybody about
9 the case. You can. You will be excused. I'm going to have you go back to
10 the jury room and I'm going to come back and talk to you for a short period
11 and thank you and I have some things I have -- I want to give you. And then
12 the parties, like I said, they'll wait. Many of them will wait outside over by
13 the jury commission where you get paid. Someone will want to talk to you.
14 Understand this; you do not have to talk to anyone if you do not want to. If
15 somebody persists and tries to get to you to try to get you to talk and you
16 don't feel comfortable with that, notify my marshal and we'll put a stop to it.

17 However, if you'd like to talk to it you're free to talk to anyone
18 you want to about it. Now you can talk to your spouses and you can explain
19 to them where you were, if you haven't already. I hope you have 'cause
20 maybe you won't have a spouse any more. But like I said, once again I want
21 to thank you so much for your time and you'll be excused now. I'll have you
22 exit and go back with the jury commission -- the jury room and I'll come out
23 and talk to you, okay?

24 [JURY EXCUSED AT 2:24 P.M.]

25 [OUTSIDE THE PRESENCE OF THE JURY]

1 THE COURT: Okay. All right. With respect to the Defendants here,
2 Mr. Hobson and Mr. Starr, what I'm going to do at this point in time is
3 remand you to custody of no bail and I'm going to set this for sentencing.

4 Because of the nature of the offenses here and the amount, I'm
5 going to have to set it on a -- I want to set it on a special day just to give
6 you guys time so if you want to argue further and there's so many counts
7 and I think the Department of Parole of Probation would probably scream at
8 me if I set it in the normal course so I'm going to set it out in August.

9 THE COURT CLERK: It's going to be actually the beginning of
10 September, September 8th.

11 THE COURT: Is that going to work for you all? September?

12 MR. TANASI: It will, Your Honor.

13 MR. MANINGO: I believe -- I believe it will.

14 THE COURT: Okay. If it doesn't, please let us know and we'll adjust
15 it for you, okay?

16 MR. TANASI: Thank you.

17 THE COURT: All right. So we'll remand you to custody that's set with
18 no bail and set a sentencing date, September 8th.

19 THE COURT CLERK: September 8th at 8:30.

20 THE COURT: Okay. Is that -- what day is that?

21 THE COURT CLERK: Thursday. That's a Thursday.

22 THE COURT: Okay. Yeah, Thursday. Okay.

23 MS. MERCER: Thank you, Your Honor.

24 THE COURT: All right. Okay.


25 MR. TANASI: Thank you, Judge.

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[PROCEEDINGS CONCLUDED at 2:25 P.M.]

* * * * *

ATTEST: I hereby certify that I have truly and correctly transcribed the audio/visual proceedings in the above-entitled case to the best of my ability.



Christine Erickson,
Court Recorder

Alvin D. Shuman

CLERK OF THE COURT

JOC

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO. C303022-2

-vs-

BRANDON STARR
#7014732

DEPT. NO. XIX

Defendant.

JUDGMENT OF CONVICTION

(JURY TRIAL)

The Defendant previously entered a plea of not guilty to the crimes of COUNTS 1, 8, 11, 16, 22, 26, 33, 37, 44, 48, 52, 60, and 68 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony) in violation of NRS 205.060, COUNTS 2, 9, 12, 17, 23, 27, 34, 38, 45, 49, 54, 61, 69 and 81 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in violation of NRS 200.380, 199.480, COUNTS 3, 4, 5, 6, 7, 10, 13, 14, 15, 18, 19, 20, 21, 24, 25, 28, 29, 30, 31, 32, 39, 40, 41, 42, 43, 46, 47, 50, 51, 56, 57, 58, 59, 64, 66, 72, 74, 76, 78 and 80 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.380, 193.165, COUNTS 35, 36, and 82 – ATTEMPT ROBBERY WITH USE OF A DEADLY (Category B Felony) in violation of NRS 200.380, 193.330, 193.165,

<input type="checkbox"/> Nolle Prosequi (before trial)	<input type="checkbox"/> Bench (Non-Jury) Trial
<input type="checkbox"/> Dismissed (after diversion)	<input type="checkbox"/> Dismissed (during trial)
<input checked="" type="checkbox"/> Dismissed (before trial)	<input type="checkbox"/> Acquittal
<input checked="" type="checkbox"/> Guilty Plea with Sent. (before trial)	<input type="checkbox"/> Guilty Plea with Sent. (during trial)
<input checked="" type="checkbox"/> Transferred (before/during trial)	<input checked="" type="checkbox"/> Conviction
<input type="checkbox"/> Other Manner of Disposition	

00532

1 COUNTS 53, 62 and 70 – CONSPIRACY TO COMMIT KIDNAPPING (Category B
2 Felony) NRS 200.310, 200.320, 199.480, COUNT 55 – FALSE IMPRISONMENT WITH
3 USE OF A DEADLY WEAPON (Category B Felon) in violation of NRS 200.460.3b,
4 COUNTS 63 and 65 – SECOND DEGREE KIDNAPPING WITH USE OF A DEADLY
5 WEAPON (Category B Felony) NRS 200.310.2, 193.165, COUNT 67 – ATTEMPT
6 FIRST DEGREE KIDNAPPING WITH USE OF A DEADLY WEAPON (Category B
7 Felony) in violation of NRS 200.310, 200.320, 193.330, 193.165, COUNTS 71, 73, 75,
8 77 and 79 – FALSE IMPRISONMENT (Gross Misdemeanor) in violation of NRS
9 200.460.1, 193.165; and the matter having been tried before a jury and the Defendant
10 having been found guilty of the crimes of COUNTS 1, 11, 16, 22, 26, 33, 37, 44, 48, 52,
11 60, and 68 – BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON
12 (Category B Felony) in violation of NRS 205.060, COUNTS 2, 12, 17, 23, 27, 34, 38, 45,
13 49, 54, 61, 69 and 81 – CONSPIRACY TO COMMIT ROBBERY (Category B Felony) in
14 violation of NRS 200.380, 199.480, COUNTS 3, 4, 5, 6, 7, 13, 14, 15, 18, 19, 20, 21, 24,
15 25, 28, 29, 30, 31, 32, 39, 40, 41, 42, 43, 46, 47, 50, 51, 56, 57, 58, 59, 64, 66, 72, 74,
16 76, 78 and 80 – ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony)
17 in violation of NRS 200.380, 193.165, COUNTS 35, 36, and 82 – ATTEMPT ROBBERY
18 WITH USE OF A DEADLY (Category B Felony) in violation of NRS 200.380, 193.330,
19 193.165, COUNTS 63 and 65 – SECOND DEGREE KIDNAPPING WITH USE OF A
20 DEADLY WEAPON (Category B Felony) NRS 200.310.2, 193.165, COUNTS 71, 73,
21 75, 77 and 79 – FALSE IMPRISONMENT (Gross Misdemeanor) in violation of NRS
22 200.460.1, 193.165; thereafter, on the 8th day of September, 2016, the Defendant was
23 present in court for sentencing with counsel LANCE MANINGO, ESQ., and good cause
24 appearing,
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1 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in
2 addition to the \$25.00 Administrative Assessment Fee, \$12,179.45 Restitution with
3 \$10,279.45 Restitution payable jointly and severally with Co-Defendant Hobson and
4 \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00
5 DNA Collection Fee, the Defendant is SENTENCED to the Nevada Department of
6 Corrections (NDC) as follows: **COUNT 1** - a MAXIMUM of EIGHTY-FOUR (84)
7 MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS; **COUNT 2** - a
8 MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE
9 (12) MONTHS; **COUNT 3** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
10 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE
11 term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
12 MONTHS for the Use of a Deadly Weapon; **COUNT 4** – a MAXIMUM of EIGHTY-
13 FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24)
14 MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM
15 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 5**
16 – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
17 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS
18 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
19 Weapon; **COUNT 6** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
20 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
21 SIXTY(60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
22 the Use of a Deadly Weapon; **COUNT 7** – a MAXIMUM of EIGHTY-FOUR (84)
23 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
24 CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM parole eligibility of
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1 TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS 1 – 7
2 CONCURRENT with EACH OTHER; COUNT 11 - a MAXIMUM of EIGHTY-FOUR (84)
3 MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS; COUNT 12 - a
4 MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE
5 (12) MONTHS; COUNT 13 – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
6 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE
7 term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
8 MONTHS for the Use of a Deadly Weapon; COUNTS 8 – 10 CONCURRENT with
9 EACH OTHER and CONSECUTIVE to COUNT 7; COUNT 14 - a MAXIMUM of
10 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12)
11 MONTHS; COUNT 15 – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
12 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE
13 term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
14 MONTHS for the Use of a Deadly Weapon; COUNTS 11 – 15 CONCURRENT with
15 EACH OTHER and CONSECUTIVE to COUNT 7; COUNT 16 - a MAXIMUM of
16 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12)
17 MONTHS; COUNT 17 - a MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM
18 parole eligibility of TWELVE (12) MONTHS; COUNT 18 – a MAXIMUM of EIGHTY-
19 FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24)
20 MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM
21 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNT
22 19 – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
23 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
24 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly

1 Weapon; **COUNT 20** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
2 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
3 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
4 the Use of a Deadly Weapon; **COUNT 21** – a MAXIMUM of EIGHTY-FOUR (84)
5 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
6 CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of
7 TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS 16 – 21
8 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 15; **COUNT 22** - a
9 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
10 TWELVE (12) MONTHS; **COUNT 23** - a MAXIMUM of THIRTY-SIX (36) MONTHS with
11 a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 24** – a MAXIMUM of
12 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR
13 (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM
14 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT**
15 **25**– a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
16 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
17 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
18 Weapon; COUNTS 22 – 25 CONCURRENT with EACH OTHER and CONSECUTIVE to
19 COUNT 21; **COUNT 26** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
20 MINIMUM Parole Eligibility of TWELVE (12) MONTHS; **COUNT 27** - a MAXIMUM of
21 THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
22 MONTHS; **COUNT 28** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
23 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE
24 term of SIXTY(60) MONTHS with a MINIMUM parole eligibility of TWELVE (12)

1 MONTHS for the Use of a Deadly Weapon; **COUNT 29** – a MAXIMUM of EIGHTY-
2 FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24)
3 MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM parole
4 eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 30** – a
5 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
6 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
7 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
8 Weapon; **COUNT 31** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
9 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
10 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
11 the Use of a Deadly Weapon; **COUNT 32** – a MAXIMUM of EIGHTY-FOUR (84)
12 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
13 CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of
14 TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS 26 – 32
15 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 21; **COUNT 33** - a
16 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
17 TWELVE (12) MONTHS; **COUNT 34** - a MAXIMUM of THIRTY-SIX (36) MONTHS with
18 a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 35** – a MAXIMUM of
19 SIXTY (60) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS,
20 plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM parole eligibility
21 of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 36** – a MAXIMUM
22 of SIXTY (60) MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS,
23 plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM parole eligibility
24 of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS 33 – 36

1 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 25; **COUNT 37** - a
2 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
3 TWELVE (12) MONTHS; **COUNT 38** - a MAXIMUM of THIRTY-SIX (36) MONTHS with
4 a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 39** - a MAXIMUM of
5 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR
6 (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM
7 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT**
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9 **40** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
10 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
11 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
12 Weapon; **COUNT 41** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
13 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
14 SIXTY(60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
15 the Use of a Deadly Weapon; **COUNT 42** - a MAXIMUM of EIGHTY-FOUR (84)
16 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
17 CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM parole eligibility of
18 TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 43** - a MAXIMUM of
19 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR
20 (24) MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM
21 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS
22 37 - 43 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 36;
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24 **COUNT 44** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole
25 Eligibility of TWELVE (12) MONTHS; **COUNT 45** - a MAXIMUM of THIRTY-SIX (36)
26 MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 46** - a
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1 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
2 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
3 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
4 Weapon; **COUNT 47** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
5 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
6 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
7 the Use of a Deadly Weapon; COUNTS 44 – 47 CONCURRENT with EACH OTHER
8 and CONSECUTIVE to COUNT 43; **COUNT 48** - a MAXIMUM of EIGHTY-FOUR (84)
9 MONTHS with a MINIMUM Parole Eligibility of TWELVE (12) MONTHS; **COUNT 49** - a
10 MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE
11 (12) MONTHS; **COUNT 50** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
12 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE
13 term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
14 MONTHS for the Use of a Deadly Weapon; **COUNT 51**– a MAXIMUM of EIGHTY-
15 FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24)
16 MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM
17 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS
18 48 – 51 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 47;
19 **COUNT 52** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole
20 Eligibility of TWELVE (12) MONTHS; **COUNT 54** - a MAXIMUM of THIRTY-SIX (36)
21 MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 56** – a
22 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
23 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
24 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly

1 Weapon; **COUNT 57** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
2 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
3 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
4 the Use of a Deadly Weapon; **COUNT 58** – a MAXIMUM of EIGHTY-FOUR (84)
5 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
6 CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of
7 TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 59** – a MAXIMUM of
8 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR
9 (24) MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM
10 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS
11 52 – 59 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 51;
12 **COUNT 60** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole
13 Eligibility of TWELVE (12) MONTHS; **COUNT 61** - a MAXIMUM of THIRTY-SIX (36)
14 MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 63** – a
15 MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
16 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS
17 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
18 Weapon; **COUNT 64** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM
19 Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of
20 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
21 the Use of a Deadly Weapon; **COUNT 65** – a MAXIMUM of EIGHTY-FOUR (84)
22 MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
23 CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM parole eligibility of
24 TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 66** – a MAXIMUM of

1 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR
2 (24) MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM
3 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS
4 60 – 66 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 59;
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6 **COUNT 68** - a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole
7 Eligibility of TWELVE (12) MONTHS; **COUNT 69** - a MAXIMUM of THIRTY-SIX (36)
8 MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 55** - a
9 MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE
10 (12) MONTHS; **COUNT 71** – a MAXIMUM of THIRTY-SIX (36) MONTHS with a
11 MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT 72** – a MAXIMUM of
12 EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR
13 (24) MONTHS, plus a CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM
14 parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT**
15 **73** - a MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of
16 TWELVE (12) MONTHS; **COUNT 74** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS
17 with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a
18 CONSECUTIVE term of SIXTY (60) MONTHS with a MINIMUM parole eligibility of
19 TWELVE (12) MONTHS for the Use of a Deadly Weapon; **COUNT 75** - a MAXIMUM of
20 THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
21 MONTHS; **COUNT 76** – a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a
22 MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE
23 term of SIXTY(60) MONTHS with a MINIMUM parole eligibility of TWELVE (12)
24 MONTHS for the Use of a Deadly Weapon; **COUNT 77** - a MAXIMUM of THIRTY-SIX
25 (36) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS; **COUNT**

1 **78**— a MAXIMUM of EIGHTY-FOUR (84) MONTHS with a MINIMUM Parole Eligibility of
2 TWENTY-FOUR (24) MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS
3 with a MINIMUM parole eligibility of TWELVE (12) MONTHS for the Use of a Deadly
4 Weapon; **COUNT 79** — a MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM
5 parole eligibility of TWELVE (12) MONTHS; **COUNT 80** — a MAXIMUM of EIGHTY-
6 FOUR (84) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24)
7 MONTHS, plus a CONSECUTIVE term of SIXTY(60) MONTHS with a MINIMUM parole
8 eligibility of TWELVE (12) MONTHS for the Use of a Deadly Weapon; COUNTS 68 – 80
9 CONCURRENT with EACH OTHER and CONSECUTIVE to COUNT 66; **COUNT 81** - a
10 MAXIMUM of THIRTY-SIX (36) MONTHS with a MINIMUM parole eligibility of TWELVE
11 (12) MONTHS; and **COUNT 82** — a MAXIMUM of SIXTY (60) MONTHS with a
12 MINIMUM Parole Eligibility of TWELVE (12) MONTHS, plus a CONSECUTIVE term of
13 SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS for
14 the Use of a Deadly Weapon; COUNTS 81 – 82 CONCURRENT with EACH OTHER
15 and CONSECUTIVE to COUNT 80; with SIX HUNDRED FIFTY-FOUR (654) DAYS
16 credit for time served. The AGGREGATE TOTAL sentence is ONE THOUSAND
17 EIGHT HUNDRED TWENTY-FOUR (1,824) MONTHS MAXIMUM with a MINIMUM
18 PAROLE ELIGIBILITY OF FOUR HUNDRED FORTY-FOUR (444) MONTHS.
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23 DATED this 19th day of September, 2016

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28 WILLIAM D. KEPHART
DISTRICT COURT JUDGE 

DISTRICT COURT
Clark county, Las Vegas

Electronically Filed
09/21/2016 02:06:13 PM

Alvin D. Blum

BRANDON STARR # 7014732

C.C.D.C.

CLERK OF THE COURT

330 S. CASINO CT

Las Vegas, NV 89101

CASE NO: C-14-303022-2

MC / PP

DEPT NO 19

OA / ADR - Maningo, Lance A Esq.

BRANDON STARR
Appellant

MOTION TO

WITHDRAW COUNSEL

vs -

MOTION TO

APPOINT APPELLANT COUNSEL

THE STATE OF NEVADA
Respondant

10-12-16

8:30A

Comes now here Brandon starr in this said motion
To withdraw counsel, and To appoint appellant counsel. This
motion is based on all paper's pleading and documents on
file herein.

Respectfully Submitted

Brandon Starr

BRANDON STARR # 7014732

CLERK OF THE COURT

RECEIVED
SEP 21 2016

DATED This 15th DAY of September 2016

RECEIVED

SEP 19 2016

CLERK OF THE COURT

RECEIVED

SEP 21 2016

CLERK OF THE COURT

00543

POINTS AND AUTHORITIES

I Express To This honorable Court That refused to remove counsel after Trial of said defendant in order For trial court to set A J.O.C. This has Nothing to do with appointing appellant Counsel That was present in court. Attorney Terrence m. Jackson gave me his card in court and was ready to be appointed. There For I ask That my appeal noticed be Filed and This said counsel Be appointed officially by This court. There should be know delay in This matter as I The defendant was sentence To 37 years To 150 years by This court. A Notice of appeal, and Appellant counsel should have been The number one Issue by This court For The defendant, as to Fair proceeding, and due process is now being violated. The defendant has a right to appellant counsel, and A notice of appeal to be Filed accordingly in and ample time Frame. There For I wish to inform The Court That This is also my Notice of appeal in This said case of trial.

Respectfully Submitted

Brandon Starr

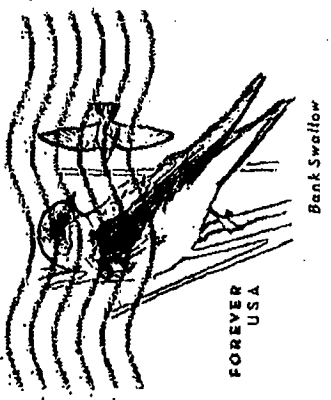
Brandon Starr #7014732

DATED This 15th DAY of September 2016

Brandon start # 7014732
C.C.D. Co.
330 S. Casino Ct.
Las Vegas, NV 89101

LEGACY
MAIL

LAS VEGAS NV 890
16 SEP 2016 PM 5 L



District Court, clerk
200 Lewis Ave 3rd Fl.
Las Vegas NV 89155-1160

000063-10168

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SENT FROM GSDC


CLERK OF THE COURT

1 **NOAS**
2 **TERRENCE M. JACKSON, ESQ.**
3 Nevada Bar No. 00854
4 Law Office of Terrence M. Jackson
5 624 South Ninth Street
6 Las Vegas, NV 89101
7 T: 702-386-0001 / F: 702-386-0085
8 Terry.jackson.esq@gmail.com
9 Counsel for Brandon Starr

10
11
12 **IN THE EIGHTH JUDICIAL DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**
14

15
16
17 THE STATE OF NEVADA,) District Case No.: C-14-303022-2
18)
19 Plaintiff,) Dept.: XIX
20 v.)
21)
22 BRANDON STARR,) **NOTICE OF APPEAL**
23 #7014732,)
24 Defendant.)
25)
26)
27)
28)

15
16 NOTICE is hereby given that the Defendant, BRANDON STARR, by and
17 through his attorney, TERRENCE M. JACKSON, ESQ., hereby appeals to the
18 Nevada Supreme Court, from the Judgment of Conviction, file-stamped September
19 20, 2016.

20
21 Defendant, BRANDON STARR, further states he is indigent and requests that
22 the filing fees be waived.

23
24 Respectfully submitted this 23rd day of September, 2016.

25 /s/ Terrence M. Jackson
26 Terrence M. Jackson, Esquire
27 Nevada Bar No. 00854
28 Law Office of Terrence M. Jackson
624 South Ninth Street
Las Vegas, NV 89101
T: 702-386-0001 / F: 702-386-0085
Terry.jackson.esq@gmail.com
Counsel for Brandon Starr

1 **CERTIFICATE OF SERVICE**

2 I hereby certify I am an assistant to Terrence M. Jackson, Esq., not a party to
3 this action, and on the 23rd day of September, 2016, I served a true, correct and e-
4 filed stamped copy of the foregoing: Defendant, BRANDON STARR'S, NOTICE OF
5 APPEAL as follows:

6
7 [X] Via Electronic Service (CM/ECF) to the Eighth Judicial District Court;
8 [X] Via the NSC Drop Box on the 17th floor of the Regional Justice Center;
9 [X] and by United States first class mail to the Nevada Attorney General and the
10 Defendant as follows:

11
12
13 STEVEN B. WOLFSON
14 Clark County District Attorney
15 steven.wolfson@clarkcountyda.com

STEVEN S. OWENS
Chief Deputy D.A. - Criminal
APPELLATE DIVISION
steven.owens@clarkcountyda.com

16
17
18 BRANDON STARR
19 Scope ID# 7014732
20 Clark County Detention Ctr.
21 330 S. Casino Center Dr.
22 Las Vegas, NV 89101

ADAM LAXALT
Nevada Attorney General
100 North Carson Street
Carson City, Nevada 89701

23
24 By: /s/ Ila C. Wills
25 Assistant to T. M. Jackson, Esq.


CLERK OF THE COURT

1 **ASTA**
2 **TERRENCE M. JACKSON, ESQ.**
3 Nevada Bar No. 00854
4 Law Office of Terrence M. Jackson
5 624 South Ninth Street
6 Las Vegas, NV 89101
7 T: 702-386-0001 / F: 702-386-0085
8 Terry.jackson.esq@gmail.com
9 Counsel for Brandon Starr

10
11
12 **IN THE EIGHTH JUDICIAL DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**
14

15
16
17
18 THE STATE OF NEVADA,) District Case No.: C-14-303022-2
19)
20 Plaintiff,) Dept.: XIX
21 v.)
22)
23 BRANDON STARR,) **CASE APPEAL STATEMENT**
24 #7014732,)
25 Defendant.)
26)
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1. Appellant(s): BRANDON STARR
 2. Judge: WILLIAM D. KEPHART
 3. Appellant(s): BRANDON STARR

Counsel:

Terrence M. Jackson
624 South Ninth Street
Las Vegas, NV 89101
(702) 386-0001

4. Respondent: STATE OF NEVADA

Counsel:

Steven B. Wolfson, District Attorney
200 Lewis Avenue
Las Vegas, NV 89101
(702) 671-2700

- 1 5. Appellant(s)'s Attorney Licensed in Nevada: YES
2 Permission Granted: N/A
3 Respondent(s)'s Attorney Licensed in Nevada: YES
4 Permission Granted: N/A
5 6. Appellant Represented by Appointed Counsel in District Court: YES
6 7. Appellant Represented by Appointed Counsel on Appeal: YES
7 8. Appellant Granted Leave to Proceed in Forma Pauperis: YES
8 9. Date Commenced in District Court: December 12, 2014.
9 10. Brief Description of the Nature of the Action: Criminal
10 Type of Judgment or Order Being Appealed: Judgment of Conviction
11 from a Jury Verdict.
12 11. NO. [unless co-defendant Hobson has pending case]
13 Supreme Court Docket Number(s): N/A
14 12. Child Custody or Visitation: N/A

15
16 Dated this 23rd day of September, 2016.

17
18 /s/ Terrence M. Jackson
19 Terrence M. Jackson, Esquire
20 Nevada Bar No. 00854
21 Law Office of Terrence M. Jackson
22 624 South Ninth Street
23 Las Vegas, NV 89101
24 T: 702-386-0001 / F: 702-386-0085
25 Terry.jackson.esq@gmail.com
26 Counsel for Brandon Starr
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