

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

LAS VEGAS METROPOLITAN  
POLICE DEPARTMENT,

Appellant,

vs.

LAS VEGAS REVIEW-JOURNAL,

Respondent.

Case No.: 78967      Electronically Filed  
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Elizabeth A. Brown  
Clerk of Supreme Court

Appeal from the Eighth Judicial District  
Court, The Honorable Joe Hardy  
Presiding.

**APPELLANT, LAS VEGAS METROPOLITAN POLICE DEPARTMENT'S,**  
**APPENDIX, VOLUME 10**  
**(Bates Nos. 2096-2345)**

**Marquis Aurbach Coffing**

Nick D. Crosby, Esq.

Nevada Bar No. 8996

Jackie V. Nichols, Esq.

Nevada Bar No. 14246

10001 Park Run Drive

Las Vegas, Nevada 89145

Telephone: (702) 382-0711

Facsimile: (702) 382-5816

ncrosby@maclaw.com

jnichols@maclaw.com

Attorneys for Appellant, Las Vegas Metropolitan Police Department

## **INDEX TO APPELLANT’S APPENDIX**

<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>LOCATION</u></b>
Public Records Act Application Pursuant to NRS § 239.001 / Petition for Writ of Mandamus (filed 05/31/18)	Vol. 1, Bates Nos. 1–29
Appendix of Exhibits in Support of Public Records Act Application Pursuant to NRS § 239.001 / Petition for Writ of Mandamus (filed 05/31/18)	Vol. 1, Bates Nos. 30–242 through Vol. 2, Bates Nos. 243–425 through Vol. 3, Bates Nos. 426–674 through Vol. 4, Bates Nos. 675–755
Opening Brief in Support of Public Records Act Application Pursuant to NRS § 239.001 / Petition for Writ of Mandamus (filed 07/05/18)	Vol. 4, Bates Nos. 756–815
Respondent Las Vegas Metropolitan Police Department’s Response to Las Vegas Review-Journal’s Opening Brief Regarding NRS § 239.001 / Petition for Writ of Mandamus (filed 07/26/18)	Vol. 4, Bates Nos. 816–860
Table of Contents of Exhibits Attached to Respondent Las Vegas Metropolitan Police Department’s Response to Las Vegas Review-Journal’s Opening Brief Regarding NRS § 239.001 / Petition for Writ of Mandamus (filed 07/26/18)	Vol. 4, Bates Nos. 861–869 through Vol. 5, Bates Nos. 870–1119 through Vol. 6, Bates Nos. 1120–1359 through Vol. 7, Bates Nos. 1360–1443
Reply to Response to Opening Brief in Support of Public Records Act Application Pursuant to NRS § 239.001 / Petition for Writ of Mandamus (filed 08/02/18)	Vol. 7, Bates Nos. 1444–1520

<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>LOCATION</u></b>
Transcript of August 8, 2018 Hearing on Public Records Act Application Pursuant to NRS § 239.001 / Petition for Writ of Mandamus	Vol. 7, Bates Nos. 1521–1558
Supplemental Brief Regarding Las Vegas Metropolitan Police Department’s Response to Las Vegas Review-Journal’s Petition for Writ of Mandamus (filed 08/20/18)	Vol. 7, Bates Nos. 1559–1596
Supplemental Brief in Support of Public Records Act Application Pursuant to NRS § 239.001 / Petition for Writ of Mandamus (filed 08/20/18)	Vol. 8, Bates Nos. 1597–1620
Appendix in Support of Supplemental Brief (filed 08/20/18)	Vol. 8, Bates Nos. 1621–1845 through Vol. 9, Bates Nos. 1846–2095 through Vol. 10, Bates Nos. 2096–2345 through Vol. 11, Bates Nos. 2346–2493
Transcript of August 22, 2018 Hearing on Supplemental Briefing	Vol. 11, Bates Nos. 2494–2568
Las Vegas Metropolitan Police Department’s Supplemental Brief in Support of Its Response to Las Vegas Review-Journal’s Petition for Writ of Mandamus (filed 08/29/18)	Vol. 11, Bates Nos. 2569–2577
Las Vegas Review-Journal’s Response to Las Vegas Metropolitan Police Department’s Second Supplemental Brief in Support of Its Response to Las Vegas Review-Journal’s Petition for Writ of Mandamus (Addressing Unit Assignments) (filed 09/07/18)	Vol. 12, Bates Nos. 2578–2598

<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>LOCATION</u></b>
Appendix of Exhibits to Las Vegas Review-Journal's Response to Las Vegas Metropolitan Police Department's Second Supplemental Brief in Support of Its Response to Las Vegas Review-Journal's Petition for Writ of Mandamus (Addressing Unit Assignments) (filed 09/07/18)	Vol. 12, Bates Nos. 2599–2827 through Vol. 13, Bates Nos. 2828–3077 through Vol. 14, Bates Nos. 3078–3243
Notice of Entry with Order from August 8, 2018 Hearing (filed 09/11/18)	Vol. 14, Bates Nos. 3244–3250
Notice of Entry with Order from August 22, 2018 Hearing (filed 09/11/18)	Vol. 14, Bates Nos. 3251–3257
Las Vegas Metropolitan Police Department's Supplemental Brief in Support of Its Response to Las Vegas Review-Journal's Opening Brief Regarding NRS § 239.00 / Petition for Writ of Mandamus (filed 08/29/18)	Vol. 14, Bates Nos. 3258–3288
Petitioner the Las Vegas Review-Journal's Supplemental Brief Regarding Arrest Reports, Redactions, and Patrol Officer Unit Assignments (filed 03/18/19)	Vol. 14, Bates Nos. 3289–3313
Appendix of Exhibits in Support of Petitioner the Las Vegas Review-Journal's Supplemental Brief Regarding Arrest Reports, Redactions, and Patrol Officer Unit Assignments (filed 03/18/19)	Vol. 15, Bates Nos. 3314–3563 through Vol. 16, Bates Nos. 3564–3813 through Vol. 17, Bates Nos. 3814–3872
Transcript of March 27, 2019 hearing on Supplemental Briefing	Vol. 17, Bates Nos. 3873–3897
Notice of Entry with Order [Regarding Supplemental Briefing] (filed 04/12/19)	Vol. 17, Bates Nos. 3898–3909
Las Vegas Metropolitan Police Department's Motion for 54(b) Certification and for Stay Pending Appeal (filed 04/15/19)	Vol. 17, Bates Nos. 3910–3919

<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>LOCATION</u></b>
Notice of Non-Opposition to Las Vegas Metropolitan Police Department's Motion for 54(b) Certification and for Stay Pending Appeal (filed 05/10/19)	Vol. 17, Bates Nos. 3920–3926
Las Vegas Metropolitan Police Department's Reply in Support of Motion for 54(b) Certification and for Stay Pending Appeal (filed 05/15/19)	Vol. 17, Bates Nos. 3927–3930
Errata to Las Vegas Metropolitan Police Department's Reply in Support of Motion for 54(b) Certification and for Stay Pending Appeal (filed 05/15/19)	Vol. 17, Bates Nos. 3931–3935
Minute Order Granting Motion for 54(b) Certification and Stay Pending Appeal (filed 05/16/19)	Vol. 17, Bates No. 3936
Notice of Entry with Order [Regarding Respondent's Motion for 54(b) Certification and for Stay Pending Appeal] (filed 05/30/19)	Vol. 17, Bates Nos. 3937–3940
Respondent Las Vegas Metropolitan Police Department's Notice of Appeal (filed 06/05/19)	Vol. 17, Bates Nos. 3941–3948
Respondent Las Vegas Metropolitan Police Department's Case Appeal Statement (filed 06/05/19)	Vol. 17, Bates Nos. 3949–3952
Docket of Case No. A-18-775378-W	Vol. 17, Bates Nos. 3953–3956

1           A     I learned it about two weeks after I was there.  She  
2 always lied and said that her name was Sierra --

3           MR. WEINSTOCK:  Objection, Your Honor, calls for  
4 hearsay and calls for speculation.

5           THE COURT:  Response?

6           MS. MERCER:  Your Honor, technically it would be a  
7 statement of a co-conspirator which is exempted from the  
8 hearsay rule.

9           MR. WEINSTOCK:  I don't believe it is anymore, Your  
10 Honor.

11          THE COURT:  Approach, counsel.

12          (Bench conference transcribed as follows.)

13          THE COURT:  You can have a co-conspirator statement  
14 even if that co-conspirator's not charged.  So I don't  
15 understand why you think that -- that settling would eliminate  
16 -- would change anything.

17          MR. WEINSTOCK:  Okay.  Just --

18          THE COURT:  I want to make sure I understand your  
19 argument.

20          MR. WEINSTOCK:  They have to establish a conspiracy  
21 before they can argue statements by a co-conspirator.  And  
22 there was no conspiracy to pick up this woman.  They're not  
23 alleging there was a conspiracy to pick up this woman.  
24 Whatever [inaudible] --

25          THE COURT:  Well, you did allege -- they did allege

1 conspiracy in the indictment, [inaudible] conspiracy.

2 MR. WEINSTOCK: Not to pick her up. That's after  
3 she was picked up there.

4 MS. MERCER: That specifically alleges that they  
5 picked her up from the bus stop.

6 THE COURT: Okay. Okay. Anything else?

7 MS. MERCER: No, Your Honor.

8 THE COURT: Okay, thank you. I'm going to overrule  
9 that objection. Go ahead.

10 (End of bench conference.)

11 THE COURT: Objection's overruled. Please continue.

12 MS. MERCER: Thank you.

13 BY MS. MERCER:

14 Q Okay. So you indicated that it took you about two  
15 weeks to learn her true name. How did she initially identify  
16 herself?

17 A Sierra.

18 MS. MERCER: Your Honor, permission to approach the  
19 witness?

20 THE COURT: Yes.

21 BY MS. MERCER:

22 Q Now, I'm handing you what's been marked for  
23 identification purposes as State's Proposed Exhibit 94. Can  
24 you look at that exhibit and tell me whether you recognize  
25 what's depicted in it?

1           A     It's Kariah.

2           Q     Okay. And is this generally speaking how she  
3 appeared to you on March 9th of 2014?

4           A     She looks thin.

5           MS. MERCER: Your Honor, I would move for the  
6 admission of State's Exhibit 94 at this point.

7           MR. WEINSTOCK: No objection.

8           THE COURT: So admitted.

9                     (State's Exhibit 94 admitted.)

10          MS. MERCER: Publish, Your Honor?

11          THE COURT: You may publish.

12 BY MS. MERCER:

13          Q     So this is the individual that was seated in the  
14 driver -- or the passenger seat, correct?

15          A     Yes.

16          Q     Do you see the individual that was seated in the  
17 driver's seat in the courtroom today?

18          A     Yes.

19          Q     Could you look at him and identify an article of  
20 clothing that he's wearing today?

21          A     He's wearing a gray blazer, jacket piece.

22          Q     There are three people -- three people seated at the  
23 table. Which end of the table is he seated in?

24          A     He's on the very right side.

25          Q     You're far right?



1 MS. MERCER: Your Honor, may the record reflect that  
2 she's identified the defendant?

3 MR. WEINSTOCK: No objection.

4 THE COURT: Yes, so noted.

5 BY MS. MERCER:

6 Q Ms. Richards, you initially called him LR. What --  
7 is LR how he identified himself to you?

8 A Yes.

9 Q And did you learn who LR stood for?

10 A Yes.

11 Q What did it stand for?

12 A Little Rob.

13 Q You indicated that Kariah spoke to you in front of  
14 the bus stop?

15 A Uh-huh.

16 Q Is that a yes?

17 A Yes.

18 Q What did she specifically tell you?

19 A She asked if I wanted to go hang out and if I wanted  
20 to go party and I thought it was my last night in Vegas so I  
21 might as well go have fun.

22 Q Approximately how long were they stopped in front of  
23 the bus stop talking to you that afternoon?

24 A Maybe -- maybe five, 10 minutes.

25 Q Did you eventually get into the vehicle with them?

1           A     Yes, I did.

2           Q     Why did you get into the vehicle with them?

3           A     Because I wanted to do something fun and because her  
4 age, she looked younger than me I thought and so I thought it  
5 seemed safe, but I kind of questioned it when -- with him in  
6 the car but I did get in.

7           Q     When you got into the vehicle where did the three of  
8 you go?

9           A     We started driving. He said that we're going to go  
10 to his house or their house at that point and we're going to  
11 just grab some alcohol and then we'll go back to the Strip.  
12 But when we got there he said let's just hang out here for a  
13 while.

14          Q     Now, prior to getting into the vehicle with them,  
15 did either one of them ever mention to you any sort of  
16 prostitution related activities?

17          A     No.

18          Q     Did they ever mention to you that they were involved  
19 in prostitution related activities?

20          A     No.

21          Q     When you got into the vehicle and you headed towards  
22 their house, do you remember how you got to the house, like  
23 what route you took?

24          A     We got on the highway.

25          Q     Do you remember the address of that house?

1           A     Not off the top of my head.

2           Q     Would you recognize a picture of the house if I  
3 showed you a picture?

4           A     Yes.

5           MS. MERCER: Your Honor, permission to approach the  
6 witness?

7           THE COURT: Yes. Yes, ma'am?

8           JUROR: Can we put the mic a little closer so we can  
9 hear her better?

10          THE COURT: Yes, ma'am. Thank you. If you cannot  
11 -- if you have any further trouble hearing the witness, please  
12 raise your hand again. Thank you.

13 BY MS. MERCER:

14          Q     Ms. Richards, I'm handing you what's been marked for  
15 identification purposes as State's Proposed Exhibit 11. Do  
16 you recognize what's depicted in this exhibit?

17          A     It's his house that we stayed at.

18          Q     And is this how it appeared back in March of 2014?

19          A     Uh-huh.

20          Q     Was that a yes?

21          A     Yes.

22          MS. MERCER: Move for the admission of State's  
23 Exhibit 11, Your Honor.

24          MR. WEINSTOCK: No objection.

25          THE COURT: Eleven is admitted.

1 (State's Exhibit 11 admitted.)

2 MS. MERCER: Permission to publish?

3 THE COURT: Yes.

4 BY MS. MERCER:

5 Q You mentioned that the defendant told you he was  
6 going to -- or that you guys would stop and get alcohol on the  
7 way to the house.

8 A Uh-huh.

9 Q Was that a yes?

10 A Yes.

11 Q Did you in fact make a stop to purchase alcohol?

12 A Yes.

13 Q Who actually purchased the alcohol?

14 A LR.

15 Q Was -- where did you guys stop to purchase the  
16 alcohol?

17 A I don't know.

18 Q Was it close to the house?

19 A It was after we got off the highway.

20 Q How much time did you end up spending at that house  
21 once you arrived?

22 A We were there from probably -- I probably got there  
23 at eight and I was there until four or five.

24 Q Four or five in the morning?

25 A Yes, in the morning.

1 Q What were you doing throughout that time?

2 A We were drinking, talking, hanging out. We watched  
3 Ride Along.

4 Q A movie?

5 A Yes.

6 Q And who was present at the house during this time  
7 period?

8 A All three of us; Kariah, LR and I.

9 Q Were you also smoking marijuana?

10 A Yes.

11 Q During the time that you spent at that house until  
12 four or five o'clock in the morning, was the topic of  
13 prostitution ever brought up?

14 A No.

15 Q At about four or five in the morning what happened?

16 A I said that he needed to take me home so I could  
17 pack my stuff so I could get on the busses to get to the  
18 Greyhound station and he asked me if I -- if he wanted -- if I  
19 wanted him to drive me to the Greyhound station so I wouldn't  
20 have to be up so late and so I could get some sleep.

21 Q What did you say to him?

22 A I said that sounded really nice.

23 Q So did you ultimately --

24 A Uh-huh, we went back --

25 Q -- agree to that?

1           A     -- we went back to grab my stuff from my house.  And  
2 I had already had the stuff like set out so I could just pack  
3 it really quick.  And we went back to LR's house and he told  
4 me to go ahead and go to sleep in the pink room.  And -- and  
5 he asked me what time my bus left and I said what time I have  
6 to be -- be out the door by so I could get there on time.

7           Q     And what time did you tell him you needed to be out  
8 of the door?

9           A     I said I wanted to be out by 12:30.

10          Q     When you say that we went to go get your belongings  
11 from your house --

12          A     They drove me, Kariah and LR both drove me there and  
13 I got out.

14          Q     And what car did they drive you there in?

15          A     The Honda.

16                MS. MERCER:  Permission to approach, Your Honor?

17                THE COURT:  Yes.

18                MR. WEINSTOCK:  No objection, Your Honor.  Excuse  
19 me, I'm premature.  I'll get there.

20 BY MS. MERCER:

21          Q     Ms. Richards, I'm handing you what's been marked as  
22 State's Proposed Exhibit 68.  Do you recognize what's depicted  
23 in this exhibit?

24          A     Yes.

25          Q     How do you recognize it?

1           A     That was the black Honda, I believe.

2           Q     The black Honda that they stopped in -- at the bus  
3 stop and drove you to your family's house?

4           A     I -- I don't know. I remember there was a lot of  
5 scrapes on the side of that car.

6           Q     Let me hand it to you again. I'll let you look at  
7 it closer.

8           A     Yes. It did have a California license plate too.

9           Q     And is this, generally speaking, how it appeared to  
10 you back during this time period? Does this fairly and  
11 accurately depict the way it looked?

12          A     Yeah.

13               MS. MERCER: Move for the admission of State's  
14 Exhibit 68.

15               MR. WEINSTOCK: No objection.

16               THE COURT: 68 is admitted.

17                       (State's Exhibit 68 admitted.)

18 BY MS. MERCER:

19          Q     While you were gathering your belongings at your  
20 aunt and uncle's house before returning to the defendant's  
21 house, what were they doing?

22          A     They said that they were going to go down to the  
23 Strip.

24          Q     So they didn't go into your aunt and uncle's house  
25 with you?

1           A     No, they didn't.

2           Q     You indicated that when you returned to the house  
3 they told you -- or the defendant told you you could sleep in  
4 the pink room?

5           A     Yes.

6           Q     Why do you call it the pink room?

7           A     Because the walls were painted light pink.

8                 MS. MERCER: Permission to approach again, Your  
9 Honor?

10                THE COURT: Yes.

11 BY MS. MERCER:

12           Q     Ms. Richards, I'm handing you what's been marked for  
13 identification purposes as State's Proposed Exhibits 31, 32  
14 and 33. Can you look at these and tell me whether you  
15 recognize them?

16           A     Yes, that's the pink room.

17                 MS. MERCER: Your Honor, move for the admission of  
18 31 through 33.

19                 MR. WEINSTOCK: Your Honor, I would object at this  
20 time as to foundation. We don't know who, where, when or why  
21 the pictures were taken.

22                 THE COURT: May I see? Ms. Mercer, what foundation  
23 have you laid with respect to these photos?

24                 MS. MERCER: Your Honor, the witness just testified  
25 that that's the pink room that she slept in on March 10th of



1 2014 -- or March 9th of 2014.

2 THE COURT: All right. I want you to lay just a  
3 little bit more foundation. I think we need to confirm this  
4 is what she recalls seeing. Thank you.

5 BY MS. MERCER:

6 Q Ms. Richards, you just had a chance to look at  
7 State's Exhibits 31 through 33, correct?

8 A Yes.

9 Q And do these photos -- photographs fairly and  
10 accurately depict the room that you slept in on March 9th of  
11 2014?

12 A There's different furniture a little bit but, yes,  
13 it was -- it's the same room, same closet.

14 Q How do you recognize the closet?

15 A The closet had -- was not -- the only thing that  
16 wasn't painted and --

17 Q When you said --

18 A -- I had to --

19 Q I'm sorry. When you say the only thing that wasn't  
20 painted, do you mean the only thing that wasn't painted light  
21 pink?

22 A Yes, it was painted white.

23 Q And you were about to say something else?

24 A And after that -- after that night that was the room  
25 I stayed in the whole time mostly other than the exercise room

1 and the garage.

2 MS. MERCER: I would renew my request to admit 31  
3 through 33, Your Honor.

4 THE COURT: How is the furniture different?

5 THE WITNESS: There's baby furniture in there. The  
6 TV and the stand are still in the exact same spot they were  
7 put in and the white case is still the same. The little girl  
8 stuff is different, there wasn't there then. And then some of  
9 the stuff on the white case is different. There wasn't  
10 anything on the white cases.

11 BY MS. MERCER:

12 Q The white bookcase?

13 A Yes.

14 THE COURT: Well -- so for what purpose are you  
15 seeking to introduce these exhibits then? Just to show that  
16 she was in a room that changed in furniture and furnishings  
17 and paint?

18 MS. MERCER: Well, to establish that there was in  
19 fact a pink room in the house and that it's consistent --

20 THE COURT: Pink room -- I understand. All right.  
21 Well, so over defense objection that those photographs will be  
22 admitted for the limited purpose of -- the limited purpose of  
23 establishing that there was in fact a room where the victim  
24 spent some time.

25 (State's Exhibit 31 through 33 admitted.)

1 MS. MERCER: Thank you, Your Honor.

2 THE COURT: Thank you.

3 BY MS. MERCER:

4 Q Ma'am, I'm publishing State's Exhibit 31. You  
5 indicated that this TV and stand were -- are in the exact same  
6 position as when you stayed in that room?

7 A Yeah.

8 THE COURT: So that's 31 and 33?

9 MS. MERCER: Thirty-one, 32 and 33.

10 THE COURT: Thirty-one, 32 and 33.

11 A That white case is new too.

12 BY MS. MERCER:

13 Q The white bookcase?

14 A Yes.

15 Q Is that right here?

16 A Uh-huh. None of that stuff was on that.

17 Q So it was just empty when you stayed in there?

18 A Yeah, the case was empty.

19 Q I'm showing State's Exhibit 32. You indicated that  
20 the -- this is the closet that was the only part of the room  
21 that wasn't light pink?

22 A Yes.

23 Q You said something about baby clothes. Were those  
24 baby clothes in there at the time that you were staying in  
25 that room?

1 A No.

2 Q Showing you State's Exhibit 33. Was that chair in  
3 the room at the time that you were staying in the room?

4 A No.

5 Q Ms. Richards, did you in fact go into the pink room  
6 and sleep in the pink room?

7 A Yes.

8 Q At the time that you slept there on March 9th of  
9 2014, was there a bed in there?

10 A Yes.

11 Q Was --

12 A It was a California King, it was really, really big.  
13 It filled up the whole room pretty much.

14 Q Do you recall what time you woke up after you fell  
15 asleep?

16 A It was after 12:30.

17 Q After 12:30 p.m. or a.m.?

18 A P.m.

19 Q When you woke up after 12:30 p.m. who was present at  
20 the house?

21 A Kariah. She was in the living room and she said  
22 that he -- he left and that he was just down the street and he  
23 was getting stuff or something like that. He had to run an  
24 errand. I kept asking her to text him because I didn't have  
25 his phone number. And I asked her if I should get a taxi and

1 she kept going, no, he's around the corner, he's around the  
2 corner. And he walked in at like 1:30.

3 Q You said that you asked her to contact him because  
4 you didn't have his telephone number?

5 A Yes.

6 Q Do you know whether she ever called him?

7 A No, I'm not sure.

8 Q Was she doing anything with her phone that made you  
9 believe she might be trying to contact him?

10 A She said she kept texting him and she would bring  
11 her phone out and mess around on it.

12 Q At some point did he return to the house?

13 A Yes, at 1:30.

14 Q One-thirty p.m. or a.m.?

15 A P.m.

16 Q When he arrived at the house at 1:30 p.m. -- well,  
17 what time was your bus supposed to leave that morning -- or  
18 that afternoon?

19 A One-thirty. Supposed to leave at 1:30. He walked  
20 in as it was pulling out of the station.

21 MR. WEINSTOCK: Objection, assumes facts not in  
22 evidence.

23 THE COURT: Well, sustained.

24 BY MS. MERCER:

25 Q When he walked into the house, that was the time you

1 knew your bus was supposed to be departing?

2 A Yes.

3 Q What did you do at that point?

4 A I panicked so I said let's get the car, let's try  
5 and get me there. And then we were -- we weren't even -- we  
6 weren't even five minutes away from the house and I was just  
7 like this is not -- I missed it. I knew I missed it. I said  
8 just turn around, just go home.

9 Q Who was in the car at that point?

10 A It was only me and LR.

11 Q Were you in that same Honda?

12 A Yes.

13 Q Did you return to the house that you stayed the  
14 night in?

15 A Yes. And he parked the car on the driveway and --

16 Q When he parked the car, did the two of you have a  
17 conversation inside of the car before going into the house?

18 A Yes, we -- we talked.

19 Q What did he say to you during that conversation?

20 A He said that, you know, this -- I'm a pimp, she is  
21 my ho and he said that it's actually not a bad thing and you  
22 can make a lot of money in it and that you can -- you can get  
23 all these good things out of it.

24 Q What -- did he tell you what kinds of good things  
25 you could get out of it?

1           A     A lot of material, like clothes and the cars and the  
2 house and jewelry.

3           Q     When he told you that Kariah was his ho, what did  
4 you take that to mean?

5           A     That she was his prostitute. And he said that I  
6 could try it out just for a short time. You could try it out  
7 and if I don't like it he will pay me the 500 for going and  
8 doing it. So like he would buy the ticket for me and would  
9 give me some to leave with.

10          Q     Buy what ticket?

11          A     Buy my Greyhound ticket that I missed. And I  
12 remember I said, well, you kind of -- you kind of made me have  
13 to do it or have to try it. He goes, no, no, no, you can go  
14 back to your family's house, I can drop you off there right  
15 now, but he knew that I was running away. I was running away  
16 from my family on purpose, there was a reason why I was doing  
17 that. I thought it was the worst place in the world.

18          Q     Prior to that conversation with the defendant in the  
19 Honda as it was parked in the driveway, had you ever had any  
20 dealings with pimp, prostitute world?

21          A     I was never a prostitute before that, no.

22          Q     And was that the very first time that you'd heard  
23 anything about him being a pimp?

24          A     Yes.

25          Q     You said that when he offered to take you back to

1 your family members you didn't feel that was an option.

2 A No, I didn't feel like that was an option.

3 Q Did you ultimately agree to stay with the defendant  
4 and Kariah?

5 A Yes, I did.

6 Q When you first met the defendant and Kariah -- I  
7 don't mean to ask you a personal question, but how much did  
8 you weigh?

9 A I was probably 150.

10 Q What was your hairstyle at the time?

11 A I had long blonde hair that was down to my butt.

12 MS. MERCER: Permission to approach the witness,  
13 Your Honor?

14 THE COURT: Yes.

15 BY MS. MERCER:

16 Q Ms. Richards, I'm showing you State's Proposed  
17 Exhibit Number 50. Could you take a look at that picture and  
18 tell me whether you recognize it?

19 A Yes, that was me.

20 Q And this is you when?

21 A It was that summer before, probably July of 2013.

22 Q And is this approximately how you looked when you  
23 first met the defendant and Kariah in March of 2014?

24 A I weighed a little less, but yes.

25 MS. MERCER: I would move for the admission of



1 State's Exhibit 50, Your Honor.

2 MR. WEINSTOCK: No objection.

3 THE COURT: Fifty's admitted.

4 (State's Exhibit 50 admitted.)

5 BY MS. MERCER:

6 Q You indicated that that picture was taken around  
7 July of 2013?

8 A Yes.

9 Q Where was it taken?

10 A It was at a church event, church barbecue.

11 Q And when you met the defendant was your hair still  
12 that long?

13 A It was longer, a little bit longer.

14 Q Approximately how long did that conversation with  
15 the defendant in the car in front of the residence last?

16 A About 20, 25 minutes.

17 Q Once the conversation was completed, did you go back  
18 into the house?

19 A Yes.

20 Q And what did -- how long did you spend at the house  
21 at that point?

22 A Not long. We -- I got my bag, put it into the pink  
23 room, my suitcase, and we were talking about going to the  
24 mall. And so I got ready to just go to the mall.

25 Q Why did you put your stuff in the pink room?

1           A     Because he told me that's where I'm going to sleep.  
2     That's where I was gonna stay.

3           Q     And then you guys were going to go shopping, is that  
4     what you said? Did you ultimately go shopping later that  
5     afternoon?

6           A     Yes.

7           Q     Where did you all go?

8           A     The outlet mall that's near downtown.

9           Q     Who all went?

10          A     It was just me and LR.

11          Q     When you went shopping what stores did you go to?

12          A     We went to bebe, I got a pink ruffly shirt. It was  
13     peach and it was -- had this black piece on it right here at  
14     the neck and a circle and then it had the ruffles on the side.  
15     And then I got a pair of like black stretchy pants from there.  
16     And then we went to Steven Madden and got me a pair of wedges.

17          Q     And you said it had -- it had something right here  
18     and you circled the area of your sternum, for the record,  
19     correct?

20          A     Yes.

21                 MS. MERCER: Permission to approach the witness,  
22     Your Honor?

23                 THE COURT: Yes.

24                 MR. WEINSTOCK: Court's indulgence.

25     BY MS. MERCER:

1           Q     Ms. Richards, I'm handing you what's been marked for  
2 identification purposes as State's Proposed Exhibit 78 and 79.  
3 Can you tell me whether you recognize what's depicted in these  
4 exhibits?

5           A     Yes.

6           Q     And how do you recognize them?

7           A     It was one of the outfits I wore but it wasn't the  
8 one I wore that night.

9           Q     Okay. Is this the -- is this the shirt that was  
10 purchased on March 10th of 2014?

11          A     No, that's a different one.

12          Q     When was this one purchased?

13          A     End of April, beginning of May.

14          Q     And who purchased it for you?

15          A     LR.

16          Q     The defendant?

17          A     Yes.

18                MS. MERCER: Move for the admission of State's  
19 Exhibit 78 and 79, Your Honor.

20                MR. WEINSTOCK: It's submitted, Your Honor.

21                THE COURT: All right. Seventy-eight and 79 are  
22 admitted.

23                       (State's Exhibit 78 and 79 admitted.)

24 BY MS. MERCER:

25           Q     Publishing State's Exhibit 78 on the overhead. Is

1 this one of the bebe shirts that he purchased for you while  
2 you were with him?

3 A Yes.

4 Q And that Exhibit 79 is just a close-up of the tag?

5 A Yes.

6 Q You indicated that it was just you and the defendant  
7 when you went out shopping that first day?

8 A Yes.

9 Q While you were shopping were the two of you having a  
10 conversation?

11 A Yes.

12 Q And what kinds of things was the defendant saying to  
13 you while you were shopping that day?

14 A He was just talking about how -- how good it was to  
15 -- to prostitute and how I was going to make money and how I  
16 could do anything I wanted. Like I could be anywhere or live  
17 in a penthouse or drive a nice car or -- and that it was easy  
18 and that -- just tried to make it seem okay.

19 Q When he spoke to you about pimping and prostituting,  
20 did he ever use a term to describe that --

21 A The life?

22 Q Yes.

23 A He liked to call it the life more than the game but  
24 he called it both.

25 Q So he called it the life and the game?

1           A     Uh-huh.

2           Q     How long did the two of you spend shopping that day?

3           A     Maybe an hour, a little less. I don't know.

4           Q     When you were done shopping what did you do?

5           A     We went back to the house.

6           Q     Was Kariah at the house when you returned?

7           A     Yes.

8           Q     Once you were at the house what did you do?

9           A     He said just relax and then we'll start getting

10 ready. And then we put on makeup, got our hair done -- ready

11 and put on the clothes and he went and grabbed food as we were

12 getting closer to the time we were going to leave.

13          Q     Did he bring the food back to the house?

14          A     Yes.

15          Q     Did you at some point leave the house again that

16 evening?

17          A     Yes.

18          Q     Do you know what time you left?

19          A     I don't know.

20          Q     Was it dark outside?

21          A     Yes, it was.

22          Q     And who left the house when you left again?

23          A     It was all three of us, me, Kariah and LR.

24          Q     What car did you leave in?

25          A     The Honda.

1 Q Who was driving?

2 A LR.

3 Q Where did you go?

4 A We went to the Strip and we went to Aria.

5 Q Aria Hotel and Casino?

6 A Yes. He pulled up in front of the Aria and he told  
7 us to walk up to the main entrances where the elevators are.

8 Q Who is us?

9 A Me and Kariah. And he had us walk through the front  
10 doors.

11 Q Prior to being dropped off at the Aria did you and  
12 the defendant ever have a conversation about what types of  
13 things he expected from you?

14 A He said at the house we were talking and he talked  
15 about how I had looked at a black guy at the -- at the mall  
16 and he told me that that's typically being out of pocket and  
17 that I wasn't supposed to do that.

18 Q Did he tell you why you weren't supposed to look at  
19 another black male?

20 A Because then I would be his property.

21 Q His property or his prostitute?

22 A His prostitute and property.

23 Q And the phrase that he used to describe that was  
24 being called -- was out of pocket?

25 A Yes.

1           Q     What other things did he tell you with regards to  
2 how he expected you to act?

3           A     He said -- he kind of told me the pricing on what we  
4 would charge, the --

5           Q     What was --

6           A     -- the tricks or the Johns. Five hundred for an  
7 hour, 30 minutes for 300. Twenty minutes for 200 and then 10  
8 minutes would be 100.

9           Q     You used the word trick?

10          A     Yes.

11          Q     Is that a term used to describe the customer?

12          A     Yes.

13          Q     Did he -- what if anything did he tell you about the  
14 money that you were -- that you might earn from a john?

15          A     That I was to give it to him.

16          Q     Why was that?

17          A     Because he was going to take care of me and I didn't  
18 need to worry about the money, I just had to make the money.  
19 And that he was going to -- that men are better at taking care  
20 of money, so he'll make sure I have everything I need.

21          Q     Were you allowed to keep any percentage of that  
22 money?

23          A     No.

24          Q     You indicated that he discussed with you what he  
25 expected you to charge --

1           A     Yes.

2           Q     -- customers?  What if anything did he say to you  
3 with regards to what you should do to earn that money?

4           A     As little as possible.

5           Q     Why is that?

6           A     Because he'll give you more money if you charge  
7 smaller amounts.  He was just trying to get as much money out  
8 of the customers --

9                   MR. WEINSTOCK:  Objection, calls for speculation.

10                  THE COURT:  That's sustained.

11 BY MS. MERCER:

12           Q     Did he tell you why he wanted you to do as little as  
13 possible to earn that money?

14           A     Because we could get more money because they would  
15 want more and more and more.

16           Q     When you first met the defendant and Kariah, did you  
17 have any money on your person?

18           A     Yes.

19           Q     What did you have?

20           A     I had a Walmart gift card that was about -- it was  
21 about 300 on it I had left.

22           Q     What happened to that gift card?

23           A     He -- he said that he was going to take care of it  
24 because I didn't have enough to buy the ticket.  He said that  
25 he was going to take it and that if I don't like what I'm



1 doing after a while then I could -- he'll give me it back.

2 He'll buy the ticket and he'll give me more later.

3 Q When you first met them did you have a phone, a cell  
4 phone?

5 A I had my iPhone and when I went to my aunt and  
6 uncle's house I wanted to leave it there because I didn't want  
7 my dad paying for a phone if I lived in Ohio. And I had a  
8 phone that I bought from Walmart and that phone was -- I was  
9 going to get it turned on on the train -- or, I'm sorry, on  
10 the bus and I paid for that and bought it before I met them.

11 Q Okay. So when you very first met them at the bus  
12 stop you had an iPhone that your father had given to you?

13 A Yes, and he paid the bill.

14 Q And you left that iPhone at your aunt and uncle's  
15 when you went back to get your stuff?

16 A Yes.

17 Q You said that you didn't want him paying for the  
18 phone bill, why?

19 A Because I wasn't going to be in contact with him. I  
20 didn't want to be in contact with him.

21 Q That cell phone that you purchased from Walmart, was  
22 it the type of phone that had to be loaded with minutes every  
23 month?

24 A It was the pay as you go phones, yes.

25 Q When you got dropped off at the Aria with Kariah,

1 did you have the phone on you?

2 A I had the pay as you go phone on me.

3 Q Were you given any instructions as to what you  
4 should do in the event that you found a customer?

5 A I would go up to the room.

6 Q And what were you supposed to do once there?

7 A As little as possible but something sexual was what  
8 was -- what they expected.

9 Q Were you supposed to do anything to notify the  
10 defendant that you had a customer?

11 MR. WEINSTOCK: Objection, leading.

12 THE COURT: Overruled.

13 A I was supposed to text the room number that I was  
14 in. He would always know which hotel room -- which hotel we  
15 were in. And when I got the money in my hand I was supposed  
16 to text the amount that I got.

17 BY MS. MERCER:

18 Q Did he tell you why he wanted those two text  
19 messages?

20 A The amount was because he would time me and how long  
21 I was in the room. And the hotel room was if he needed to  
22 call security because the -- the trick was trying to get  
23 violent, that he would know which room to call security to.

24 Q At what point were you supposed to send him the text  
25 with the room number in it?

1           A     Right when we were walking up to the door.

2           Q     Of the room?

3           A     Yes.

4           Q     And then you said that you were supposed to send him  
5 the next text with the dollar amount once you were completed  
6 and had the money in your hand?

7           A     Yes.

8           Q     And so he was able to time you -- time how long you  
9 were with each customer based upon those text messages?

10          A     Yes.

11          Q     And why was that? Did he tell you why that was  
12 important?

13          A     I remember he said it was because he was going to  
14 protect us.

15          Q     I'm sorry, that was a bad question. Did he tell  
16 you --

17               MR. WEINSTOCK: Your Honor, I think she gets to  
18 answer that question.

19               THE COURT: Well, she answered it and now she can  
20 have a follow-up question.

21 BY MS. MERCER:

22          Q     Did he tell you why it was important that he be able  
23 to time how long you were in the room with each customer?

24          A     Just so if we were in there too long or we were  
25 messing around we would get punished and he would know that we

1 were messing around.

2 Q What do you mean by messing --

3 THE COURT: You've got to speak a little bit louder,  
4 please. Thank you.

5 A Okay.

6 BY MS. MERCER:

7 Q What do you mean messing around?

8 A If we were in the room too long, if we weren't  
9 paying attention. If we weren't making the money he expected  
10 us to make he would get really mad.

11 Q How did he want you to refer to him as?

12 A Daddy.

13 Q Did he tell you why he wanted you to call him daddy?

14 A No.

15 Q When you went to the Aria on March 10th of 2014, you  
16 indicated that you and Kariah were dropped off together?

17 A Yes.

18 Q Once you all were dropped off where did you go?

19 A We went through the doors and went past the first  
20 bar. And every time we went into a casino we were required to  
21 do that, I know that now. And --

22 MR. WEINSTOCK: Objection, nonresponsive, Your  
23 Honor.

24 THE COURT: Let's -- let's hear a whole answer. She  
25 hasn't finished answering yet.

1           A     We were walking past the second bar and he said just  
2 stay in the casino areas and look for chicks there.

3 BY MS. MERCER:

4           Q     Who told you that?

5           A     He did and she was --

6           Q     The defendant?

7           A     -- supposed to show me. Yes.

8           Q     So he was telling you who to look for?

9           A     Yes.

10          Q     And you said that she was supposed to show you?

11          A     Yes.

12          Q     Who told you that she was supposed to show you?

13          A     LR told me that Kariah was supposed to show me.

14          Q     Did you in fact end up working with Kariah that  
15 night?

16          A     Yes.

17          Q     After he gave you those initial instructions about  
18 where to look for potential clients or customers, did he leave  
19 the two of you?

20          A     Yes, he -- he was still in the car. He told her to  
21 get on the phone and we always had to call him when we were in  
22 the casinos but he was not around.

23          Q     When you and Kariah went into the Aria that night,  
24 did you end up finding customers?

25          A     Yes, we did.

1 Q Where did you -- how did you meet them?

2 A They -- they directly walked up to us actually and  
3 they asked us if we were prostitutes and she just kind of  
4 looked at me in kind of in a way to say don't speak and so I  
5 didn't say anything and she just talked and she negotiated  
6 prices with them.

7 Q What was the price that was negotiated?

8 A Five hundred.

9 Q Five hundred dollars total or \$500 for each of you?

10 A Each because there was two, two guys.

11 Q And what was that \$500 supposed to get them?

12 A An hour.

13 Q An hour of what?

14 A They expected sex.

15 Q How many gentlemen walked up to you and approached  
16 you about sex for money that first night when you were with  
17 Kariah?

18 A Just one -- well, there was two guys but they were  
19 in the same hotel room and they were together.

20 Q Did you and Kariah end up going with those two  
21 gentlemen?

22 A Yes.

23 Q And where did you go?

24 A We went up to their hotel room.

25 Q Was it in the Aria?

1           A     Yes.

2           Q     When you got up to the room what happened?

3           A     She got the money from them and me and one of the  
4 guys went to the bathroom.

5           Q     And what did you do to earn the money that you were  
6 paid?

7           A     That night a hand job.

8           Q     I don't mean to ask you any embarrassing questions  
9 but could you please tell the jurors what you mean when you  
10 say a hand job?

11          A     I rubbed -- I rubbed his penis until it ejaculated.

12          Q     When the two of you were done where did you go at  
13 that point?

14          A     He -- LR had got on the phone with Kariah and he  
15 said to go back out the front doors and to turn on Las Vegas  
16 Boulevard and go to the Walgreens. And so we walked down the  
17 same way we came up and walked to the Walgreens and his car  
18 was waiting there. And after that we drove home for the  
19 night.

20          Q     Who drove you home that night?

21          A     LR.

22          Q     When you were out with Kariah that night, did she  
23 give you any instructions -- you indicated that when you were  
24 dropped off the defendant told you that she would show you how  
25 to spot potential johns?

1           A     Yes.

2           Q     While you were with Kariah that night did she tell  
3 you -- did she give you any instructions or guidance as to how  
4 to spot a potential john?

5           MR. WEINSTOCK:  Objection, hearsay.

6           MS. MERCER:  It's a statement of the co-conspirator  
7 in furtherance of the conspiracy [indiscernible].

8           THE COURT:  Overruled.  I believe it's admissible  
9 under NRS51.035.

10          MS. MERCER:  Thank you, Your Honor.

11 BY MS. MERCER:

12          Q     You can answer the question.  Do you remember the  
13 question?

14          A     Can you repeat it?

15          Q     Sure.  When you were with Kariah that night at the  
16 Aria on March 10th of 2014, did she give you any instructions  
17 or guidance with regards to how to spot potential customers?

18          A     Over the next two or three weeks we worked together  
19 and she kind of told me how to do it.

20          Q     What were those instructions?

21          A     She said that you stood at the slot machines and  
22 usually guys will look at you.  The slot machines are around  
23 the bars or just walk around and you smile at them and you be  
24 friendly with them.  And a lot of time you would ask them for  
25 a cigarette if you thought they would be potential ones



1 because that would start a conversation with them.

2 Q Did she tell you types of men that you should look  
3 for?

4 A Yes. The best would be guys that are white, usually  
5 40s, businessmen. And if you could get a married one, that's  
6 really good.

7 Q Did she tell you why you should look for married  
8 men?

9 A Because if they tried to do anything, like take  
10 their money back or whatever, that usually wouldn't happen  
11 with a married guy because he wouldn't want his wife to find  
12 out.

13 Q After that first night on March 10th of 2014 when  
14 you worked with Kariah at the Aria, did you continue to stay  
15 with them?

16 A Yes.

17 Q Did you continue to work as a prostitute?

18 A Yes.

19 Q Why did you continue to stay with them and why did  
20 you continue to work as a prostitute?

21 A Because they said that they were -- if I didn't like  
22 it I could go but it was -- I said that he wanted me to try it  
23 for a certain amount of time and that's what I agreed to.

24 Q How long did he want you to try it for?

25 A I believe it was two or three weeks.

1 Q When you made -- when you and Kariah made that  
2 initial \$500 a piece on March 10th of 2014, did you see what  
3 happened with that money?

4 A She had gave it directly to him in the car.

5 Q In the car at the Walgreens?

6 A I believe it was when we started driving back to the  
7 house.

8 Q So you did not keep any of the money?

9 A No.

10 Q In the initial stages of being with the defendant  
11 and Kariah, approximately how many nights a week would you  
12 work?

13 A It was about two -- two or three times a week.

14 Q And who decided when you would work?

15 A LR.

16 Q Do you know approximately what time you would go out  
17 to work?

18 A A lot of time it was -- it was later like two or  
19 three.

20 Q Two or three in the morning or in the afternoon?

21 A In the morning.

22 Q About how long would you stay out when you would  
23 work?

24 A It -- it depended but usually a couple hours, three  
25 or four hours.

1           Q     And you said that over the next couple -- or two to  
2 three weeks you worked with Kariah?

3           A     Yes.

4           Q     When you would go out to work those two to three  
5 times a week, about how much money were you earning?

6           A     The whole time I was there -- we like -- I got about  
7 200 each trick, I averaged that.

8           Q     You averaged \$200 per customer?

9           A     Yes.

10          Q     And about how many customers would you have in any  
11 given night?

12          A     There were some nights where I had -- a lot of time  
13 it was I had one or two. But there were some nights I had  
14 five or four.

15          Q     So you might make anywhere from \$200 to \$1,000 a  
16 night?

17          A     Yes. Most of the time -- most of the time we had to  
18 come home with more than three or four.

19          Q     Why do you say you had to come home with more than  
20 three or four a night?

21          A     Because he would get really mad if we didn't.

22               MR. WEINSTOCK: Objection, calls for speculation.

23               THE COURT: Why don't you lay some foundation for  
24 that.

25               BY MS. MERCER:

1           Q     Autumn, did he give you any instructions as to how  
2 much money he wanted you to earn a night?

3           A     Yes. We were -- we had to come home with at least  
4 three or four, otherwise he'd get really mad. But he even  
5 said that was too little to ask.

6           Q     When you say that he would get really mad, how could  
7 you tell that he was really mad?

8           A     He would -- he would yell at us or he would beat --  
9 beat us.

10          Q     When you say yell at us, are you referring to  
11 yourself and Kariah?

12          A     Yes.

13          Q     And when you say he would beat us, are you referring  
14 to yourself and Kariah?

15          A     Yes.

16          Q     What kinds of things did you have to do to earn  
17 money that you were bringing home to the defendant?

18          A     Some people I'd just talk to, other peoples I had  
19 sex with, blowjobs were really common -- was common.

20          Q     Oral sex?

21          A     Yes.

22          Q     Did he give you any instructions with regards to  
23 when your time with a customer was supposed to end?

24          A     Could you repeat that?

25          Q     Sure. That was probably a little confusing. You

1 said that for instance, 20 -- 20 minutes would be \$200, 30  
2 minutes would be \$300 and an hour would be \$500, correct?

3 A Yes. Yes.

4 Q Did you always stay for that full 20 minutes, 30  
5 minutes or hour?

6 A No.

7 Q Is that because he gave you specific instructions  
8 with regards to when --

9 A Yes.

10 Q -- your time with a customer was supposed to end?

11 A Yes. If the customer ejaculated within two minutes  
12 of our date, then that date was over.

13 Q You said that one of the ways that you could tell  
14 that the defendant was angry with you if you didn't make  
15 enough money was that he would beat you. Do you recall how  
16 long you had been staying with the defendant and Kariah when  
17 -- before he became violent with you the first time?

18 A Three weeks.

19 Q The first time that he became violent with you, do  
20 you remember why he became violent with you?

21 A Because me and Kariah were on a date and I had  
22 texted him the amount of money before I had it in my hand and  
23 she texted it when -- when she got it, the money in her hand.  
24 And so he was confused on what time we got the money and what  
25 time he was supposed to time us at.

1 Q And that upset him?

2 A Yes.

3 Q How did he respond?

4 A He was yelling at us and then he -- he got his  
5 leather belt out of the closet of his room. We were standing  
6 in his room at that point and he -- he -- and then I lied to  
7 him as he was grabbing the leather belt because I got scared  
8 and he didn't know which one of us was lying, so he kept  
9 beating both of us. And he had us go into the bathroom, lean  
10 over the tub, he would bring the leather belt and beat us with  
11 it.

12 Q Where was he beating you with the belt?

13 A On my --

14 Q What part of your body?

15 A -- on my butt and back and legs of our thighs.

16 Q Can you describe that belt for the juror -- jurors?

17 A It was thick, it was a dark -- dark brown or a  
18 blackish leather with a bigger buckle on it.

19 Q When you say that it was thick, about how thick was  
20 it?

21 A Like if you put it to the side it was about that and  
22 it was about that thick of a width.

23 Q Okay. The first -- hold your fingers apart.

24 A Like that.

25 Q So about two inches. And now are you saying that

1 that's how thick it was or how wide it was?

2 A That was how wide.

3 Q And if you could show me again how thick the belt  
4 was? So maybe a quarter of an inch or so thick?

5 A Yeah.

6 THE COURT: Ms. Mercer, so maybe you can find a good  
7 breaking point? I'd like to give the jurors -- or let them go  
8 to lunch soon.

9 MS. MERCER: Sure. I'm almost done with this line  
10 of questioning.

11 THE COURT: Okay.

12 MS. MERCER: Your Honor, if I could just have the  
13 Court's indulgence?

14 THE COURT: You may.

15 MS. MERCER: May I approach the witness again, Your  
16 Honor?

17 THE COURT: Yes.

18 BY MS. MERCER:

19 Q Ms. Richards, I'm handing you what's been marked for  
20 identification purposes as State's Proposed Exhibits 23 and  
21 24, as well as 27 through 29. If you could please take a look  
22 at these photos for me and tell me whether you recognize  
23 what's depicted in them.

24 A This was the room they slept in and this is the  
25 bathroom that they used and had attached to their room.

1           Q     And is that generally speaking how the house  
2 appeared to you during the time frame that you stayed with  
3 them -- or that those two rooms appeared to you?

4           A     Yeah.

5           MS. MERCER: Your Honor, I'd move for the admission  
6 of 23 and 24 and 27 through 29.

7           THE COURT: Mr. Weinstock?

8           MR. WEINSTOCK: I would just argue I don't believe  
9 there's sufficient foundation, but I'll submit it to the  
10 Court.

11          THE COURT: I'll admit 23, 24, 27 through 29.

12          (State's Exhibit 23, 24, 27 - 29 admitted.)

13          MS. MERCER: Thank you, Your Honor. Permission to  
14 publish?

15          THE COURT: You may.

16 BY MS. MERCER:

17          Q     Ms. Richards, you indicated that this first beating  
18 that you can recall occurred in their bedroom? I'm showing  
19 you State's Exhibit 24. Is that the room that you were  
20 referring to?

21          A     That's where it started and then we went to the  
22 bathroom and it was that bathroom.

23          Q     And do you see a closet depicted in that photograph?

24          A     Yes.

25          Q     Is that the closet where he kept that belt?



1           A     Yes.

2           Q     You said that it moved to the bathroom?

3           A     Yes.

4           Q     Showing you State's Exhibit 27. Is this the  
5 bathroom where the beating moved to?

6           A     Yes, and it was right over the tub right there.

7           Q     What finally made that beating stop?

8           A     I told him the truth, that I had lied and that I had  
9 texted him the wrong -- about the wrong time.

10          Q     Approximately how many times did he beat you with  
11 that leather belt that day?

12          A     I don't know. Off and on for an hour and a half.

13          Q     Did you receive any injuries as a result of that  
14 beating?

15          A     Bruises and she did too.

16               MR. WEINSTOCK: Nonresponsive, Your Honor. I asked  
17 that be stricken. The she did too.

18               THE COURT: Sustained and the answer's stricken.  
19 Can you reask --

20               MS. MERCER: Sure.

21               THE COURT: -- the question so we get a responsive  
22 answer and you can follow up. Thank you.

23 BY MS. MERCER:

24          Q     Ms. Richards, did you personally receive any  
25 injuries as a result of that beating?

1           A     Yes, bruises.

2           Q     And did you notice any other -- did you notice any  
3 injuries on Kariah Heiden?

4           A     Yes, bruises too. Same part of our bodies.

5           MS. MERCER: Your Honor, at this time we can -- I'm  
6 done with that line of questioning.

7           THE COURT: Very good. Would Ms. Richards -- would  
8 the State prefer that Ms. Richards be excused first and then  
9 we let the jury out or does it matter?

10          MS. MERCER: It doesn't as far as I'm concerned.

11          THE COURT: All right. Ladies and gentlemen of the  
12 jury, I'm going to excuse you now for your lunch recess. I'll  
13 give you one hour and -- about one hour and 10 minutes. Let's  
14 come back -- it's 1:05 now, come back at 2:15. All right?

15          So during this recess you're admonished, do not talk  
16 or converse among yourselves or with anyone else on any  
17 subject connected with this trial. Do not read, watch or  
18 listen to any report of or commentary on the trial or any  
19 person connected with this trial. Do not seek or obtain  
20 information or comments about the case from any source  
21 including, without limitation, newspapers, television,  
22 Internet, cell phones or radio. Do not form or express any  
23 opinion on any subject connected with the trial until the case  
24 is finally submitted to you.

25          Marshal, will you please escort the jurors out so

1 they may take their lunch? And I'll remind them to be back  
2 here, lined up ready to go no later than one -- or 2:10.

3 THE MARSHAL: Two-ten.

4 THE COURT: Thank you, Ms. Richards. You can remain  
5 seated. Thank you.

6 (Jury recessed at 1:04 p.m.)

7 THE COURT: All right. So we're outside the  
8 presence of the jury. Ms. Richards, just remind you that  
9 you're going to remain under oath and you will be under oath  
10 again when you come back after your break. Please do not  
11 discuss your testimony that you gave here with any of the  
12 parties in this case. Do you understand that, ma'am?

13 THE WITNESS: Yes.

14 THE COURT: All right. You may rejoin your advocate  
15 now.

16 MR. WINDER: Your Honor, if we could make sure it's  
17 not with anyone, not just the parties, but anyone else.

18 THE COURT: Or anyone or can't discuss your  
19 testimony with anybody.

20 THE WITNESS: All right.

21 THE COURT: All right. Thank you very much, ma'am.  
22 You are excused. Please watch your step on the way down. And  
23 counsel, I think I told the jurors 2:10, I might have said  
24 2:15, I don't know, but I'll -- we'll actually start at 2:15.  
25 So is there any reason for us -- for me to come back at 2:10

1 to discuss any -- any legal issues before the jury comes in?

2 MR. WEINSTOCK: Not at this time, Your Honor.

3 MR. MARTINEZ: No, Your Honor.

4 THE COURT: All right. Very good. So the Court's  
5 in recess now. Thank you.

6 MR. WEINSTOCK: And the Court will be locked up so  
7 we can leave our stuff in here?

8 THE COURT: Yes. The Court will be locked up,  
9 right. Thank you.

10 THE CLERK: Judge, I didn't hear you admit number  
11 28. Just 27, 29, 23 and 24.

12 THE COURT: That's what she articulated -- so 28  
13 will be admitted. I misheard her but 28 is admitted also over  
14 defense objections.

15 MS. MERCER: Thank you, Your Honor.

16 THE COURT: Thank you. Court's in recess.

17 (Court recessed at 1:07 p.m. until 2:24 p.m.)

18 (Outside the presence of the jury.)

19 THE COURT: Give us a second. She has to start it  
20 and there's a couple second delay. All right. Very good. So  
21 we're back on -- on the record in State versus Sharpe. Is  
22 there some matters that you'd like to put on the record, Mr.  
23 Weinstock?

24 MR. WEINSTOCK: Yes, Your Honor.

25 THE COURT: Yes, sir, you may proceed.

1           MR. WEINSTOCK: There are two things. The first one  
2 is relative to getting a copy of Ms. Heiden's guilty plea  
3 agreement and a copy of that. I went back to the office just  
4 now. I did have my paralegal pull up this case on -- I  
5 believe it's on Lexis or whatever the -- see, I'm -- I'm not  
6 very computer literate, Your Honor.

7           THE COURT: Well, I think it's called Odyssey that  
8 the court system uses.

9           MR. WEINSTOCK: Odyssey, whatever it is. He pulled  
10 it up and it does not show that there is any copy of the  
11 guilty plea agreement that we can get to. We've asked the  
12 State if they could give us a copy earlier today and we were  
13 told they didn't have one with them. I don't know if that  
14 means they weren't going to give us one or whatever, but we  
15 would like if the Court has one the clerk could probably make  
16 a copy for us but we do feel we are entitled to that.

17          THE COURT: We tried to look too. We didn't keep a  
18 copy because it just gets -- it gets filed, right? And then I  
19 had my clerk check also and she said she couldn't find it of  
20 -- we couldn't print a copy yet.

21          THE CLERK: It's a day late getting into Odyssey  
22 because I was on Odyssey.

23          THE COURT: So what can we do -- do you guys have  
24 one somewhere?

25          MS. MERCER: Your Honor, I'm not sure if Mr.

1 Martinez has one in the office right now. We just didn't  
2 bring one with us this morning -- today.

3 THE COURT: All right. Your office is right  
4 there --

5 MR. MARTINEZ: Across the street.

6 THE COURT: -- across the street. Maybe you could  
7 have someone bring a copy over? I -- I -- I think it's  
8 appropriate to give a copy --

9 MR. MARTINEZ: Sure.

10 THE COURT: -- to Mr. Weinstock as soon as possible.

11 MR. WEINSTOCK: I would appreciate that, Your Honor.

12 THE COURT: If I was able to get one for you I would  
13 but I can't from my end because it's not available to me yet.

14 MR. WEINSTOCK: Right, Your Honor.

15 THE COURT: But it has been filed so it is a public  
16 record.

17 MR. MARTINEZ: And we assumed that they'd be able to  
18 get that quickly so that's --

19 THE COURT: I assumed that too, yeah.

20 MR. MARTINEZ: -- why -- I mean we're not trying to  
21 hide it from them or anything --

22 THE COURT: No, I don't think you are.

23 MR. MARTINEZ: -- we told him what the deal was.

24 MR. WEINSTOCK: And I -- you know, I'm not accusing  
25 of them of hiding. I assumed we could get it just as easily

1 as the Court or anybody else but we can't so we're asking the  
2 State to provide us one as soon as possible.

3 THE COURT: Let's just make sure by the close of  
4 business that Mr. Weinstock has a copy --

5 MR. MARTINEZ: Absolutely.

6 THE COURT: -- I think that would be great.

7 MR. WEINSTOCK: That would be fine.

8 THE COURT: Thank you.

9 MR. WEINSTOCK: And the second issue, Your Honor, I  
10 wanted to address --

11 THE COURT: All right.

12 MR. WEINSTOCK: -- is I did get a chance when -- a  
13 short break --

14 THE COURT: Yes, sir.

15 MR. WEINSTOCK: -- I did have this Yahzee case that  
16 the Court had cited.

17 THE COURT: Yes, sir.

18 MR. WEINSTOCK: I have -- I had that pulled up and  
19 copied. And quite honestly, Your Honor, I would respectfully  
20 say I do not believe that this is in any way applicable to the  
21 issues in this case. The Yahzee case was a federal court case  
22 dealing with the exclusion of spectators during a minor's --

23 THE COURT: He was a minor.

24 MR. WEINSTOCK: Obviously, the victim in this case  
25 is not a minor, there's no allegations of a minor. They

1 address in the court they basically deal with the issues as to  
2 why they felt that it would be appropriate and the court in  
3 Yahzee says in determining whether to close the courtroom in  
4 the Sixth Amendment context, a court must consider the  
5 circumstances of the particular case, such as the minor  
6 victim's age, which is totally inapplicable in this case;  
7 psychological maturity, which is not applicable in this case;  
8 understanding, which is not applicable in this case, the  
9 nature of the crime, the desire of the victim.

10 And, again, we've heard nothing from the victim  
11 indicating their desire other than what the State has said.  
12 In the interest of parents and relatives because these factors  
13 may affect the significance of the interest sought to be  
14 granted. I understand if the victim had been a minor,  
15 certainly that is a different consideration than when the  
16 alleged victim is an adult and able to comprehend everything.

17 And therefore, with all due respect, Your Honor, I  
18 would ask the Court to reconsider the decision and I would ask  
19 this Court to allow Mr. Sharpe's family and friends that have  
20 come in from a long distance to be present in court during the  
21 victim -- the entire proceedings actually, Your Honor.

22 THE COURT: Thank you, sir. I appreciate and  
23 respect your perspective. I was aware of those factual  
24 circumstances in that case and I did take those into account.  
25 I just respectfully disagree with your interpretation I -- you



1 know, these are tough decisions. Sometimes I had to balance a  
2 lot of considerations and I just on balance I think I made the  
3 right decision under the circumstances. But I respect your  
4 point of disagreement.

5 MR. WEINSTOCK: Very well, Your Honor. I just  
6 request we can wait like two or three more minutes for Mr.  
7 Winder --

8 THE COURT: Sure.

9 MR. WEINSTOCK: -- if he's not here I'd be ready to  
10 proceed without him.

11 THE COURT: You -- do you want us to wait one or two  
12 minutes then?

13 MR. WEINSTOCK: Yeah, if we can wait a couple  
14 minutes.

15 THE COURT: All right. I don't want the jury to  
16 think that I was the cause of their delay.

17 MR. WEINSTOCK: Blame me.

18 THE COURT: I don't want to blame anybody. We'll  
19 wait one more minute.

20 (Off record colloquy.)

21 THE COURT: Well, Marshal, if you wouldn't mind,  
22 could you tell my Marshal to escort the jurors in then? One  
23 of you?

24 MR. WEINSTOCK: That's fine.

25 THE COURT: Thank you, sir.

1 (Jury reconvened at 2:31 p.m.)

2 THE COURT: Thank you. Please be seated, counsel.  
3 All right. Mr. Martinez, are you ready to proceed?

4 MR. MARTINEZ: Yes, Your Honor.

5 THE COURT: Or Ms. Mercer --

6 MS. MERCER: Yes.

7 THE COURT: -- are you ready to proceed? You may.

8 MS. MERCER: Your Honor, the State would recall  
9 Autumn Richards.

10 THE COURT: So Mr. Martinez, please retrieve the  
11 witness.

12 MR. MARTINEZ: Thank you, Your Honor.

13 THE COURT: So ladies and gentlemen of the jury,  
14 I'll kind of give you guys a choice. This is your first  
15 decision. Tomorrow I'm probably going to do my criminal  
16 calendar. We'll go until about 11:15 or so. So we could  
17 start with you at 11:30. Or I could just have you guys have  
18 your lunch and we could start right at 1:00. You just come  
19 report at one and we'll just go straight through to five but  
20 we'll still take a 15-minute break in there.

21 So who would prefer that we start at 11:30? Raise  
22 your hand if you prefer 11:30. Who would prefer that we start  
23 at one? All right. That was unanimous so we'll start at one  
24 tomorrow then. So on Wednesday we'll be starting a little bit  
25 early, we'll start at 10:30 on Wednesday. So feel free to

1 bring your lunch in. If you need to refrigerate your lunch  
2 you can ask my Marshal. We have in the jury deliberation room  
3 there's a refrigerator and you can put your lunch in there.

4 Unfortunately, the court doesn't pay for lunch for  
5 the jurors during trial, only during deliberations. So if you  
6 have a lunch that you want to bring in, feel free to do that  
7 on Wednesday and we can refrigerate for you. All right?

8 MR. WEINSTOCK: It's always good to see unanimous  
9 decisions by a jury.

10 THE COURT: That was good. One o'clock tomorrow  
11 then, that was pretty clear. Your first vote and you did that  
12 really fast, really well. All right. All right.

13 Hello, Ms. Richards, welcome back. You are still  
14 under oath. Do you understand that? Still required to  
15 testify truthfully.

16 THE WITNESS: Yes.

17 THE COURT: All right. Please have a seat and we're  
18 on the record. And please remember to speak into the  
19 microphone because we're recording everything.

20 THE WITNESS: Okay.

21 THE COURT: All right. Ms. Mercer, you may  
22 continue.

23 MS. MERCER: Thank you, Your Honor.

24 BY MS. MERCER:

25 Q Ms. Richards, before I get too much further into the

1 abuse that you experienced throughout your stay with the  
2 defendant --

3 MR. WEINSTOCK: I'd object to the term abuse, Your  
4 Honor.

5 BY MS. MERCER:

6 Q I want to go back and --

7 THE COURT: Well, it --

8 MR. WEINSTOCK: That's a legal -- that's a legal  
9 terminology.

10 THE COURT: It was a little bit leading so why don't  
11 you rephrase that. It's sustained, please rephrase.

12 BY MS. MERCER:

13 Q I want to go back and touch on some things that I  
14 forgot to cover with you initially. When you made the  
15 decision to stay with the defendant and Kariah on March 10th  
16 of 2014, were you in the position where you could have  
17 purchased another bus ticket?

18 A No.

19 Q And why is that?

20 A Because I didn't have enough money to pay for  
21 another ticket.

22 Q Did you have any cash at all -- at all? I know you  
23 testified about the Walmart card, but did you have any other  
24 cash?

25 A No, I had no cash.

1           Q     When you and the defendant discussed you working as  
2 a prostitute for him, you testified that you were required to  
3 give him all the money that you earned, correct?

4           A     Yes.

5           Q     What, if anything, did he say to you about --

6           MS. MERCER: I'm sorry. I'm losing my voice, Your  
7 Honor.

8           THE COURT: Would you like a mint?

9           MS. MERCER: I have some. Thank you, Your Honor. I  
10 appreciate it.

11          THE COURT: Okay. All right.

12 BY MS. MERCER:

13          Q     What if anything did he say to you about this --  
14 what he would do in exchange for that money for you?

15          A     He said that he would take care of me, which meant  
16 buy me anything, clothes or anything I needed and that he  
17 would protect me out there --

18          THE COURT: A little bit louder, please, sorry.

19          A     And take care of each other.

20 BY MS. MERCER:

21          Q     You testified about your initial shopping trip with  
22 the defendant to the bebe store and I believe you said Steve  
23 Madden?

24          A     Yes.

25          Q     At the outlet? How many other shopping trips did he

1 take you on during your stay with the defendant?

2 A I guess about 15. That was the only time that we  
3 were alone, though.

4 Q When you went shopping who would pick out the  
5 clothing?

6 A He always did.

7 Q Did he tell you why he was the one that was picking  
8 them out?

9 A Because he knows what a guy wants.

10 Q Do you remember any specific outfits that he  
11 purchased for you other than the peach ruffly shirt that  
12 you've already described?

13 A He got me the shirt that you showed me, he got me  
14 that one in a black color too. And he got me another pair of  
15 pants that were similar to the same stretchy material kind of  
16 legging-ish. And he bought me a black dress and a matching,  
17 like royal bluish dress and that one had a little bit of an  
18 open back. And he bought me some other stuff, but I don't  
19 remember.

20 Q The black dress that he purchased, do you remember  
21 what store that was purchased at?

22 A All the clothes, other than the shoes, were from  
23 bebe.

24 MS. MERCER: Your Honor, permission to approach the  
25 witness?

1 THE COURT: Yes.

2 BY MS. MERCER:

3 Q Ma'am, I'm handing you what has been marked as  
4 State's Proposed Exhibits 74 through 77. Could you please  
5 flip through those for me and tell me whether you recognize  
6 what's depicted in those exhibits?

7 A Those are some of the outfits that I had.

8 Q Are these some of the outfits that you just  
9 testified to?

10 A Yes.

11 MS. MERCER: Permission -- or move for admission of  
12 74 through 77 and permission to publish, Your Honor?

13 THE COURT: Counsel?

14 MR. WEINSTOCK: Your Honor, again, I'd just say I  
15 don't know there's sufficient foundation but I'll submit it to  
16 the Court.

17 THE COURT: Do you recognize each of the outfits  
18 that are identified in those photos?

19 THE WITNESS: Yes.

20 THE COURT: All right. Seventy-four through 77 are  
21 admitted.

22 (State's Exhibit 74 through 77 admitted.)

23 MS. MERCER: May I publish, Your Honor?

24 THE COURT: You may.

25 BY MS. MERCER:

1 Q Publishing State's Exhibit 74 on the overhead. Ms.  
2 Richards, what is this?

3 A That's one of the other shirts that I had.

4 Q From bebe?

5 A Yes.

6 Q And 75 is just a close-up of that tag, correct?

7 A Yes.

8 Q Showing you State's Exhibit 76. What is depicted in  
9 this exhibit?

10 A That's the black dress that I had.

11 Q And 77, is that just a close-up of the tag?

12 A Yes.

13 Q The black dress depicted in 76, is that the dress  
14 that you had where you also had a royal blue dress that was  
15 the same color -- I mean the same style?

16 A Yes. I believe so, yes. That's not a good picture  
17 but, yes.

18 Q When you were working, did you use your real name?

19 A No.

20 Q What name did you use?

21 A Amber.

22 Q Why?

23 A Because we didn't want them to -- he didn't want to  
24 have them know our real names.

25 Q I'm sorry. Who didn't?



1           A     LR.

2           Q     The defendant?

3           A     Yes.

4           Q     What, if anything, did he say to you with regards --  
5 well, let me ask you this. In this relationship that you had  
6 with the defendant, who was in charge?

7           A     LR.

8           Q     Did he tell you that?

9           A     Yes.

10          Q     Who was it that would choose the hotels that you  
11 worked at?

12          A     LR.

13          Q     The defendant?

14          A     Yes.

15          Q     You indicated that in the beginning you were working  
16 two to three nights a week?

17          A     Yes.

18          Q     For several hours?

19          A     Yes.

20          Q     After you'd been working for them for a while, how  
21 many days a week were you working?

22          A     I think like every other night, a little bit more,  
23 but it wasn't necessarily every single night.

24          Q     Was it the same types of hours or were you  
25 working --

1           A     It always -- not always but most of the time it was  
2 at night and usually we started at three.

3           Q     And every time you went to work, who drove you to  
4 work?

5           A     LR.

6           Q     Who picked you up?

7           A     LR.

8           Q     What did you do with the money that you made?

9           A     We had to give him all of it, both of us.

10          Q     So during the entire period of time that you worked  
11 with -- or worked for the defendant, you did not keep any of  
12 that money?

13          A     No.

14          Q     We -- you heard -- or you testified previously that  
15 you stayed in the pink room, what you referred to as the pink  
16 room?

17          A     Yes.

18          Q     Where did Kariah stay?

19          A     Kariah had stayed in bed with him next to the glass  
20 door.

21          Q     In the room where you described this beating with  
22 the belt having occurred?

23          A     With the burgundy carpet.

24          Q     Now, we heard testimony about the first time that  
25 you can recall being beaten. Do you remember when the next

1 beating occurred in relation to that one?

2 A I don't really know, there was just a lot of  
3 beatings. A lot of them were -- they started to get worse.

4 Q Do you --

5 A More and more.

6 Q -- do you remember when they started to get worse?

7 A Right after that pretty much.

8 Q Were you, at this time, able to -- trying to figure  
9 out how to frame the question. Were you aware of what day it  
10 was around that time frame?

11 A After the first beating?

12 Q Yes.

13 A Yes.

14 Q You said that things started to get worse. Do you  
15 remember about how many times you were beaten?

16 A No.

17 Q Do you remember what kinds of things you would be  
18 beaten for?

19 A Messing up and it wasn't really -- I didn't really  
20 understand what I -- sometimes I didn't understand what I  
21 messed up on. Or like I would get beaten for other things I  
22 was [indiscernible] for.

23 Q Did he tell you why he was beating you?

24 A Sometimes.

25 Q And you said that things started getting worse after

1 that first incident with the belt. About how often were you  
2 being beaten after that?

3 A In April it was like once a week and then it started  
4 getting more and then it happened like once a day and then it  
5 happened like three, four times a day by the time it was -- by  
6 June.

7 Q By June of 2014?

8 A Yes.

9 Q You said that the beatings were because you messed  
10 up?

11 A Yes.

12 Q What types of things did you do that were considered  
13 to be mess ups?

14 A If I didn't listen to his instructions exactly as he  
15 said at work or at home or I didn't make enough money or he  
16 just wanted to beat me.

17 MR. WEINSTOCK: Objection, calls for conclusion and  
18 foundation.

19 THE COURT: Well --

20 MR. WEINSTOCK: I'd ask the last phrase be stricken.

21 THE COURT: Do you want to respond?

22 MS. MERCER: I'll submit it, Your Honor.

23 THE COURT: All right. Objection's sustained.

24 Please -- please rephrase.

25 MS. MERCER: I think his request was --

1 MR. WEINSTOCK: Just the last phrase --

2 MS. MERCER: It was just the last phrase.

3 THE COURT: Last phrase with respect to what the  
4 defendant wanted is stricken and will not be considered by the  
5 jurors. Ms. Mercer, you may continue.

6 BY MS. MERCER:

7 Q You said that he gave you rules at home as well as  
8 when you were working?

9 A Yes.

10 Q What types of rules did you have at home?

11 A He told me that I had to be ready by seven o'clock  
12 at night and he told me I had to clean the bathroom -- the  
13 bathroom that I was supposed to use, he made me clean that  
14 before I got ready and then after I got ready. And I did a  
15 lot of cleaning of the walls. And I wasn't allowed to keep my  
16 -- my hair -- my hair was [indiscernible] he made for the  
17 kitchen. I wasn't allowed to walk in the kitchen with my hair  
18 down. And sometimes he would say don't have your hair up  
19 because it's curled. And then he would change the rules and  
20 so I didn't know what -- what to do, what was right.

21 Q In April of 2014 when you would be beaten, were you  
22 -- what were you being beaten with?

23 A His fists a lot. They started with his fists and  
24 the belt and it got worse.

25 Q You said that another reason that you would receive

1 beatings is if you messed up at work?

2 A Yes.

3 Q What types -- what types of things were you beaten  
4 for with regards to the rules that he gave you for work?

5 A If he told me to go into this entrance and I went to  
6 a different entrance. Or if I -- if I didn't go exactly where  
7 he wanted or I didn't make enough money or I didn't say  
8 exactly what he wanted me to say.

9 Q You said that things got worse as you stayed there  
10 longer?

11 A Yes.

12 Q Was there ever an occasion that you tried to leave?

13 A Yes.

14 Q And do you remember when that was?

15 A May 10th.

16 Q How is it that you remember that date?

17 A Because my pay-as-you-go phone had to be refilled  
18 every -- every 10th of the month because that's when I first  
19 got it, it was on March 10th.

20 Q On May 10th of 2014, when you wanted to leave, did  
21 you make that known to the defendant and Kariah?

22 A Yes. That was the first time I made it known.

23 Q How was it that you let them know you wanted to  
24 leave?

25 A She came in and asked me if -- if I knew which card

1 I was supposed to get for the pay-as-you-go phone and he was  
2 on the phone with her and he -- I asked her to grab -- if I  
3 could talk to him on the phone. And I got the phone from her  
4 and I said, please, just let -- don't buy it, don't buy it,  
5 just take me home, let me go home. And he goes give the phone  
6 back to Kariah. And Kariah walked out of the room and was  
7 talking to him and he was -- he was back inside the room I was  
8 in not even five minutes later.

9 Q What room were you in at the time that you had  
10 spoken on the phone?

11 A The exercise room.

12 Q Why were you in the exercise room?

13 A As punishment because I got punished for something  
14 else I did before that.

15 Q What did you do before that that you were being  
16 punished for?

17 A I don't know.

18 MS. MERCER: Permission to approach, Your Honor?

19 THE COURT: Yes.

20 BY MS. MERCER:

21 Q Ma'am, I'm handing you what has been marked as  
22 State's Proposed Exhibits 35 through 37. For identification  
23 purposes do you recognize these?

24 A Yes.

25 Q And how do you recognize what's depicted in these

1 exhibits?

2 A That's the exercise room.

3 Q And is this -- is this the exercise room as you  
4 recall it back during that time period?

5 A That wasn't there, but most of it, yeah.

6 MR. WEINSTOCK: Your Honor, when she says that  
7 wasn't there, can she be explicit?

8 THE COURT: Thank you. Yes, please -- please  
9 describe.

10 THE WITNESS: The cross wasn't there, that was in  
11 the corner of the room, but the back and the weights were  
12 there.

13 MS. MERCER: Your Honor, I would move for the  
14 admission of 35 through 37?

15 THE COURT: Mr. Weinstock?

16 MR. WEINSTOCK: Submitted, Your Honor.

17 THE COURT: All right. Thirty-five through 37 shall  
18 be admitted.

19 (State's Exhibit 35 through 37 admitted.)

20 MS. MERCER: Permission to publish?

21 THE COURT: Yes.

22 BY MS. MERCER:

23 Q Ms. Richards, I'm showing you State's Exhibit 35.  
24 Is this one of the photographs of that exercise room?

25 A Yes.



1           Q     And what is that machine that's in the front of the  
2 room, the one leaning against the corner?

3           A     Where the curtains are?

4           Q     Right here.

5           A     That's the back, back machine.

6           Q     I'm showing you State's Exhibit 36. Is this another  
7 photograph of that room from a different angle?

8           A     Yes.

9           Q     And State's Exhibit 37, is this another photograph  
10 of that room with a different angle?

11          A     Yes.

12          Q     And you indicated for the record that this cross was  
13 not in the corner of the room?

14          A     Yes.

15          Q     Ms. Richards, was there a bed in that room?

16          A     No.

17          Q     At the time that you spoke to the defendant while  
18 you were in that room, how long had you been in that room?

19          A     I know I was there for at least that night but I  
20 spent a lot of time in there when I was punished.

21          Q     You said that not even five minutes after you got  
22 the phone with him he showed up in the exercise room?

23          A     Yes.

24          Q     What, if anything, did he say to you when he  
25 returned?

1           A     He said that you put me through all this and now you  
2 think you're going to leave and I'm just going to sit here and  
3 spend all my money. He told me I wasn't good for anything and  
4 that he couldn't even -- he couldn't even make any money off  
5 of me.

6           Q     You said that you were in that room because you were  
7 being punished for something else. At the time that you had  
8 this conversation with him, did you already have injuries to  
9 yourself?

10          A     Yes.

11          Q     What types of injuries did you have at that point?

12          A     I don't know if my jaw was broken --

13               MR. WEINSTOCK: Objection, lack of foundation, Your  
14 Honor.

15               THE COURT: Well, she can -- she can describe her  
16 own physical condition. So let's -- let's have her testify to  
17 what she does know rather than what she doesn't know. Please  
18 continue.

19 BY MS. MERCER:

20          Q     What injuries specifically do you recall having?

21          A     My face was really puffy.

22          Q     When you say puffy, like puffy as in you've been  
23 crying a lot or puffy because --

24          A     Bruising, puffy. I couldn't look out of my eye, my  
25 left eye.

1           Q     When you say that you couldn't look out of your left  
2 eye, is that because it was swollen shut or was there damage  
3 to your eye?

4           A     It was swollen.

5           Q     What other injuries did you have?

6           A     I had bruises all over my body from different  
7 beatings.

8           Q     The injuries that you had prior to this conversation  
9 with the defendant, were all of those injuries a result of  
10 being beaten by the defendant?

11          A     Yes, they were all from him.

12          Q     So after he came into the room and told you all of  
13 those things, what else did you do?

14          A     He told me those things as he was kicking me. He  
15 kept kicking me and then he grabbed the chair that was in the  
16 corner of the room at that point and started throwing it on  
17 top of me.

18          Q     When you say that he was throwing it on top of you,  
19 was he striking you with the chair?

20          A     The metal part at the bottom.

21          Q     At the point that he started beating you, how were  
22 you positioned in the room?

23          A     I was laying on the ground with my head near the --  
24 near the closet and I was laying on my side.

25          Q     When he struck you with the chair, where did he

1 strike you with the chair?

2 A All over my body.

3 Q You indicated that he kicked you and he hit you with  
4 a chair. Did he do anything else to you?

5 A At that point I don't think so.

6 Q About how long did that beating last?

7 A A couple minutes but he always came back in later.  
8 Every time he beat me he would come back in later and he would  
9 hit me once or twice and then leave and then come back and do  
10 it again.

11 Q After you told him that you wanted to leave that  
12 day, did you stay in that exercise room?

13 A Yes.

14 Q Were you allowed to leave that room?

15 A No.

16 Q What happened if you needed to use the restroom?

17 A I had to ask permission.

18 Q You said that when you first spoke to the defendant  
19 it was over the phone and you told him that you wanted to  
20 leave; is that correct?

21 A Yes.

22 Q But Kariah was at the home with you, correct?

23 A Yes.

24 Q Why didn't you try to leave when it was just you and  
25 Kariah at the house?

1           A     Because she -- I knew he was going to get called and  
2 I was scared that she would -- that I wouldn't get away.

3           Q     You were afraid that you wouldn't get away?

4           A     Yeah.

5           Q     Because Kariah would call him?

6           A     And tell.

7           Q     You said that when you first arrived at the  
8 defendant's you had a pay-as-you-go phone?

9           A     Yes.

10          Q     Were you allowed to maintain possession of that  
11 phone the entire time that you were at the house?

12          A     No.

13          Q     Who had that phone?

14          A     They kept it in their room.

15          Q     Why did they keep it in their room?

16          A     Because they thought I would call somebody to try  
17 and get away.

18               MR. WEINSTOCK:  Objection, lack of foundation.

19               THE COURT:  Sustained.  Please, if you're going to  
20 ask that, please lay some foundation.

21               BY MS. MERCER:

22          Q     Did they tell you why they wouldn't allow you to  
23 maintain your own phone?

24          A     No, they never said why.

25          Q     Were you ever permitted to speak to your family?

1           A     After the missing person report went out I would  
2 call my mom and my dad every other Wednesday.

3           Q     When you would call your mom and your dad every  
4 other Wednesday, who was in the room with you?

5           A     LR was always in the room with me.

6           Q     So you were never allowed to have a private  
7 conversation with your family members?

8           A     No.

9           Q     Did he tell you why he wasn't going to leave you by  
10 yourself to speak with them?

11          A     Because I got too emotional when I was on the phone  
12 with my mom and he thought I would try and get away.

13          Q     The day that you told the defendant you wanted to  
14 leave and he beat you, were you required to go to work that  
15 night?

16          A     I don't know.

17          Q     Did there ever come a time during the period of time  
18 that you were staying with the defendant and Kariah that you  
19 were unable to go out and work?

20          A     Yes, when my face was -- when my face was really  
21 messed up I couldn't go outside to work.

22          Q     Do you -- do you recall about how far into your stay  
23 that occurred?

24          A     End of April.

25          Q     Did he tell you why you weren't allowed to go

1 outside?

2 A Because I already looked young and he didn't want  
3 the police trying to question me and take me in because I  
4 wasn't allowed to be in a casino.

5 Q Because you were underage?

6 A I'm under 21.

7 Q At some point after you arrived at the defendant and  
8 Kariah's, did -- actually let me back up a second. During the  
9 stay, your stay there, did they ever make any threats to you  
10 as to what they would do if you went to the police?

11 A Yes.

12 Q And who made those threats?

13 A Kariah and LR both did.

14 Q With regards to the threats that LR made to you,  
15 what were those threats?

16 A That he was going to kill me and that he was going  
17 to kill my family. And that even if he was in jail that his  
18 family would come after me.

19 Q Did he ever indicate to you whether or not he knew  
20 where your family lived?

21 A He knew where my dad lived and he knew where my aunt  
22 and uncle lived.

23 Q How did he know where your dad lived?

24 A Because it's on my ID.

25 Q Did he -- you said he knew where your dad lived

1 because it was on your ID?

2 A Yes.

3 Q How did he get your ID?

4 A Because he -- he took it out of my wallet and he was  
5 there so.

6 Q With regards to the threats that Kariah made to you,  
7 what were those threats?

8 A Don't do it --

9 MR. WEINSTOCK: Objection, hearsay, Your Honor.

10 MS. MERCER: Statement of a co-conspirator in  
11 furtherance of a conspiracy, Your Honor.

12 THE COURT: Yes, overruled. You may continue.

13 A She said the same thing, that he would come after  
14 me.

15 BY MS. MERCER:

16 Q Did you believe those threats?

17 A Yes.

18 Q Why did you believe those threats?

19 A Because he could do all this beating and he seemed  
20 scary, didn't care.

21 Q After that period in April when you were unable to  
22 go out and work because of all the injuries to your face, did  
23 he begin to beat you in other ways so that the injuries  
24 wouldn't be so visible?

25 A Yes.



1 MR. WEINSTOCK: Objection, leading.

2 THE COURT: Sustained. Please rephrase.

3 BY MS. MERCER:

4 Q Moving past the time period when you were unable to  
5 work because of injuries to your face, was there ever a point  
6 during your stay at the defendant's that he began to beat you  
7 elsewhere about your body?

8 MR. WEINSTOCK: Objection, same question, still  
9 leading.

10 THE COURT: You know what, I think there's no other  
11 way of asking that question so I'm going to -- the way she  
12 rephrased I'm going to go ahead and overrule that objection.

13 MR. WEINSTOCK: Can counsel approach, Your Honor?

14 THE COURT: Yes, you may, quickly.

15 (Bench conference transcribed as follows.)

16 THE COURT: Yes?

17 MR. WEINSTOCK: All she has to do is ask what  
18 happened next without giving a suggestive answer or leading.  
19 She can say this happened, what if anything happened next?  
20 She doesn't need to lead her into these supposed other  
21 events --

22 THE COURT: Let me hear the response.

23 MS. MERCER: Your Honor, she's already testified  
24 that she doesn't recall exact beatings or time frames so I'm  
25 just trying to --

1 THE COURT: I think she was just trying to set the  
2 -- I mean, in order to say -- you can't say what happened next  
3 because she doesn't have a great understanding of the sequence  
4 of activities.

5 MS. MERCER: Correct.

6 THE COURT: I think that's why we've got to give her  
7 a little bit of leeway there.

8 MS. MERCER: Okay.

9 THE COURT: But I understand --

10 MR. WEINSTOCK: I think she's leading.

11 THE COURT: Let me know if you feel that way again,  
12 all right?

13 MR. WEINSTOCK: Okay. Okay. Thank you.

14 THE COURT: Thank you.

15 MS. MERCER: Thank you, Your Honor.

16 (End of bench conference.)

17 THE COURT: Let's please continue.

18 BY MS. MERCER:

19 Q Do you recall the question that I asked you, Ms.  
20 Richards?

21 A Yes. After that he -- he wanted to make sure that I  
22 was able to go to work so he could make money. So he -- he  
23 beat me in a lot of other ways all over my body.

24 Q When you say that he beat you in a lot of other ways  
25 all over your body, can you explain what you mean?

1           A     He took oranges in socks and had me stand against  
2 the wall and he would hit me with them because somebody told  
3 him that it wouldn't cause --

4           MR. WEINSTOCK:  Objection, foundation, hearsay.

5           THE COURT:  Sustained.

6 BY MS. MERCER:

7           Q     Did he tell you why he was beating you with oranges  
8 inside of socks?

9           A     Because he heard, and he told me that he heard, that  
10 it would cause no bruising and he didn't want bruising if he  
11 could help it.

12          Q     When you say that he made you stand against the  
13 wall, how would he make you position yourself against the  
14 wall?

15          A     Like -- you know those machines at the airport where  
16 you have to put your hands up like that, he would make me do  
17 that.  And then I'd have to just stand there, not against the  
18 wall, but I couldn't touch the wall.

19          Q     Were you facing him or were you facing the wall?

20          A     I was facing out from the wall.

21          Q     So you were facing him?

22          A     Yes.

23          MS. MERCER:  And for the record, Your Honor, when  
24 the witness made a motion with her hands above her head.

25          THE COURT:  Yes, that's so noted.

1 BY MS. MERCER:

2 Q Where would he beat you with the oranges inside of  
3 the socks?

4 A On my stomach [indiscernible] area.

5 Q Did you sustain any injuries as a result of that  
6 beating?

7 A Yes, it did cause bruising.

8 Q Where would the bruising occur?

9 A All over my stomach and sides.

10 Q How many times did he beat you with the oranges  
11 inside of the socks?

12 A I don't know. He did that a lot.

13 Q Did he do it a lot over the course of one day or did  
14 it take place over several days?

15 A Over the rest of the time I was there.

16 Q In addition to being beaten with the oranges inside  
17 of the socks, were you ever beaten with any other objects?

18 A Yes, with -- he took three hangers, three metal  
19 hangers, and he twisted them all together and made a hook out  
20 of the end of them and he beat me with that and the metal  
21 pole.

22 Q When you say that he beat you with that, do you mean  
23 the hook end of the wires or do you mean the --

24 A The whole --

25 Q The whole thing?

1           A     It was -- it was like a -- it looked like a whip and  
2 so all of it.

3           Q     When he beat you with the oranges, do you recall  
4 which room in the house you were beaten in?

5           A     A lot of the time he did that in like the living  
6 room, but I remember he did it -- he did it in the pink room  
7 once and a lot of the time he wanted to do that in the  
8 hallway, living room area.

9           Q     What about when he beat you with the whip that you  
10 just described?

11          A     In his room, their room.

12          Q     The master bedroom?

13          A     Yes.

14          Q     How many times did he -- he beat you with that metal  
15 whip?

16          A     I think like five times.

17          Q     Five times all in the same day or on different  
18 occasions?

19          A     On different occasions.

20          Q     On each occasion that he would beat you with that  
21 metal whip, how many times would he hit you with it?

22          A     I don't know. He -- he always did where he would  
23 beat me for a while and then he'd come back. And so --

24          Q     When he beat you with the metal whip, how were you  
25 positioned at the time he was beating you?

1           A     He would make me lay on the floor in the beige room  
2 and --

3           Q     When you --

4           A     -- he would strike me with it.

5           Q     -- when you say the beige room, which room is it  
6 that you're referring to?

7           A     The master bedroom, sorry.

8           Q     He made you lay on the ground you said?

9           A     Yes.

10          Q     Were you laying on your stomach or your back?

11          A     I was laying on my stomach.

12          Q     How were your hands positioned?

13          A     Above my head.

14          Q     Is there a reason that they were above your head?

15          A     Because he wouldn't let me move. He didn't want me  
16 trying to protect myself because that would make the beating  
17 last longer.

18          Q     Is that what he told you?

19          A     Yes.

20          Q     Did he ever give you any other rules when it came to  
21 the beatings?

22          A     I couldn't scream.

23          Q     What would happen if you screamed?

24          A     He would do it longer.

25          Q     When he whipped you with that metal whip that you

1 described, what types of injuries did you sustain?

2 A He made a lot of holes in my butt one time and a lot  
3 of -- a lot of scrapes and bruises and --

4 Q Was he primarily whipping you on the rear end?

5 A Yes.

6 Q Was he striking you anywhere else with the metal  
7 whip?

8 A I -- he didn't do the hook anywhere else but he did  
9 do the metal, he flipped it around where the hooks weren't and  
10 he would just hit me with it some more.

11 Q Where would he hit you?

12 A In my back, my legs.

13 Q You also mentioned that he would beat you with a  
14 yellow pole?

15 A Yes.

16 Q What kind of a pole was that?

17 A It was a part of the back machine and it was -- it  
18 was like a machine piece that would hold it together. It was  
19 a thick metal pole, long.

20 Q About how thick was it?

21 A About that.

22 Q About a half inch in diameter? Is that a yes?

23 A Yes.

24 Q About how long was that pole? So about two feet --  
25 two-and-a-half feet? Was that a yes?

1           A     Yes.

2           Q     When he beat you with that yellow pole, what room  
3 was he beating you in?

4           A     It was in the master bedroom.

5           Q     And did those same rules apply?

6           A     Yes.

7           Q     When he struck you with the metal pole, where did he  
8 strike you?

9           A     On my butt.

10          Q     How many times did he hit you on your rear end?

11          A     I don't know.

12          Q     Did he hit you anywhere else with that metal pole?

13          A     He hit my legs and my back a little bit and then he  
14 struck my finger.

15          Q     How was it that he struck your finger? What  
16 occurred?

17          A     I was moving my hands and he hit my finger.

18          Q     Why were you moving your hands?

19          A     Because it hurt.

20          Q     What were you doing with your hands?

21          A     I was trying to grab the ground so it didn't hurt so  
22 much so I didn't focus on my butt.

23          Q     When he struck you with the pole in the hand, where  
24 did he strike you?

25          A     My middle finger.



1 Q On which hand?

2 A My left hand.

3 Q On how many different occasions were you beaten with  
4 that yellow pole?

5 A I don't know.

6 Q Was it more than once?

7 A No, I don't think so. I don't know.

8 Q At some point while you were being beaten with that  
9 metal pole, did you start bleeding?

10 A Yes.

11 Q How did you know that you were bleeding?

12 A Because I looked back and -- because he stopped for  
13 a second, I looked back and he was -- he was laughing and he  
14 had the pole and half of it was yellow and half of it was red.

15 Q The red was what?

16 A My blood.

17 Q Ms. Richards, when he would beat you, did he take  
18 any precautions to make sure that if you did scream you  
19 weren't heard?

20 A Yes.

21 Q What were those precautions?

22 A He would always put on music. That time he put --  
23 he put on one song and he kept replaying it and he kept  
24 singing it and laughing.

25 Q Do you remember what song it was that he was

1 playing?

2 A Turn Down for What.

3 MR. WEINSTOCK: Your Honor, what was that -- her  
4 answer on that one? I did not hear it.

5 THE COURT: Yes, can -- can you repeat that last  
6 answer?

7 A Turn Down for What.

8 THE COURT: Turn Down for What. Thank you.

9 BY MS. MERCER:

10 Q When you were beaten with the metal whip and with  
11 the yellow pole, were you clothed?

12 A No.

13 Q Why?

14 A Because he didn't want me wearing clothes because I  
15 always tried to put on extra layers so I didn't get hurt as  
16 bad, so he make me take off all my clothes.

17 Q The time that he beat you with the yellow pole, do  
18 you remember how long he beat you for?

19 A Like an hour straight and didn't take breaks.

20 Q When he was done beating you with a metal pole, what  
21 happened?

22 A He told me to go back to the room.

23 Q Which room did he mean?

24 A He didn't say, I just guessed. I went in the pink  
25 room and laid down on the bed.

1           Q     So you still had a bed in the pink room at this  
2 time?

3           A     Yes.

4           Q     When you went back to that pink room, what did you  
5 do?

6           A     I passed out.

7           Q     Do you remember when you woke up?

8           A     No.

9           Q     Do you remember what woke you up?

10          A     Kariah came in.

11          Q     You indicated that during that beating he struck you  
12 in the middle finger of your left hand?

13          A     Yes.

14          Q     Did that finger sustain any injuries?

15          A     Yes, it was broken.

16          Q     How could you tell that it was broken?

17          A     Because it kept turning in like that and it hurt  
18 whenever I moved it.

19          Q     It kept curving?

20          A     Yes.

21          Q     You said that that beating caused you to bleed? Is  
22 that a yes?

23          A     Yes.

24          Q     Did either the defendant or Kariah ever do anything  
25 to try to help you tend to your wounds?

1           A     No.

2           Q     Immediately after that beating, did you examine the  
3 injuries to your rear end?

4           A     No.

5           Q     At what point did you finally get a chance to look  
6 at those injuries?

7           A     A day or two later.

8           Q     Where were you when you saw those injuries?

9           A     I was in the bathroom.

10          Q     Which bathroom?

11          A     The small one near the laundry room.

12          Q     Is that the bathroom that had a red shower curtain?

13          A     Yes.

14          Q     And how was it that you were able to see the  
15 injuries?

16          A     In the mirror.

17          Q     What did you see when you looked in the mirror?

18          A     My butt was completely black on one cheek and the  
19 other one was a little bit and it was shiny.

20          Q     When you say that it was black, are you referring to  
21 it was black and blue from bruising or was it black for a  
22 different reason?

23          A     It was black, like this table black, black, shiny  
24 like -- I thought it looked like tar that just got put down.

25          Q     Were you in pain as a result of those injuries?

1           A     Yes.

2           Q     What about the injury to your finger, did that hurt?

3           A     Yeah.

4           Q     Did -- were they ever -- did either one of them ever  
5 take you to the doctor?

6           A     No.

7           Q     Did they ever take you to the emergency room?

8           A     No.

9           Q     After you sustained those injuries to your rear end,  
10 did you go out and work again?

11          A     Yes.

12          Q     Was it the same night or was it days later?

13          A     I don't know. I had the -- I had the black on my  
14 butt for like I think two weeks or so. I don't -- I don't  
15 really know. I didn't have any track of time when I was there  
16 at that point, from May 10th when he took my phone I didn't  
17 have any -- I knew it was daytime because the sun was out.

18          Q     When you say that it was difficult to keep track of  
19 time, what made it difficult to keep track of time?

20          A     I never had any sense of time. He never let me have  
21 my cell phone to know what time it was. I mean, I didn't  
22 really -- I didn't really -- I was just trying to keep alive.  
23 I wasn't trying to think about what day of the month or year  
24 it was.

25          Q     In addition to being beaten with the metal whip and

1 the yellow pole, were you ever struck with anything else --  
2 and the oranges?

3 A The iron on my foot.

4 Q Can you -- do you remember when that incident  
5 occurred?

6 A All of it was a big blur. It all happened around --  
7 around that time, from end of April to June. Most of it  
8 happened after like I said that I wanted to leave. But it's  
9 all -- I don't remember what time frame.

10 Q Do you remember why you were beaten with a metal  
11 pole?

12 A I messed up. He took us to a pawn shop and I was  
13 supposed to get something and I said the city I was born in  
14 because they asked that question and he said why did you give  
15 the city that you were born in? Why didn't you give a fake  
16 one? And I said that's not the city I was born in and I lied  
17 to him because it was the city I was born in.

18 Q Do you know how he figured out that you were lying?

19 A He saw my birth certificate.

20 Q So your birth certificate was at the house where the  
21 beatings were occurring?

22 A My birth certificate and my social security number,  
23 everything I had that I was going to take to Ohio with me came  
24 with me.

25 Q Ms. Richards, going back to when you had the chance

1 to observe the injuries to your rear end, did there come a  
2 time when the defendant observed those injuries?

3 A Yes.

4 Q When was that?

5 A Maybe that day, the day after. I don't know.  
6 Something around that time.

7 Q Did he say anything to you when he saw those  
8 injuries?

9 A He laughed and he said something about how I had a  
10 little black in me or it was something about the fact that it  
11 was black colored.

12 Q You said that at some point you were -- your foot  
13 was burned with an iron?

14 A Yes.

15 Q Do you know why that happened?

16 A We messed up at work but I don't really remember how  
17 we did mess up.

18 Q When you say we, are you referring to yourself and  
19 Kariah?

20 A Yes, we both did that time.

21 Q Can you tell me about the incident with the iron and  
22 your foot?

23 A He was screaming at us and he told me to sit down  
24 and put my feet out and he started getting the iron to turn on  
25 and he kept screaming at us. And Kariah was being punished so

1 she had to sit there and watch too. And he was telling her  
2 that she was going to get all of her necklaces and her  
3 earrings and all that stuff was going to be taken away from  
4 her. And when the iron got hot he -- he started off with my  
5 pinky toe on my -- on my right foot and he would scream at me  
6 and then he would scream at her and then he'd do another one  
7 and then he kept going and kept going.

8 Q When you say that he started out with your pinky  
9 toe, what do you mean?

10 A He -- he burned the top of my foot and he started  
11 with the pinky toe, the top of my pinky toe. And then he put  
12 burns on top of burns.

13 Q Did they stay focused on your pinky toe or did they  
14 move to other parts of your foot?

15 A Other parts of my foot.

16 Q Was it the top of your foot or the bottom of your  
17 foot?

18 A The top of my foot.

19 Q What parts of your foot did he burn?

20 A My pinky toe, the -- the side -- it was always by my  
21 toes, the top of my big toe and overall he did one big one  
22 that was like in the middle, like right above the toes from  
23 the big toe to the pinky toe, all the way across.

24 Q Okay. So straight across the top of your foot just  
25 below your toes?



1           A     Above my toes, yeah.

2           Q     How long was he holding the iron against your foot?

3           A     I think one time he said it was like 10 seconds, it  
4 was about that, but it was hot.

5           Q     What type of iron was it?

6           A     A clothing iron.

7           Q     Do you remember what it was made of?

8           A     Metal. The top that was touching my foot was metal.

9           Q     Were you allowed to move your foot?

10          A     No.

11          Q     Did you ever try to move your foot?

12          A     Yes.

13          Q     What happened when you tried to move your foot?

14          A     He said don't do it otherwise I'll have to -- I'll  
15 have to burn, I'll have to do more. And he put it really  
16 close to my nose and he burned the first layer of my nose off.  
17 He didn't touch it -- he didn't touch it to my face but he got  
18 close enough that the heat was right there.

19          Q     Once you were burned with the iron on your foot, did  
20 you develop any injuries?

21          A     It got infected.

22          Q     How could you tell it was infected?

23          A     Because it was green and pussy and smelled.

24          Q     Did he ever offer to take you to the doctor or the  
25 emergency room?

1           A     No.

2           Q     What if anything did he do to --

3           A     He got me a pair of boots to wear so I could still  
4 go to work.

5           Q     What were you wearing before the boots?

6           A     The wedges.

7           Q     Were they open toed?

8           A     Yes.

9           Q     And the boots were closed toe?

10          A     The boots covered my whole entire foot.

11          Q     So that the injuries would be hidden?

12          A     Yes.

13          Q     Did he ever do anything to that infected wound?

14          A     He would pour alcohol and peroxide on it every once  
15 in a while and he would give it to me that I could do the same  
16 with it, but it was too infected.

17               MR. WEINSTOCK:  Objection, calls for lack of  
18 foundation.

19               THE COURT:  Sustained.  Perhaps the witness can  
20 explain what she means -- or perhaps you can rephrase that she  
21 -- she can't give a medical opinion but she can certainly  
22 describe her own physical condition.

23           BY MS. MERCER:

24          Q     You said that he would put alcohol and peroxide in  
25 the wound?

1           A     Yes.

2           Q     Did that do anything to make the infection go away?

3           A     No, it kept getting green and pussy still.

4           Q     Was there ever an occasion that he caught you lying  
5 to him?

6                   MR. WEINSTOCK:  Objection, asked and answered, Your  
7 Honor.

8                   MS. MERCER:  I wasn't done with my question  
9 actually, Your Honor.

10                  THE COURT:  Ask -- go ahead and ask the full  
11 question.

12 BY MS. MERCER:

13           Q     Was there ever an occasion when he caught you lying  
14 to him and he did something to your tongue?

15           A     Yes.

16                   MR. WEINSTOCK:  Again, objection, leading.

17                  THE COURT:  Overruled.  Go ahead.

18 BY MS. MERCER:

19           Q     Can you tell us about that incident?

20           A     I don't remember what I lied about but he caught me  
21 lying.  And we were in the -- we were in the small bathroom  
22 and he -- he -- he always threatened that he was going to cut  
23 my tongue but that time he did.  He cut my tongue a lot.  And  
24 then --

25           Q     When you say that he cut your tongue a lot, do you

1 mean that he did that on more than one occasion or do you mean  
2 that he cut it over --

3 A He did it --

4 Q -- and over again?

5 A He did a lot over and over again. He did it over  
6 and over again and he would make me hold out my tongue and he  
7 would take -- he took a kitchen knife and cut it.

8 Q What kind of a kitchen knife did he use to cut your  
9 tongue?

10 A I guess a steak knife I guess it would be called.

11 Q So --

12 THE COURT: I'm still confused. Over and over again  
13 on one occasion or over and over again on many occasions? I  
14 just want to make sure I'm clear.

15 BY MS. MERCER:

16 Q Which one was it Ms. Richards?

17 A On that one occasion.

18 Q How many times did he cut your tongue with the steak  
19 knife?

20 A I don't know.

21 Q Were you bleeding?

22 A Yes.

23 Q When you were bleeding, did he do anything else to  
24 your tongue?

25 A He went to the kitchen and he made this like Tabasco

1     sauce where he put hot sauces and he put seasonings and just  
2     anything hot he could find in the kitchen to put on my tongue.

3           Q     During the time period of March 9th, 2014 to the  
4     time that you left in June of 2014, were you ever aware of  
5     whether or not there were weapons in the house?

6           A     Yes.

7           Q     Specifically firearms?

8           A     Yes, I was aware.

9           Q     How was it that you knew he had firearms in the  
10    house?

11          A     The first time I saw a firearm was -- was Russian  
12    roulette. And the second time was a pistol whipping.

13          Q     Okay. The first time involving the Russian  
14    roulette, do you remember when that occurred?

15          A     No.

16          Q     Do you remember why it occurred?

17          A     Because I messed up at work and one of the tricks  
18    had said that he was going to call security.

19          Q     One of the clients?

20          A     Yes.

21          Q     And why did that upset him?

22          A     Because it would cause the police possibly to come.

23          Q     What specifically did he say to you when he learned  
24    of that incident?

25          A     He said that I put him, Kariah and their baby in

1 jeopardy.

2 Q You said their baby?

3 A Yes.

4 Q During this time period was Kariah pregnant?

5 A Yes.

6 Q When did you first learn that Kariah was pregnant?

7 A It was shortly after the first beating.

8 Q After the first beating with the belt --

9 A Yes.

10 Q -- in the master bedroom?

11 A Yes.

12 Q And you said that that was three to four weeks into  
13 your stay?

14 A Yes.

15 Q Going back to the Russian roulette incident, can you  
16 tell me what he did with the firearm?

17 A He was sitting in that -- in that recliner that you  
18 see in the pictures in the pink room, that was in the living  
19 room at that point in time. He was sitting in that and he  
20 told me to sit in the middle of the couch. And he brought out  
21 the gun and he -- he put -- he took all the bullets out in  
22 front of me and he kept one of them in there.

23 Q Do you know the difference between a revolver and a  
24 semi-automatic firearm?

25 A No.

1           Q     When you say that he took out all the bullets but  
2 one --

3           A     And it spun.

4           Q     The chamber spun? Okay. After he took out all the  
5 bullets except for one, what did he do?

6           A     He -- he spun it.

7           Q     But when he was spinning it where was he aiming the  
8 firearm?

9           A     At my chest.

10          Q     How many times did he do that?

11          A     He -- he spun it like six or seven times.

12          Q     And each time that he did that would he point it at  
13 you?

14          A     Yes, it was pointed at me.

15          Q     Were you able -- were you able to tell whether or  
16 not he pulled the trigger?

17          A     It made a clicking noise.

18          Q     The gun made a clicking noise? Did it do that every  
19 time he spun the chamber and pointed the firearm at you?

20          A     No, sometimes he would fire it off twice.

21          Q     And then he would spin it again?

22          A     Yes, but he kept making sure that I saw that there  
23 was a bullet in there because he said that he wanted to make  
24 sure that I knew he -- he wasn't joking.

25          Q     When you say that he was making sure that you knew

1 there was a bullet in there, what was he doing to make sure  
2 that you knew there was a bullet in the chamber?

3 A He would show me it every time.

4 Q You were never shot, though, correct?

5 A No.

6 Q Did he say anything to you at the end of that  
7 incident about the fact that you were not shot?

8 A He goes, ooh, God wanted to keep you alive.

9 Q You also mentioned a -- an incident where you were  
10 struck with a firearm?

11 A Yes.

12 Q Was it the same firearm?

13 A No.

14 Q How was that firearm different, the second firearm?

15 A The first one was either -- it was like a dark  
16 blackish color and had a handle on it that was brown and kind  
17 of looked like wood. And then this one that he struck my head  
18 with was silver.

19 Q Okay. So the first firearm is the one that had  
20 the --

21 A Russian roulette.

22 Q -- the brown handle?

23 A Uh-huh. Yes.

24 Q And then the second firearm was silver?

25 A Yes.



1 Q Did it also have one of those chambers that spun?  
2 A I don't remember. I was looking towards the ground.  
3 Q What did he do with that silver firearm when you  
4 were looking at the ground?  
5 A He -- he was hitting me and then I was on my knees  
6 and my arms were in front of me and he hit me in the back of  
7 the head with it.  
8 Q Where were you inside of the house when that  
9 occurred?  
10 A In the master room.  
11 Q Do you remember where in the master bedroom?  
12 A The armoire with the mirror, I was closer to that.  
13 My feet were next to the armoire, the mirror, and my head was  
14 towards the bed.  
15 Q When he hit you with the firearm, did you sustain  
16 any injuries?  
17 A Yes, I was bleeding a lot.  
18 Q Where were you bleeding from?  
19 A My skull, my head.  
20 Q Where was Kariah when that happened?  
21 A She was in the room.  
22 Q What was she doing?  
23 A She was just standing there.  
24 Q When he saw that you were bleeding, what happened at  
25 that point?

1           A     He told me to go to the bathroom and told Kariah to  
2 help clean -- help clean it up.

3           Q     How many times did he hit you in the head with that  
4 silver firearm?

5           A     He only had to do it once.

6           Q     When you say that he told Kariah to go into the  
7 bathroom and help clean it up, what do you mean? Clean up  
8 what?

9           A     The blood.

10          Q     The blood that was where?

11          A     All over. There was blood on the floor and as I ran  
12 there was blood on the side of the sink a little bit too.

13          Q     Do you remember why you were struck in the head with  
14 that silver firearm?

15          A     No, I don't remember.

16          Q     What if -- what if anything did Kariah do to stop  
17 the bleeding?

18          A     She grabbed me a towel and pressed it against my  
19 head and started cleaning up the bathroom. And then I was  
20 told to go to the pink room. And after that she cleaned up  
21 the carpet.

22          Q     The carpet in which room?

23          A     The master bedroom.

24          Q     When you went to the pink room what did you do?

25          A     I had to hold the towel to my head. I was scared it

1 was going to keep bleeding.

2 Q Do you remember when that incident happened?

3 A (Witness shakes head no.)

4 Q With regards to the injuries on your rear end, what  
5 if anything did the defendant do to try to treat those  
6 injuries?

7 A Nothing.

8 Q Can you recall any other specific beatings?

9 A I don't know.

10 Q Do you recall anything ever happening in the guest  
11 bathroom where you got ready?

12 A Yes. He was mad at me for something. I was -- I  
13 was at work and I wasn't really coherent, I was really out of  
14 it.

15 Q Why were you out of it?

16 A I don't know, I just wasn't -- I think it was  
17 because I didn't have a lot of blood. And I don't --

18 MR. WEINSTOCK: Objection, calls for speculation,  
19 Your Honor, move to strike.

20 MS. MERCER: Your Honor, I'll rephrase the question.

21 THE COURT: All right. Sustained. Please -- thank  
22 you for rephrasing.

23 BY MS. MERCER:

24 Q Were you under the influence of any alcohol or  
25 drugs?

1           A     No, I wasn't.

2           Q     What physical condition were you in?

3           A     I was probably 110 pounds, I was really skinny and I  
4 kept passing out.

5           Q     What about injuries, what injuries did you have at  
6 the time?

7           A     I had the foot and broken bones and stuff like that.  
8 I didn't have the one on my butt yet.

9           Q     You said that you were only 110 pounds --

10          A     Yeah.

11          Q     -- at that point? So you had lost about 40  
12 pounds --

13          A     Yeah.

14          Q     -- from the time that you first met them? And when  
15 you say that you were kind of out of it, what do you mean?

16          A     If I did too much walking or I -- my -- my heart was  
17 racing, I would just pass out. And so I wasn't -- I was  
18 delusional -- delusional when I was on the Strip. And he  
19 thought that I just wanted to go home --

20               MR. WEINSTOCK: Objection, calls for speculation.

21               THE COURT: Sustained. So let me just tell the  
22 jurors. Oftentimes you'll hear objections when a witness says  
23 what someone else is thinking and it generally calls for  
24 speculation unless there's some foundation for the witness to  
25 know what the other person was thinking. That's generally

1 what -- what that objection is all about. So I -- what  
2 happens then is I sustain the objection and then ask the --  
3 the district attorney to rephrase. And sometimes they -- they  
4 follow up. Go ahead.

5 MS. MERCER: Thank you.

6 THE COURT: So it is sustained.

7 MS. MERCER: Thank you, Your Honor.

8 BY MS. MERCER:

9 Q You said that you were delusional. Did the  
10 defendant say anything to you about --

11 A He told me that I just wanted to go to sleep and I  
12 was being lazy.

13 Q He told you that you just wanted to go to sleep and  
14 you were being lazy?

15 A Yes. And so he took me home and it started in the  
16 master bedroom and he -- he tied me up with duct tape with my  
17 arms, my wrists behind my back, and he tied my -- he tied my  
18 mouth with duct tape and then he tied my feet together with  
19 duct tape and he put plastic -- plastic baggies over my head  
20 and had me keep passing out. And then he -- he drug me to  
21 that small bathroom, he put me in the bathtub and he -- he  
22 started pouring water on my -- on my face and he put a white  
23 towel over my face. I'm sorry, his white shirt over my face.

24 (Audio stopped at 3:41:20, next audio began at  
25 3:42:00)

1           A     No. He kept putting more and more so I couldn't  
2 breathe and he duct taped it to my neck.

3           Q     Were there times when -- that he would let go of the  
4 bag so that you could catch your breath again or did he just  
5 keep the bag over your head for a long period of time?

6           A     He would come and put his hands against me and then  
7 he would let it stop. And then I would come back into it and  
8 when I was not out of it anymore he would come back and do it  
9 again and put his hands on my neck.

10          Q     You said that at some point he moved you to the  
11 bathroom where you would get ready?

12          A     Yes.

13          Q     And then once in that bathroom he covered your face  
14 with a shirt?

15          A     Yes.

16          Q     Where were you -- how were you positioned in the  
17 bathroom at that point?

18          A     He laid me down. I was -- my hands were behind me  
19 still, I was still duct taped on my hands and my feet. And my  
20 feet were where the showerhead is.

21          Q     So were you laying on your back?

22          A     Yes.

23          Q     You said that he began pouring water over your face?

24          A     Yes.

25          Q     But the shirt was covering your face?

1 A Yeah.

2 Q And you were having trouble breathing?

3 A Yes.

4 Q And at some point you passed out?

5 A Yes.

6 Q When did you regain consciousness?

7 A I don't know.

8 Q Where were you when you regained consciousness?

9 A I was in the pink room.

10 Q When you woke up in the pink room was there anyone  
11 else inside the room with you?

12 A Kariah was on the edge of the bed and my feet and my  
13 hands were untied.

14 Q What if anything did Kariah say to you at the point  
15 where you regained consciousness?

16 A She didn't say anything. She just -- she goes,  
17 she's up, she's up. And he walked in the room. He looked  
18 concerned for once.

19 MR. WEINSTOCK: Objection, move to strike.

20 THE COURT: Overruled. She can explain her  
21 perceptions.

22 BY MS. MERCER:

23 Q When you say that he came into the room are you  
24 referring to the defendant?

25 A Yes.

1 Q And you said that he looked concerned for once?

2 A Yes.

3 Q What -- what led you to the conclusion that he  
4 looked concerned?

5 A Because he -- he put his hand over his mouth and  
6 then he walked back out. And then she started asking me  
7 questions.

8 Q What kinds of questions was she asking you?

9 A I don't even remember. I don't really remember what  
10 was said but --

11 Q At some point -- at some point did you learn that  
12 she relayed the contents of that conversation to the  
13 defendant?

14 A Yes.

15 Q How was it that you learned that she relayed the  
16 contents of that conversation to the defendant?

17 A Because later he was talking about what happened and  
18 he told me he had to give me CPR and then he told -- he played  
19 it for me, he played a recording. He didn't let me see the  
20 screen so I don't know if it was a video or if it was audio,  
21 but he played it and he said see, if you're going to tell the  
22 police you're going to tell -- if you're going to tell her and  
23 you're going to tell me then how are you -- how am I supposed  
24 to let you go around the police because you're going to tell  
25 the police.



1 Q What was in the recording that he played for you?

2 A I said I chose to be there. She kept asking me  
3 questions like who? LR and Sierra. And I'm here because I  
4 want to be here, which wasn't true, I didn't want to be there.  
5 But --

6 Q Were you talking about any specific incident in that  
7 recording?

8 A I don't know. He only let me hear 15 seconds maybe.

9 Q But you recognized your voice?

10 A Yes.

11 Q And you recognize Kariah's voice?

12 A Yes.

13 Q And based upon whatever was in that recording he had  
14 concerns that you would tell law enforcement?

15 A Yes.

16 MR. WEINSTOCK: Objection, calls for speculation.

17 MS. MERCER: But I'm just clarifying her earlier  
18 testimony when she said if he told her if you're going to tell  
19 Kariah and you're going to tell me, how do I know you're not  
20 going to tell law enforcement.

21 THE COURT: Well, her testimony's already of record  
22 so the jurors will recall what she said, so sustained.

23 BY MS. MERCER:

24 Q At the time that that conversation with Kariah  
25 occurred, were you two the only ones in the room?

1           A     I think so, yes. I'm pretty sure.

2           Q     At that point in your stay with the defendant and  
3 Kariah, were you working still?

4           A     Yes.

5           Q     How often were you working?

6           A     I don't know. I guess twice a week.

7           Q     You testified that at some point you had pretty  
8 significant injuries to your rear end?

9           A     Yes.

10          Q     Were -- when you would go to work did you ever get  
11 questioned about your injuries by johns?

12          A     Yes.

13          Q     What would they say to you?

14               MR. WEINSTOCK: Objection, hearsay.

15               MS. MERCER: I'll move on, Your Honor. I'll  
16 rephrase actually.

17               THE COURT: Okay.

18 BY MS. MERCER:

19          Q     Did they ever contact police for you or medical?

20          A     No.

21          Q     Were there any other incidents that occurred in the  
22 bathroom, in either bathroom at the home?

23          A     The ice. He -- in the small bathroom where I got  
24 ready he filled up the bathtub full of ice. He bought like 10  
25 bags of ice and he -- he said -- he got the idea from the ice

1 bucket challenge because Kariah was looking through some type  
2 of social media and he put me in the bath with ice for hours  
3 and he turned off the light and had me sitting there.

4 Q He would --

5 A He told me not to get up.

6 Q So he left you in the dark?

7 A Yes.

8 Q When -- who finally came in and let you out of that  
9 ice bath?

10 A He did.

11 Q What did he do when he came in and let you out of  
12 the ice bath?

13 A He told me to take a shower. And the water was hot  
14 to me because I was so cold and I tried to -- he told me don't  
15 turn it down. And I thought he left and he -- he opened and  
16 closed the door and so I thought he was gone. And then I  
17 turned it down and I thought I would turn it up as I got more  
18 used to it and he was standing in the bathroom still. And so  
19 he turned the water all the way up as hot as it could go and  
20 it felt like it was burning.

21 Q How long did he make you stand in that burning hot  
22 water?

23 A In the shower --

24 Q Did he stay in there --

25 A -- 15 minutes.

1           Q     -- for the remainder of your shower? And I'm sorry,  
2 you said how many minutes?

3           A     Probably about 15 minutes.

4           THE COURT: Let's find a good breaking point.

5           MS. MERCER: That's fine. Now, would be a good  
6 time, Your Honor.

7           THE COURT: All right. Do you still have much more  
8 to go you think?

9           MS. MERCER: Probably at least another half hour.

10          THE COURT: Okay. Let's go ahead and take a  
11 15-minute break, ladies and gentlemen of the jury.

12          During this break you're admonished, do not talk or  
13 converse among yourselves or with anyone else on any subject  
14 connected with this trial. Do not read, watch or listen to  
15 any report of or commentary on the trial or any person  
16 connected with this trial. Do not seek or obtain information  
17 or comments about the case from any source including, without  
18 limitation, newspapers, television, Internet, cell phones,  
19 radio. Do not form or express any opinion on any subject  
20 connected with the trial until the case is finally submitted  
21 to you.

22          It's 10 to four, let's reconvene at 4:05, please.  
23 Thank you.

24                   (Jury recessed at 3:51 p.m.)

25          THE COURT: We're outside the presence of the jury.

1 The witness is temporarily excused and Ms. Richards, you may  
2 step down. Please watch your step and your advocate may  
3 escort you. Thank you. Please remember not to discuss your  
4 testimony with anybody. All right. Thank you.

5 Anything to put on the record?

6 MS. MERCER: No, Your Honor.

7 MR. WEINSTOCK: No, not right now, Your Honor.

8 THE COURT: All right. Court is adjourned until  
9 4:05. Thank you.

10 (Court recessed at 3:52 p.m. until 4:07 p.m.)

11 (Outside the presence of the jury.)

12 THE COURT: All right. State -- hold on a second.  
13 Case number C301364, State versus Sharpe. Counsel, did you  
14 have something outside the presence of the jury?

15 MR. WEINSTOCK: Yes, a couple things, Your Honor.

16 THE COURT: Yes, sir.

17 MR. WEINSTOCK: First, I want to acknowledge on the  
18 record I was just handed a copy of the guilty plea agreement  
19 by the State for Kariah Heiden. So I have now received the  
20 guilty plea agreement.

21 THE COURT: I'm glad you have that. Thank you, sir.

22 MR. WEINSTOCK: I appreciate that. Second thing,  
23 Your Honor, is, I'm going to need the Court's help in that I  
24 want to try to talk, I believe very nicely and friendly, to  
25 that woman over there that is videoing, that is supposedly

1 part of the documentary that Ms. Heiden -- I mean, excuse me,  
2 Ms. Autumn Richards is involved in.

3 At -- when we took the break I went up and asked her  
4 if she would give me her name, phone number and address so we  
5 can send a subpoena requesting whatever information she had.  
6 She started by just telling me she's with Upres Media and  
7 would not give me any other information. And I think she got  
8 upset and said you're worried or scared and said she's going  
9 to have her attorney in California contact me at some point in  
10 time. I don't know when.

11 Obviously, it is very important, I believe to us, to  
12 get at least the contact information so we can subpoena the  
13 video so we can at least try to get that moving, see how long  
14 it's going to take to get and see what's in it because I think  
15 that is going to be very important to the defense of our  
16 client. So I would ask the Court to request that she give us  
17 that information so that we can then contact --

18 THE COURT: I don't know why you would need that.  
19 We have the JAVS system here. Everything that we do here is  
20 recorded.

21 MR. WINDER: No, Your Honor, we're talking about the  
22 documentary evidence we discussed on Friday. They're doing a  
23 documentary --

24 THE COURT: Oh, you mean for the victim? Oh, I  
25 thought you meant this one --

1 MR. WINDER: Yes, for this one.

2 MR. WEINSTOCK: No, I'm talking about whoever is  
3 videoing there apparently -- two things. She claims that she  
4 did a media request for Upres Media --

5 THE COURT: I think your co-counsel is talking about  
6 the videotaping of the proceedings in court. I think that's  
7 what he's talking about.

8 MR. WINDER: No.

9 MR. WEINSTOCK: I'm talking about both. She is  
10 videotaping for this Upres Media that apparently has some type  
11 of arrangement with the victim that they are making the  
12 documentary.

13 THE COURT: So let me ask some questions. It's  
14 better -- so is Upres -- Mr. Martinez, is Upres Media the same  
15 company that is videotaping the victim?

16 MR. MARTINEZ: I believe that is the production  
17 company that --

18 THE COURT: All right. Well, did you know of the  
19 commonality here?

20 MR. MARTINEZ: Did I know of it?

21 THE COURT: Yeah, when did you know of that?

22 MR. MARTINEZ: Well, I recognized who she is.

23 THE COURT: Okay. But I mean when did you know that  
24 it was Upres Media that was videotaping the victim?

25 MR. MARTINEZ: This is the first time I've ever

1 heard the name Upres Media. But I --

2 THE COURT: Okay.

3 MR. MARTINEZ: -- based on what I said before.

4 THE COURT: It just seems kind of coincidental that  
5 the company doing the production, you know, for these high  
6 profile cases, is the same company that's been in contact with  
7 the victim and you were not aware of that. And I'm not saying  
8 -- no, I'm not saying -- I misspoke. I'm not trying to say  
9 it's unusual that you don't know, I'm saying it's unusual it's  
10 the same company that's involved in both proceedings, both  
11 productions.

12 MR. MARTINEZ: Well, what I said previously was that  
13 we understood that they were coming to film the trial and then  
14 a do a story on her afterwards, after the trial.

15 THE COURT: Oh, okay. So this -- the company that's  
16 here videotaping with Upres Media is not the same company  
17 that's videotaping for like the Wolfson Productions?

18 MS. MERCER: No.

19 MR. MARTINEZ: Correct.

20 THE COURT: That's a different company?

21 MS. MERCER: Correct.

22 MR. MARTINEZ: That's a different company.

23 THE COURT: Okay. All right. So Upres Media, you  
24 just found out, from what you told us earlier, was recently --  
25 you recently discovered from the advocate that they're



1 involved. You didn't have any prior knowledge before Friday?

2 MS. MERCER: Correct.

3 MR. MARTINEZ: Correct.

4 THE COURT: Okay. So nothing's changed. What I  
5 thought Mr. Weinstock was suggesting is that Upres Media,  
6 which is -- because remember we've seen in reports in the RJ  
7 recently about defense counsel being concerned about  
8 production companies in court videotaping for some future  
9 docu-drama that's going to come out that our District Attorney  
10 Wolfson is behind.

11 MR. WEINSTOCK: Right. As far as I know this has  
12 nothing --

13 THE COURT: All right. And you weren't -- so that's  
14 what I thought you were -- you were discussing.

15 MR. WEINSTOCK: No.

16 THE COURT: I misunderstood. I -- I apologize. And  
17 Mr. Winder tried to alert me to that and I appreciate that.  
18 All right. So what you're trying to do, though, is you're  
19 just trying to get contact information so you can serve a  
20 subpoena on Upres Media so that you can then look at the  
21 material that they have shot so far and determine if it was  
22 information that would have been critical to your defense.

23 MR. WINDER: That's correct --

24 MR. WEINSTOCK: Absolutely.

25 MR. WINDER: -- that 24, 25 hours that we were

1 talking about on Friday that we had a conference call with and  
2 then we had a hearing about this morning as a basis to  
3 continue this trial --

4 THE COURT: Okay.

5 MR. WINDER: -- we want to subpoena that.

6 THE COURT: I understand now. No, I understand.  
7 All right. Thank you. I'm sorry I was a little slow. I  
8 thought this was a new issue but it relates to the Friday  
9 issue. Mr. Martinez, would you like to respond briefly to  
10 that?

11 MR. MARTINEZ: Well, Judge, we typically don't get  
12 involved with situations like this involving the media. I  
13 mean, she's -- we don't represent her, we don't -- we haven't  
14 -- she's not an agent of the state. We have nothing to do  
15 with that production company. I think she made it clear to  
16 Mr. Weinstock, just based on Mr. Weinstock's representations,  
17 that she wants her attorney -- the communication between the  
18 attorneys and not herself. I -- you know, I'll leave it at  
19 that but I can't get involved really.

20 THE COURT: All right. So let me just ask and,  
21 ma'am, I don't want to necessarily get you involved, but are  
22 you willing to give contact information for your attorney to  
23 the defense counsel?

24 MEDIA: Absolutely.

25 THE COURT: All right. And that's -- that's all

1 I'll ask at this point. And so very well. So Mr. Weinstock,  
2 you are entitled to contact information for counsel for Upres  
3 Media. And -- and if you don't have that by the end of trial,  
4 then we'll take -- we'll discuss it further. But I think you  
5 are entitled to that information.

6 MR. WINDER: And, Your Honor, and I may be wrong --

7 THE COURT: Yes, sir.

8 MR. WINDER: -- but I thought from our conference  
9 call on Friday that the State was in the process of  
10 subpoenaing or getting that documentary evidence already. So  
11 I don't know if they decided not to go forward with that or --  
12 or --

13 THE COURT: Mr. Martinez did say he was going to  
14 look into the availability and report back to us today and I  
15 -- so I didn't hear anything further from him.

16 MR. MARTINEZ: And I don't have a definitive answer.

17 THE COURT: Okay.

18 MR. WINDER: Because we were told they couldn't --

19 THE COURT: I don't think I can --

20 MR. WINDER: -- it was in California. They couldn't  
21 meet in a medium that we could receive [indiscernible] this  
22 coming Friday. So I thought there had already been  
23 discussions as to how we can get a copy of the tapes, the 24  
24 hours, 25 hours of taping they've already done and interviews  
25 of our -- of Ms. Richards that have already occurred.

1           THE COURT: Well, and I don't know that I have  
2 jurisdiction to order them to produce it to you.

3           MR. WINDER: I'm not saying that. I just want to be  
4 clear. If they're not -- if they are, you know, we're not  
5 going to necessarily continue to bother the Upres Media. But  
6 if the State has that information and has already started the  
7 process to subpoena that --

8           THE COURT: Let's find out because ultimately if the  
9 State obtains it they should turn it over to you. I think  
10 that they arguably have that obligation. I'm not making a  
11 definitive ruling on that. And I can see in some future  
12 proceedings you looking at that material and making a  
13 determination whether it is newly discovered evidence that  
14 would warrant some different outcome. And so I could  
15 certainly see if I was in your shoes I would want to obtain  
16 that as quickly as possible. And -- and I trust that Mr.  
17 Martinez, if he obtains it he'll provide it to you.

18           But I -- again, I don't know that I have even  
19 jurisdiction to order the State to subpoena Upres Media and  
20 obtain that -- that material. But to the extent Mr. Martinez  
21 obtains it, are you -- if you do obtain it are you planning at  
22 that point in time to promptly duplicating it and providing it  
23 to the defense?

24           MR. MARTINEZ: Absolutely, Judge.

25           THE COURT: All right. I don't know that there's

1 any more I can do at this point in time.

2 MR. WINDER: I'm not saying you can, Your Honor.

3 What I'm --

4 THE COURT: Okay.

5 MR. WINDER: -- I was under the impression that they  
6 were doing it and were in the process of doing it. If they're  
7 not doing it I just want to be sure that we're not --

8 THE COURT: Well, let's find out. Mr. Martinez, are  
9 you subpoenaing it? Or do you have --

10 MR. MARTINEZ: I have not issued -- I have not  
11 issued a subpoena. One thing, it's a California --

12 THE COURT: Okay.

13 MR. MARTINEZ: -- production company and that  
14 creates all sorts of obstacles. I'm getting ready to go to  
15 trial here, we're in the midst of the trial, that's kind of  
16 what I'm focusing on given Your Honor's ruling. But no  
17 subpoena has been issued at this point by the State.

18 THE COURT: All right.

19 MS. MERCER: We did request it but there's been no  
20 subpoena.

21 THE COURT: Okay. Very well. And, again, I'm not  
22 issuing any order that they -- because again I -- I'm not  
23 convinced that I would have jurisdiction over them. But let's  
24 -- so I don't know that there's anything for me to decide  
25 right now on this issue.

1           MR. WEINSTOCK: The only thing I want to point out  
2 to the Court is the local court rules would require a media  
3 request and I have not seen and I should have or the defense  
4 should have gotten a copy of any media request from Upres  
5 Media.

6           THE COURT: Tell you what, I'm going to check it --

7           MR. WEINSTOCK: Because I should have --

8           THE COURT: -- I'll check it overnight, all right?  
9 I don't want to hold up the jury anymore but I'll check it  
10 overnight and I'll let you know first thing tomorrow when we  
11 start.

12          MR. WINDER: Thank you, Your Honor.

13          THE COURT: I think you're entitled to know that. I  
14 -- I know that I've seen several requests and I need to see,  
15 you know, which requests apply to which media companies that  
16 are here in court.

17          MR. MARTINEZ: And the State has nothing to do with  
18 media requests or anything of that nature.

19          THE COURT: I understand that. Nope, I understand.

20          MR. WEINSTOCK: All right.

21          THE COURT: So I'll let you know first thing  
22 tomorrow. That's a perfectly reasonable request, Mr.  
23 Weinstock.

24          MR. WEINSTOCK: Thank you.

25          THE COURT: All right. So we can then go ahead and

1 bring the jury in?

2 MR. WEINSTOCK: Just very -- 30 seconds. I just  
3 want to put on the record just in case they back out, which I  
4 am sure they won't, in talking to Mr. Martinez, he's agreed  
5 that we're going to stipulate to the admission -- or the  
6 authenticity of the medical records from UMC. So we don't --  
7 neither side has to call anybody in to authenticate the  
8 medical record. Whether or not any portions may be relevant  
9 or whatever, that will be up to either side making an  
10 objection.

11 THE COURT: Well, so let's find out if they  
12 stipulate to that.

13 MS. MERCER: That's exactly what we told Mr.  
14 Weinstock, Your Honor.

15 THE COURT: Okay.

16 MS. MERCER: And we're not sure why he would make a  
17 record that just in case we back out.

18 THE COURT: You wouldn't. If you made the  
19 representation I trust you wouldn't back out. All right.  
20 That's just as if Mr. Weinstock made a similar, you know,  
21 stipulation, I wouldn't think he would back out. So let's go  
22 ahead and bring in the jury.

23 MR. WEINSTOCK: Thank you, Your Honor.

24 THE COURT: Thank you. Marshal, would you mind  
25 getting my Marshal and letting him know the jury can be

1 brought in now? Thank you, sir. Thank you. All right. So  
2 we're ready to go, thank you.

3 (Jury reconvened at 4:19 p.m.)

4 THE COURT: Thank you, ladies and gentlemen of the  
5 jury. We try to be punctual but there's always something that  
6 comes up so this -- this will happen again and again, just to  
7 let you know. All right. Very well, let's go ahead and  
8 proceed. Let's go ahead and bring in the witness.

9 MR. MARTINEZ: Thank you, Your Honor.

10 THE COURT: Ms. Richards, please have a seat. And  
11 do you understand that you are still under oath and still  
12 required to testify truthfully?

13 THE WITNESS: Yes.

14 THE COURT: All right. Ms. Mercer, you may proceed.

15 MS. MERCER: Thank you.

16 BY MS. MERCER:

17 Q Ms. Richards, during the time that you resided with  
18 the defendant and Kariah from March 10th of 2014 into June of  
19 2014, were you -- were your services ever advertised?

20 A Yes.

21 Q And how were they advertised?

22 A We picked up johns on the Strip but we also were on  
23 Backpage.

24 Q What is Backpage?

25 A It's a website where girls are advertised.



1 Q When you say that you were on Backpage, are you  
2 referring to yourself and Kariah?

3 A Yes.

4 Q Were you photographed in order to be able to post  
5 those advertisements?

6 A Yes.

7 Q Who photographed you?

8 A Kariah had the camera, LR was in the room.

9 Q What was LR doing?

10 A He was holding the lamps and making sure the  
11 pictures turned out how we wanted them to.

12 Q Do you recall what were you wearing when you were  
13 photographed for Backpage?

14 A Black underwear.

15 Q What kind of underwear?

16 A A thong.

17 Q Do you recall how soon after you arrived on March  
18 10th of 2014 that occurred?

19 A Beginning of April, mid-April.

20 Q Of 2014?

21 A Yes.

22 Q You also indicated that during the course of the  
23 time that you worked for the defendant he always drove you  
24 down to the Strip.

25 A Yes.

1 Q Did he always drive you in that gray Honda?

2 A His -- he had a Mercedes Benz and it was a light  
3 blue color and it was in the shop for a long time. He -- he  
4 got it about beginning of May I think.

5 Q May of 2014?

6 A Yes.

7 Q And then once he got the car out of the shop in May  
8 of 2014, would he begin driving that vehicle when he took you  
9 to the Strip?

10 A It depended on the night.

11 Q When you went to work, did you always work on the  
12 Strip?

13 A There was a couple house calls we did but they were  
14 a couple house calls from Backpage we did. But most of the  
15 time it was on the Strip.

16 Q Who drove you to those house calls?

17 A LR.

18 Q The defendant?

19 A Yes.

20 MS. MERCER: Permission to approach, Your Honor?

21 THE COURT: Yes.

22 MR. WEINSTOCK: Court's indulgence one moment.

23 THE COURT: Ms. Richards, do you need any water? We  
24 can get you a cup if -- okay.

25 MS. MERCER: May I stay up here [inaudible]

1 THE COURT: You may.

2 BY MS. MERCER:

3 Q Ms. Richards, I'm handing you what's been marked for  
4 identification purposes as State's Proposed Exhibit 13. Do  
5 you recognize that photo?

6 A Yes.

7 Q How do you recognize that photo?

8 A That is the blue Mercedes Benz.

9 Q Is that the blue Mercedes Benz that he would use to  
10 drive you to work during the time period that you testified  
11 to?

12 A Yes.

13 MS. MERCER: Your Honor, I would move for the  
14 admission of State's Exhibit 13.

15 MR. WEINSTOCK: No objection.

16 THE COURT: Thirteen admitted.

17 (State's Exhibit 13 admitted.)

18 BY MS. MERCER:

19 Q Ms. Richards, I'm showing you State's Exhibit -- or  
20 State's Proposed Exhibit 34. Do you recognize what's depicted  
21 in that photograph?

22 A Yes.

23 Q How do you recognize it?

24 A That was the bathroom I got ready in.

25 Q And is this how it appeared to you back -- during

1 that time period?

2 A Most of the time, towards the end of the time, yes.

3 MS. MERCER: I would move for the admission of  
4 State's Exhibit 34, Your Honor.

5 THE COURT: Mr. Weinstock?

6 MR. WEINSTOCK: I don't -- again, I don't think  
7 there's proper foundation. I'll submit it to the Court.

8 THE COURT: Thirteen -- 34 is admitted.

9 (State's Exhibit 34 admitted.)

10 BY MS. MERCER:

11 Q I'm showing you State's Proposed Exhibit 26 and 86.  
12 Do you recognize what's depicted in these two exhibits?

13 A Yes, that's in his closet.

14 THE COURT: I'm sorry, it's what?

15 THE WITNESS: That's in his closet in his room.

16 BY MS. MERCER:

17 Q And you're referring -- you're referring to State's  
18 Exhibit 26?

19 A Yes.

20 Q And what about State's Proposed Exhibit 86?

21 A That's the iron, the clothing iron that he used to  
22 burn my foot.

23 MR. WEINSTOCK: Objection, assuming facts not in  
24 evidence, Your Honor. I think she can just identify it as an  
25 iron.

1 MS. MERCER: Your Honor, I would move for the  
2 admission of State's Exhibits 26 and 86.

3 THE COURT: Well, you have opposition to 20 -- the  
4 photos, 26 and 86 coming in?

5 MR. WEINSTOCK: I have no objection to the photos  
6 coming in, I don't. I do object to her statement on it and I  
7 ask that that be stricken.

8 THE COURT: So Ms. Richards, are you -- are you  
9 speculating or do you know if that was the iron that was used?

10 THE WITNESS: That was the iron that was used.

11 THE COURT: All right. So objection overruled.  
12 Please continue.

13 BY MS. MERCER:

14 Q Showing you State's Proposed Exhibit 88. Do you  
15 recognize what's depicted in this exhibit?

16 A Yes.

17 THE COURT: And 26 and 86 are admitted.

18 (State's Exhibit 26 and 86 admitted.)

19 MS. MERCER: Thank you, Your Honor.

20 BY MS. MERCER:

21 Q With regards to State's Proposed Exhibit 88, how do  
22 you recognize that?

23 A That's the yellow pole.

24 Q This is the yellow pole that you were beaten with?

25 A Yes.

1 THE COURT: Which exhibit number is that?

2 MS. MERCER: Eighty-eight, Your Honor. And we'll  
3 move for the admission of State's Proposed Exhibit 88.

4 THE COURT: Mr. Weinstock?

5 MR. WEINSTOCK: Again, I don't think there's  
6 foundation and again, I don't know that there is proof that  
7 this would be the pole that allegedly she was beaten with.

8 THE COURT: Well, and that -- that will be up to the  
9 jury to decide and you certainly can cross-examine the -- the  
10 witness as to that issue. But Exhibit 88 will be admitted.

11 (State's Exhibit 88 admitted.)

12 BY MS. MERCER:

13 Q Ms. Richards, I'm showing you State's Proposed  
14 Exhibit 95, which I'm not going to move into evidence at this  
15 point but I want you to look through this and tell me whether  
16 you recognize what's depicted in the pages of that exhibit.

17 A Yes.

18 Q With regards to the first page of that -- of State's  
19 Proposed Exhibit 95, how do you recognize that?

20 A That's my state ID, which I still have.

21 Q Your State of Nevada ID?

22 A Yes.

23 Q With regards to the second page of that exhibit,  
24 what -- how do you recognize those?

25 A Those are pictures I had to take of Kariah.

1 Q For Backpage?

2 A Yes, and those were mine.

3 Q And regarding page three --

4 A And four and five.

5 Q Okay. So pages three through five are the  
6 photographs that you took -- or that were taken of you for the  
7 Backpage listing?

8 A Yes.

9 MS. MERCER: Permission to publish the admitted  
10 exhibits, Your Honor?

11 THE COURT: You're not talking about 95, right?

12 MS. MERCER: Correct, I'm not talking about 95 yet.

13 THE COURT: All right. You may publish.

14 BY MS. MERCER:

15 Q Ms. Richards, this is State's Exhibit 88. Is this  
16 the exhibit that you identified as being the metal pole that  
17 you were beaten with?

18 A Yes.

19 Q With regards to State's Exhibit 86, is this the iron  
20 that you indicated you were burned with?

21 A Yes.

22 Q And the bottom part is metal?

23 A Yes.

24 Q State's Exhibit 26, is this that iron in the closet?

25 A Yes.

1 Q Which closet?

2 A In his closet.

3 Q In the master bedroom?

4 A Yes.

5 Q State's Exhibit 34, what is this?

6 A That's the bathroom I would get ready in, which is  
7 near the laundry room and the exercise room.

8 Q State's Exhibit 13?

9 A That's his blue Mercedes Benz.

10 Q Ms. Richards, when you were testifying about the  
11 incident where water was poured over your face while a shirt  
12 was covering it, you indicated that what prompted that was you  
13 were feeling delirious on the Strip?

14 A Yes.

15 Q And you indicated that you were down to 110 pounds?

16 A Yes.

17 Q At that point in time how much were you being fed by  
18 the defendant and Kariah?

19 A I would eat about every two days and it was either I  
20 could have a bowl of cereal or a ham sandwich with American  
21 cheese on it.

22 Q Did they tell you why you were only being fed every  
23 two days?

24 A No.

25 Q With regards to your physical condition towards the



1 last month that you were with the defendant and Kariah, what  
2 was your physical condition?

3 A It was bad.

4 Q How was it bad? How were you feeling?

5 A I was feeling very faint, tired, weak, was always in  
6 pain.

7 Q What were you in pain from?

8 A All the beatings all over.

9 Q The wound or the two wounds to your rear end that  
10 you testified you sustained from the yellow pole, during the  
11 last month of your stay there did you still have those wounds?

12 A Yes.

13 Q What condition were those wounds in?

14 A They started off as black all over, then it started  
15 to smell, and then it started to leak and then it started to  
16 fall out.

17 Q When you say that it started to smell, how did it  
18 smell?

19 A Really bad, really nasty.

20 Q When you say that it started to leak, were you  
21 bleeding or what was -- what was it that was leaking?

22 A Infection fluids.

23 Q And you said it started to fall off? What started  
24 to fall off?

25 A My skin started to fall out.

1           Q     At that point in time were you -- was there still a  
2 bed in the pink room where you were sleeping?

3           A     Yes. There was a bed in the pink room until the day  
4 I left.

5           Q     Were you allowed to sleep in that bed in the pink  
6 room in the last month that you were at the house?

7           A     The last -- I think it was two nights before I left  
8 or the last night I was there I -- he told me to sleep in the  
9 pink room. I was, at that point I was falling out, I started  
10 to, and it was bleeding and infection and he told me to lay in  
11 there. And he turned the AC on. It was really cold and he  
12 wouldn't let me sleep with pillows or a blanket.

13          Q     When he told you to lay in the pink room were you  
14 allowed to lay on the bed?

15          A     Yes.

16          Q     What happened when you laid in the bed?

17          A     It got blood and infection all over the bed.

18          Q     What happened after that?

19          A     He told me he was going to throw away the bed, that  
20 he had to.

21          Q     Did he say why?

22          A     Because there was all my blood and infection on it.

23          Q     Where did you sleep after that?

24          A     In the garage.

25          Q     Was that voluntarily?

1           A     No.

2           Q     Why did you sleep in the garage?

3           A     Because he told me to.

4           Q     What about during the day, where did you stay during  
5 the day towards the end of your stay with the defendants?

6           A     In the garage. He'd make me stay in there or he  
7 would have me outside in the backyard tanning.

8           Q     Did he say why he was making you stay outside of the  
9 house?

10          A     Because I was smelly and gross.

11          Q     Towards the end of your stay at the defendant's and  
12 Kariah's, were you allowed to shower inside?

13          A     No.

14          Q     Where -- how did you clean yourself?

15          A     He would hose me down in the backyard.

16          Q     At the point when you were forced to stay outside of  
17 the home, what month was it?

18          A     June.

19          Q     What was the temperature like?

20          A     Really, really hot.

21          Q     Were -- I'm sorry.

22          A     It was really hot.

23          Q     Were you given fluids?

24          A     He gave me a jug, an Arizona jug.

25          MR. WEINSTOCK: Objection, Your Honor, as to

1 foundation.

2 THE COURT: Sustained. How would she know, you  
3 know, where the jug was from? So why don't you rephrase or  
4 withdraw.

5 BY MS. MERCER:

6 Q Who gave you the fluids?

7 A There was a big jug and I would refill it in the  
8 backyard in the hose.

9 Q Okay. But who gave you that jug?

10 A LR gave me the jug.

11 Q The defendant?

12 A Yes.

13 Q And so you had physical possession of that jug?

14 A Yes.

15 Q Did the jug have a label on it?

16 A Yes.

17 Q What kind of a label did it have?

18 A An Arizona jug.

19 Q How big was that jug?

20 A I think it was like -- it was a big one, like a  
21 gallon or bigger, maybe a liter.

22 Q When the defendant gave you that jug was it full?

23 A He filled it up the first time and then I had to  
24 fill it up outside with the hose.

25 Q Were you permitted to go inside to use the restroom?

1           A     No.

2           Q     How did you use the restroom?

3           A     I would have to tell them that I had to go to the  
4 bathroom and he would have to drive me to a restaurant or a  
5 gas station nearby. He would make me wait.

6           Q     He would make you wait to use the restroom?

7           A     Yes.

8           Q     And when you say he, are you referring to the  
9 defendant?

10          A     Yes, LR.

11          Q     You indicated that you were either forced to stay in  
12 the garage or in the backyard tanning?

13          A     Yes.

14          Q     Were there walls around the house?

15          A     Yes.

16          Q     How tall were those walls?

17          A     I think between -- they're taller than me, so  
18 probably six feet.

19          Q     How tall are you?

20          A     I'm five-five.

21          Q     Would you have been able to climb over those walls  
22 to escape?

23          A     Not in the condition I was in. And then he would  
24 make me go outside naked, which I didn't really want to.

25          Q     At what point was it when they started to feed you

1 every other day?

2 A Soon after we [indiscernible].

3 Q After you requested to leave?

4 A Yeah.

5 Q At some point did the defendant take you to another  
6 location?

7 A Yes. He told me he was giving me away to another  
8 pimp.

9 Q When you say he, you're referring to the defendant?

10 A Yes, LR.

11 Q He told you that he was giving you away to another  
12 pimp?

13 A Yes.

14 Q What, if anything, did he tell you about that?

15 A He told me that if neither one of these guys want me  
16 that he's going to take me to the desert because he can't  
17 handle it.

18 Q Prior to being taken from the house where you stayed  
19 with the defendant and Kariah, was anything done to your hair?

20 A Yes. He -- the day before I left he told me that he  
21 was going to cut my hair for emotional torture and he sat in  
22 the garage and had me sit on the ground and he took a kitchen  
23 knife and cut my hair off.

24 Q How short did he cut your hair?

25 A Some of the spots, he cut some of my skin off my

1     scalp. It was all different lengths.

2           Q     Before he took you away from the house where you had  
3     been staying, was anything done with -- well, let me back up.  
4     You indicated that the wound on your rear end had started  
5     leaking at some point?

6           A     Yes.

7           Q     And that it was still bleeding?

8           A     Yeah.

9           Q     Did you get blood and other fluids on some of your  
10    clothing?

11          A     Yes, and he threw them all away. He had Kariah go  
12    through them all.

13          Q     Were you present when that happened?

14          A     Yes. She -- he told me to take all of my clothes  
15    out to the garage and she went through them and had a big  
16    trash bin there.

17          Q     And you saw Kariah place them in the trash bin?

18          A     Yeah. She looked at all of them and she grabbed all  
19    the clothes that was the stuff he bought from bebe and took  
20    that back into the house.

21          Q     When the defendant told you that he was taking you  
22    to another pimp, did he tell you why he was taking you to  
23    another pimp?

24          A     No, just I -- I was not worth anything.

25          Q     Were you able to work at that time?

1           A     No, probably not, but I still was.

2           Q     Did he in fact take you to another pimp's house?

3           A     Yes, he did.

4           MR. WEINSTOCK:  Objection, assumes facts not in  
5 evidence, Your Honor.

6           THE COURT:  Presumably your question -- your  
7 objection is based on how would she know that this other  
8 person was a pimp?

9           MR. WEINSTOCK:  Right.

10          THE COURT:  All right.  So any response?

11          MS. MERCER:  Well, she previously testified that he  
12 told her he was taking her to another pimp's house.

13          MR. WEINSTOCK:  Doesn't mean that he is a pimp.

14          THE COURT:  Well, I'm going to overrule the  
15 objection.  You can cross-examine her as to that point.  Go  
16 ahead.

17          MS. MERCER:  Thank you, Your Honor.

18 BY MS. MERCER:

19          Q     How long -- do you know how many days you were with  
20 that other pimp?

21          A     My memory was pretty bad at that point but it was  
22 about four days.

23          Q     While you were with that other pimp did that pimp  
24 ever beat you?

25          A     No.



1 Q Did he ever do anything to physically harm you?

2 A No. He was pretty mad that LR had did that --

3 MR. WEINSTOCK: Objection, calls for speculation and  
4 move to strike.

5 THE COURT: Sustained. Foundation.

6 BY MS. MERCER:

7 Q Ma'am, without tell me anything that the other  
8 gentleman might have said to you, at some point did the  
9 defendant come back and pick you up from that other pimp's  
10 house?

11 A Yes.

12 Q And you said that you were with that other pimp for  
13 four days --

14 A Yes.

15 Q -- or you thought about four days? At the end of  
16 that four days, is that when the defendant came and picked you  
17 up?

18 A Yes.

19 Q When the defendant came and picked you up, what did  
20 he say to you?

21 A He started talking to the other guy and said that  
22 what if she says something and I had to repeat the story and  
23 it was a story that I was supposed to tell police. And he was  
24 -- we were in the car debating if he was -- he was debating if  
25 he was going to take me to the desert or to the hospital.

1           Q     Ultimately, did he take you somewhere close to the  
2 hospital?

3           A     Yeah, he did take me close.

4           Q     And you said that in the car with him he was telling  
5 you a story that you were supposed to give?

6           A     Yes.

7           Q     What was the story that he told you to give if  
8 anyone asked about your injuries?

9           A     That about two weeks before I was doing dominatrix  
10 with a wooden paddle and it started to get infected and that  
11 the previous night before I walked into the hospital that I  
12 was homeless and I got beat up. And I was scared when I saw  
13 that my butt was getting infected.

14          Q     How many times did you have to repeat that story to  
15 him on the way to the hospital?

16          A     Four times.

17          Q     When he dropped you in the vicinity of the hospital,  
18 who all was in the car?

19          A     It was just me and LR.

20          Q     The defendant?

21          A     Yes.

22          Q     On that day how were you feeling? What was your  
23 physical condition?

24          A     I was beyond sick. I couldn't see the road  
25 straight. I was -- weighed less than 110 pounds.

1           Q     Do you remember what day that was that you went to  
2 the hospital?

3           A     I do now because the medical bracelet but I didn't  
4 know what day it was when I was checking in.

5           Q     What day was it that you arrived at the hospital?

6           A     June 29th, 2014.

7           Q     Why was it that you had to repeat this story to the  
8 defendant four times on the way to the hospital?

9           A     Because the first time I didn't say it right. So he  
10 wanted to make sure I said it right otherwise he wasn't going  
11 to take me there.

12          Q     Do you remember where he dropped you in relation to  
13 the hospital?

14          A     In the neighborhood right behind the Wendy's.

15          Q     Which hospital was it that was in the vicinity?

16          A     UMC.

17                MS. MERCER: Permission to approach the witness,  
18 Your Honor?

19                THE COURT: Yes.

20 BY MS. MERCER:

21          Q     Ms. Richards, I'm showing you what's been marked as  
22 State's Proposed Exhibit 93. Do you recognize what's depicted  
23 in this exhibit?

24          A     Yes.

25          Q     How do you recognize it?

1           A     That's UMC Hospital and here's the Wendy's and I  
2 was --

3           THE COURT: You've got to speak up.

4           A     And I was dropped off right there.

5 BY MS. MERCER:

6           Q     So is this a fair image of that area?

7           A     Yes.

8           MS. MERCER: I would move for the admission of  
9 State's Proposed Exhibit 93, Your Honor.

10          MR. WEINSTOCK: No objection.

11          THE COURT: Ninety-three is admitted.

12                 (State's Exhibit 93 admitted.)

13          MS. MERCER: Permission to publish?

14          THE COURT: You may publish.

15 BY MS. MERCER:

16          Q     Ms. Richards, when I handed you this exhibit you  
17 marked an area where you were dropped off?

18          A     Yes.

19          Q     Could you draw a line on that screen so that the  
20 jurors can see what you're talking about?

21          A     Right there.

22          Q     And you indicated that that was a neighborhood?

23          A     Yes.

24          Q     So from there you walked all the way to UMC?

25          A     Yes.

1           Q     When you got to UMC were you in fact questioned  
2 about your injuries?

3           A     Yes.

4           Q     And what did you tell the staff at UMC with regards  
5 to how you incurred those injuries?

6           A     Dominatrix and that I was homeless.

7           Q     So you told them the story the defendant told you to  
8 say?

9           A     Yes.

10          Q     While you were in the hospital, do you remember a  
11 patrol officer coming to speak with you?

12          A     I remember three different police officers.

13          Q     The very first officer that came to speak with you,  
14 was he wearing a uniform?

15          A     I don't remember.

16          Q     Do you remember if that occurred on June 30th of  
17 2014?

18          A     Sounds about right.

19          Q     Did he ask you about how you sustained those  
20 injuries?

21          A     Yes.

22          Q     Are you the one that requested the police come to  
23 the hospital?

24          A     No.

25          Q     When he asked you about how you sustained those

1 injuries, what did you tell him?

2 A The story I was told to say.

3 Q By the defendant?

4 A Yes.

5 Q Were you then visited by another detective by the  
6 name of Detective Ortega?

7 A Yes.

8 Q Do you recall when that happened?

9 A I was in the burn unit so it was after July 5th-ish.

10 Q When Detective Ortega came and asked you about how  
11 you received those injuries, what did you tell him?

12 A The same story.

13 Q Why did you tell the medical staff at UMC, the first  
14 patrol officer that came to you see on the 30th and Detective  
15 Ortega who came and saw you sometime after July 5th that  
16 story?

17 A Because I was scared.

18 Q Scared of what?

19 A Scared of him coming after me and my family.

20 Q You said that you were actually seen by law  
21 enforcement three times?

22 A Yes.

23 Q That last time were you visited by two detectives --  
24 two detectives with the Vice Unit at Metro?

25 A Yes.

1 Q Was that Detective Lucero and Detective Hui?

2 A Yes.

3 Q Do you remember what, if anything, you said to them  
4 when they came to see you after Detective Ortega came to see  
5 you?

6 A I remember I told them I'm not going to talk and  
7 that I wasn't going to give them a story.

8 Q Why did you tell them that?

9 A Because I didn't want to lie but I was scared still.

10 Q You didn't want to repeat that same lie the  
11 defendant told you to say?

12 A Yes.

13 Q That you were still afraid?

14 A I was still afraid.

15 Q Did you maintain contact with those two detectives  
16 after you left the UMC hospital?

17 A I talked to Detective Hui on the phone.

18 Q How often did you speak to her after you left the  
19 hospital?

20 A I think about once a week.

21 Q Once you were discharged from UMC, were you  
22 transported to another hospital?

23 A Yes.

24 Q Which hospital was that?

25 A UC Davis.

1           Q     How long were you in the UMC hospital, do you  
2 recall?

3           A     About two weeks.

4           Q     How long were you in UC Davis?

5           A     Another two weeks.

6           Q     So in total you spent about a month in the hospital?

7           A     Yes.

8           Q     After being released from the hospital, did you at  
9 some point reach out to Detective Hui again?

10          A     Yes.

11          Q     Do you remember when that was?

12          A     It was about three weeks after I got out of the  
13 hospital.

14          Q     So almost two months after the incident or after you  
15 were taken to the hospital, the UMC hospital?

16          A     Yes.

17          Q     When you reached out to her that time, what did you  
18 tell her?

19          A     That I'll give my statement.

20          Q     Did she then go to where you were staying and  
21 interview you?

22          A     Yes, her and Lucero.

23          Q     When they interviewed you, is that when you told  
24 them the things that you've relayed to the jury today?

25          A     Yes.



1           Q     Where were you staying -- not a specific address,  
2 but what state were you staying in when you reached out to  
3 Detective Hui?

4           A     California.

5           Q     What made you reach out to Detective Hui at that  
6 point?

7           A     I was scared about their baby and the safety of the  
8 kid.

9           Q     Why were you -- well, were you still afraid for your  
10 own safety?

11          A     Yes.

12               MR. WEINSTOCK:  Objection, leading.

13               THE COURT:  Overruled.  You can answer.

14          A     Yes.  I'm -- I'm still scared for my safety.

15 BY MS. MERCER:

16          Q     At any time during the time that you spent with the  
17 defendant and Kariah, did you feel that you were free to leave  
18 that house?

19          A     No.

20          Q     Why?

21          A     Because I thought he was going to kill me and my  
22 family.

23          Q     Was there ever a time where you were in the car with  
24 the defendant and the police stopped you all?

25          A     Yes.

1 Q Do you remember when that occurred?

2 A I don't know specific dates. It was towards the end  
3 of the stay.

4 Q Why did you --

5 A May, June.

6 Q -- well, did you ever ask that police officer for  
7 help?

8 A No.

9 Q Why not?

10 A Because they pulled me off to the side of the cop  
11 car, not -- not even 10 feet away from him and I was still  
12 scared.

13 Q When you say they pulled me aside, who?

14 A It was one police officer.

15 Q Was there ever a time when you came into contact  
16 with security at the Aria?

17 A Yes.

18 Q How did that come about?

19 A Kariah and I were looking for a date and he was  
20 pretending to be a trick or a john and Kariah had mentioned  
21 money. So then they took us back into security and got our  
22 information.

23 Q They took the two of you together?

24 A Yes.

25 Q Did you ever report to security that you needed the

1 police?

2 A No.

3 Q Why not?

4 A I was scared and Kariah was sitting in the same  
5 room. And LR was calling her over and over and over again.

6 Q Calling her how?

7 A On her cell phone.

8 Q Did you have your cell phone?

9 A I did.

10 Q Why did you not call the police from your own cell  
11 phone?

12 A Because I was scared.

13 Q When you were stopped by this security officer at  
14 the Aria, what color was your hair and what length, if you  
15 recall?

16 A I don't know.

17 Q At some point while you were staying with the  
18 defendant, did you change your hair color?

19 A He -- he wanted to change my hair color because we  
20 were at the same casino my aunt worked at and he thought it  
21 was too risky, that my family would notice me, so they changed  
22 my hair color to red.

23 Q To red. Do you remember about when that occurred?

24 A No.

25 Q Was there ever a time that you were left inside of

1 that house completely by yourself?

2 A No.

3 Q Who was always there with you?

4 A Kariah was always with me.

5 Q During the entire time that you were with the  
6 defendant and Kariah from March to June 29th, did you ever  
7 know the defendant to have a job?

8 A No.

9 Q Did you ever know Kariah to have a job other than  
10 prostitution?

11 A No.

12 Q When you were in the hospital were you photographed?

13 A I don't know. I don't think so.

14 MS. MERCER: Permission to approach the witness,  
15 Your Honor?

16 THE COURT: You may.

17 MR. WEINSTOCK: Court's indulgence, just one moment.

18 THE COURT: May she proceed?

19 MR. WEINSTOCK: She can proceed, I guess.

20 THE COURT: Well, you said Court's indulgence so I  
21 was making sure you had --

22 MR. WEINSTOCK: Oh, sorry -- I'm sorry, Your Honor,  
23 I'm --

24 THE COURT: No problem. Go ahead.

25 MS. MERCER: Thank you, Your Honor.

1 BY MS. MERCER:

2 Q Ms. Richards, I'm going to show you some exhibits  
3 and ask you if you recognize what's depicted on them. I'm  
4 showing you State's Proposed Exhibits 65 and 66. Do you  
5 recognize those exhibits?

6 A That's my butt.

7 Q And you were speaking about State's Exhibit 66?

8 A Yes.

9 MR. WEINSTOCK: What was her answer, Your Honor? I  
10 couldn't hear.

11 THE COURT: I couldn't hear either.

12 BY MS. MERCER:

13 Q Could you please repeat your answer?

14 A It's my butt.

15 THE COURT: Oh, okay. Sorry.

16 MR. WEINSTOCK: And that was number 65?

17 MS. MERCER: Sixty-six.

18 MR. WEINSTOCK: Sixty-six.

19 BY MS. MERCER:

20 Q With regards to 65, do you recognize what's depicted  
21 in State's Proposed Exhibit 65?

22 A My hand, I think.

23 MR. WEINSTOCK: Your Honor, I would move to strike  
24 if she says she thinks. It is, it's speculation.

25 THE COURT: Well, she's allowed to testify as to

1 what she thinks she's looking at. There's been no motion to  
2 admit 65 yet.

3 BY MS. MERCER:

4 Q Ms. Richards, if you could take a look at 65 for me  
5 and tell me the name that's on that tag?

6 MR. WEINSTOCK: Objection, hearsay.

7 THE COURT: Hold on. Well --

8 BY MS. MERCER:

9 Q Well, just take a look at --

10 THE COURT: All right. Tell you what. Take a look  
11 at the photograph and see if it refreshes your recollection as  
12 to what you're looking at.

13 BY MS. MERCER:

14 Q And if you could just basically look at the tag on  
15 the -- but don't read it out loud.

16 THE COURT: Don't read it.

17 A It has my name on it and it is showing a picture of  
18 my hand kind of.

19 BY MS. MERCER:

20 Q Showing you State's Proposed 1 through 10. Do you  
21 recognize what was depicted on State's Exhibits 1 through 10?

22 A Me.

23 Q And those were taken in the hospital, correct?

24 A Yes.

25 MS. MERCER: Move for the admission of State's 1

1 through 10, Your Honor, and State's Proposed Exhibit 66.

2 MR. WEINSTOCK: Your Honor, the only thing I would  
3 say, I think that some of them are cumulative and intended to  
4 inflame the jury. I don't know that it necessarily -- they're  
5 all necessary and I don't think there's been proper foundation  
6 but I'll submit it, Your Honor.

7 THE COURT: One through 10 shall be admitted. And  
8 66 shall be admitted.

9 (State's Exhibit 1 through 10 and 66 admitted.)

10 MS. MERCER: Thank you, Your Honor.

11 BY MS. MERCER:

12 Q And Ms. Richards, if I could show you one more  
13 photograph, State's Proposed Exhibit 64. Do you recognize  
14 what's depicted on that exhibit?

15 A Me.

16 Q And this was taken at the hospital as well?

17 A Yes, in the burn unit.

18 MS. MERCER: Move for the admission of State's  
19 Exhibit 64 as well, Your Honor.

20 THE COURT: I didn't quite hear -- she said she  
21 recognizes that it was taken in the burn unit?

22 MS. MERCER: She said me, it was taken in the burn  
23 unit.

24 THE COURT: Okay. So you did recognize it as a  
25 picture of you?

1 THE WITNESS: Yes.

2 THE COURT: All right. Mr. Weinstock?

3 MR. WEINSTOCK: Submitted, Your Honor.

4 THE COURT: All right. Sixty-four shall be  
5 admitted.

6 (State's Exhibit 64 admitted.)

7 MS. MERCER: Permission to publish, Your Honor?

8 THE COURT: You may.

9 BY MS. MERCER:

10 Q Ms. Richards, I'm not going to leave this exhibit up  
11 there long, this is State's Exhibit 66. You identified this  
12 as a picture of your rear end, correct?

13 A Yes.

14 Q And is that the injury that you sustained as a  
15 result of the beating with the wire and the metal pole?

16 A Yes.

17 Q State's Exhibit 1, is that a photograph of you lying  
18 in a hospital bed?

19 A Yes.

20 Q State's Exhibit 2, is this a photograph of your  
21 face?

22 A Yes.

23 Q Taken at the hospital?

24 A Yes.

25 Q And is this the haircut that the defendant gave you?



1           A     Yes.

2           Q     Before he dropped you at the other pimp's house?

3           A     Yes.

4           Q     Do you see any injuries on your face in that  
5 photograph?

6           A     Yeah.

7           Q     Could you please identify them for the jurors by  
8 circling them? The injuries that you circled around your  
9 eyes, what were those injuries?

10          A     Blackened eyes and beatings.

11          Q     You also circled your right cheek?

12          A     It was all swollen because of the -- I had a broken  
13 jaw in four different spots and that's why I circled the one,  
14 like the other eye, that circle near my ear.

15          Q     And these are all injuries that you received from  
16 the defendant?

17          A     Yes.

18          Q     With regards to the redness in your left eye, was  
19 that always there?

20          A     No.

21          Q     What was that the result of?

22          A     Just beatings.

23               MR. WEINSTOCK: Objection, assumes facts not in  
24 evidence.

25               THE COURT: I'm not sure how she would know if the

1 beatings caused the redness in the eye.

2 BY MS. MERCER:

3 Q Did you receive any injuries in any other way to  
4 your eye?

5 A Yes. Over time, yeah.

6 Q Sorry, that was a poor question. Could anything  
7 else have caused the redness in your eye? Like did something  
8 fly into your eye or anything like that?

9 A No.

10 Q And it wasn't like that before you started staying  
11 with the defendant and Kariah?

12 A No, I never had that happen before.

13 Q With regards to State's Exhibit 3, what is this a  
14 photograph of?

15 A My left hand before they took off the finger, I  
16 think.

17 Q Do you see a splint in that picture?

18 A Yes.

19 Q And is that splint on the finger that you testified  
20 to being broken by the metal pole?

21 A Yes.

22 Q You said before they took your finger?

23 A Uh-huh.

24 Q This is a -- State's Proposed Exhibit -- or State's  
25 Exhibit 4. This is a close-up of that same finger with a

1 splint?

2 A Yes.

3 Q With regards to State's Proposed Exhibit 5, what is  
4 this a photograph of?

5 A My stomach.

6 Q The front of your stomach?

7 A Yes.

8 Q And do you see any injuries in this photograph?

9 A I have some bruised up and a little bit of scars.

10 Q Could you circle the bruising and scars?

11 A That was where the scars were.

12 Q What was the bruising from?

13 A The oranges in the socks.

14 Q And the scar that you identified up here, what was  
15 that from?

16 A I don't know which beating.

17 Q Did you have it before you started staying with the  
18 defendant?

19 A No.

20 Q State's Exhibit 6, what is this a photograph of?

21 A My side.

22 Q Your left side?

23 A Yes.

24 Q And do you see any injuries in this photograph?

25 A More bruising, the same scar and the opening to my

1 left butt cheek.

2 Q Could you circle the bruising that you're referring  
3 to? What is that from?

4 A Same orange and socks beatings.

5 Q Showing you State's Exhibit 7. Do you see any  
6 injuries on this exhibit? What is that injury from?

7 A A curling iron burn.

8 Q Was it an accidental curling iron burn?

9 A Yes.

10 Q Okay. With regards to State's Exhibit 9, what is  
11 this a photograph of?

12 A My back.

13 Q Do you see any injuries on your back?

14 A Yes, on my shoulder and --

15 Q Could you circle them for the the jurors, please?  
16 How did you sustain those injuries?

17 A From the defendant --

18 MR. WEINSTOCK: Your Honor, could she speak up?

19 A The defendant. I don't know exactly.

20 BY MS. MERCER:

21 Q You don't know from exactly which beating?

22 A Yes.

23 Q But you didn't have any of those injuries before you  
24 started staying with the defendant?

25 A No.

1           Q     During the time that you were staying with the  
2 defendant, did anyone else ever beat you other than the  
3 defendant?

4           A     No.

5           Q     You testified that about almost two months after you  
6 were first admitted to UMC you spoke with Detective Hui?

7           A     Yes.

8           Q     Do you recall Detective Hui taking some photographs  
9 of you?

10          A     Yes.

11          Q     And was that at the time of the interview?

12          A     Yes.

13          Q     Was that interview done on August 12th of 2014?

14          A     Yes.

15                MS. MERCER: Permission to approach again, Your  
16 Honor?

17                THE COURT: You may.

18                BY MS. MERCER:

19          Q     Ms. Richards, I'm showing you State's Proposed  
20 Exhibits 51 to 63. Do you recognize what was depicted in  
21 those exhibits?

22          A     Yes. Those are all pictures that Detective Hui took  
23 of me.

24          Q     And this is how you appeared on August 12th of 2014?

25          A     Yes.

1 MS. MERCER: Your Honor, I would move for the  
2 admission of 51 through 63.

3 THE COURT: Mr. Weinstock?

4 MR. WEINSTOCK: Submitted, Your Honor.

5 THE COURT: All right. Fifty-one through 63 are  
6 admitted.

7 (State's Exhibit 51 through 63 admitted.)

8 MS. MERCER: Permission to publish, Your Honor?

9 THE COURT: You may publish.

10 BY MS. MERCER:

11 Q I'm publishing State's Exhibit 51. This is an  
12 overall photograph that she took of you?

13 A Yes.

14 Q When she took this photograph of you, how long had  
15 you been out of the hospital?

16 A About three weeks.

17 Q On the --

18 THE COURT: Can you clarify that because you talked  
19 about out of UMC or out of UMC and out of UC Davis Hospital?

20 BY MS. MERCER:

21 Q Which hospital were you released from three weeks  
22 earlier?

23 A Out of UC Davis.

24 Q Okay. And this photograph, is that the weight that  
25 you were at when you were admitted to the hospital?

1           A     No, I was a little heavier there.

2           Q     In this photograph?

3           A     Yes.

4           Q     So you put back -- put on some weight that you had  
5 lost?

6           A     Some.

7           Q     Showing you State's Exhibit 53. Is this a side  
8 profile of you?

9           A     Yes.

10          Q     State's Exhibit 54. What is this a photograph of?

11          A     My skin graft that they put over the infection.

12          Q     Why were you transferred from UMC to UC Davis?

13          A     Feel safe and [inaudible].

14                THE COURT: You've got to speak up a little bit.  
15 I'm sorry.

16          A     For safety. I didn't feel safe at UMC.

17 BY MS. MERCER:

18          Q     When you underwent the skin graft, where were you?

19          A     UC Davis.

20          Q     How many different procedures did you have to  
21 undergo?

22          A     Twelve.

23          Q     At UC Davis?

24          A     There were 10 at UMC and two at UC Davis.

25          Q     Showing you State's Exhibit 56. Is this your left

1 upper thigh and buttocks?

2 A Yes.

3 Q And the scarring that we see, what is that from?

4 A Because the infection had wrapped around my left leg  
5 and so they had to create a tunnel to get out the infection of  
6 my leg.

7 Q And this redness down here on your thigh, is that --  
8 what is that from?

9 A That's where they took the skin from.

10 Q And put it where?

11 A On my butt.

12 Q Showing you State's Exhibit 57. Is that that area  
13 where they took the skin from?

14 A Yes.

15 Q Showing you State's Exhibit 58. Do you see any  
16 scarring in this photograph?

17 A Yes.

18 Q What is that scarring from?

19 A It was from one of the beatings but I don't know  
20 what.

21 Q What area of your body are we looking at in this  
22 photograph?

23 A That's next to my hip and my stomach.

24 Q Your left hip?

25 A Yes.



1 Q Could you circle the scarring that you're referring  
2 to?

3 A It was in the other pictures as well.

4 Q Showing you State's Exhibit 59. What is this a  
5 photograph of?

6 A My shoulder.

7 Q Do you see any injuries in this photograph?

8 A [inaudible]

9 Q Ms. Richards, I'm publishing State's Exhibit 61.  
10 What is this a photograph of?

11 A My left hand.

12 Q What specifically is this photograph depicting?

13 A The amputation I got because of the gangrene  
14 infection.

15 Q In your finger?

16 A Yes.

17 Q Your middle finger on your left hand?

18 A Yes.

19 Q Showing you State's Exhibit 62. What are we looking  
20 at here?

21 A My right foot where the burns with the clothing iron  
22 were.

23 Q Can you circle the area that you're referring to?  
24 And those are all from the incident where he held the hot iron  
25 to your foot?

1 A Yes.

2 Q Do you still have those scars?

3 A Yes.

4 Q Do you still have those scars on your thigh and your  
5 buttocks?

6 A Yes.

7 Q Showing you State's Exhibit 63. Do you know what  
8 this is a photograph of?

9 A When he cut my hair he cut my scalp and that is what  
10 that's a picture of.

11 Q Can you see the area?

12 A Yes.

13 MS. MERCER: Court's indulgence, Your Honor.

14 BY MS. MERCER:

15 Q Ms. Richards, when you were first admitted to the  
16 hospital on June 29th of 2014, were you given any medication  
17 to help you deal with the pain?

18 A A lot of medication.

19 Q How long were you on pain medication?

20 A Until about five weeks after I got released from UC  
21 Davis.

22 Q So even after being released from UC Davis you were  
23 still on pain medication?

24 A Yes.

25 Q For five weeks?

1           A     Yes.

2           Q     Do you remember how long you were in the hospital  
3 before you had to have your finger amputated?

4           A     They amputated it when I was in the burn unit at  
5 UMC.

6           Q     And you said that happened on July 5th of 2014?

7           A     [inaudible]

8           Q     Did all of the events that you just testified to  
9 occur here in Clark County, Nevada?

10          A     Yes.

11                MS. MERCER: I have no further questions for this  
12 witness, Your Honor.

13                THE COURT: Thank you, Ms. Mercer. We're going to  
14 recess for the evening. And then when we recommence at one  
15 p.m. tomorrow either Mr. Weinstock or Mr. Winder can commence  
16 cross-examination.

17                So ladies and gentlemen of the jury, I'm going to  
18 excuse you for the evening. You are admonished that overnight  
19 do not talk or converse among yourselves or with anyone else  
20 on any subject connected with this trial. Do not read, watch  
21 or listen to any report of or commentary on the trial or any  
22 person connected with this trial. Do not seek or obtain  
23 information or comments about the case from any source  
24 including, without limitation, newspapers, television,  
25 Internet, cell phones or radio. Do not form or express any

1 opinion on any subject connected with the trial until the case  
2 is finally submitted to you.

3 Marshal, you may excuse the jurors and we'll see you  
4 back here at one p.m. tomorrow. Please be lined up here  
5 outside of these doors. Thank you. The witness will remain  
6 seated until the jurors are excused.

7 (Jury recessed at 5:18 p.m.)

8 THE COURT: So we're outside the presence of the  
9 jury. The witness is excused. Please return one o'clock  
10 tomorrow. All right? Thank you. You're under oath, still  
11 required to testify truthfully and you are admonished not to  
12 talk to anybody about the testimony you've provided in Court  
13 today.

14 THE WITNESS: Okay.

15 THE COURT: Thank you. All right. One other quick  
16 point, I'm sure the videographer knows, but she's not to  
17 photograph the jurors and I'm sure she already knows that, so  
18 just wanted to double check. All right. Very good.

19 Counsel, is there anything else to put on the record  
20 at this point?

21 MR. WEINSTOCK: Just you were going to remind the  
22 woman from the media that she was going to give us the contact  
23 information.

24 THE COURT: That she will provide that -- her  
25 contact information for her counsel and she will provide that.

1 If you don't have it by the end of the day tomorrow, then let  
2 me know.

3 MR. WEINSTOCK: Okay. But you said the end of the  
4 day today.

5 THE COURT: I want to make sure that she -- I want  
6 to make sure that she has an opportunity to confer with her  
7 counsel and let her know to be expecting a call from you. All  
8 right?

9 MR. MARTINEZ: Judge, I have one really, really  
10 quick thing.

11 THE COURT: Yes.

12 MR. MARTINEZ: State's Proposed Exhibit 65 is  
13 actually part of the medical records along with what's already  
14 been admitted as State's Exhibit 66, which was the backside  
15 photo of the injuries. This -- there are two photographs that  
16 UMC provided as a part of their medical records that Mr.  
17 Weinstock had said that -- our off the record conversation  
18 that we [indiscernible] just in case we backed out of  
19 stipulating to the UMC records. So he shouldn't be objecting  
20 to this since he's stipulating to it.

21 THE COURT: That stipulation was actually on the  
22 record. The parties did stipulate to the authenticity of the  
23 medical records. So Mr. Weinstock, I didn't know that 65 was  
24 part of the medical records, maybe you didn't know either.  
25 But do you want to withdraw your objection to 65 then?

1 MR. WEINSTOCK: I don't recall what objection I had  
2 made to 65.

3 THE COURT: I -- I think you said it --

4 MR. WINDER: It was just foundation, Your Honor.

5 THE COURT: -- it was just as to foundation. She --  
6 remember she said that she believes it's a picture of her hand  
7 and she wanted to take a look at the tag and you objected on  
8 the grounds of hearsay and she read that it has her name on  
9 the tag and -- and I didn't hear your final position at that  
10 point.

11 MR. WEINSTOCK: No, I'm only objection was for her  
12 to be reading her name off of that to refresh her  
13 recollection.

14 MR. MARTINEZ: So at this time --

15 MR. WEINSTOCK: If she --

16 MR. MARTINEZ: -- I'm sorry.

17 MR. WEINSTOCK: -- if she couldn't identify without  
18 refreshing her recollection. But I'm not arguing the  
19 authenticity and Your Honor has already ruled on it  
20 [indiscernible] withdraw my objection.

21 THE COURT: Well, actually, I didn't admit 65 but  
22 hearing now that it's part of the medical records I'm now  
23 admitting 65.

24 (State's Exhibit 65 admitted.)

25 THE COURT: And whether there's any question as to

1 whether it is her hand or not, I'll leave that up to your fine  
2 cross-examination tomorrow.

3 MR. WEINSTOCK: Thank you.

4 THE COURT: All right.

5 MR. MARTINEZ: Thank you, Your Honor.

6 THE COURT: Thank you. Anything else, counsel?

7 MR. WEINSTOCK: No, I don't think so, Your Honor.

8 MR. MARTINEZ: No, Your Honor.

9 THE COURT: All right. Then Court is adjourned --

10 MR. WINDER: Just --

11 THE COURT: Yes, sir.

12 MR. WINDER: Can they bring him back tomorrow a  
13 little bit early, like 12:00 or so, so that way -- 12:15, so  
14 we can just talk to him prior to starting the  
15 cross-examination?

16 THE COURT: I certainly will accommodate you. I'm  
17 not sure -- let me make sure my Marshal's listening here  
18 because I need to make sure my staff has appropriate lunches.  
19 Marshal?

20 THE MARSHAL: Yes, sir.

21 THE COURT: We need your attention over here.

22 THE MARSHAL: Okay.

23 THE COURT: They want to bring the defendant in  
24 earlier than one so they can have an opportunity to confer  
25 with -- with him before cross-examination.

1 THE MARSHAL: Okay.

2 THE COURT: And I think that's appropriate --

3 MR. WINDER: Even if it's 12:30 or --

4 THE COURT: What's the earliest can they -- is 12  
5 too -- too early? I mean you need to take a lunch break but  
6 you also need to have a Marshal here in the courtroom during  
7 that time period.

8 THE MARSHAL: Yes, and I'm sure one of the officers  
9 will be here.

10 THE COURT: If it's convenient for an officer to be  
11 here at 12, then I would grant the request of Mr. Winder to  
12 have the defendant here at 12.

13 MR. WEINSTOCK: Will the courtroom be opened or how  
14 will we --

15 THE COURT: Yes, sir.

16 MR. WEINSTOCK: -- get in here to get --

17 THE COURT: All right. Then that will be the order  
18 of the Court. Thank you, Officer, I appreciate that.

19 THE MARSHAL: Yes, thank you.

20 THE COURT: All right. Twelve o'clock then for the  
21 defendant. All right. Court is adjourned.

22 (Court recessed for the evening at 5:22 p.m.)

23

24

25



**CERTIFICATION**

I CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT FROM THE AUDIO-VISUAL RECORDING OF THE PROCEEDINGS IN THE ABOVE-ENTITLED MATTER.

**AFFIRMATION**

I AFFIRM THAT THIS TRANSCRIPT DOES NOT CONTAIN THE SOCIAL SECURITY OR TAX IDENTIFICATION NUMBER OF ANY PERSON OR ENTITY.

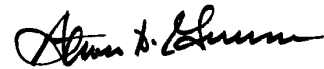
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# EXHIBIT 86

TRAN



CLERK OF THE COURT

DISTRICT COURT  
CLARK COUNTY, NEVADA  
\* \* \* \* \*

THE STATE OF NEVADA,	)	
	)	
Plaintiff,	)	CASE NO. C301364-1
	)	DEPT NO. II
vs.	)	
	)	
ROBERT SHARPE, III,	)	<b>TRANSCRIPT OF</b>
	)	<b>PROCEEDINGS</b>
Defendant.	)	

BEFORE THE HONORABLE RICHARD SCOTTI, DISTRICT COURT JUDGE

**JURY TRIAL - DAY 6**

TUESDAY, MARCH 8, 2016

APPEARANCES:

For the State:	SAMUEL S. MARTINEZ, ESQ.
	ELIZABETH A. MERCER, ESQ.
	Chief Deputy District Attorneys

For the Defendant:	ARNOLD WEINSTOCK, ESQ.
	DAN WINDER, ESQ.

RECORDED BY ELSA AMOROSO, COURT RECORDER  
TRANSCRIBED BY: KARR Reporting, Inc.

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LVRJ1337

## **I N D E X**

### **WITNESSES FOR THE STATE:**

AUTUMN RICHARDS - (Resumed)	
Cross-Examination By Mr. Weinstock	14
Redirect Examination By Ms. Mercer	138
Recross Examination By Mr. Weinstock	156

## **E X H I B I T S**

### **STATE'S EXHIBITS ADMITTED:**

### **PAGE**

96	Medical Records	141
97	Medical Record	143

### **DEFENDANT'S EXHIBITS ADMITTED:**

### **PAGE**

B	Medical Record	114
C	Medical Record	117
D	Medical Record	125

1 LAS VEGAS, NEVADA, TUESDAY, MARCH 8, 2016, 1:11 P.M.

2 \* \* \* \* \*

3 (Outside the presence of the jury.)

4 THE COURT: All right. This is State versus Sharpe,  
5 C301364. I see we're back on the record. And counsel, is  
6 there something outside the presence of the jury that you  
7 would like to discuss?

8 MR. WINDER: Yes, Your Honor, and --

9 THE COURT: Yes, sir.

10 MR. WINDER: -- I've been -- I was a DA in 1985 for  
11 about --

12 THE COURT: Okay.

13 MR. WINDER: -- five years or so and I -- anyway --

14 THE COURT: While I was still in -- while I was  
15 still in law school.

16 MR. WINDER: But I've seen something just now that  
17 I've never seen before, and I've --

18 THE COURT: Just now?

19 MR. WINDER: -- done my fair share of trials, and  
20 that is, Your Honor, as I came in here, Your Honor, in the  
21 hallway, I would say nine or 10 of the jurors were huddled  
22 around and they were all saying -- they were praying.

23 Now, I'm a Bishop Gorman, Notre Dame graduate, so  
24 I'm a staunch Catholic myself. My mom is being honored  
25 tomorrow at the Night of the Gale at their annual dinner. But

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1 I -- I -- we separate religion state and I've never seen that  
2 before where the jury's huddled around and they're praying  
3 together. They're actually being led in prayer by a  
4 particular individual.

5 Now, I thought I would make the Court aware of that  
6 in there were a couple of them standing on the side but the  
7 rest of them were in a circle huddled around praying. What  
8 the Court wants to do with that I don't -- I don't know. I've  
9 never encountered that before, and I -- it seems to me that  
10 they certainly shouldn't be in there -- shouldn't be praying  
11 together. They don't -- it just seems awkward.

12 MR. WEINSTOCK: And there's one other thing I would  
13 just add, Your Honor, not -- kind of on the same point but a  
14 little different. When I walked up here about 12:30 I thought  
15 we were going to get in to see our client to talk to him about  
16 12:30 but, you know, the doors were locked and I buzzed the  
17 chambers and nobody --

18 THE COURT: Doors were locked? Marshal?

19 MR. WEINSTOCK: Your Honor, I don't want to, you  
20 know -- I think the reason why is that they did not have our  
21 client up here and he didn't get up here until about five  
22 minutes ago so we've only had about five to 10 minutes with  
23 him and we probably would like a few more minutes but we can  
24 probably, you know -- the Court's going to take a little bit  
25 longer of a break at lunch.

1           But my point was when I walked up to -- then I  
2 walked to the door to see if the doors to the court were  
3 unlocked. They were locked, but there was one juror that was  
4 sitting there that has a blue shirt on today. I know it was a  
5 male juror and he was reading the local newspaper.

6           Now, I don't know what portion or what part of the  
7 newspaper he was reading. One, my eyes are not that good  
8 anymore. And two, I didn't want to get really close to him.  
9 But there was a big article in the Las Vegas Review Journal  
10 about this case. I don't know if he looked at it, if he saw  
11 it or not. You may want to bring him in for a short voir  
12 dire.

13           THE COURT: Do you even know who it was?

14           MR. WEINSTOCK: I said it was a male gentleman who's  
15 wearing a blue shirt today.

16           THE COURT: All right. We'll bring him in.  
17 Anything else?

18           MR. WINDER: That's all, Your Honor.

19           THE COURT: So, Marshal, what time were the doors  
20 unlocked?

21           THE MARSHAL: I unlocked at about -- I want to say  
22 12:45.

23           THE COURT: They were unlocked at 12:45?

24           THE MARSHAL: I went out to unlock them and see who  
25 was out there but I've been in the whole time.

1 THE COURT: All right. So -- all right. Because  
2 yesterday we specifically discussed unlocking the doors so  
3 they could come in at 12 to meet with their clients.

4 THE MARSHAL: Yeah. I went out twice. I didn't see  
5 anybody out there but the jurors.

6 MARSHAL 2: Your Honor, we were here at 12 with the  
7 defendant. There was no -- counsel was not here at 12.

8 THE COURT: Well, he couldn't be here because the  
9 doors were locked.

10 MARSHAL 2: We were up here at 12, Your Honor.

11 THE COURT: I appreciate that. Yeah, no, you did  
12 your part. All right. Well, I'm inclined to give you time to  
13 prepare and the jurors will just have to wait. If you want to  
14 meet with your client I'm going to give you that time because  
15 I promised it yesterday and you're entitled to what I  
16 promised.

17 MR. WEINSTOCK: I appreciate it. We --

18 MR. WINDER: And maybe if you wanted to get started  
19 and at the break, since you normally take the three o'clock  
20 break, if we just had a little bit of extension of time then  
21 if you want to do that.

22 THE COURT: Absolutely. You let me know. You're  
23 going to have the time you want with your client.

24 MR. WINDER: Okay.

25 THE COURT: And I apologize on behalf of the Court



1 for you not getting that time. That's deeply troubling to me.

2 MR. WINDER: Well, we're not saying it's anybody's  
3 fault but we knew he had -- as he has here notes that -- about  
4 the --

5 THE COURT: Right.

6 MR. WINDER: [inaudible]

7 THE COURT: Do you want to take a few minutes now?

8 MR. WINDER: No. We'd rather -- we've prepared --

9 THE COURT: Just a little bit longer break?

10 MR. WINDER: Yes.

11 THE COURT: I will grant that to you.

12 MR. WINDER: That would be -- that would be the --

13 THE COURT: I will grant that to you.

14 MR. WINDER: -- better way I think.

15 THE COURT: Marshal, please go find the juror in the  
16 blue shirt. How else would you describe him, Mr. Weinstock?

17 MR. WEINSTOCK: Just a --

18 MR. WINDER: Well, there's only three men.

19 MR. WEINSTOCK: -- gentleman -- yeah, it was a male  
20 with a blue shirt.

21 THE COURT: A male with a blue shirt?

22 MR. WEINSTOCK: Yeah. He was the only male that I  
23 saw with a -- well, he was the only male I saw out there when  
24 I got there.

25 THE COURT: All right. A couple other things off

1 the record. I -- have you received the GPA with respect to  
2 Kariah Heiden yet, Mr. Weinstock?

3 MR. WEINSTOCK: Yes, I did, Your Honor. I think  
4 I --

5 THE COURT: Have you had a chance to confirm, as I  
6 have, that Upres Media did have a media request filed back in  
7 September, which this Court approved?

8 MR. WEINSTOCK: I did not see that, Your Honor,  
9 but --

10 THE COURT: All right. I have -- I have it here.  
11 This is my only copy. In fact, I printed out all of the media  
12 requests. If you'd like to review this, you can and just get  
13 it back to me at the next break.

14 MR. WEINSTOCK: Thank you, Your Honor.

15 THE COURT: This is my only copy. Thank you. All  
16 right. Let's bring -- Marshal, would you please bring in the  
17 gentleman in the blue shirt as one of our jurors?

18 THE MARSHAL: Yes, sir.

19 THE COURT: Thank you, sir.

20 THE MARSHAL: You're welcome.

21 THE COURT: Mr. Weinstock, I have to do this in a  
22 way which doesn't put undo -- draw into attention to you and  
23 noticing him. What do you propose?

24 MR. WEINSTOCK: Perhaps you can just ask him if he  
25 read the newspaper today, and if he did -- you know, the local

1 newspaper. If he did, what did he read?

2 THE COURT: Did he read anything about this case?

3 MR. WEINSTOCK: Right.

4 THE COURT: So you think -- you think there is an  
5 article about this case?

6 MR. WEINSTOCK: There is. I saw it, yeah.

7 THE COURT: Which section?

8 MR. WEINSTOCK: The local section, second page of  
9 the -- or the third page of the local section.

10 THE COURT: The Nevada section?

11 MR. WEINSTOCK: Yeah.

12 THE COURT: Of the RJ?

13 MR. WEINSTOCK: Yes.

14 THE COURT: Okay. Anything else from Ms. Mercer?

15 MS. MERCER: No, Your Honor.

16 THE COURT: All right. Mr. Winder?

17 MR. WINDER: And then maybe you can admonish them at  
18 the end of, you know, each day just not to read the newspaper.

19 MR. WEINSTOCK: Well, he does.

20 THE COURT: It is -- it is in my standard  
21 admonishment.

22 MR. WINDER: I thought so.

23 THE COURT: All right. Here comes the juror.

24 Thank you. How you doing, sir?

25 JUROR NO. 13: I'm good, Your Honor.

1 THE COURT: Oh, excellent, thank you. You're juror  
2 number two or --

3 JUROR NO. 13: No, I'm department two. I'm juror  
4 number --

5 THE COURT: Department two.

6 JUROR NO. 13: -- I'm 13 now; I was 14, sir.

7 THE COURT: Are you Scott Nicholas?

8 JUROR NO. 13: That would be me, Your Honor.

9 THE COURT: Please, have a seat. Oh wait, so --  
10 okay, great. Please have a seat.

11 JUROR NO. 13: Okay.

12 THE COURT: I think I technically have to put you  
13 under oath, so stand back up again.

14 SCOTT NICHOLAS, JUROR NO. 13, SWORN

15 THE CLERK: Thank you. Will you please state your  
16 name and your juror number for the record?

17 JUROR NO. 13: Scott Nicholas, I should be juror 13.

18 THE COURT: Mr. Nicholas, this should be really  
19 quick -- let me just double check. Did you have a chance to  
20 read the newspaper today from the Review Journal; and if so,  
21 did you read anything about -- any -- any article about this  
22 case?

23 JUROR NO. 13: Yes, sir, I did read the newspaper; I  
24 did not read anything about this case. I read the sports  
25 page, and I was reading the national news. Nothing about this

1 case.

2 THE COURT: All right. Very good. I just needed to  
3 double check that.

4 JUROR NO. 13: I understand completely.

5 THE COURT: Let me -- let me -- the Court's  
6 satisfied and let me see if the counsel has anything to ask  
7 you.

8 Mr. Martinez, would you like to ask this juror any  
9 questions?

10 MR. MARTINEZ: No, Your Honor.

11 THE COURT: All right. Mr. Martinez, would you like  
12 to ask this --

13 MR. MARTINEZ: That's me.

14 THE COURT: -- juror --

15 MR. WEINSTOCK: Mr. Weinstock -- he's Martinez.

16 THE COURT: Mr. Weinstock?

17 MR. WEINSTOCK: No, Your Honor, thank you.

18 THE COURT: Okay. Well, thank you very much. I --  
19 I appreciate that. And why don't you join the rest of the  
20 jurors and we'll bring you all back in momentarily.

21 JUROR NO. 13: Thank you, Your Honor.

22 THE COURT: All right. Thank you. And feel free to  
23 bring that Pepsi back with you.

24 JUROR NO. 13: Thank you, sir.

25 THE COURT: All right. Marshal, you can bring them

1 all back in as soon as they're lined up, sir.

2 MR. WEINSTOCK: And, Your Honor, just so you know,  
3 if a young man walks in during the thing, that will probably  
4 be my son. He's in law school. He's on his track break and  
5 he wanted to come in but he had to go with his mother for her  
6 chemotherapy.

7 THE COURT: Very well. I have no objection to your  
8 law student son being here, sir.

9 MR. WEINSTOCK: Thank you, Your Honor.

10 THE COURT: Yes, sir.

11 (Off-record colloquy.)

12 MR. WEINSTOCK: And also for the record, I think  
13 Upres Media was going to provide us with contact information  
14 today.

15 THE COURT: By the end of the day I told them,  
16 right?

17 MR. WEINSTOCK: Yeah.

18 THE COURT: Okay.

19 (Jury reconvened at 1:22 p.m.)

20 THE COURT: All right. Thank you. Please be  
21 seated. So ladies and gentlemen of the jury, welcome back.  
22 Please take a moment to make sure you have your own notepad  
23 and not somebody else's.

24 All right. Very well. Let's proceed then. This is  
25 the opportunity for defense counsel to begin its

1 cross-examination.

2 So Mr. Martinez, will you please bring the witness  
3 back to the stand?

4 MR. MARTINEZ: Yes, sir.

5 THE COURT: Thank you. Hello, Ms. Richards, you may  
6 be seated. Ma'am, you are still under oath and still required  
7 to testify truthfully. Do you understand that?

8 THE WITNESS: Yes.

9 AUTUMN RICHARDS, STATE'S WITNESS, PREVIOUSLY SWORN

10 THE COURT: All right. Thank you very much. Take a  
11 moment to get situated and move the mic a little bit closer to  
12 you as well. Thank you. This is the time now for defense  
13 counsel to ask you questions. All right?

14 Let's go ahead and begin. Mr. Weinstock, you may  
15 address the witness.

16 MR. WEINSTOCK: Your Honor, because the thing is in  
17 the way, can I go to the podium kind of --

18 THE COURT: Go to the podium?

19 MR. WEINSTOCK: Not real close to the witness?

20 THE COURT: You may. No, of course you may.

21 MR. WEINSTOCK: Thank you.

22 THE COURT: Of course you may. Thank you, sir. You  
23 may readjust it.

24 MS. MERCER: Your Honor, now --

25 THE COURT: Just make sure that --

1 MS. MERCER: -- I can't see.

2 THE COURT: -- perhaps move it so --

3 MR. WEINSTOCK: You don't want to see the back of me  
4 the whole time?

5 MS. MERCER: I'd rather not.

6 THE COURT: Just adjust it so the State may have an  
7 opportunity to view the witness.

8 MS. MERCER: Thank you, Your Honor.

9 MR. WEINSTOCK: You guys okay?

10 MS. MERCER: Yes.

11 THE COURT: And -- and Ms. Richards, are you still  
12 able to view your advocate?

13 THE WITNESS: Yes.

14 THE COURT: All right. Do you feel comfortable?

15 All right. Thank you.

16 You may proceed, Mr. Weinstock.

17 MR. WEINSTOCK: Thank you, Your Honor.

18 CROSS-EXAMINATION

19 BY MR. WEINSTOCK:

20 Q Good afternoon, Ms. Richards. How are you today?

21 A I'm doing okay.

22 Q Okay. And I want you to know we're all sympathetic  
23 about the injuries that you did receive. I don't want to be  
24 too invasive to you but I have a lot of questions that I'm  
25 going to have to ask you. Some may be somewhat invasive to a



1 certain extent but I'm going to ask them in subject to the  
2 district attorney or the Judge saying I can't. But please  
3 don't -- I apologize for any inconvenience in advance. You  
4 okay with that? Thank you.

5 Let me start off by asking you, Ms. Richards, are  
6 you in the process right now of filming a documentary about  
7 this event?

8 A Yes, I am in the process.

9 Q And when did you begin that process?

10 A The process began a year and a half ago.

11 Q And how did it come about? Did somebody contact  
12 you?

13 A No, I wasn't contacted. I had met the director at a  
14 retreat for survivors of trafficking.

15 Q And are you being compensated in any way for this?

16 A No, I'm not getting paid and neither are any of the  
17 other survivors in the movie.

18 Q Are they paying any of your costs, any of your  
19 expenses?

20 A No, they are not paying for anything.

21 Q And this started about a year and a half ago. Did  
22 you advise your victim witness coordinator about it?

23 A No, I didn't.

24 Q Did you advise the district attorney about it?

25 A No.

1           Q     Have you advised anybody about it up to today's  
2 date?

3           A     Yes.

4           Q     Who did you advise?

5           A     My advocate.

6           Q     And when did you advise your advocate?

7           A     My advocate has known since the filming had started  
8 but it was not connected with the DA's or anything else in the  
9 State.

10          Q     Where is your advocate from?

11          A     California.

12          Q     And other than your advocate have you told anybody  
13 else?

14          A     My friends and family.

15          Q     Had you informed any representatives of the Clark  
16 County District Attorney's office?

17          A     No.

18          Q     Not even the victim witness assistance person that's  
19 been working with you?

20          A     I had just met my victim witness person, so no.

21          Q     When did you first meet her?

22          A     Friday.

23          Q     And did you advise her on Friday?

24          A     Yes.

25          Q     Okay. Why did you feel it was important to advise

1 her on Friday?

2 A Because it was the first time I had met her.

3 Q And it's your testimony that prior to this date  
4 there was no advocate from Clark County District Attorney's  
5 office that had been in contact with you or working with you?

6 A No.

7 Q You did come back here to Las Vegas for a prior  
8 court proceeding at one point, didn't you?

9 A Yes, I did.

10 Q And there's no advocate for you at that time?

11 A There was one with the Salvation Army. I am not in  
12 contact with her because she did not -- she wasn't a good  
13 advocate, she didn't speak with me. So when I talked to the  
14 detective I said I do not want to be in contact with her.

15 Q And prior to your testifying here in court  
16 yesterday, I'm assuming you've had meetings with the district  
17 attorney about your testimony?

18 A Yes, I have had meetings with them.

19 Q About on how many occasions?

20 A Once on Thursday I believe and once on Monday.

21 Q Monday of last week or Monday of this week? Today  
22 is Tuesday.

23 A Monday of last week.

24 Q Okay. And the Thursday one, was that also last week  
25 or was that awhile ago?

1           A     That was last week.

2           Q     Okay. And was Mr. Martinez present at those  
3 meetings?

4           A     Yes, he was.

5           Q     And was Ms. Mercer present at those meetings?

6           A     Yes.

7           Q     And was anybody else present at those meetings?

8           A     No, it was just us. My advocate came in for the  
9 second end of Thursday's meetings.

10          Q     And you didn't advise either Mr. Martinez or Ms.  
11 Mercer about this documentary that you've been working on for  
12 a year and a half?

13          A     They knew that I was wanting to film but they didn't  
14 know how extensive the filming was.

15          Q     When you say they knew you wanted to film, how'd  
16 they know that?

17          A     Because I had told them I wanted to film.

18          Q     When did you tell them that?

19          A     I had told them when I came to Vegas and they knew  
20 about it but they didn't know that I was filming for a year  
21 and a half and it was about my testimony.

22          Q     And when you came to Las Vegas and advised Mr.  
23 Martinez and Ms. Mercer about your intent, did they ask you  
24 any further questions?

25          A     No, not particularly. They thought that it was just

1 a film about my recovering I guess. The aftereffects and what  
2 I do with my life now. Not about necessarily my testimony and  
3 what had happened when I was there.

4 Q You didn't discuss any of that with either Mr.  
5 Martinez or Ms. Mercer?

6 MS. MERCER: Objection, asked and answered.

7 THE COURT: Overruled, you can ask the question.  
8 BY MR. WEINSTOCK:

9 Q You didn't discuss any of the areas of what was  
10 going on for the past year and a half with them when you met  
11 with them on those two previous occasions?

12 A No. They -- they knew that it was going to be a  
13 documentary about survivors of human trafficking but what was  
14 actually discussed in our interviews was not discussed with  
15 Liz or Sam.

16 Q Did you advise them that you had been previously  
17 interviewed about matters concerning this case?

18 A No. On Friday morning they had came to me and asked  
19 me. I had not told them that I gave them information about my  
20 specific testimony. All I said that was the documentary was  
21 about different survivors of human trafficking and pretty much  
22 the things that we have to deal with, like PTSD and different  
23 girls and their lives.

24 Q And who exactly have you been talking to in this  
25 documentary?

1           A     Joanna Friedman.

2           Q     And do you know who Joanna Friedman is with?

3           A     Upres Media.

4           Q     And where are they located?

5           A     Los Angeles.

6           Q     And has Ms. Friedman been asking you questions that  
7 you've been responding to?

8           A     Yes.

9           Q     And it's been videotaped?

10          A     Yes.

11          Q     And it's something that based upon your  
12 understanding is going to be released at some point?

13          A     I would assume so, yes, certain parts of it.

14          Q     And obviously, is that something -- did you have any  
15 say so as to over which parts get released?

16          A     She just said that I can video -- I could see the  
17 video before it comes out, before it's edited. And if I don't  
18 want that part in the movie that she would take it out. But,  
19 no, I do not have a legal contract with her to say yes or no.

20          Q     Is it your understanding that what you testify here  
21 to today is going to be part of that documentary?

22          A     Yes. I have talked about my testimony in the  
23 documentary.

24          Q     Okay. And they're filming this -- your testimony  
25 today, aren't they?

1           A     Yes, they are.

2           Q     And so obviously, you have to give your statement in  
3 line with what you previously told them, correct?

4           A     Yes, and they are.

5           Q     And the two occasions that you talked about meeting  
6 with Ms. Mercer and Mr. Martinez, those are the only two times  
7 you've ever discussed your testimony with them?

8           A     Yes.

9           Q     And they've gone over the questions that they were  
10 going to ask you on direct examination, correct?

11          A     Could you rephrase the question?

12          Q     Did they go over the questions that they were going  
13 to ask you on direct examination?

14          A     They asked me pretty much my statement again. They  
15 asked me to restate it, yes.

16          Q     And did they show you any previous testimony that  
17 you had given in court?

18          A     Yes, they did.

19          Q     And they told you to review that?

20          A     Yes, they did.

21          Q     And did you review that?

22          A     Yes, I did.

23          Q     Did anybody discuss with you the actual questions  
24 that were going to be asked of you?

25          A     Could you rephrase that question or give a little

1 more detail?

2 Q Well, did either Mr. Martinez or Ms. Mercer go over  
3 the questions? For example, they're going to ask you your  
4 age, they're going to ask you where you were when you first  
5 met the defendant, things like that. Did they go over those  
6 type of questions?

7 A They --

8 THE COURT: That's kind of -- that's kind of vague  
9 and ambiguous, your question. I want to make sure the witness  
10 understands it. Are you asking if they told her what  
11 questions that they would ask or if they discussed those  
12 particular topics?

13 BY MR. WEINSTOCK:

14 Q Just did they in specific, did they ask you specific  
15 questions that they were going -- did they tell you specific  
16 questions they were going to ask you?

17 A They told me to repeat my statement. And we  
18 discussed specific events that happened. And I had to go over  
19 those specific events again.

20 Q Did they in any way give you any answers that they  
21 wanted you to say or try to correct any answers that you had  
22 given them?

23 A No, they did not correct any answers that I gave  
24 them.

25 Q Now, let's go over a little bit about your testimony



1 that you gave yesterday. Now, I believe originally you  
2 started by testifying that you first came to Las Vegas, I  
3 believe, in September of 2013, correct?

4 A Yes.

5 Q And where'd you come from at that time?

6 A Right before that I was living in California.

7 Q Who were you living with in California? I don't  
8 need the address but who, with whom were you living with?

9 A In California I lived with my brother and before  
10 that my aunt.

11 Q Okay. And how long did you live with your brother  
12 in California?

13 A I was only supposed to be there for a summer  
14 watching their kids so I was there for two and a half months.

15 Q Okay. And then from there you moved to your aunt?

16 A Before that I moved with my aunt and I lived there  
17 for -- from 16, I believe September, when I was 16 so 2000  
18 [inaudible] I'm trying to think. When I was 16 I moved with  
19 her and I was -- it was in September and I spent that school  
20 year there and then to my brother's house in the summer.

21 Q And there came a time when you left your aunt's  
22 house, correct?

23 A Yes.

24 Q Didn't you leave because you were angry at her  
25 because you thought that she had lied to you?

1 MS. MERCER: Objection, relevance, Your Honor.

2 MR. WEINSTOCK: Your Honor, I think it certainly is  
3 all relevant.

4 THE COURT: Overruled. I'll allow the question.

5 A Which aunt are you speaking about?

6 BY MR. WEINSTOCK:

7 Q Well, which aunt were you living with?

8 A When, in California?

9 Q Yes.

10 A Or the one in Vegas?

11 Q I'm talking in California.

12 A My aunt in California was very manipulative and she  
13 got a lot of money from my family; my mother, my father and  
14 the State for me. And so I did not like living with her  
15 because she's a little crazy.

16 Q And so you voluntarily left her house?

17 A No. She had kicked me out and sent me to my  
18 brother's house and I didn't want to go back after the summer.

19 Q Why'd she kick you out?

20 A Because she --

21 MS. MERCER: Objection, relevance.

22 THE COURT: So what's the relevance of this,  
23 counsel?

24 MR. WEINSTOCK: Well, Your Honor, I think it is all  
25 going towards bias and her ability to testify.

1 THE COURT: Bias in what respect? Because it  
2 doesn't go to the reason why the aunt kicked her out. I don't  
3 know that that would go to truthfulness or untruthfulness of  
4 the witness.

5 MR. WEINSTOCK: Well, Your Honor, I believe that it  
6 is going to go towards her state of mind at the time that  
7 ended up resulting in her coming out to Las Vegas, which I  
8 think is going to be very relevant.

9 THE COURT: So you -- you believe it's relevant to  
10 the state of mind to establish the reason why she came to Las  
11 Vegas.

12 MR. WEINSTOCK: Yes.

13 MS. MERCER: Your Honor --

14 THE COURT: Ms. Mercer?

15 MS. MERCER: -- she testified that from her  
16 brother's she came to Las Vegas so maybe -- I mean I'm really  
17 not understanding how what happened at the aunt's prior to her  
18 moving to her brother's has anything to do with the  
19 allegations in this case.

20 THE COURT: Let's find how -- how -- let's find out  
21 how close in time that is. How long did she live with her  
22 brother? Because I'm not sure that there's sufficient  
23 proximity in time to leaving the aunt's to make that  
24 circumstance relevant.

25 BY MR. WEINSTOCK:

1           Q     All right. Let me ask you this way then, if I may,  
2 Ms. Richards. You left your aunt's house -- or you were  
3 thrown out of your aunt's house and then you went to move in  
4 with your brother in California -- with your brother in  
5 California, correct?

6           A     Yes.

7           Q     And how long after the time you were thrown out of  
8 your aunt's house did you move in with the brother?

9           A     I was only supposed to be there for the summer  
10 babysitting their two kids and I left in September and I  
11 decided I was coming to Vegas instead of dealing with my aunt.

12          Q     Okay. I understand that -- what you said but my  
13 question really -- maybe it's the same thing is, when you were  
14 thrown out of your aunt's house, did you immediately then move  
15 in with the brother or was there a lack -- a period of time  
16 between them?

17          A     No, I moved straight into my brother's house. She  
18 had taken -- put me on a train, an Amtrak train straight to my  
19 brother's house.

20          Q     Okay. And you moved in with your brother right  
21 after that, correct?

22          A     Yes.

23          Q     And you stayed with your brother for approximately  
24 two months?

25          A     Two and a half months, three months, yeah.

1 Q Okay. And then you came out to Las Vegas?

2 A Yes.

3 Q How'd you get to Las Vegas?

4 A Him and my dad had talked about getting me a  
5 Greyhound bus and I was put on the bus by his wife and I was  
6 picked up by my dad.

7 Q And one of your -- either your brother or your  
8 father paid for the Greyhound ticket, correct?

9 A Yes.

10 Q And then you were picked up by your father?

11 A Uh-huh.

12 Q Did you then go live with your father here in Las  
13 Vegas?

14 A Yes. I lived with him for -- off and on and off and  
15 on with my aunt and uncle.

16 Q Okay. When you say off and on, what do you mean by  
17 off and on?

18 A My dad lives in a studio apartment with cockroaches  
19 and I didn't really want to sleep on the floor. And so if my  
20 aunt and uncle would allow me to stay there, I would stay  
21 there. But my uncle is an alcoholic and doesn't like me being  
22 around too long. So if I was able to stay there I would stay  
23 there, but if he kicked me out I would go back to my dad's.

24 Q Okay. Would you go back and forth between your dad  
25 and your uncle, was that what you consider off and on, or was

1 there any period of time when you weren't staying with either  
2 your dad or your uncle?

3 A No, I was always staying with one or the other.

4 Q Did you have a friend that was staying in Polo  
5 Towers?

6 A No, I didn't, not that I know of.

7 Q Did you ever recall advising Kariah Heiden you had a  
8 friend that lived in the Polo Towers?

9 A I had a guy that I was seeing but I didn't know  
10 which hotels he was in. I didn't know if he lived on the  
11 Strip or not.

12 Q And when you say hotels, that's more than one hotel?

13 A I have no idea really knowing what his living  
14 situations were.

15 Q Was he a -- when you say a friend, and please excuse  
16 me, was it somebody you were having sexual relations with?

17 MS. MERCER: Objection as to relevance, Your Honor.

18 MR. WEINSTOCK: Your Honor, I just --

19 MS. MERCER: If we could approach, Your Honor?

20 THE COURT: Yes, you may.

21 (Bench conference transcribed as follows.)

22 THE COURT: Wait a minute.

23 MS. MERCER: This line of questioning is [inaudible]  
24 by the rape shield [inaudible] and it has zero relevance to  
25 the allegations in this case. There's no claim of the sex

1 assault or anything of that nature.

2 MR. WEINSTOCK: [inaudible] victim, Your Honor.

3 This is direct --

4 MS. MERCER: The rape shield laws apply to every --  
5 every victim, not just sex assault victims.

6 MR. WEINSTOCK: Your Honor, this is directly going  
7 towards her contact with [inaudible] certainly believe she's  
8 [inaudible] and staying away from [inaudible] who else  
9 [inaudible]

10 THE COURT: What issue does it go to?

11 MR. WEINSTOCK: What?

12 THE COURT: What issue does this line of questioning  
13 go to?

14 MR. WEINSTOCK: Along the lines of the various  
15 stories she has told about what happened in this incident,  
16 including if she was living with friends and it could have  
17 been one of them that would -- that caused the damage.

18 THE COURT: Okay. And I don't know where -- whether  
19 she had sex with another gentleman is relevant here. I don't  
20 know what issue that goes --

21 MR. WINDER: But also, Your Honor, she testified  
22 yesterday that she had never been involved in prostitution  
23 prior to meeting --

24 MS. MERCER: Correct.

25 MR. WINDER: -- our client and so if -- if she

1 actually was then that's [inaudible].

2 THE COURT: No, but whether she met a gentleman  
3 friend and had sex with him has nothing to do with -- it's not  
4 inconsistent with her testimony yesterday.

5 MR. WEINSTOCK: If she's getting it -- doing it for  
6 money that is.

7 THE COURT: Well, you can ask her if she was having  
8 sex for money but we --

9 MR. WEINSTOCK: Okay.

10 THE COURT: -- already know her testimony from  
11 yesterday. Hold on one second. Get me NRS50, Chapter 50.

12 (Off-record colloquy.)

13 THE COURT: Give me a second, counsel.

14 So, counsel, so I mean NRS50.090 seems pretty clear.  
15 This is -- in a prosecution for sexual assault, right, the  
16 accused may not present evidence of any previous sexual  
17 conduct of the victim to challenge the victim's --

18 MR. WINDER: This is -- this is not sexual assault.

19 THE COURT: Well, it's a sexual assault case.

20 MR. WINDER: He's not charged with sexual assault,  
21 Your Honor.

22 MR. MARTINEZ: [inaudible] to this case.

23 MR. WINDER: Sexual assault is being -- when you're  
24 being raped. This is not -- you didn't charge sexual assault,  
25 that's a separate life sentence.



1 THE COURT: Well, let's see what the definition is  
2 of sexual assault in the cases. Let's see, sexual activity --  
3 well, do you have any authority that, you know, sex  
4 trafficking would cover sexual assault?

5 MR. MARTINEZ: Sex trafficking covers sexual  
6 assault? All I know is that it's --

7 THE COURT: You believe that --

8 MR. MARTINEZ: -- it's under the sexual abuse. It's  
9 in the same category as sexual assault for the purposes of --

10 MR. WEINSTOCK: Judge, as many counts as they piled  
11 on the defendant already, if there was a sexual assault charge  
12 that they could have come up with that they would have.

13 MS. MERCER: That's not what he's saying. He's  
14 saying that they all fall under sexual abuse.

15 MR. WEINSTOCK: No, that's [inaudible]

16 MS. MERCER: Regardless, it's completely --

17 THE COURT: Give me one second.

18 MR. MARTINEZ: I mean, that's absurd that it would  
19 even apply to sexual assault cases and not the sexual abuse  
20 victim. That can't be what the legislature [inaudible]

21 MR. WINDER: We can always get into her truth and  
22 voracity --

23 MR. MARTINEZ: And they haven't [inaudible] the  
24 relevance yet either as to what -- how she was --

25 MS. MERCER: How are you going to impeach her? Do

1 you have the person that lives at the Polo Towers?

2 MR. WEINSTOCK: Maybe.

3 MS. MERCER: Yeah, right. You haven't noticed them.  
4 It's irrelevant and it's --

5 MR. MARTINEZ: You haven't noticed anybody.

6 MS. MERCER: -- prejudicial.

7 THE COURT: Well, even if -- you know what, even if  
8 it's -- I'm not 100 percent that 50.090 applies. I think it  
9 does. But even if it didn't apply, which is just a per se  
10 exclusion of the evidence, I just don't see how it's relevant  
11 whether she had sex with some other gentleman. I'm not going  
12 to allow you to ask her and get into that.

13 MR. WINDER: Can we ask her if she --

14 THE COURT: I mean, you can ask her about  
15 prostitution, sure.

16 MR. WINDER: Okay. Or if she was paid --

17 THE COURT: You know, if she ever had sex for money,  
18 of course, yeah. But other than that, you know, a consensual  
19 sexual relation, I'm not going to allow you to ask about that.

20 MS. MERCER: Thank you, Your Honor.

21 THE COURT: All right. Thank you.

22 MS. MERCER: Thank you.

23 (End of bench conference.)

24 THE COURT: Will you please help the witness?

25 MR. MARTINEZ: Yeah, absolutely.

1           THE COURT: Thank you. Sorry for that delay. I had  
2 a complicated legal issue I had to address. Thank you for  
3 your cleaning up.

4           All right. So why don't you continue consistent  
5 with our discussions, Mr. Weinstock.

6           MR. WEINSTOCK: Thank you.

7           THE COURT: Thank you.

8 BY MR. WEINSTOCK:

9           Q     This friend that you had that was living in various  
10 hotels, was he somebody that was giving you benefits for sex?

11          A     No, he wasn't. He was somebody I debated dating.  
12 He did buy me a birthday present but it was before we had sex.

13          Q     And after you had sex did anything else -- did you  
14 receive any benefits from him?

15          A     We went to his house and a couple days after I was  
16 talking with my aunt here in Vegas and I didn't feel like  
17 everything was right and I did a background check on him and I  
18 found out he lied about his age and I had blocked him and  
19 stopped talking to him. And that was a little after  
20 Valentine's Day.

21          Q     How did you come to meet this gentleman?

22          A     I met him at the same bus stop I met LR at actually.

23          Q     It's somebody that you met at a bus stop and then he  
24 moved to various hotels and then into a house?

25          A     I knew that he owned the house; I didn't know if he

1 lived in different hotels.

2 Q Is he a pimp?

3 A I don't know.

4 Q I may have forgotten to ask you this. When you were  
5 back living with your aunt in California and you said she  
6 threw you out, why'd she throw you out?

7 MS. MERCER: Objection as to relevance.

8 THE COURT: Sustained. Please move on. I don't  
9 think that's relevant.

10 BY MR. WEINSTOCK:

11 Q So you arrived here in Las Vegas in September, you  
12 began living off and on with your father and then with your  
13 aunt and uncle, correct?

14 A Yes.

15 Q How were you getting between the two residence?

16 A Bus, the 201A.

17 Q And how were you paying for that bus?

18 A My dad gave me a lot of money for things like that.  
19 It was only a dollar, two dollars to get on the bus.

20 Q When you left your dad's for the first time, about  
21 how much money did he give you?

22 A What do you mean by first time?

23 Q You said when you first came out here after coming  
24 from California you moved in with your father, correct?

25 A Yes.

1           Q     Okay. And then you said you were there off and on,  
2 so there had to be a first time when you left.

3           A     Yes. He never necessarily gave me money, he always  
4 has given me either \$100 or \$200 or off and on. It was always  
5 whatever he had. He was a gambler so he made some extra money  
6 and he would give me some. And he's always been that way my  
7 whole life.

8           Q     Why was it that you weren't getting along with your  
9 father?

10          A     Because my dad is an alcoholic and he's never really  
11 been there for me. He's always lived out of state and he's  
12 emotionally -- he can't have a relationship with anybody  
13 emotionally.

14          Q     That was a determination that you made?

15          A     Yes.

16          Q     How long did you stay with your father the first  
17 time you came back in September? About how long was it before  
18 you left?

19          A     It was a couple months, probably until November.  
20 And then my aunt and uncle said that I could move in with them  
21 and they let me move in. And I think I was there for about a  
22 month --

23          Q     Okay.

24          A     -- because that's usually how long my uncle would  
25 let me stay.

1 Q Okay. So now we're into about December of 2013?

2 Does that sound about right?

3 A Yeah.

4 Q Okay.

5 A That sounds about right.

6 Q Why would your uncle only allow you to stay there  
7 for about a month?

8 A His wife really, really cares about me and he likes  
9 her attention a lot and so if he feels like I'm not doing  
10 enough in the house or if I wasn't, you know, if I wasn't  
11 working honestly, he wouldn't let me stay that long.

12 Q So in December you went back to your father?

13 A No. I actually in December I did not go back to my  
14 father. I was there for December and I --

15 Q When you say you were there for December, and I  
16 don't mean to interrupt, but what are you referring to there  
17 for December?

18 A My aunt and uncle's house.

19 Q Okay. So you stayed at your aunt and uncle's house  
20 all the way through December? So you had stayed at your aunt  
21 and uncle's house for about two months; is that correct?

22 A Mid-November to the end of December, yes.

23 Q Okay. And then at the end of December, did you move  
24 back into your father's?

25 A No, I didn't. I had a fibroadenoma in my left

1 breast that needed to be surgically removed and so my  
2 insurance was out of the state of California and it would be  
3 quicker and easier to go back to California than to try and  
4 get on Nevada's Medicaid.

5 Q Okay. So end of December you went back to  
6 California?

7 A Yes.

8 Q And how long did you stay in California?

9 A It was until the beginning of February. I was there  
10 through my birthday.

11 Q Okay. So the beginning of February and now we're  
12 into 2014, correct?

13 A Yes.

14 Q So the beginning of February 2014 you returned to  
15 Las Vegas?

16 A Yes.

17 Q How'd you get to Las Vegas?

18 A Airplane.

19 Q Who paid for that?

20 A My father did.

21 Q And when you got back to Las Vegas in February of  
22 2014, did you move in with your father again?

23 A I believe so, yes, for a little while. It was only  
24 maybe two weeks and my aunt and uncle let me move back into  
25 their house again.

1           Q     And why'd you move back in with your father if you  
2 had such a tumultuous relationship with him a few months  
3 earlier?

4           A     He's always been that way. I don't really have many  
5 places to stay. My mom had kicked me out when I was 16 and  
6 that wasn't even an option. I didn't have family really  
7 growing up.

8           Q     Well, let me just ask you that then real quick.  
9 Your mom kicked you out when you were 16. Where were you  
10 living, you and your mom, living?

11          A     My mom was living --

12               MS. MERCER: Objection as to relevance.

13               THE COURT: Relevance, counsel?

14               MR. WEINSTOCK: What was that, Your Honor?

15               THE COURT: Relevance. What's the relevance of this  
16 line of questioning?

17               MR. WEINSTOCK: I guess the exact location. I just  
18 want to establish that it was outside the state of -- was it  
19 outside the state of California or Nevada?

20               THE COURT: I mean, you can ask her it that way but  
21 I --

22               MR. WEINSTOCK: Okay.

23               THE COURT: -- you know, the -- the witness is not  
24 on trial here. You're certainly subject to cross-examine her  
25 and test her voracity or the truthfulness or untruthfulness



1 but I'm having trouble seeing the relevance in events that  
2 happened before she even came to Las Vegas. But go ahead and  
3 ask -- reask the question.

4 MR. WEINSTOCK: Thank you, Your Honor.

5 BY MR. WEINSTOCK:

6 Q Ms. Richards, you heard what the Judge and State  
7 said. So was your mother -- were your mother and you living  
8 in a state other than California or Nevada?

9 A Yes, we were.

10 Q And then you said your mother basically kicked you  
11 out when you turned 16?

12 A Sixteen and a half, yes.

13 Q And where'd you go at 16 and a half? Is that when  
14 you went to California?

15 A Yes, I went to California with my aunt.

16 Q And then we've gone through the time in California  
17 up until February of 2014 when you said you spent a couple  
18 weeks with your father. Was it your choice to leave your  
19 father's residence after a couple weeks?

20 A Yes, I would prefer living with my aunt.

21 Q And you moved back in with your aunt and uncle where  
22 -- is this the same uncle that had said you could only live  
23 there 30 days or so previously in 2013?

24 A Yes.

25 Q Okay. And was there any type of understanding that

1 you were going to be able to live there more than a month with  
2 him?

3 A No. It was just usually every time he told me you  
4 could live here, you could live here, and then he would kick  
5 me out randomly.

6 Q And so he would kick you out for whatever reason he  
7 would have, correct?

8 A Yes.

9 Q So let's move up now to March of 2013 -- 2014,  
10 excuse me. That's when I believe you testified on direct  
11 examination you were at a bus stop when two people in a car,  
12 one being the defendant, one being Kariah Heiden, came up to  
13 you; is that correct?

14 A Yes, on March 2014.

15 Q How'd you get to the bus station from your aunt's  
16 house?

17 A I was actually near my dad's side of town when the  
18 car approached. I went from my aunt's house, got down on the  
19 bus and visited with my father and then went back to the bus  
20 stop.

21 Q Okay. So you took -- please correct me if I'm wrong  
22 and I'm not trying to put words in your mouth. On March -- I  
23 believe it was March 9th of 2014, you were thrown out of your  
24 aunt and uncle's house and you took a bus from their house to  
25 your father's house?

1           A     No. At that point I was not kicked out of my aunt  
2 and uncle's house.

3           Q     Did you voluntarily leave?

4           A     I was about to voluntarily leave and I was about to  
5 go to Ohio. And I was visiting my dad for the last time.

6           Q     And you mentioned again on direct examination a  
7 little bit about your going to Ohio. You were taking a bus to  
8 Ohio?

9           A     Yes, I was going to take a Greyhound bus to Ohio.

10          Q     Had you already purchased your tickets?

11          A     Yes, I did.

12          Q     And did you have them with you?

13          A     Yes, I had them with me.

14          Q     And your testimony is that you're at a bus station  
15 on I believe it was Tropicana and Paradise?

16          A     Yes.

17          Q     And where were you going to go from that bus station  
18 on Tropicana and Paradise?

19          A     I was going to go back home because it was around  
20 sunset, so I guess about six o'clock, and I was going to go  
21 back home, try and get some sleep, take a shower before I had  
22 to take a three-day Greyhound bus to Ohio.

23          Q     And again, when you say back home, that was your  
24 aunt and uncle's that you considered home?

25          A     Yes.

1           Q     And they -- and they lived a distance from Tropicana  
2 and Paradise, correct?

3           A     Yes, they did.

4           Q     Now, did you have money with you at that time?

5           A     I had the Walmart gift card.

6           Q     Well, they don't take Walmart gift cards on buses,  
7 do they?

8           A     I'm sure they --

9                   MS. MERCER:  Objection, argumentative.

10                  MR. WEINSTOCK:  Wasn't intended to.

11 BY MR. WEINSTOCK:

12           Q     Do you know if they do?

13                   THE COURT:  All right.  So please -- please rephrase  
14 the statement, rephrase.

15 BY MR. WEINSTOCK:

16           Q     I apologize if you thought that was argumentative.  
17 I apologize, ma'am.  Do you know if they take Walmart gift  
18 cards on buses?

19           A     No, but usually if I was going to travel down I  
20 would get the day pass or the couple hour pass to get on the  
21 bus and I believe I did buy one that day.  I do not honestly  
22 recall if I had two dollars in my wallet or not, but usually I  
23 would buy the pass.

24           Q     So then you were at the bus stop.  Was there anybody  
25 else at the bus stop on Tropicana and Paradise at this time?

1           A     I believe there was another woman there that was  
2 sitting at the bus stop, yes.

3           Q     Do you recall what you were wearing at that time?

4           A     I was wearing I believe a red shirt and a pair of  
5 jeans. It was cold, I remember that, it was windy.

6           Q     And then you testified that a vehicle with Mr.  
7 Sharpe and Ms. Heiden came up to you and Ms. Heiden said to  
8 you, "You want to party?"; is that correct?

9           A     She said hi and pretty much would you want to come  
10 hang out and party, yes.

11          Q     What does do you want to party mean to you?

12          A     Do you want to drink and pretty much hang out is  
13 what I thought. Hang out and drink.

14          Q     And now after your experience soliciting, do you  
15 know what the phrase do you what to party infers?

16          A     It depends on the person I would assume. Certain  
17 people would say let's just hang out and party and other  
18 people would refer it into a different direction I guess.

19          Q     Well, during the time that you were actually  
20 soliciting, did you ever use the phrase, "Do you want to  
21 party" to somebody?

22          A     No.

23          Q     Did you ever hear any other women that you knew of  
24 or believe were soliciting use the phrase, "Do you want to  
25 party"?

1           A     I did hear Kariah say it, yes.

2           Q     Now, is it your testimony that you had never met Ms.  
3 Heiden prior to this incident at the bus stop?

4           A     Yes, I never met Kariah before March 9th.

5           Q     So it's not true that you met Ms. Heiden at the Aria  
6 Hotel while you were both soliciting and then it was agreed  
7 that you would go downstairs for Mr. Sharpe to pick you both  
8 up?

9           A     No, I had not met Kariah before March 9th.

10          Q     Had you been soliciting at all prior to that time?

11          A     No, I had not solicited.

12          Q     Not at all?

13          A     No.

14          Q     Not in any city, whether it was California, Ohio,  
15 Colorado, wherever you were living?

16                MS. MERCER:  Objection, asked and answered.

17                MR. WEINSTOCK:  I think I expanded it a little bit,  
18 Your Honor.

19                THE COURT:  You can -- she can answer the question  
20 but then let's move on.

21          A     No, I was not solicited by anyone or by myself in  
22 any other state or any day in my life before that.

23 BY MR. WEINSTOCK:

24          Q     Interestingly, you said that you were not solicited.  
25 I asked were you soliciting?

1 MS. MERCER: Objection, argumentative again.

2 THE COURT: All right. I'll allow the -- the  
3 question because he did ask was she soliciting and she said  
4 she had not been solicited so I think there might have been  
5 perhaps a communication problem so that's why I want the  
6 question to be asked and reanswered.

7 A No, I did not. I was not soliciting or I did not  
8 solicit myself any day before that.

9 THE COURT: I think the answer's clearer now. Thank  
10 you.

11 BY MR. WEINSTOCK:

12 Q Okay. So it's your testimony that you gave  
13 yesterday that Kariah asked you if you wanted to party, you  
14 looked in the car, you saw Mr. Sharpe in the car, you saw  
15 Kariah in the car and you decided to get in the car and go  
16 party with them, correct?

17 A Yes.

18 Q Nobody forced you into the car, correct?

19 A No, I was not forced into the car.

20 Q That was your own decision, correct?

21 A Yes, that was my own decision.

22 Q And you got in the car and I believe your testimony  
23 was then you guys went and bought some alcohol, correct?

24 A Yes. LR bought some alcohol and we went to his  
25 house.

1 Q Where'd you guys buy alcohol?

2 A I'm not sure.

3 Q Do you recall what kind of alcohol?

4 A He likes Amsterdam, peach flavored, I believe.

5 Q Well, was that the alcohol that was bought on March

6 8th, 2014?

7 A On March 9th?

8 Q March 9th, excuse me.

9 A Yes, that was the alcohol he bought on March 9th.

10 Q And was it a six-pack?

11 A No, it's a big bottle.

12 Q Big bottle. And then the three of you went to Mr.

13 Richards house, correct? I mean, excuse me. To my client,

14 JR's house, correct?

15 A We went to LR's house.

16 Q LR's -- LR's house, I'm sorry. Where was LR's

17 house?

18 A I know now that his house was near Craig in the

19 north side of town. But then I remember getting on the

20 highway and getting off the highway. I didn't really have an

21 understanding of where we were that night.

22 Q When you say you know now, how do you know now?

23 A Because I was there with him for four and a half

24 months.

25 Q And you remember getting on the highway and going to



1 the house, correct?

2 A We got off the highway, bought the alcohol and went  
3 to his house.

4 Q Okay. So you didn't have alcohol until you got off  
5 the freeway and by his house, correct?

6 A Yes, he bought it and went to his house.

7 Q Okay. And then the three of you went to the house,  
8 correct?

9 A Yes.

10 Q And what did you do when you went into the house?

11 A We went into the house, we were just sitting there  
12 talking and drinking and --

13 Q Were you drinking also?

14 A I was drinking, yes.

15 Q Do you recall about how much you had to drink that  
16 night?

17 A It was probably four or five shots.

18 Q Over what period of time?

19 A From eight o'clock until about four o'clock in the  
20 morning.

21 Q Other than having those four or five shots, what  
22 else did you do at the house?

23 A We watched Ride Along.

24 Q What's Ride Along?

25 A That's a comedy movie with Kevin Hart in it.

1 Q Okay. And what else did you do?  
2 A I smoked weed.  
3 Q You smoked weed. Where'd you get the weed?  
4 A Your client had weed at his house.  
5 Q You got that from J -- from LR? Excuse me.  
6 A Yes.  
7 Q How much weed did you smoke?  
8 A I know that Kariah wasn't smoking. I think we both  
9 had smoked a blunt together. I'm not sure.  
10 Q So as far as you can recall, both you and LR smoked  
11 a blunt together, correct?  
12 A Yes, passed it back and forth.  
13 Q And you had four to five shots, correct?  
14 A Yes.  
15 Q And you watched a video, correct?  
16 A Yes.  
17 Q What else did you do that -- during those eight to  
18 four that's -- my math isn't good but it sounds like about  
19 eight hours. So you were there for about eight hours; is that  
20 correct?  
21 A Yes.  
22 Q Okay. What else did you do during those eight  
23 hours?  
24 A Me and LR had sex.  
25 Q Was that in the master bedroom?

1           A     No, that was in the pink room.

2           Q     In the pink room. Was that voluntary on your part?

3           A     Yes, that was.

4           Q     That was consensual. You did not have any problems  
5 with having sex with LR, correct?

6           A     Yes.

7           Q     Okay. And other than drinking, smoking, having sex,  
8 watching a video, what else did you do during those eight  
9 hours?

10          A     Just hung out and talked.

11          Q     What'd you talk about?

12          A     That I was leaving. I remember we did talk about  
13 that. And just a casual conversation, how long -- where he's  
14 from, where I was from, where Kariah was from, just normal  
15 conversation.

16          Q     And you were aware at that time Kariah was pregnant,  
17 correct?

18          A     No, I was not aware that Kariah was pregnant at the  
19 time.

20          Q     Well, you said you knew that she wasn't smoking; is  
21 that correct?

22          A     Yes. When I looked back she was not smoking weed.

23          Q     Did you ask why?

24          A     No, I didn't.

25          Q     She didn't tell you she was pregnant, did she?

1           A     No, she didn't tell me she was pregnant.

2           Q     And then about four a.m. you told them you wanted to  
3 leave and go back to your aunt and uncle, correct?

4           A     Yes. About that time, yes.

5           Q     Was there any understanding between the three of you  
6 anything that was going to go on after that?

7           A     We had discussed -- he had offered, I should say, he  
8 offered me a ride to the Greyhound bus station because I would  
9 have taken three buses to get there. And that I was going to  
10 be able to get some sleep at his house and that we were going  
11 to pick up my stuff and go back to his house and I was going  
12 to sleep and then get me to the Greyhound station.

13          Q     How did you know it would take you three buses to  
14 get from LR's house to your uncle's house if you've never been  
15 to LR's house before?

16          A     I knew it was going to take me three buses to get to  
17 -- sorry, from my aunt and uncle's house to the Greyhound  
18 station.

19          Q     Well, we're talking about right now. It's about  
20 four in the morning, you're at LR's house and you said you  
21 could have taken three buses to your aunt's house.

22          A     No. I would have had to take three buses from my  
23 aunt and uncle's house to the Greyhound bus station.

24          Q     Did you, after you had done your drinking, and had  
25 your blunt, and had sex, watched a video, did you ask LR to

1 take you to your aunt and uncle's house?

2 A Yes.

3 Q And did he agree?

4 A Yes, he did.

5 Q Was there any arrangements that was discussed  
6 between the three of you at that time other than him taking  
7 you to your aunt and uncle's house?

8 A We discussed that he would come get me and we'd  
9 bring my stuff back, I would be able to sleep. And instead of  
10 taking three buses to the Greyhound station that he would  
11 drive me to the Greyhound station.

12 Q So it's safe to say he was doing you a favor at that  
13 time, correct?

14 A Yes.

15 Q He was trying to help you out, correct?

16 A Yes.

17 Q And he drove you all the way up to your aunt and  
18 uncle's house, correct?

19 A Yes, he did.

20 Q About how long of a drive was that in minutes?

21 A Thirty, 30, 40 minutes.

22 Q Okay. So you were in the car with LR. Was Kariah  
23 in the car at that time?

24 A Yes, she was.

25 Q Okay. So the three of you were in the car for 30 or

1 40 minutes. What are you guys talking about during that time?

2 A I don't remember.

3 Q Did you have another blunt?

4 A No.

5 Q Did you have any more to drink?

6 A No.

7 Q So after 30 or 40 minutes you end up at your aunt  
8 and uncle's house, probably close to four or 4:30, five in the  
9 morning?

10 A By the time we actually got out of the door it was  
11 almost six when we got to my aunt and uncle's house.

12 Q It was about six when you got to your aunt and  
13 uncle's house. So safe to say if it was 30, 40-minute drive  
14 you actually left LR's house closer to five, 5:30 in the  
15 morning, correct?

16 A About four to five, yes.

17 Q Well, four to five's a big difference. If you --  
18 wouldn't it be true if you had left about four o'clock and you  
19 drove for 30, 40 minutes you would have got to your aunt and  
20 uncle's house about 4:30, 4:40, correct?

21 A Yes.

22 Q And you're testifying that you guys didn't do  
23 anything during the ride from LR's house to your aunt and  
24 uncle's, correct?

25 A Yes, we didn't do anything. We just drove straight

1 to my aunt and uncle's.

2 Q Okay. So wouldn't it be safer to say you didn't  
3 leave LR's house until a little bit after five?

4 A Between four and five, yes.

5 Q And you got to your aunt and uncle's house. Did you  
6 have a key to that house?

7 A Yes, I did.

8 Q Was it unusual for you to be coming into that house  
9 between four and five in the morning?

10 A Yes, it was.

11 Q Did anybody say anything when you got in?

12 A My uncle was still getting ready for work and he was  
13 mad but I just went and took a shower.

14 Q So your uncle saw you come in, correct?

15 A Yes, he did.

16 Q And he was mad at you?

17 A Yes.

18 Q And you didn't talk to him or anything else,  
19 correct?

20 A No.

21 Q And you took a shower, packed up your stuff --

22 A Yes.

23 Q -- is that true?

24 A Yes.

25 Q What'd you pack?

1           A     I packed clothes and I decided which shoes I was  
2 going to leave behind and which ones I was going to bring with  
3 me. On my clothes I did the same. I had sent a box of  
4 clothes and photo albums to Ohio already and so I was just  
5 packing up everything I wanted to bring with me.

6           Q     Again, you -- did you bring dresses?

7           A     I would assume I probably did bring a couple.

8           Q     Did you bring skirts?

9           A     No, I didn't really -- I don't wear skirts.

10          Q     Did you pack up a full suitcase?

11          A     Yes.

12          Q     Just one?

13          A     Yes, it was one suitcase and a purse.

14          Q     About how big of a suitcase was it?

15          A     A little bigger than the -- like two of the blue  
16 cases right here.

17          Q     About how much later after you left your aunt and  
18 uncle's house did LR show up to pick you up?

19          A     About an hour.

20          Q     Do you know, was he waiting in the driveway or did  
21 he leave the house?

22          A     He said that they went to the Strip.

23          Q     Okay. Do you know -- did you look to see where they  
24 were?

25          A     I knew their car wasn't in front of the house.



1 Q And so about an hour later came and picked you up  
2 and the three of you went back to the house in North Las  
3 Vegas, correct?

4 A Yes.

5 Q About what time was it when you got back to the  
6 house in North Las Vegas?

7 A I'm not sure. Probably seven, eight in the morning.

8 Q What'd you do when you got back to the house in  
9 North Las Vegas?

10 A We talked about what time I needed to get to the  
11 Greyhound station and I asked if I should set an alarm and he  
12 said no. And he said go ahead and get some sleep. And I went  
13 and laid down in the pink room and went to bed.

14 Q You guys did another blunt, didn't you?

15 A No.

16 Q You sure?

17 MS. MERCER: Objection, asked and answered.

18 MR. WEINSTOCK: Your Honor, her hesitation I think  
19 is --

20 THE COURT: I didn't sense any hesitation but she  
21 can continue. Sustained.

22 BY MR. WEINSTOCK:

23 Q Did you have any more to drink?

24 A No.

25 Q So it's your testimony you went right to bed?

1           A     After speaking with him, yes.

2           Q     What'd you speak about?

3           A     We spoke about me getting to the Greyhound station,  
4 what time I needed to be there and what time I need to get on  
5 the bus.

6           Q     Didn't you do that talking on the 40-minute drive  
7 back from your aunt and uncle's house?

8           A     No, we talked when we got into the house.

9           Q     And you went to bed, correct?

10          A     Yes.

11          Q     About what time did you wake up?

12          A     I woke up about 12:30, 12:45.

13          Q     And what'd you do when you woke up?

14          A     I started to panic. I asked Kariah where he was and  
15 she said that she kept texting him. I didn't have his phone  
16 number so I wasn't able to call him myself. And she kept  
17 saying that he's coming, he's on his way home, he's just  
18 around the corner. He's running an errand real quick. And as  
19 the time got closer and closer I got freaked out.

20          Q     You're getting a little bit ahead of me, Ms.  
21 Richards. When you woke up, that was what I was asking. I  
22 assume after you woke up you perhaps took a shower? Perhaps  
23 brushed your teeth? Perhaps had a cup of coffee? Any of  
24 that?

25          A     No.

1 Q You just got up and started worrying?

2 A Yes, because I wanted to be out of the door by 12:30  
3 to get to the bus station.

4 Q Okay. But that was already -- you already missed  
5 that time, correct?

6 A Yes. So I was hoping that I would get there right  
7 in time before the bus left.

8 Q Okay. And you were asleep in the pink room at that  
9 time?

10 A Yes, I was asleep in the pink room.

11 Q Okay. And do you know where Kariah or Robert were?

12 A Kariah was sitting on the couch when I woke up and  
13 Robert was not in the house.

14 Q Now, there came a point in time where you determined  
15 you had missed your bus, correct?

16 A Yes.

17 Q And at that point you had the option of going back  
18 to your father's house if you wanted, didn't you?

19 A Yes, I did have the option to go back to my father's  
20 house.

21 Q You had the option of going to your aunt and uncle's  
22 house if you wanted, correct?

23 A Yes, I did.

24 Q Did you tell Robert to take you to your aunt and  
25 uncle's house?

1           A     I did not want to go back to my aunt and uncle's or  
2 my dad's or any of my family.

3           Q     And it's your testimony then that Robert mentioned  
4 you could stay with him, correct?

5           A     Yes.

6           Q     Isn't it true that you gave him \$500 at that time  
7 for rent?

8           A     No. I had given him the Walmart gift card, which  
9 had about \$300 on it.

10          Q     And was it your understanding that was going to  
11 cover a month's rent?

12          A     No. I actually did not know whether it was going to  
13 cover a month's rent or not, we did not discuss that.

14          Q     Why'd you give him the card?

15          A     Because he asked for it and he said that I was able  
16 to stay there and he was going to pay for food.

17          Q     And again, nobody forced you to give that card to  
18 him, did he?

19          A     No, I wasn't forced to give him the card.

20          Q     That was all voluntary on your part, correct?

21          A     The card was voluntary, yes.

22          Q     And he asked or told you you could stay with him for  
23 a while, correct?

24          A     Yes.

25          Q     And he didn't do anything to force you to stay with

1 him, did he?

2 A No.

3 Q You had options you could have taken if you wanted,  
4 correct?

5 A Yes. I felt like I didn't have any but I did have  
6 options.

7 Q Your feeling that you didn't have any options was  
8 not in any way due to Robert, was it?

9 A No.

10 Q Then I believe your testimony yesterday talked about  
11 he said for the first time he's a pimp and she's my ho; is  
12 that true?

13 A Yes, he said that right after I missed my bus.

14 Q Still in the car?

15 A Yes.

16 Q And was that before or after he had mentioned you  
17 could stay with him in the house for a month or two?

18 A That was all in the same conversation.

19 Q Did you know what a pimp was?

20 A I imagined what it would be like because of movies  
21 and things like that.

22 Q In movies such as? Go ahead. Do you remember some  
23 of the movies that you determined what a pimp life was?

24 A No, not off the top of my head. Before that he did  
25 show me a movie with Snoop Dog in it and he explained that

1 way.

2 MR. WEINSTOCK: If I may approach for one second?

3 THE COURT: Yes.

4 BY MR. WEINSTOCK:

5 Q Do you ever recall seeing this movie?

6 A I don't know if I've seen that one. I saw one with  
7 Snoop Dog in it as the main character. I don't honestly  
8 remember if I've seen that one or not.

9 Q Recall it during the time that you were living at  
10 Robert's house, there were a lot of videos there, weren't  
11 there?

12 A Yes.

13 Q And you were able to watch a lot of them, weren't  
14 you?

15 A No. It was whatever movie LR had wanted to watch or  
16 Robert wanted to watch.

17 Q Okay. But you did watch a lot of movies while you  
18 were there, whether it was your choice or his, correct?

19 A Yes.

20 Q You don't recall watching a movie It Ain't Easy?

21 A I don't remember if I watched it or not.

22 Q Do you recall watching any movies about a pimp by  
23 the name of Slim in it?

24 A I didn't know if it was -- who it was but I did  
25 watch movies that were about actual pimps.

1           Q     Actual -- you don't recall an actual pimp by the  
2 name of Slim in one of the movies?

3           A     I don't remember the name, no.

4           Q     Do you recall --

5           A     I don't remember the names of --

6           Q     -- do you recall any movies you had watched where  
7 the pimps beat up women?

8           A     In the movie with Snoop Dog in it, they did show  
9 that a bit, yes.

10          Q     And suffice it to say that Robert mentioned to you  
11 that you could be one of his ho's, correct?

12          A     Yes.

13          Q     What'd that -- did that mean to you?

14          A     That I was going to prostitute and he was going to  
15 be the pimp. At that point in time I thought that a pimp was  
16 supposed to protect and it was supposed to be a business  
17 partnership.

18          Q     Did you have any problem with doing that for Robert  
19 at the time he asked?

20          A     He told me to do it for a short time and if I didn't  
21 like it I wouldn't have to. I felt like I had to because I  
22 didn't have enough money to buy a ticket and I didn't want to  
23 go back to my family.

24          Q     Well, first off, he didn't force you to become his  
25 prostitute, did he?

1           A     No.

2           Q     You voluntarily agreed, correct?

3           A     Yes.

4           Q     It was your decision.

5           A     Yes.

6           Q     You thought it would be something that you had to

7 do, correct?

8           A     Yes.

9           Q     Not for Robert, though, correct?

10          A     What do you mean?

11          Q     You were doing that for yourself at that time,

12 correct?

13          A     No. I was giving him the money and he said that he

14 would buy me another Greyhound ticket and give me some money

15 to spend if I tried it.

16          Q     So to you it was a business relationship, correct?

17          A     Yes.

18          Q     A working relationship.

19          A     Yes.

20          Q     You were going to work for him, he was going to give

21 you some benefits, correct?

22          A     Yes.

23          Q     He was going to give you money, correct?

24          A     If I tried it out he was going to give me money.

25          Q     He was going to give you a place to live for a



1 while, correct?

2 A Yes.

3 Q He was going to give you food, correct?

4 A Yes.

5 Q Then I believe you testified he took you to the  
6 outlet mall, correct?

7 A Yes.

8 Q And he bought some clothes for you?

9 A Yes.

10 Q Did he -- didn't he use that gift card that you gave  
11 him to pay for it?

12 A I didn't know at that point in time but, yes, he  
13 did.

14 Q So basically he was using the card that you gave him  
15 and you paid -- you bought clothes, correct?

16 A Yes.

17 Q And I believe you bought an orange frilly top,  
18 correct?

19 A No. That was the shirt that he had bought at bebe.

20 Q Okay. Do you know how he paid for that?

21 A At that point I didn't know.

22 Q Okay. And did he buy you a pair of shoes, correct?

23 A Yes.

24 Q Do you know how he paid for that?

25 A At that point I didn't know.

1           Q     Then after you did your shopping you went back to  
2 the North Las Vegas house, didn't you?

3           A     Yes.

4           Q     What'd you do then?

5           A     We talked for a while, relaxed and then we went and  
6 got ready.

7           Q     I assume Kariah was there?

8           A     Yes, Kariah was there.

9           Q     And she was one of the ones talking?

10          A     Yes.

11          Q     And she was one of the one's relaxing?

12          A     Yes.

13          Q     Along with you?

14          A     Yes.

15          Q     Did you have anything more to drink?

16          A     No.

17          Q     Did you have any more --

18          A     No, she didn't have anything to drink.

19          Q     -- blunts? Did you?

20          A     No, I didn't have any weed or any alcohol.

21          Q     Any other type of drugs?

22          A     No.

23          Q     What about mollies?

24          A     No, I've never done a molly.

25          Q     It's your testimony you've never done mollies?

1           A     Yes.

2           Q     Do you know what a molly is?

3           A     It's a party drug that people take at parties and at  
4 nightclubs and things like that.

5           Q     And you testified then you and Kariah were getting  
6 ready, correct?

7           A     Yes, after we were relaxing we got ready.

8           Q     Part of getting ready, I think you testified  
9 yesterday, was putting on makeup?

10          A     Yes.

11          Q     Is this makeup you had brought with you?

12          A     Yes, it was makeup I brought with me.

13          Q     And that was stuff that was in your luggage that you  
14 had brought to the house?

15          A     Yes.

16          Q     And what did you wear that first evening?

17          A     That first evening I wore the outfit that LR had  
18 picked out at the outlet stores.

19          Q     And what -- describe that outfit to me.

20          A     It was the shoes from Steven Madden, the wedges. It  
21 was a pair of leggings, which he also bought from bebe and the  
22 ruffled orangish/pinkish/peachy colored top.

23          Q     And what did Kariah wear?

24          A     I honestly don't remember which outfit she wore but  
25 she [inaudible] outfits there.

1           Q     Do you remember whether or not Robert -- he drove  
2 both of you to wherever you were going, correct?

3           A     After that we ate and we went down to the Strip and  
4 he drove us down to Las Vegas Boulevard and drove us to the  
5 outside of the Aria.

6           Q     Where did you guys eat?

7           A     He had grabbed Jack in the Box. He asked me what I  
8 wanted and he brought it back to the house.

9           Q     Okay. And then after you ate, then he drove you to  
10 the Strip to let you out. He didn't take you inside to any  
11 hotel, did he?

12          A     No.

13          Q     And basically you were with Kariah and Kariah was  
14 telling you what to do. And you guys went inside one of the  
15 hotels. Do you remember which hotel?

16          A     It was the Aria.

17          Q     And how long were you inside the Aria?

18          A     I was in the Aria for about an hour.

19          Q     And during that time I believe you testified two  
20 gentlemen came up, saw you and Kariah, and took you guys up to  
21 their room?

22          A     Yes.

23          Q     And I believe they paid you each \$500 for you to  
24 give a hand job?

25          A     Yes.

1 Q And do you know what Kariah did for her \$500?

2 A I do not know what Kariah did for her \$500.

3 Q You guys weren't in close proximity to each other,  
4 were you?

5 A We were in the same room. I was in the bathroom and  
6 she was in the room where the two beds were.

7 Q Okay. Do you remember who got done with whatever  
8 they were doing first?

9 A I believe she got done first.

10 Q Okay.

11 A Because I heard her and her date arguing.

12 Q Okay. And again, just so I'm clear, nobody forced  
13 you to give this gentleman a hand job for \$500 at this time,  
14 did they?

15 A No, I agreed to the hand job.

16 Q And that was your decision, correct?

17 A Yes.

18 Q And then when you got done you, you and Kariah went  
19 downstairs and I believe you walked to the Walgreens and at  
20 that time Robert picked you up, correct?

21 A Yes. She got on the phone with him and he said to  
22 meet her at the Walgreens.

23 Q Well, you -- did you hear the conversation?

24 A No, I did not.

25 Q Okay. And that's one thing I would ask you. If you

1 don't know, don't guess of what may have happened. Please  
2 only testify to what you were aware of and what you knew. So  
3 all you basically knew at that time is Kariah appeared to get  
4 on a phone and call somebody, correct?

5 A Yes.

6 Q Okay. You don't know if she called Robert, you  
7 don't know if she called a stockbroker, you don't know who she  
8 called, do you?

9 A No, I didn't.

10 Q Okay. And you guys then walked to Walgreens, Robert  
11 came and picked you up and you guys left, correct?

12 A Yes.

13 Q And you returned home after that?

14 A Yes.

15 Q About what time was it you returned to home?

16 A I'm not exactly sure.

17 Q Okay. Do you recall what you did after you got  
18 home?

19 A I took a shower and then went to bed.

20 Q Okay. And was anybody stopping you from leaving at  
21 that point if you wanted to?

22 A No.

23 Q So you could have left and then it would have been  
24 done, it would have been an interesting experience and it  
25 would have been over, correct?

1           A     Yes.

2           Q     Okay. But you chose not to leave, correct?

3           A     Yes. At that point I did not choose to leave.

4           Q     When was the next time that you went out looking for  
5 a gentleman to have some type of sexual relations with?

6           A     I'm not exactly sure how many days or what day it  
7 was. But we went out about twice a week, two times, three  
8 times a week. It was whenever LR wanted to.

9           Q     You say it's whenever LR wanted. Do you recall  
10 exactly what would happen that LR would all of sudden would  
11 say, it's Thursday, hey, girls, let's go take you out and you  
12 can turn tricks. Did he say something like that?

13          A     No. He said that we always had to make sure our  
14 hair was done and our makeup was done. And then if he decided  
15 to go then that night we were going to go.

16          Q     So after this first night and after you -- you just  
17 kind of stayed around the house waiting for -- with your hair  
18 done and looking good and you're testifying that you would  
19 then wait until Robert would make a decision and then you guys  
20 would go.

21          A     Yes, it was whenever Robert wanted.

22          Q     What would you do around the house during the days  
23 that you weren't going? Would you watch TV? Would you have  
24 sex with Robert?

25          A     We did have a television in the pink room and I did

1 clean sometimes and sleeping and eating. And I only had sex  
2 with Robert twice and it was right when I got there.

3 Q And other than cleaning, that doesn't take 24 hours  
4 a day.

5 A No.

6 Q What else did you do around the house?

7 A Watched a lot of TV and slept and showered and  
8 cleaned and ate.

9 Q There was a lot of food around the house, wasn't  
10 there?

11 A No, not really. They didn't really know how to cook  
12 so whenever we were hungry we grabbed food from a restaurant.

13 Q Or Robert would go out and get you food?

14 A Or we'd all go out, yes.

15 Q Was it always fast food or would you go to nicer  
16 restaurants?

17 A We went to a couple of nice restaurants.

18 Q Robert paid?

19 A Yes.

20 Q So the first -- let's say the first three weeks that  
21 you were there, how often did you go out?

22 A About twice to three times a week.

23 Q And where would you go?

24 A We would go to the Strip.

25 Q The Strip's a long place. Where -- do you recall



1 where on the Strip?

2 A We were all over the Strip the time that I  
3 trafficked. There were specific hotels he liked better than  
4 the other ones because he could make more money at certain  
5 hotels.

6 Q Again, it's your testimony that he'd take you to a  
7 hotel but you don't remember which one? Did you ever go to  
8 the Hilton?

9 A We walked around in the Hilton.

10 Q Okay. Did you ever go to Circus Circus?

11 A Yes.

12 Q Did you ever go to The Riviera?

13 A No.

14 Q Did you ever go to -- I'm trying to remember going  
15 down the Strip.

16 A The ones he really liked to go to were the Aria, the  
17 Wynn, the Encore. He liked to park his car in the garage.

18 Q Okay. And he'd park his car in the Mirage or  
19 wherever, you and Kariah would get out and do whatever it was  
20 that you could do, correct?

21 A Yes.

22 Q And you would go try to find dates?

23 A Yes.

24 Q Were you and Kariah always together finding dates?

25 A In the first three weeks, yes, we were.

1           Q     What would happen -- did it ever happen that a trick  
2     said I only want one woman?

3           A     Yes.

4           Q     And would Kariah take that trick or you take that  
5     trick or you guys would say, no, we only do doubles?

6           A     No. The first three weeks if Kariah had got a date  
7     without me then I would go up to the room and I would wait in  
8     the bathroom. He did not want us separated. And likewise, if  
9     I got a date she would wait in the bathroom for the first  
10    three weeks.

11          Q     Again, during the first three weeks anytime you  
12    wanted to leave you could have left, correct?

13          A     Yes.

14          Q     And nobody stopped you from leaving during that  
15    period of time, correct?

16          A     Yes.

17          Q     And everything you did was consensual, correct?

18          A     Yes and no. I don't think anybody really wants to  
19    have sex with these johns.

20          Q     But nobody forced you to have sex with those johns,  
21    did they?

22          A     No.

23          Q     So again, it was basically your decision,  
24    consensual, correct?

25          A     Yes, I suppose.

1           Q     Okay. After the first three weeks, did something  
2 happen?

3           A     Yes.

4           Q     And what happened?

5           A     There was a beating.

6           Q     Do you recall why?

7           A     Because I had texted him the amount of money before  
8 we actually received the money in hand.

9           THE COURT: So this is a good time to take a break,  
10 Mr. Weinstock? We've been going --

11           MR. WEINSTOCK: That's fine, yes.

12           THE COURT: -- all right. Very good. Ladies and  
13 gentlemen, we're going to take a little bit longer recess, 20  
14 minutes, at this point.

15           During this recess you're admonished do not talk or  
16 converse among yourselves or with anyone else on any subject  
17 connected with this trial. Do not read, watch or listen to  
18 any report of or commentary on the trial or any person  
19 connected with this trial. Do not seek or obtain information  
20 or comments about the case from any source including, without  
21 limitation, newspapers, television, Internet, cell phones or  
22 radio. Do not form or express any opinion on any subject  
23 connected with the trial until the case is finally submitted  
24 to you.

25           Marshal, please escort the jurors to their 20-minute

1 recess. Let's actually come back at -- let's say three --  
2 until 3:10. All right? Three-ten. Thank you.

3 (Jury recessed at 2:47 p.m.)

4 THE COURT: We're outside the presence of the jury.  
5 Ms. Richards, we are on a 20-minute recess. And please, do  
6 not talk about testimony that you've given on the stand so far  
7 either today or yesterday with anybody. All right? Thank  
8 you. You may be excused.

9 Counsel, anything to put on the record before we  
10 take our recess?

11 MR. MARTINEZ: Not from the State.

12 THE COURT: Not at this time? All right. Very  
13 good. We'll be at recess. Thank you.

14 (Court recessed at 2:48 p.m. until 3:12 p.m.)

15 (Outside the presence of the jury.)

16 THE COURT: All right. Counsel, are we ready to  
17 proceed?

18 MR. WEINSTOCK: Yes, Your Honor.

19 MR. WINDER: And then, Your Honor, what time do we  
20 start up tomorrow just to --

21 THE COURT: Ten-thirty.

22 MR. WEINSTOCK: Ten-thirty.

23 THE COURT: Ten-thirty I think is what I indicated.  
24 That's what I'm still hopeful to do if the parties can  
25 accommodate the Court.

1 MS. MERCER: The State --

2 MR. MARTINEZ: That's fine with the State.

3 MS. MERCER: Yeah, fine.

4 MR. WINDER: Yes, Your Honor.

5 THE COURT: Very good. So State versus Sharpe. Are  
6 we now ready to proceed or do you need another minute?

7 MR. WEINSTOCK: If I could have just one minute,  
8 Your Honor, just to recheck my notes.

9 THE COURT: I'm ready but I think we're waiting on  
10 defense counsel.

11 MR. WEINSTOCK: Yeah, if I can just have two  
12 minutes, Your Honor. I apologize. Okay. I'm fine now.

13 THE COURT: Very good. Thank you. Marshal, you may  
14 bring in the jurors.

15 (Jury reconvened at 3:14 p.m.)

16 THE COURT: Thank you, Marshal. All the jurors are  
17 accounted for. You can please be seated. Mr. Weinstock, you  
18 may continue as soon as -- Mr. Martinez, please bring in the  
19 witness.

20 MR. MARTINEZ: Yes, Your Honor.

21 THE COURT: Ms. Richards, you probably don't need  
22 reminding but I'll tell you anyway. You're still under oath  
23 and still required to testify truthfully.

24 THE WITNESS: Yes.

25 THE COURT: All right. Thank you. Mr. Weinstock,

1 you may continue, sir.

2 MR. WEINSTOCK: Thank you, Your Honor.

3 BY MR. WEINSTOCK:

4 Q Okay, Ms. Richards. Just where we left off we were  
5 about three weeks or so into your time with Mr. Sharpe and  
6 Kariah and you've been soliciting two or three times a week.  
7 At this time, you're not being forced to do anything that you  
8 didn't want to do, you were free to leave; is that correct?

9 A Yes.

10 Q Okay. And then I believe you testified yesterday,  
11 at some point after the three weeks or so something happened.  
12 Do you recall that?

13 A Yes.

14 Q Okay. And you testified you were actually beat for  
15 the first time.

16 A Yes.

17 Q Do you recall the reason why you're claiming you  
18 were beat?

19 A I was supposed to send a text message when the money  
20 was in hand and I sent the text message before the money was  
21 in hand.

22 Q Okay. And was that a mistake that you made?

23 A Yes.

24 Q And you know, obviously, we all make mistakes but  
25 you knew afterwards that was something you weren't supposed to

1 do, correct?

2 A Yes.

3 Q Okay. And do you remember -- again, we're talking  
4 trying to narrow down time frame. I mean basically, you know,  
5 you hooked up with my client and you hooked up with Kariah I  
6 believe it was in March 30th of 2014. So we're about three  
7 weeks later, so we're towards around April 20th, somewhere  
8 around that time. Does that sound reasonable?

9 A No. I met them on March 9th.

10 Q Excuse me.

11 A So it was about end of March, beginning of April.

12 Q Okay. And I apologize, you're correct. I'm looking  
13 at the wrong notes. So right around the beginning of April  
14 that's when you first got beat, correct?

15 A Yes.

16 Q Okay. And you were still able to go out and solicit  
17 at that time, correct?

18 A Yes.

19 Q And you continued to solicit?

20 A Yes.

21 Q And you -- I think on direct testimony you said you  
22 went from two to three times a week, it started going to maybe  
23 three or four times a week and increasing with time?

24 A Over the four and a half months, yes, it did  
25 increase in time.