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Respondent.

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Docket 79036 Document 2020-19225

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CHRISTOPHER SENA
Case No. 79036

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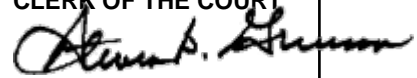
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DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)	
)	
Plaintiff,)	CASE NO. C-15-311453-1
)	
v.)	DEPT. NO. XIX
)	
CHRISTOPHER SENA,)	
)	DATE: August 22, 2018
Defendant,)	TIME: 8:30 a.m.
)	

**OPPOSITION TO STATE'S MOTION TO CLARIFY AND/OR MOTION TO
RECONSIDER**

COMES NOW, the Defendant, CHRISTOPHER SENA, by and through VIOLET R. RADOSTA, Deputy Public Defender and hereby requests the Court deny the State's Motion to Clarify.

This Motion is made and based upon all the papers and pleadings on file herein, the attached Declaration of Counsel, and oral argument at the time set for hearing this Motion.

DATED this 21st day of August, 2018.

PHILIP J. KOHN
CLARK COUNTY PUBLIC DEFENDER

By: /s/Violet R. Radosta
VIOLET R. RADOSTA, #5747
Deputy Public Defender

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VIOLET R. RADOSTA makes the following declaration:

- I am an attorney duly licensed to practice law in the State of Nevada; I am a Deputy Public Defender for the Clark County Public Defender's Office appointed to represent Defendant Christopher Sena in the present matter;

- I am more than 18 years of age and am competent to testify as to the matters stated herein. I am familiar with the procedural history of the case and the substantive allegations made by The State of Nevada. I also have personal knowledge of the facts stated herein or I have been informed of these facts and believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct. (NRS 53.045).

EXECUTED this 21st day of August, 2018.

/s/Violet R. Radosta
VIOLET R. RADOSTA

1 **POINTS AND AUTHORITIES**

2 **FACTS**

3 The State previously filed a Motion to Present the Complete Story of the Crime and
4 Motion to Admit Evidence of Other Sexual Offenses and/or Evidence of Other Crimes, Wrongs
5 or Acts, which was opposed by the Defense. The Motion was heard by the Court on September
6 25, 2017 and an order was filed on October 19, 2017.

7 The State's prior motion addressed 4 separate issues of proffered evidence. Three of
8 those issues are not relevant to the matter before the Court today, i.e., State's Motion to
9 Clarify/Motion to Reconsider. The October 19, 2017 order of the Court states clearly the State's
10 'Motion in Limine is granted with the exception of the photographs depicting sexual conduct
11 with any animals unless the defense opens the door by denying he had any knowledge and/or
12 control of the emails/photographs.' The State is now requesting clarification on whether the
13 Court previously admitted alleged videotaped footage of Deborah Sena having sexual contact
14 with a dog.

15 During the hearing on the State's Motion on September 25, 2017, there was extensive
16 discussion about emails allegedly sent to Deborah's Sena's workplace (Cox Communications)
17 and the content of the photograph that was attached to the email. In its original motion, the
18 State requested the admission of the emails to Deborah at her work and the photograph with the
19 dog. However, during the hearing on the motion, the State expanded its argument and also
20 argued for admission of the videotape that is the subject of this Motion to Clarify. (See 9/25/17
21 transcript, pp 29-34 attached as Exhibit #1). The Court declined to allow the State to offer the
22 alleged videotape or allow Deborah to testify about the alleged acts preserved on the videotape.

23 In its Motion to Clarify, the State asserts that the videotape and content of the videotape
24 are relevant pursuant to "complete story" doctrine. This was the same reasoning the State
25 asserted in its Other Bad Acts Motion last year for admission of the photos attached to the
26 emails, the videos and the any testimony about the sexual acts allegedly depicted on those
27 videos.

1 The State is, in essence, asking the Court to reconsider its previous decision made on
2 September 25, 2017 and memorialized in the Court's order dated October 19, 2017. Eighth
3 Judicial District Court rule 2.24 states that any motion to reconsider must be filed within 10 days
4 of the date of the written notice of service of the order. Clearly, the State is beyond 10 days
5 stated in the Eighth Judicial District Court Rules. The Motion should be denied as it is untimely.

6 Additionally, there is no appropriate reason for the Court to reconsider its previous ruling
7 denying the admission of the videotape and/or testimony about the alleged acts on the videotape
8 and/or the photographs. The Court "may reconsider a previously decided issue if substantially
9 different evidence is subsequently introduced or the decision is clearly erroneous." Masonry &
10 Tile Contractor's Ass'n of Southern Nevada v. Jolley, Urga & Wirth, Ltd., 113 Nev 737, 741
11 (1997). This is exactly the same evidence the State sought admission last year and there is no
12 indication that the Court's ruling denying the admission of the videotape and its contents was
13 'clearly erroneous'. Instead, the State is requesting admission of the exact same evidence and
14 the exact same rationale for its purported relevance as in its original motion.

15 In light of the untimeliness of the State's apparent request for reconsideration as well as
16 the lack of supporting evidence that the Court's original denial was clearly erroneous, the
17 defense respectfully requests the Court deny the Motion to Clarify.

18 Should the Court determine this is an appropriate matter for clarification and/or
19 reconsideration, the defense opposes the admission of the videotape and/or any testimony of the
20 contents or alleged act portrayed on the videotape.

21 Per NRS 48.035, the Court may allow:

22 Evidence of another act or crime which is so closely related to an act in
23 controversy or a crime charged that an ordinary witness cannot describe the act in
24 controversy or the crime charged without referring to the other act or crime shall
25 not be excluded. . .

26 The State simply asserts the videotape and testimony about its content should each be
27 admitted in order to provide a "full account" of the circumstances surrounding the crimes
28 charged.

1 NRS 48.035 speaks directly to the act or crime itself being so intertwined with another act or
2 crime that one cannot be described without referring to the other. The Nevada Supreme Court
3 has stated that the complete story doctrine should be interpreted quite narrowly. Tabish v. State,
4 119 Nev. 293, 307 72 P.3d 584, 593 (2003).

5 The State cites to Dutton v. State, 94 Nev.461 (1978) and Allan v. State, 92 Nev. 318 (1976)
6 to support their position that the proffered incident in this case should be admitted in order to tell
7 the complete story of the crime. In both Dutton and Allan, the other acts admitted by the trial
8 courts had occurred almost contemporaneously with the charged crime. Specifically, in Allan,
9 the admitted testimony was regarding other sexual acts performed on and by the alleged victims
10 at the same time as the charged crime of fellatio. It was obvious that the witnesses could not
11 describe the charge crime of fellatio without also testifying about the additional acts of
12 masturbation and fellatio that occurred. The same analysis can be applied to Brackeen v. State,
13 104 Nev. 547 (1988), which is also cited to by the State.

14 In Weber v. State, the Nevada Supreme Court discussed the basis for admission of evidence
15 pursuant to NRS 48.035.

16 First, the statute applies to testimony by an actual witness who cannot
17 describe the charged crime without referring to another uncharged act; it
18 does not contemplate a hypothetical witness or an abstract viewpoint from
19 which two or more acts might be considered intertwined. The State has not
20 shown how any specific witness in this case could not describe one group of
21 crimes without referring to the others. Moreover, the statute refers to a
22 witness's ability to "describe"-not "explain"-a charged crime. **Thus, to the
23 extent that the prosecution might want to introduce evidence of other
acts to make sense of or provide a context for a charged crime, as
opposed to simply introduce an account of events and conduct observed
by a witness, NRS 48.035(3) is not a basis for admissibility.** (emphasis
added)

24 121 Nev. 554, 574, 119 P.3d 107, 121 (2005).

25 The suggested relevance is the emails were the straw that broke the camel's back and
26 thrust Deborah into reporting the alleged crimes. Per the State's motion, the emails are
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1 necessary to complete the story as to how and why Deborah ultimately retained a divorce
2 attorney and reported the activities in the house to authorities. As stated in Weber, the State
3 should not be allowed to admit irrelevant evidence in order to provide context to the actions of
4 the witnesses. That is exactly what the State is attempting to do with the emails. The jury
5 doesn't need to know that she went to a divorce attorney because he purportedly sent her and her
6 work colleagues some emails that were inappropriate. Given the State's evidence, it is highly
7 doubtful that the jury will need an explanation as to why Deborah decided to consult with a
8 divorce attorney. The State is simply seeking to admit this evidence in an effort to present
9 highly prejudicial evidence against Christopher Sena. Deborah could easily tell the jury that she
10 went to a divorce attorney without referring to the alleged emails.

12 Should the Court find the videotape and its content to be relevant in this case, the
13 evidence should be excluded because any probative value of said evidence is not substantially
14 outweighed by the danger of unfair prejudice. Walker v. State, 112 Nev. 819, 921 p.2d 923
15 (1996). The probative value is minimal. The defendant is already charged with multiple
16 offenses involving multiple victims within the same case. What is the probative value of the to
17 the State's case against Mr. Sena of video footage of Deborah Sena engaged in sexual acts with
18 an animal. The State claims his tone of voice and his directing of Deborah on the video are
19 indicative of his demeanor within the family. They also claim that this evidence will aid in
20 proving the aiding/abetting and/or conspiracy theories plead in many of the counts. It is the
21 defense's understanding that most counts alleging aiding/abetting or conspiracy theories are
22 those involving sexual acts that were recorded and those videos will be shown to the jury.
23 Additionally, the State has multiple family members on their witness list who lived in the same
24 residence as Mr. Sena and who purportedly could testify as to his demeanor, etc. It would seem
25 that the State has more than ample evidence of regarding Mr. Sena's demeanor and 'control over
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1 the family' and should not require this video to prove those theories. The State has failed to
2 demonstrate the probative value of this specific piece of evidence. Conversely, the danger of
3 unfair prejudice is massive. While Mr. Sena is currently charged with sexual crimes against his
4 biological family members, this video is something different. Sex with animals is upsetting for
5 people to think about or to watch on a video. Beyond that, the idea that someone would be
6 forced to participate in sexual situations with a family pet, is perhaps indefensible. The State's
7 position is there is nothing really prejudicial about this conduct is simply ridiculous. Sexual
8 activity with an animal is not an everyday occurrence and most of society will find it unseemly.
9 The State is proffering the evidence with the added allegation that Deborah did not want to
10 participate in these activities but was forced to by Mr. Sena. Clearly, forcing sexual interaction
11 with a family pet is prejudicial on its face.
12

13 The defense respectfully requests the evidence the State seeks to admit as part of the
14 Complete Story Doctrine pursuant to Nevada Revised Statute 48.035(3), not be admitted.
15

16 CONCLUSION

17 In light of the untimeliness of the State's apparent request for reconsideration as well as
18 the lack of supporting evidence that the Court's original denial was clearly erroneous, the
19 defense respectfully requests the Court deny the Motion to Clarify.
20

21 Additionally, the defense respectfully requests the evidence the State seeks to admit as
22 part of the Complete Story Doctrine pursuant to Nevada Revised Statute 48.035(3), not be
23 admitted.

24 DATED this 21st day of August, 2018.

25 PHILIP J. KOHN
26 CLARK COUNTY PUBLIC DEFENDER

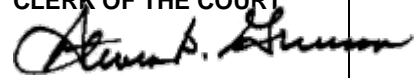
27 By: /s/Violet R. Radosta
28 VIOLET R. RADOSTA, #5747
Deputy Public Defender

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that service of the above and forgoing Opposition to State's Motion to Clarify and/or Motion to Reconsider was served via electronic e-filing to the Clark County District Attorney's Office on this 21st day of August, 2018.

District Attorney's Office
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Jennifer.Georges@clarkcountyda.com

By: /s/ Annie McMahan
An employee of the
Clark County Public Defender's Office



1 RTRAN

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4
5 DISTRICT COURT
6 CLARK COUNTY, NEVADA
7

8 THE STATE OF NEVADA,

9 Plaintiff,

10 vs.

11 CHRISTOPHER SENA,

12 Defendant.
13

CASE#: C-15-311453-1

DEPT. XIX

14 BEFORE THE HONORABLE WILLIAM D. KEPHART, DISTRICT COURT JUDGE
15 MONDAY, SEPTEMBER 25, 2017

16 **RECORDER'S TRANSCRIPT OF PROCEEDINGS**
17 **STATE'S MOTION IN LIMINE TO PRESENT THE COMPLETE STORY OF THE**
18 **CRIME AND MOTION TO ADMIT EVIDENCE OF OTHER SEXUAL OFFENSES**
19 **AND/OR EVIDENCE OF OTHER CRIMES, WRONGS OR ACTS**

20 APPEARANCES:

For the State:

MARY KAY HOLTHUS, ESQ.
JAMES R. SWEETIN, ESQ.
Chief Deputy District Attorneys

For the Defendant:

VIOLET R. RADOSTA, ESQ.
Deputy Public Defender

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25 RECORDED BY: CHRISTINE ERICKSON, COURT RECORDER

1 MONDAY, SEPTEMBER 25, 2017 AT 12:06 P.M.

2
3 THE COURT: Okay. This is the case of State of Nevada versus Christopher
4 Sena in C311453. This was on for a hearing. I asked the State to be prepared to
5 present evidence to support their request for additional information would constitute
6 other crimes, wrongs or acts in this matter. And the Defendant is present. He's
7 represented by Ms. Radosta and the State's represented by both Ms. Holthus and
8 Mr. Sweetin.

9 I've received a short accounting page by page I would probably -- well
10 it's at least two and a half inches thick -- I would say over 500 pages that consist of
11 preliminary hearing testify of Terry Sena, Defendant's recorded statement to the
12 police, Deborah Sena's recorded statement to the police, Deborah Sena's written
13 statement to the police, M.C.'s recorded statement to the police, preliminary hearing
14 of A.S., preliminary hearing of B.S.; emails received by Deborah Sena from the
15 Defendant, and preliminary hearing testimony of M.C. which would consist of the
16 500 plus pages.

17 So, I've had an opportunity to review them over the weekend and I --
18 the State has also provided the Court with some points and authorities with regards
19 to receiving this information short of having actual live testimony. I've highlighted a
20 number of areas which pertains specifically to their arguments. I do believe that
21 based on what's presented here that the State has overcome a burden of
22 establishing clear and convincing evidence to support what they're asking to
23 present. I'm going to give Ms. Radosta an opportunity to inquire of the Court or ask
24 of the Court to present anything that she feels would be -- would could or present
25 something that would contradict which was actually presented in the previous

1 testimonies and statements.

2 MS. RADOSTA: Well, Your Honor, I mean, as I stated when we were
3 discussing this informally back in chambers, I think that the -- for the most part the
4 packet that the State presented that contains a lot of preliminary hearing testimony
5 as well as statements to police, for the most part for the clear and convincing, that
6 as long as we were cross-examining on those -- on the specific issues that the State
7 is trying to get into, then potentially could be -- I'm not going to agree that it's clear
8 and convincing but I can certainly see how the Court would see it that way.

9 The two areas though that -- and I only mention one of them when we
10 were informally discussing this back in chambers -- but the two areas that I don't
11 think were really flushed out at preliminary hearing -- and I honestly could be wrong
12 because I did not get a opportunity to read the -- I think it's 544 pages -- that the
13 State provided last week. I skimmed a lot of it but I wasn't able to go through it page
14 by page to make sure everything was covered in it. But the two areas that I don't
15 believe I cross-examined about at preliminary hearing involved the first and the third
16 incidences that the State is seeking admission of, and that would be the supposed
17 acts of fellatio on Brandon and Ryan when they were young, three and five years
18 old. I almost a hundred percent sure I did not cross-examine on that particular topic,
19 but I'll come back to that one in a second. And then whether or not the acts when
20 Melissa, who is the third offering by the State, the alleged acts of sexual assault
21 when she was under the age of 18, that that was fully flushed out at preliminary
22 hearing. Since that was not a charged -- that was not charged conduct at the
23 preliminary hearing, my guess would be if I tried to get into it much at preliminary
24 hearing, I would have been objected to as to relevance, but the preliminary hearing
25 was a while ago so I'm not remembering off the top of my head.

1 As far as the incidents with Brandon and Ryan, I'm in a bit of a unique
2 situation here. I don't think it's necessarily relevant for what the State wants to use it
3 for. I don't necessarily think it's part of complete story doctrine, I don't think it comes
4 in under 48.045 subsection 3 because it's a propensity the -- I don't think that area
5 of law is subtle. I think our Supreme Court has made it clear that propensity
6 evidence is still not allowed even though we have this new statute. The statute itself
7 has not been really examined by the State Supreme Court. I don't think that it
8 comes in under those two particular reasons but, additionally, I mean, the State just
9 kind of does the whole listing of all the mimic evidence, motive, intent, absence of
10 mistake, all of those things without speaking directly to why these acts with Brandon
11 and Ryan are legitimately relevant to just list off -- the litany does not make the
12 argument. But if the State wants to put these two people on the stand, these two
13 people being Terry Sena and Deborah Sena, and I believe that is the State's
14 position, if they're going to put them on the stand as potential witnesses against my
15 client, then I do think that I should be allowed to cross-examine on these allegations
16 that the State is seeking as a bad act sort of against my client, but it's also a bad act
17 against their own witnesses.

18 So, I'm caught between a rock and a hard place. I don't think that the
19 State has made their case were it being a bad act against my client. But should the
20 Court, just for the sake of argument, rule in my favor and say that the State would
21 not be allowed to present that evidence, I mostly likely would be making inquiry to
22 the Court about getting into that on cross-examination with those particular
23 witnesses.

24 THE COURT: So, it goes to possibly to challenge their credibility --

25 MS. RADOSTA: Yes, yes.

1 THE COURT: -- and challenge --

2 MS. RADOSTA: Absolutely. The fact that they -- that they say that they did
3 these things.

4 THE COURT: Okay.

5 MS. RADOSTA: And that, you know, at that age. I mean, there's a lot that
6 goes into it and I think a lot that the jury should be aware of regarding those
7 witnesses. I would not be offering it necessarily -- well definitively I wouldn't be
8 offering it as a bad act against my client. I certainly know that it's -- could be turned
9 against him in a way -- the way Deborah presents it. But the way the State is
10 seeking its admission right now, I don't think they've made it, but ultimately I think
11 that this evidence probably comes in at trial one way or another, the allegations
12 involving Brandon and Ryan and their respective mothers.

13 As far as Melissa Clark goes, I don't think that the State has proven its
14 relevance. It's not part of the complete story doctrine. They were offering all kinds
15 of explanations for well why does Terry has the photographs then. Well Terry said
16 she took the photographs. That doesn't need explaining. Why does she have
17 photographs of naked Melissa and that's why we need to explain. We need this
18 evidence that he supposedly sexually assaulted Melissa Clark to explain why Terry
19 has naked photos of her sister. I mean, it was very, very round about because that
20 particular one could be easily answered. I think the bigger problem with Melissa is
21 the remoteness of it.

22 THE COURT: The what?

23 MS. RADOSTA: She's in her -- the remoteness --

24 THE COURT: Oh, okay.

25 MS. RADOSTA: -- of it. She's in her 30s now, Judge, and the State wants to

1 bring in allegations that allegedly happened 20 years ago that were never reported,
2 that were never, you know, discussed with anybody. For what purpose. I'm still not
3 clear what the relevance of the allegations of Melissa -- what the relevance of those
4 allegations are.

5 As far as any allegations about violence within the marriage, once
6 again, I mean, I'm not going to stand up here and say I don't think that there's
7 relevance to that when my client is charged with counts of dissuading a witness for a
8 threatening behavior -- with threatening behavior. Granted it's coming from Brandon
9 and I think Anita are the two that are saying that there were threats made against
10 them, but I think -- as soon as the State charges that particular crime then they
11 could probably get into other potential issues or allegations or threats or violence.
12 So, I didn't really argue too hard against that one in my opposition. I think it
13 probably is relevant.

14 And then the final one, the emails to the -- to Cox Communications. I'm
15 not -- and once again I'm not entirely sure what the relevance of those are. They're
16 saying that it's a threatening type behavior, but at that point in time Deborah had
17 already gone to the police, she had already done and all the wheels are already set
18 in motion at that point in time. So, if you do what I'm going to release these emails.
19 Well she'd already done everything at that point in time.

20 THE COURT: Well wouldn't it also play into if he makes the threat and then
21 he plays good on his threat?

22 MS. RADOSTA: But she had already done everything by the time the --

23 THE COURT: I know. But what I'm saying is if he makes the threat --

24 MS. RADOSTA: Mm-hmm.

25 THE COURT: -- and then he's good on his threat by showing the email,

1 doesn't that, I mean, doesn't that --

2 MS. RADOSTA: But --

3 THE COURT: -- isn't that show support the position the State's making with
4 regards that your client is capable of making these threats, and here we have
5 evidence he's even good -- he's even made good on his threats by sending this.

6 MS. RADOSTA: But if you don't do -- if you do X I will do Y. If X is already
7 done before the threat of if you do X I'll do Y, then the first part of the threat is not
8 there.

9 THE COURT: No, but it is. If you do X I'll do Y.

10 MS. RADOSTA: Right, right. But she's already --

11 THE COURT: So, she does X and she does --

12 MS. RADOSTA: -- no, but she's already done X before the emails were sent.
13 At least that's my understanding of the timeline.

14 THE COURT: Okay.

15 MS. RADOSTA: But actually though she had already gone to the police; she
16 had already made her report when the email was sent saying if you go to the police
17 or whatever. So, I'm not quite sure how it fits in.

18 THE COURT: But would he have known? Would he have known that she
19 had already went to the police?

20 MS. RADOSTA: I'm not sure.

21 THE COURT: See, I don't know.

22 MS. RADOSTA: I would assume if she goes to the police and says I was
23 sexually assaulted for years and my children were sexually assaulted for years,
24 that's not something that Metro would actually really sit on.

25 THE COURT: No, I understand that. I don't know actually from what I've

1 seen whether or not that had transpired yet. He threatened her, she did it anyhow,
2 and then he makes good on his threat irrespective of when it, you know, whether or
3 not he knew or not. I would anticipate that if he knew about this then he would have,
4 more than likely under the circumstances, probably was in custody. I mean, that's
5 kind of how I see it, but I don't know.

6 MS. RADOSTA: Yeah. The timeline of that I'm not entirely clear.

7 THE COURT: But your position is -- your position about the Cox
8 Communication email is that it's not relevant because --

9 MS. RADOSTA: It doesn't seem to be, like I say, the first half of the threat
10 doesn't -- has already taken place.

11 THE COURT: But isn't what he did -- I mean, in some regards pretty damning
12 to her to -- irrespective of when it happens. He's sending it because he's going to
13 affect her reputation with regards to who she works for or who she works with.
14 That's basically what the threat is. So, no matter when it happened. I mean,
15 because doesn't he also makes threats that if I go to prison and I get out I'm going
16 to do something to whoever he's making the threats to. So, if that already happens
17 that's kind of the argument you're making is because he's making good on it.

18 MS. RADOSTA: Well, I mean --

19 THE COURT: He's says I'm going do it. You did what you did so I do it.
20 That's what it sounds like.

21 MS. RADOSTA: Well I disagree with the Court's

22 THE COURT: Okay.

23 MS. RADOSTA: -- with the Court's interpretation but --

24 THE COURT: Well fix -- correct me because that's how I'm interpreting it.
25 Show me if I'm wrong -- how I'm wrong.

1 MS. RADOSTA: Court's indulgence for just a second.

2 THE COURT: Okay.

3 MS. RADOSTA: I'm sorry, Judge. I was looking for the State's motion and I
4 didn't have it in front of me. That was my fault. Oh, I've mistakenly grabbed my
5 discovery motion and not the State's original offering on this particular topic, Judge.
6 So, I don't have the State's specifically -- it's request for admission in front of me.

7 THE COURT: Okay.

8 MS. RADOSTA: So, I apologize for that, Judge. I just ask that you refer to
9 my written --

10 THE COURT: Okay.

11 MS. RADOSTA: -- my written opposition which -- there's nothing in -- there's
12 nothing that I've argued today that is different from what I put in my written
13 opposition.

14 THE COURT: Okay.

15 MS. RADOSTA: Even based on the supplemental evidence that the State
16 provided. That was all I think spoke mostly to clear and convincing.

17 THE COURT: Okay.

18 MS. RADOSTA: Not to the relevance of the argument. So, my apologies,
19 Your Honor. I just grabbed the wrong thing as I walked out of the office this
20 morning.

21 THE COURT: Okay. All right. So, address that one first, just the last one. I
22 think in some regards the -- there's been some acceptance to the portion regarding
23 the threats of violence in that. I think Ms. Radosta's kind of understood and sees
24 your point. She's not trying -- I mean, obviously it's prejudicial is the position she's
25 taking. Address the emails first and then we'll talk about the position with Melissa

1 and then I'd like you to make a record with regards to the crimes involving Brandon
2 at three years old and -- am I right with Brandon at three and --

3 MR. SWEETIN: Yes, Brandon --

4 THE COURT: Was three.

5 MR. SWEETIN: -- three and then Brandon and Ryan at five.

6 THE COURT: Ryan at five.

7 MR. SWEETIN: Right. And just for the record, we did file a supplement and
8 that was filed in open Court today. I would note that --

9 THE COURT: Oh, another one.

10 MR. SWEETIN: That's the same thing that was previously provided to the
11 Court.

12 THE COURT: Okay. All right, all right.

13 MR. SWEETIN: The reason that we didn't file that originally is because I've
14 attached transcripts that has the names of the victims in it.

15 THE COURT: Okay.

16 MR. SWEETIN: So, I would just ask that that be filed under seal.

17 THE COURT: Okay. That's fair.

18 MR. SWEETIN: And we -- also we had some discussions earlier today in
19 regards to a -- impacts the emails. We have three emails specifically that were
20 provided to the Court. There was a fourth email that marked as State's proposed
21 Exhibit number 1.

22 THE COURT: Okay.

23 MR. SWEETIN: And that has to do with what we've been talking about here
24 in Court several times already and that's the email that was sent by the Defendant to
25 Deborah Sena with an attachment of stills from a video of Deborah Sena having

1 sexual contact with an animal. There was actually two emails that were sent and
2 those are both in the same exhibit.

3 I had two witnesses here today that would have provided some
4 testimony of it. Since it was just provided to me and just provided to defense today,
5 that particular stills relate to a video which had already been provided to the defense
6 and which everyone was already aware of. But the witnesses I had testify would
7 have been a witness custodian of records from Cox would have testified in regards
8 to the receipt of that particular video by various members of Cox employees, a
9 conversation with Deborah Sena in that regard, and Deborah Sena representing that
10 that in fact was an email that was sent to her by the Defendant, both of those
11 emails.

12 We also had a police detective who did the forensics on electronic
13 storage data that was retrieved from the Defendant's residence who would testify
14 that in fact the video that we're talking about which resulted in the stills in those
15 particular emails was retrieved from the Defendant's residence and was found on
16 electronic data that was in his possession at the time of the search warrant. I think
17 that defense counsel is stipulating to this point that for purposes of this hearing, that
18 clear and convincing evidence has been shown in regards to that particular email
19 and its application to this case.

20 THE COURT: Is that correct?

21 MS. RADOSTA: Yeah -- yes.

22 THE COURT: Okay.

23 MR. SWEETIN: So, based upon that, talking about the emails, the State
24 would submit that as the Court has indicated that the emails are very probative in
25 regards to sort of the course of conduct of the Defendant, the intent that he had to

1 control various individuals including the children, the child victims in this case. The
2 emails detail, you know, threats that have been made and ultimately emails that
3 have been presented today show him making good on those threats.

4 I would also note though that in this case the Defendant is charged with
5 knowledge of the possession of child pornography, these mini videos. Now at this
6 point the testimony that we have is we have testimony from some witnesses
7 indicating that at various times they saw him with a camera at various times. They
8 weren't sure whether he was filming or not, but we did find videos consistent with
9 some of the victims having sexual contact with Defendant's co-Defendants, Deborah
10 Sena and Terry Sena.

11 Now Defendant's knowledge and possession of those particular videos
12 is essential to this case. That's something that the State has to prove in the course
13 of this to show possession of child pornography as well as use of minor in the
14 production of child pornography. The State submits that the evidence that we have
15 here of the Defendant actually making reference to in some of the emails that we
16 made reference to a video -- I think he makes reference to why don't I just send the
17 video of Brandon, of you and Brandon. That would settle things real quick. He also
18 makes reference to the video in regards to the -- I think it was Brandon and the initial
19 incident of sexual conduct. He makes reference to that in those particular videos.
20 And then he also makes reference to family type of situations and animals. And
21 then ultimately we see now this other video that's retrieved from the same disk were
22 the videos of the children involved in these sexual activity. We also have the video
23 on that same disk of his sexual contact with this animal.

24 So, the State would submit that clearly that these emails go a long way
25 to show the Defendant's knowledge of the pornography in this case besides

1 showing his intent to intimidate the witnesses in here to submit to the sexual conduct
2 that he's been -- that we've been talking about.

3 In regards to M.C., the State would submit that, first of all, if we're
4 talking about 48.045, if we're talking about paragraph 3 of that statute, that that
5 comes in because clearly we have sexual contact in the alleged other acts. The
6 Defendant is charged with sex related crimes, in this case possession of child
7 pornography related to M.C. So, clearly under the currently statutory scheme,
8 paragraph 3 says that's no longer character evidence, that it comes into evidence
9 just like any other evidence. The only issue would be, just like any other evidence,
10 the Court has to determine whether or not the probative value exceeds the
11 prejudicial effect.

12 In this particular case, the State would submit that it's clearly probative
13 of the Defendant's propensity to seek out sexual contact with young female
14 members of his family. That's exactly what we have here. And that's the purpose of
15 that evidence. The statute -- that paragraph 3 in the statutory or legislative history
16 related to it talks specifically about the value of that evidence being the propensity of
17 the Defendant to commit this crime. In this particular case, we have the Defendant
18 doing something very similar that he's accused of doing to other children in this
19 case, and that is developing a sexual relationship with M.C. at an early age and then
20 proceeding to continue that sexual relationship over an extended period of time.

21 In the case of M.C., that sexual relationship relates to the Defendant
22 initially bringing M.C. into a closet inside the house, exposing his penis to M.C.,
23 having M.C. touch his penis, and then developing a relationship such as he says
24 well I showed you something, now you have to show me something, and eliciting her
25 to expose her breasts. And then from there the conduct continues and it develops

1 to a point where the Defendant's engaged in anal intercourse with this child as the
2 child, you know, gets into her low teens. The same thing in --

3 THE COURT: Wasn't it 11 years old when it started?

4 MR. SWEETIN: It was, it was. Initially there was some penetration at the age
5 of 11 and that continued for a period of -- I think the initial contact with the child was
6 about the age of 11. That was in the closet this conversation that we had. The
7 touching continues after that and it escalates to anal penetration. I believe that's
8 about the age 12, 13 if memory serves, and that's the course of this.

9 Now if you look at the other charges incidents that we have with the
10 other children, it's kind of, you know, the same thing. We talk about A.S. The
11 Defendant, again, develops this relationship with his biological daughter and that
12 proceeds to an escalation in sexual contact and ultimately sexual penetration. We
13 see the same thing with R.S. who was his -- was one of the children that was
14 staying at the residence and the son of Terry Sena as he sort of develops a
15 relationship with him which proceeds to sexual penetration as well. This is
16 something that happens throughout this case.

17 The State submits that clearly the probative value of this is great
18 because it shows, just as we indicated, the propensity of the Defendant to commit
19 crimes such as this. But I would submit that it also comes in under the second
20 paragraph. This is a case where similar to the *Ledbetter* case, which we cited in our
21 brief, is almost case in point. I prosecuted the *Ledbetter* case and in that case had a
22 situation where a stepfather of the victim has previously had sexual contact with his
23 biological daughter many years previous. In that particular case, the Supreme Court
24 says well that is very relevant in this particular case to show why a father, in this
25 case a stepfather, who is supposed to be protecting their family members would

1 proceed to engage in this sort of conduct, and that would be basically a motive to
2 sexually perpetrate upon the female members of their family. The State submits
3 that in this particular case the issues with M.C. go directly to showing this sort of
4 propensity as well as this motive that we're talking about to sexually abuse other
5 children in the family.

6 Now I know I talked about the whole story and I know that the Court
7 wasn't very receptive to that, but in this particular case we have the Defendant
8 escalating to a point where he takes pictures. It's very difficult -- it would be difficult
9 to tailor this victim's testimony to a point that we did not talk about the development,
10 this sort of grooming techniques that he used that ultimately brought her to a point
11 where he's taking photos of her. It would be very difficult to show that. So, the
12 State submits that even under the full story that this evidence should come in.

13 Now lastly I wanted to talk about R.S. and B.S., and it sounds as if
14 defense counsel is saying that if the co-Defendants in this case, Terry and Deborah
15 Sena, were to testify they want to bring in this evidence anyway, and I would
16 represent to the Court the State would be expected to present the evidence of both
17 of those witnesses. But the State would submit that the evidence comes in as we
18 proffered it both under 48.045 paragraph 3 and 2, and every similar reasons.

19 In regards to the testimony of the Defendant having sexual contact with
20 or causing his -- the co-Defendants to have sexual contact with these two children,
21 the evidence, again, is a sexual offense. The Defendant is charged with sexual
22 offense -- offenses and takes it out of the area of the character of the statute in
23 paragraph 3, and now it becomes an issue of whether it's more probative than
24 prejudicial. And in this particular case the State submits it's very probative for a lot
25 of different reasons. And, first, the State would submit that we have the Defendant

1 charged with -- on a number of these counts with conspiring with the co-Defendants
2 as well as aiding and abetting the co-Defendants to commit these crimes.

3 Now the method or the sort of the initiation of this conspiracy, this
4 aiding and abetting, sort of all comes back to this initial incident involving these very
5 young children. Why are these co-Defendants cooperating with the Defendant? Is it
6 because it's something that they want to do, is it because the Defendant kind of --
7 trying to put and force his will on them? Well, you know, I think that there's a lot of
8 different evidentiary conclusions that you can come to. But in this case the one
9 thing that you can -- that everyone can understand is that these individuals are
10 knowing participants. Why? That initial contact shows us why.

11 There's conversations between the Defendant and at the time Terry
12 Sena as well as Deborah Sena indicating, hey, you know, if you love me then this is
13 what you need to do, and just sort of laying it out. That's the relationship that they
14 had; that's sort of the nexus of this whole course of conduct that we walk through. If
15 you're with me this is the way we're going to roll; you know, whether that was
16 something that they really desired or something that they didn't desire and followed
17 along for whatever reason, that is where they came together. And that initial contact
18 goes a long way to showing that. We don't have that verbiage really in the later
19 contacts that we have. We have the conduct, we have the actions that's consistent,
20 but we don't have kind of laying out this initial this is why we're here, this is what
21 we're doing.

22 The State submits that's the nexus of this and that continues and it's
23 very probative in regards to showing exactly why this conspiracy and this aiding and
24 abetting continued over this extended period of time.

25 THE COURT: Mr. Sweetin.

1 MR. SWEETIN: Yep.

2 THE COURT: Was it also -- is there also evidence to support the Defendant's
3 threats to both these individuals based on those actions, that they be exposed for
4 those actions? Was there not --

5 MR. SWEETIN: Yes.

6 THE COURT: -- or did I misread that?

7 MR. SWEETIN: Yes.

8 THE COURT: Okay.

9 MR. SWEETIN: No, and that wraps around to the tail end of this when we're
10 talking about --

11 THE COURT: Okay.

12 MR. SWEETIN: -- because the Defendant at the tail end of this as he's
13 writing the emails that we were just talking about, he makes specific reference to
14 this specific incident and talking about, yeah, and this might be something I let the
15 cat out of the bag, and that's in those emails that we talked about.

16 And I think Ms. Holthus wanted to weigh in.

17 MS. HOLTHUS: Just briefly, Judge.

18 The whole case is going to be a series of pointing fingers, who's
19 responsible, who's threatening who, who's coercing her. I anticipate when we bring
20 in Deborah and Terry they're going to throw dirt on each other and probably on the
21 Defendant. And so the jury is going to have to sift through all that. And it's super
22 important from the standpoint of getting to the bottom of it, they understand how it all
23 began. And both Defendants and Deborah Sena basically agree in the evidence
24 that you've seen already that the first incident was when B.S. was about three years
25 old and taking the diaper off him, the Defendant saying something like if you love me

1 you will fuck his penis. Deborah takes off the diaper and admittedly fucked the
2 child's penis. She does talk a little bit about there may have been a threat at some
3 point prior, there may have been some choking. At the end of the day I think her
4 statement comes across more as wanting to please her man more so than being
5 afraid of her man. But in any event he's charged as a conspirator, as an aider and
6 abettor. Whether, defense, I believe, put forward is it's these women. It's not the
7 Defendant. The Defendant doesn't have hands on -- there are a couple of videos
8 where he does -- but there are a lot of times when he's not actually engaging
9 actively in the sex or doing anything. He's videotaping a child showering while an
10 adult consensually orally copulates him. These are the kinds of things.

11 And so we need to go back and bring him back to the jury so they
12 understand the co-conspirators, the aiding and abettor, and why this is something
13 that he was setting up and why he was putting in play. It's always been my position
14 that these women were guilty that but for him they would not have likely engaged in
15 this pattern of behavior with the children. Not they stopped it or were forced to, but it
16 was him who planted the seed and said do this from the beginning. And so that very
17 first time Deborah -- will probably expect to testify and has in statements before said
18 he told me if you love me show me you love me. I want to see you do this to the
19 child. She will testify that he was aroused, and that after she had to finish him. And
20 this is huge going to the jury to say why would this man direct these women to have
21 sex with these kids, and that's because that's what he got off on. I mean, that takes
22 up the whole way so that the jury can understand his behavior. Why, when the boys
23 were five, does he have the mothers fellate each other's children? Because he got
24 off on it. He doesn't have to actively touch them. And then after the women might
25 go and satisfy him or finish him or maybe he finished himself while this was going

1 on, but to understand why he was directing them was for his own sexual pleasure
2 and that's why he's liable under the theory of conspiracy as an aider and abettor,
3 that he was much part and parcel, he was encouraging you do this way, I get off,
4 you get off, and it happened.

5 And, again, as Ms. Radosta said, she's going to want to present that
6 too because at the end of the day I don't believe that there was threats and
7 coercion. I believe that these three co-conspirators with him being the lead co-
8 conspirator. But in any event, it's up to the jury to under -- to be able to evaluate
9 this. From our point it doesn't matter whether he coerced and threatened these
10 women to do this to the kids or whether he encouraged and co-conspired. He's
11 equally liable under the law.

12 So, we don't care. We just want to the jury to have a fair opportunity to
13 see all the dynamics that were going on. And, again, we've got Deborah admitting
14 to fellating this three year old; we've got the Defendant acknowledging that he was
15 there when she fellated this three year old. Neither one of them left the marriage.
16 So, that's huge. They both seem to take advantage and stay involved.

17 We have two women who are going to come in here and acknowledge
18 fellating a five year old boy, their own involvement in something like that at his
19 direction that they're not even charged with, but they're going to acknowledge that
20 have -- the credibility factors is tremendous there, the motive to lie is minimal. And
21 so all of that [indiscernible] in terms of the jury ultimately evaluating who benefitted
22 from what, who's telling the truth, what's the credibility, those initial incidents are
23 huge.

24 THE COURT: Ms. Radosta.

25 MS. RADOSTA: Just briefly.

1 Regarding the admissibility or relevance of Melissa Clark, Melissa Clark
2 is Terry's sister and was present during some of the incidents of the photography
3 that the State has already -- has already charged my client with. She's in some of
4 the photos, and I believe Melissa will testify that Terry was responsible for taking
5 some of the photos. So, I thought the relevance of Melissa was that is where it all
6 began and that's where we needed to start at. But now the incidents of the fellating
7 the boys is that's where it all began and that's the relevance of that.

8 I still don't think the State has --

9 THE COURT: Well I think there's two different positions that I heard. The
10 one had to do with possibly a controlling type nature of the two co-Defendants or the
11 complacency of the two co-Defendants and aiding and abetting in this -- these acts.
12 Either -- irrespective, the position the State's taking and their theory is that your
13 client is the one that has the issues and wants to do these acts.

14 Then when it comes to Melissa, I think that the position is different in
15 the sense that they're showing how directly with the victims your client had some
16 type of a -- not only controlling nature but the way he was able to manipulate for
17 purposes of gaining confidence or gaining some kind of control over them for
18 purposes of his own -- for his own behalf versus the -- I see the two different parts
19 because there's two -- the dynamics are different. When you talking about the direct
20 -- I mean, the problem here is it's hard to separate the acts of your client possibly
21 with victims. And so there's a struggle there, I recognize that, but I do see the
22 difference in somebody that's possibly a willing participant under the legal definition
23 of it versus somebody that may not be and that's where I see -- I see the position
24 with M.C. or Melissa.

25 MS. RADOSTA: Well, I mean, to me they're making the exact same

1 argument, first with Melissa who predates the allegations involving the boys, and
2 then their saying but then it starts again with the boys. It's the exact same
3 argument. Either it starts with the Melissa and that's the relevance of Melissa or --

4 THE COURT: Well it does. It does in the sense with regards to what your
5 client was doing directly with that victim versus what your client was doing in
6 adjacent to the other victims and using the two -- the co-Defendants. I see that. I
7 understand your argument though, but I do see the difference. If we say starting
8 point it's probably the starting point, I think, just from all the crimes and stuff comes
9 at the beginning with Melissa. I see that. But that doesn't mean that there's other
10 acts that your client may have been involved with that became a starting point for
11 those particular acts.

12 MS. RADOSTA: And then just to touch briefly again on the emails.

13 In reading through my opposition, the State was initially offering the
14 emails to show -- and they did touch on this issue in their argument -- to show the
15 knowledge of what was going on --

16 THE COURT: Right.

17 MS. RADOSTA: -- in the -- in the household. And while the body and the
18 content of the emails themselves might show that, the photos that were attached
19 don't have anything to do with that whatsoever.

20 THE COURT: You're talking about child pornography?

21 MS. RADOSTA: No; not the photos that were -- I was led --

22 THE COURT: Right.

23 MS. RADOSTA: -- to believe today.

24 THE COURT: You're talking about the ones that we were just -- that were just
25 given to us today?

1 MS. RADOSTA: Right, right.

2 THE COURT: With the dog.

3 MS. RADOSTA: Those don't show any knowledge at all of any type of, yeah,
4 any of the sexual activity involving the kids that my client is charged with.

5 THE COURT: Okay.

6 MS. RADOSTA: The body of the email where he does refer to something
7 about Brandon and maybe I could do this or do that, yeah, I can see the State's
8 argument there. But the photos that were attached, I mean, the relevance of the
9 photos, now that I don't see in terms of to show knowledge of what was going on for
10 the child sex charges in the household.

11 THE COURT: Well okay. I see what you're saying. But what I believe I
12 heard in their argument was that it was just additional information to show an
13 individual, then they're using the vehicle of the photography or video and that who
14 had the actual control of that --

15 MS. RADOSTA: Right.

16 THE COURT: -- would have been your client.

17 MS. RADOSTA: And I also think though for the sake of argument, showing
18 the jury these photos of Deborah and saying that he sent them to her work place is
19 highly prejudicial, highly, highly prejudicial.

20 THE COURT: Okay.

21 MS. RADOSTA: It does not -- I mean, you can get to everything you just said
22 just through the contents of the emails that he was exerting control, that he was the
23 one making threats and things of that nature without showing --

24 THE COURT: Is there any -- other than the fact that you have search
25 warrants where they went in and they find the video information or the photographic

1 information, is there anything that directly connects your client to those items like
2 this does where he actually had it, sent it, has the photography? Is there anything?
3 I mean, I understand. That's the position that they're taking is that they want to
4 make because it would go to identity and --

5 MS. RADOSTA: The photos of Deborah with the dog are connected to my
6 client for what relevance? For what purpose?

7 THE COURT: Well they made their argument that it was -- it had to do with
8 the fact that your client had the control of the video information that came from that
9 house. And so that's just --

10 MS. RADOSTA: Okay. So, he has -- what it shows --

11 THE COURT: -- additional evidence.

12 MS. RADOSTA: -- is that he had control of the video of Deborah with the dog,
13 not of him with any of the kids.

14 THE COURT: No, no, I understand, I understand, but --

15 MS. RADOSTA: And so that's the argument that the State wants to make that
16 he had control over that piece of video and that's the video -- that's the video that he
17 had control over? Okay.

18 THE COURT: Well no they're not -- they're not stopping there. They're
19 saying this something that the jury can see that there's no doubt that he had control
20 over. It's got some sexual connotations to it --

21 MS. RADOSTA: Uh-huh.

22 THE COURT: -- and our further argument is that he had control over all of the
23 other videos.

24 MS. RADOSTA: But this doesn't show that he has control over anything other
25 than this.

1 THE COURT: Well he had -- I think you're kind of losing me, though. What
2 I'm saying is that they're saying is that well we've obtained is direct proof that he has
3 control over this type of information. And so that -- we want you jury to make
4 believe that all the other information in the house that shows all the photography or
5 video is that he also has control of that as well. I mean, that's kind of what I'm
6 seeing.

7 MS. RADOSTA: Okay.

8 THE COURT: Is what --

9 MS. RADOSTA: What about the argument --

10 THE COURT: Maybe I'm wrong, you know, I mean, that's kind of how --

11 MS. RADOSTA: And if that's how -- that's how the State -- is how the Court is
12 seeing it --

13 THE COURT: Well they're also asking for it to be admitted for other purposes
14 of showing what intent he carries with his threats, what motive he has behind trying
15 to keep these individuals under control, and it just adds to everything throughout the
16 whole case of this where we're talking about him videoing things, him controlling the
17 video camera, him taking photos, him suggesting that individuals do certain things
18 for photos, him setting video cameras up, and then later on, lo and behold, he has
19 video of stuff that he sends off based part of this threat and makes good on his
20 threat. That's kind of how I'm seeing it, Ms. Radosta.

21 MS. RADOSTA: What about just the prejudicial nature of it?

22 THE COURT: Well it's -- I agree, I agree, but as I said in chambers I believe
23 that probably all evidence against an individual would be considered prejudicial.

24 MS. RADOSTA: There is different levels of prejudice though, Judge --

25 THE COURT: I do, I do.

1 MS. RADOSTA: -- and I don't think it gets a lot more prejudicial than this.
2 THE COURT: I agree.
3 MS. RADOSTA: And I don't think --
4 THE COURT: I initially --
5 MS. RADOSTA: -- that the probative value is really -- is met at all --
6 THE COURT: Okay.
7 MS. RADOSTA: -- in the amount of how much prejudice this is.
8 THE COURT: Well I initially --
9 MS. RADOSTA: You've already said that they have all of this potential
10 information of him -- of holding the video camera, of people saying that he was
11 holding the video camera; of him having -- there was a search warrant and
12 everything was found on his computer at his house. So, what is the probative value
13 of these particular photos when you know of all of that other --
14 THE COURT: Let me make my record here.
15 With regards to -- my initial concern, and I addressed this earlier to Mr.
16 Sweetin when he came in previously -- was with regards to the actions with the
17 three year old and the five year old.
18 MS. RADOSTA: Mm-hmm.
19 THE COURT: The prejudicial value in there is huge. I see that. Based on
20 what's presented here today and the arguments throughout the documents that's
21 been given to the Court for purposes of this hearing, I do believe that the initial
22 conduct between those two individuals shows -- will show the jury -- give them an
23 understanding of what the participation -- the existence and the extent of the
24 participation of all three of them. It goes directly to the conspiracy, it goes directly to
25 the aiding and abetting.

1 With respect to the email, the Cox Communication, I do understand the
2 State's position in wanting to show the jury to what extent that Mr. Sena would go for
3 purposes of carrying out a threat. Explain to me, however, how photographs of -- I
4 guess it's -- is it Terry?

5 MS. HOLTHUS: Deborah.

6 MR. SWEETIN: It's Deborah.

7 THE COURT: Oh, Deborah with this dog and clearly from the photographs it
8 -- I mean, I don't know there's any actual sex happening, but it appears that's in
9 some type of a sexual content type of thing with this dog, with the dog between her
10 legs, she's naked, and the dog is lying there. How is the prejudice not? I mean,
11 how is the probative value not outweighed by the prejudice in that because it's the
12 timeframe. I seem to agree with Ms. Radosta at the end of this -- it's kind of when
13 this is culminating, right, when all this is happening is when this -- at the point that
14 he sends this threat and, I mean, what is -- what's so probative about it that it
15 outweighs the prejudice here? Okay. You know where I'm at.

16 MR. SWEETIN: And, Judge, in this particular case the Court sort of alluded to
17 some of the facts, but I wanted to make clear on the record that when the police go
18 and they retrieve the electronic data from the Defendant's residence, there is one
19 zip drive that they get and that zip drive contains the videos that involve sexual
20 conduct with the children as well as other videos including the video that we're
21 making mention of here of the Defendant having or the Defendant --

22 THE COURT: One of the co-Defendants with the dog.

23 MR. SWEETIN: One of the co-Defendants having sexual contact with an
24 animal.

25 The State would submit that they clearly also in the actual emails -- and

1 I was trying to find the spot -- but there's specific reference made the Defendant in
2 regards to various tapes and one of them he makes mention of involving animals,
3 and it's sort of a threat that he's making. So, he clearly has knowledge of that
4 particular video. And then we find this video on the same device that has all the
5 other videos.

6 Now as Ms. Holthus indicated, many of those -- some of those videos
7 you can see the Defendant walking by and you can see his back and things of that
8 sort. On other videos you can't see him at all. We have to show that he has
9 knowledge of these particular videos. Our theory is and from the testimony of the
10 witnesses that in fact the Defendant, you know, was present and filmed on some
11 occasions.

12 THE COURT: Yeah. But can't you satisfy that with the ones that he's on and
13 that with the testimony of all the witnesses that will say he's taking the video? Can't
14 you satisfy that with that? I mean, because I -- I understand what you're saying and
15 that's why I was kind of eluding to with -- I think I understood it and that's what I was
16 talking to Ms. Radosta about is that your position is, is that in this particular case we
17 know without a doubt that he's the one that had control of this and he's the one that
18 sent it to Deborah's work, and so therefore he has control of all of this and it was on
19 a zip drive that we obtained at a search warrant, and we know he's connected to
20 that. So, we know he's got to know about everything else because he had to open
21 up that zip drive in order to send it; right? Is that what you're saying?

22 MR. SWEETIN: Yes.

23 MS. HOLTHUS: Not only -- if I may, Judge, not only does he know about it
24 but he owns it and he uses it when he -- I'm not even sure what's prejudicial. I could
25 see if this was Deborah's trial and we were saying it's super prejudicial to have

1 pictures of her with a dog --

2 THE COURT: Yeah.

3 MS. HOLTHUS: -- but quite frankly in terms of everything else we know in
4 this trial --

5 THE COURT: Okay.

6 MS. HOLTHUS: -- him sending a picture of --

7 THE COURT: Of somebody else.

8 MS. HOLTHUS: -- of somebody else with a dog really doesn't even seem
9 prejudicial.

10 THE COURT: Okay.

11 MS. HOLTHUS: But the ability of it to establish ownership and control over of
12 that initial zip drive, ownership and control over these people --

13 THE COURT: Okay.

14 MS. HOLTHUS: -- and frankly from defense's standpoint well one of my
15 things for Deborah is, you know, you say you were so afraid he was kill you. The
16 reality is you were afraid for your reputation. That's really why he threatened the
17 majority.

18 THE COURT: Yeah.

19 MS. HOLUTHUS: It's kind of a both ways plan on that as well so --

20 THE COURT: More worried about reputation with the dog --

21 MS. HOLTHUS: What people think about me.

22 THE COURT: -- and reputation with the kids.

23 MS. HOLTHUS: And what he also says in that what will they say about you
24 and kids and the family as well. So, he also intimates that if knowledge of the other
25 one.

1 THE COURT: So, your argument is that there's no deference between
2 looking into somebody and finding, you know, possibly even legal pornography, but
3 it's weird in nature or whatever, and so there's --

4 MS. HOLTHUS: And Deborah was --

5 THE COURT: So, the question would be here then the bad act though that
6 you're asking for is just that he sent a damning

7 MS. HOLTHUS: Correct.

8 THE COURT: -- damning information to Cox and it's really not the content of
9 it, it's really what -- so --

10 MS. HOLTHUS: And it also corroborates what Debora had said. Deborah, I
11 believe, will testify that he says that she had a high school fantasy about being a
12 dog and he was fulfilling for her. She says he threatened her and made her do that
13 so he would have damning video. It's physical evidence. I mean, all this other stuff
14 is testimony by people who are going to have be believed because of the craziness
15 of all this evidence in the first place. But we've got hard evidence that he sent these
16 particular pictures, he sent these particular words to her employer. So, that's
17 objective evidence to the jury to evaluate.

18 THE COURT: What I'm going to do here -- and I know -- this is what I'm
19 going to do. With regards to that, I'm not going to allow it in your case in chief,
20 however, if they present any type of defense to suggest that he had no knowledge of
21 the videos, no knowledge of anything that was consistent with what that information
22 was with, then I'll allow you to present it for the purposes of establishing identity or
23 his knowledge of these videos.

24 MR. SWEETIN: So, are you talking about just the actual attachment --

25 THE COURT: Just the photos, yeah.

1 MR. SWEETIN: -- that was made. So, the other emails that we're talking
2 about they would still -- we would still be able to elicit testimony in regards to the
3 threats and things of that sort.

4 THE COURT: Right.

5 MR. SWEETIN: So, when we have --

6 THE COURT: Yeah, I have no issue with that.

7 MR. SWEETIN: So, just to be clear. In regards to -- in the existing emails
8 then the reference made to and the animals and things of that sort, are you going to
9 want us to redact that or to leave that as is or --

10 THE COURT: Well his threat that he would turn it over, the fact that they've
11 been with an animal?

12 MR. SWEETIN: He makes reference to, yeah, things involving the family and
13 things involving animals.

14 THE COURT: No, I'm going to give you that because I think it goes to the
15 same thing with his controlling nature; you know, he's manipulative, he's got things
16 on you, he's going to use that against you and that.

17 MR. SWEETIN: Okay.

18 THE COURT: This is the one -- let me tell you. I'm struggling with it and
19 simply because I'm struggling with it is why I'm having a hard time not seeing how
20 prejudicial it is. But I'm telling you that if he makes any kind of -- if there's any kind
21 of defense to present that he had no knowledge of this -- of this -- these photos and
22 photographs that they got as a result of this search, then I'm going to allow you to
23 present it.

24 MR. SWEETIN: Thank you, Judge.

25 THE COURT: Bcause it connects to him. It's the one piece that I see directly

1 connects him that you can show independent of all these other witnesses that he
2 had his hands on it.

3 MR. SWEETIN: Okay.

4 THE COURT: Okay. I do find that the -- that you've established -- I still find
5 you've established with clear and convincing evidence. I believe that all the
6 information that you've presented here is relevant. I believe it goes to some extent;
7 it goes to intent. And I've always been looking at in some way of controlling. That's
8 kind of the way that you've made your argument, somehow of initiating control over
9 these -- Melissa, for regards, or over the two co-Defendants. I do believe that
10 there's -- it fits under motive. I think independent of the propensity type of argument
11 that you're making, I think there's still evidence to support it independent of that.
12 However, I agree with you the way that you're interpreting the statute that under
13 these circumstances that it would be admissible.

14 So, I'm going to allow you to present -- but I still have to look -- make
15 the weighing and that's the -- I don't know. Maybe it's just me. I'm sorry. It may just
16 freakin' me out the part with the dog. That's just weird stuff. Don't get me wrong.
17 What's happening with the kids I think is too, but that's the crime.

18 So, that's the position I'm taking. So, is there anything else? Do you
19 need to put anything else on the record?

20 MR. SWEETIN: No, Judge.

21 MS. HOLTHUS: No, Judge.

22 MR. SWEETIN: I can prepare the order. So, it's granted with the exception of
23 the last portion and that would be restricted to the email that related to the sexual
24 contact with an animal; is that correct?

25 THE COURT: Yes.

1 MS. HOLTHUS: But again Deborah would be allowed to testify regarding the
2 sexual conduct with the animal; correct?

3 THE COURT: If he -- if the testimony is in a way that he has directed him to
4 do so --

5 MS. HOLTHUS: Correct.

6 THE COURT: -- yes.

7 MS. RADOSTA: Wait.

8 THE COURT: I just -- I'm not allowing --

9 MS. RADOSTA: Judge, I'm sorry. Wait, wait, no.

10 THE COURT: No, your objection and your argument opposing this has to do
11 with what was submitted in the email.

12 MS. RADOSTA: Right. But they did not ask for a bad act for any bad act
13 evidence to come in without --

14 THE COURT: No, that's the --

15 MS. RADOSTA: -- him directing her to have sex with the dog.

16 MS. HOLTHUS: It's not only that.

17 THE COURT: No, no, no, no.

18 MS. HOLTHUS: That's legal pornography.

19 THE COURT: With regards to any threat if -- and that's what I've been
20 looking at all along, if he's threatening her you better do this or I'm going to leave
21 you, you better do this -- I mean, that's --

22 MS. RADOSTA: Right. No, I'm sorry. I thought I just heard Ms. Holthus say
23 that Deborah could be allowed to testify about the sex act itself with the dog.

24 MS. HOLTHUS: That's my understanding we can. I thought it was just the
25 photograph that was [indiscernible] prejudicial.

1 MS. RADOSTA: That would be another bad act. That's a bad act just like
2 any of these other ones. In the same vein is him supposedly directing them to give
3 fellatio to the kids, same thing.

4 THE COURT: Ms. Holthus, at this point in time there's not been to me --

5 MS. HOLTHUS: But I didn't see it as a bad act.

6 THE COURT: Well --

7 MS. HOLTHUS: Because I don't know that there's a crime.

8 THE COURT: Yeah. Well there is a crime --

9 MS. RADOSTA: There doesn't have to be a crime.

10 THE COURT: -- of, you know, bestiality or sex with animals or whatever. But
11 is it a crime to witness and not report it or is it a crime to direct somebody and be
12 part of it. And that's, you know, that's kind of where I think you're going with it.

13 MS. HOLTHUS: Now I guess we'll look at it if we need another bad act
14 [indiscernible].

15 THE COURT: Yeah. Because at this point in time if it's part of threats in that
16 where you better do this or else or whatever, I'll look at, but I don't think you've
17 asked for it. I think Ms. Radosta is correct.

18 MS. RADOSTA: Thank you.

19 THE COURT: So, I'm not --

20 MS. HOLTHUS: So, we'll assess whether we want to ask her or not.

21 THE COURT: All right.

22 MR. SWEETIN: Thank you, Judge.

23 [Colloquy between the Court and the Court Clerk]

24 THE COURT: Oh, wait, wait, wait, no, no, no, no. I got to back on the record.
25 We got to set the trial dates.

1 Right now we have current trial date scheduled for February 5th. I'm
2 going to adjust that date. I'm moving it back to start on the 16th of January. The
3 anticipated length is possibly four weeks for this trial. There's going to be a portion
4 -- three days we're going to vacant or dark, the trial will be dark, for these three
5 days, the 1st, 2nd and the 5th; is that right? Yeah. The 1st, 2nd and the 5th of
6 February. So, we'll resume testimony on the 6th. So, re-schedule the calendar
7 call and --

8 MS. RADOSTA: And so our calendar call date?

9 THE COURT CLERK: Okay. Just the calendar call. Okay. Calendar call is
10 going to be on January 10th at 8:30.

11 MS. HOLTHUS: Thank you.

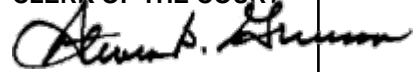
12 MS. RADOSTA: Thank you.

13 THE COURT: Okay. We're off the record.

14
15 [Proceedings concluded at 1:03 p.m.]
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20

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

23 
24 PATRICIA SLATTERY
25 Court Transcriber



NOTC
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Attorneys for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)	
)	
Plaintiff,)	CASE NO. C-15-311453-1
)	
v.)	DEPT. NO. XIX
)	
CHRISTOPHER SENA,)	
)	
Defendant,)	
_____)	

DEFENDANT'S NOTICE OF EXPERT WITNESSES, PURSUANT TO NRS 174.234(2)
TO: CLARK COUNTY DISTRICT ATTORNEY:

You, and each of you, will please take notice that the Defendant, CHRISTOPHER SENA, intends to call the following expert witnesses in his case in chief:

Greg Harder, Psy.D.: a forensic psychologist. His testimony will provide expert opinions on sexual abuse studies and research involving incest, sexual abuse of minors, child pornography, child abuse, bestiality as well as psychosexual profiles and evaluations, if any.

CV Attached

DATED this 13th of August, 2018.

PHILIP J. KOHN
CLARK COUNTY PUBLIC DEFENDER

By: /s/Violet R. Radosta
VIOLET R. RADOSTA, #5747
Deputy Public Defender

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District Attorney's Office
E-Mail Address:
Jennifer.Georges@clarkcountyda.com

By: /s/ Annie McMahan
An employee of the
Clark County Public Defender's Office

1892

Greg Harder, Psy.D.
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9510 W. Sahara Ave. Suite 110
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gregharderpsyd@aim.com

Phone: (702) 685-5297

Fax: (702) 685-5314

License: Psychologist, State of Nevada, PY0338 since 1997

Specialty Areas: Forensic Psychology, Psychological Testing, Counseling
Competency evaluations, Risk for-reoffending assessments
Psychosexual Evaluations, Fitness for Duty evaluations,
Child, Adolescent, and Adult Counseling and Evaluations
ADHD Testing, Learning Disorder evaluations, Autism testing,
General Neuropsychological Testing, Medical Records Review,
Testifying Personal Injury Cases

Education: California School of Professional Psychology, Fresno Campus
1350 "M" St. Fresno, CA 93721
American Psychological Association approved school
Psy.D. (Doctorate in Psychology) Degree, 9/95
Master's Degree 6/93

California State of University, Hayward
25800 Carlos Bee Blvd, Hayward, California 94542
BA degree in psychology 6/91

Chabot College
25555 Hesperian Blvd, Hayward, California 94545
AA degree, Liberal Studies 12/88

Work Experience: Private Practice since 11/1997.

Child, Adolescent, and Adult evaluations and counseling
All ages 3 and up
Most insurances

Expert witness for Clark County Public Defender's office,
Specialty Court, Juvenile Court, Henderson Court,
(Risk for re-offending evaluations, Psychosexual evaluations,
Competency evaluations, Violence risk assessments,
Mental health evaluations and treatment recommendations)

Fitness for duty/public safety evaluations for Department of Energy,
Nuclear test site, "Q" level security clearance for federal government
Designated Test Site Psychologist

Disability evaluations for Social Security Administration, Bureau of
Disability, Veteran's Administration

PTSD evaluations for VA, Competency to manage funds evaluations

Public Safety/Pilot evaluations for FAA, Public Safety
evaluations/Emergency First Responders for MGM Grand Hotel

Parental Fitness Evaluations for Department of Family Services & Child
Protective Services

Psychological evaluations for clearance to have various medical
procedures (gastric bypass, spinal cord stimulator trial, etc.)

Testifying for Personal Injury Cases (private attorneys)

Harmony Healthcare, Harmony Counseling Center
1701 W. Charleston Suite 300, Las Vegas, NV 89102
Phone: (702) 251-8000 Fax: (702) 471-0120
Dates worked 8/1995 to 12/2002
Title: Clinical Director, Salaried Psychologist, Supervisor of Rapid
Response Crisis Team, Clinical Supervisor of all Therapists
Psychotherapy with children, adolescents, adults,
ADHD specialist, evaluations of medical competency to refuse treatment
Post-Doctoral Internship site
Supervisor: Allen Flagg Jr, CEO, Norton Roitman, MD

Las Vegas Center for Children
6171 W. Charleston Blvd. Bldg. 9, Las Vegas, NV 89102
Dates worked: 8/1995-2/1996
Title: Post-doctoral intern
Day treatment milieu, psychological testing on seriously emotionally
disturbed SED children, individual and group therapy with “at risk”
children
Supervisor: Tom Kinsora, Ph.D., psychologist, Norton Roitman, MD

Wasatch Mental Health
750 N. 200 W. Provo, UT 84601
Pre-doctoral internship site
Supervisor: “Butch” Freeman Dunn, Ph.D., Psychologist
Dates worked: 7/1994-7/1995

Rotations: Utah Valley Regional Medical Center (inpatient psychiatric
hospital for seriously mentally ill adults, individual therapy, group
therapy, psychological testing)
Juvenile Court (psychological testing, risk assessment for youth
offenders)
Park View Center (school for emotionally disturbed children,
psychological testing and therapy and treatment coordinator)
New Vista Group Home (counselor, psychological testing for adolescent
sexual offenders)
Youth and Adult Outpatient (counseling and psychological testing for
children and adults)
Social Security Disability evaluations for state of Utah

Psychological Service Center
1260 “M” St, Fresno CA 93721
5/1993 to 12/1993
Third Year clinical practicum
Parental fitness evaluations for Child Protective Services,
Psychological testing, Parent-Child Attachment Evaluations,
Outpatient family therapy, couples therapy, individual therapy
Supervisors: Kevin O’Connor, founder of Association for Play Therapy
Scott Van de Putte, Ph.D., Lillian Brown-Harrison, Ph.D.

Stanislaus County Mental Health
1100 Kansas Ave., Suite A, Modesto CA, 95351
8/1992 to 5/1993
Second year clinical practicum
Youth and Adult Outpatient therapy, psychological testing with SED
Children and adults
Supervisor: Norbert Ralph, Ph.D.

Fresno Unified School District
Calwa Elementary School
4303 E. Jensen Ave. Fresno CA 93700
1/92- 8/92
First Year Clinical Practicum
Intellectual assessments on elementary school children
Learning disability evaluations, IQ testing, achievement testing
Individual and group therapy with ages 6-12
Supervisor: Bud Noether, School Psychologist

New Perspectives Group Home
4811 Palm Ave. Fresno, CA 93711
6/93-9/93
Counselor for six Seriously Emotionally Disturbed adolescents

Certifications: Nevada Competency evaluations Current 2017-2018

References: Available upon request

Steven D. Grierson

1 **NOTM**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 JAMES R. SWEETIN
6 Chief Deputy District Attorney
7 Nevada Bar #005144
8 MARY KAY HOLTHUS
9 Chief Deputy District Attorney
10 Nevada Bar #003814
11 200 Lewis Avenue
12 Las Vegas, Nevada 89155-2212
13 (702) 671-2500
14 Attorney for Plaintiff

DEPARTMENT XIX
NOTICE OF HEARING
DATE 8/15 TIME 8:30 AM
APPROVED BY *[Signature]*

DISTRICT COURT
CLARK COUNTY, NEVADA

11 THE STATE OF NEVADA,
12 Plaintiff,

13 -VS-

14 CHRISTOPHER SENA,
15 #0779849

16 Defendant.

CASE NO: C-15-311453-1

DEPT NO: XIX

17 **STATE'S NOTICE OF MOTION AND MOTION TO STRIKE DEFENDANT'S**
18 **NOTICE OF EXPERT WITNESSES, PURSUANT TO NRS 174.234(2)**
19 **ON AN ORDER SHORTENING TIME**

20 DATE OF HEARING: AUGUST __, 2018
21 TIME OF HEARING: 8:30 AM

22 **YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE** that the State of
23 Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through JAMES R.
24 SWEETIN, Chief Deputy District Attorney, and MARY KAY HOLTHUS, Chief Deputy
25 District Attorney, will bring a Motion to Strike Defendant's Notice of Expert Witnesses,
26 Pursuant to NRS 174.234(2) on an Order Shortening Time, before the above entitled Court on
27 the ____ day of August, 2018, at the hour of 8:30 o'clock AM, or as soon thereafter as counsel
28 may be heard.

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1 **POINTS AND AUTHORITIES**

2 **I. STATEMENT OF FACTS RELEVANT TO THIS MOTION**

3 Defendant, CHRISTOPHER SENA, is charged by way of Criminal Information with
4 the crimes of CONSPIRACY TO COMMIT SEXUAL ASSAULT (Category B Felony - NRS
5 200.364, 200.366, 199.480), SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN
6 YEARS OF AGE (Category A Felony - NRS 200.364, 200.366), LEWDNESS WITH A
7 CHILD UNDER THE AGE OF 14 (Category A Felony - NRS 201.230), SEXUAL ASSAULT
8 WITH A MINOR UNDER SIXTEEN YEARS OF AGE (Category A Felony - NRS 200.364,
9 200.), INCEST (Category A Felony - NRS 201.180), OPEN OR GROSS LEWDNESS
10 (Category D Felony - NRS 201.210), SEXUAL ASSAULT (Category A Felony - NRS
11 200.364, 200.366), PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
12 REPORTING CRIME OR COMMENCING PROSECUTION (Category D Felony - NRS
13 199.305), CHILD ABUSE AND NEGLECT, SEXUAL ABUSE OR EXPLOITATION
14 (Category A Felony - NRS 200.508(1)), POSSESSION OF VISUAL PRESENTATION
15 DEPICTING SEXUAL CONDUCT OF A CHILD (Category B Felony - NRS 200.700,
16 200.730), USE OF MINOR IN PRODUCING PORNOGRAPHY (Category A Felony - NRS
17 200.700, 200.710.1, 200.750) and USE OF MINOR UNDER THE AGE OF 14 IN
18 PRODUCING PORNOGRAPHY (Category A Felony - NRS 200.700, 200.710.1, 200.750).

19 The Co-Defendant's in this case are DEBORAH SENA and TERRIE SENA. The
20 crimes occurred on or between May 22, 2001 and June 30, 2014. The victims are A.S., T.S.,
21 B.S., R.S., E.C., I.G., T.G., and M.C.

22 A preliminary hearing commenced in this matter on August 27, 2015 and was
23 concluded after four separate days of testimony on September 18, 2015.

24 **The Preliminary Hearing Testimony of Terrie Sena**

25 On August 27, 2015, Terri Sena testified that she was familiar with Defendant because
26 he is her ex-husband and they were married from September 1990 to August 1997. Terrie
27 Sena testified that she was familiar with the residence located at 6012 Yellowstone Avenue,
28 Las Vegas, Clark County, Nevada, in that she lived there for fifteen (15) years, from 1998

1 through 2013; and, from January 2014 until June 2014. PHT, Vol. I, pp. 13-14. Terrie Sena
2 testified that over the period of time that she lived at the residence, she lived there with
3 Defendant and his wife, Deborah Sena, Terrie's biological daughter with Defendant, A.S.,
4 Terrie's biological son with Defendant, T.S., Terrie's step-son, B.S., who is the biological son
5 of Defendant and Deborah Sena; and, R.S., Terrie Sena's biological son with another man.
6 PHT, Vol. I, pp. 14-16. While living at the residence, Terrie's younger sister, M.C., and her
7 niece, M.C.'s daughter, E.C., occasionally visited her at the Yellowstone address. Terrie Sena
8 testified that her other sister, K.G., also had occasion to visit the residence. PHT, Vol I., pp.
9 17-18.

10 Terrie Sena testified that she had been charged with things that happened at the
11 Yellowstone address. Terrie Sena testified that those charges were resolved when she agreed
12 to plead guilty to one count of sexual assault; and, agreed to a sentence of ten years to life in
13 prison, as well as to testify truthfully in the court proceeding. PHT, Vol. I, pp. 18-20. Terrie
14 Sena testified that she was, in fact, sentenced to 10 years to life in prison. PHT, Vol. I, p. 21.

15 Terrie Sena testified that while she was living at the Yellowstone residence, she became
16 aware that sexual acts were being committed. Terrie Sena testified that when her sister, M.C.,
17 would visit from time to time, when M.C. was 15 and 16 years of age. During that time, naked
18 pictures of M.C. were taken by Defendant. PHT, Vol. I, p. 22. Terrie observed State's
19 proposed Exhibits 13-22 and recognized them as photos of her and M.C., naked together, with
20 most of them being photos of M.C. PHT, Vol I, pp. 23-24. Terrie testified that some of the
21 photos were taken in the office of her house, while others were taken in M.C.'s bedroom, at
22 her parent's house, located at 2012 Tonopah, North Las Vegas, Clark County, Nevada. PHT,
23 Vol. I, p. 24. Terrie Sena testified that Defendant took the photographs of her and M.C. PHT,
24 Vol. I, p. 27.

25 Terrie testified that her niece, T.G., also came to the residence to visit, when T.G. was
26 sixteen years of age. Terrie testified that T.G. had come over to have her hair dyed. Terrie
27 Sena further testified that she dyed T.G.'s hair. After washing T.G.'s hair, T.G. went to take
28 a shower and Defendant filmed T.G. taking a shower. Defendant would get on a step stool and

1 hold the camcorder into the bathroom where the shower was. Terrie Sena testified that while
2 Defendant was recording T.G. in the shower, T.G. would have not been able to see him.
3 **(COUNTS 118 AND 119)** PHT, Vol. I, pp. 28-29. Terrie Sena testified that she was giving
4 Defendant oral sex while Defendant was filming T.G. in the shower. Terrie Sena viewed
5 State's proposed Exhibits "5", "8", and "9", and indicated that they were still photos of the
6 video that Defendant made of T.G. in the shower. PHT, Vol. I, p. 30.

7 Terrie Sena testified that her niece, E.C., also came to the residence to visit. Terrie
8 testified that when E.C. visited she had gotten lice at school. All of the kids' hair had to be
9 washed as a result and Terrie Sena took E.C. to the bathroom in the office area to wash her
10 hair. E.C. took a shower and while that occurred, Defendant got the camcorder and recorded
11 E.C. taking a shower, while standing on stool with the camera focused down. **(COUNTS 115**
12 **AND 116)**. Terrie Sena viewed State's proposed Exhibit "6" and identified it as a picture from
13 the video that Defendant took of E.C. taking a shower. PHT, Vol. I, pp. 30-32

14 Terrie Sena testified that she also observed filming of R.S. Defendant told Terrie Sena
15 to go and get R.S. from the front of the house and bring him to the office. When Terrie Sena
16 got back to the office with R.S., she noticed the red light blinking on the computer. Defendant
17 had her unbuckle R.S.'s pants and take them off, before Terrie Sena gave R.S. oral sex. While
18 Terrie Sena was performing oral sex on R.S., Defendant was sitting at his computer
19 masturbating. Defendant then approached Terrie Sena and had her perform oral sex on him.
20 After Terrie Sena performed oral sex on Defendant, he instructed her to remove the rest of
21 R.S.'s clothes and had R.S. remove Terrie Sena's top off, at which time he instructed R.S. to
22 put his penis in Terrie Sena's vaginal opening. PHT, Vol. I, pp. 33-35.

23 Terrie Sena testified that she had sexual contact two other times in the presence of
24 Defendant. One in the master bedroom and a second incident in the office. During the incident
25 in the master bedroom of the residence Defendant had Terrie Sena lay on the bed with R.S.,
26 undress R.S. and then undress herself. Terrie Sena got on top of R.S. so that his penis
27 penetrated her vaginal opening. Defendant got behind Terrie Sena and engaged in having anal
28 sex with her. PHT, Vol. I, pp. 35-36. Terrie Sena viewed State's proposed Exhibit "7" and

1 indicated that it was a picture of the master bedroom with R.S. laying on the bed while Terrie
2 Sena is getting undressed beside him. At the time the three incidents occurred, R.S. was 14
3 years of age. PHT, Vol. I, p. 38. Terrie Sena testified that the first incident that occurred in the
4 office happened sometime during the fall of 2012. The incident in the bedroom occurred when
5 R.S. was a freshman in high school and 14 years of age. PHT, Vol. I, p. 41-42. Terrie Sena
6 testified that R.S. was born on June 14, 1988 and that he was 14 years of age in 2012. Terrie
7 Sena stated that the incident in the office and the one in the bedroom occurred over a three
8 week period of time, from what she recollected. PHT. Vol. I, pp. 42-43.

9 The third incident occurred in the office. Defendant had Terrie Sena bring R.S. into the
10 office, un-belt R.S.'s pants, and place his penis in her mouth. R.S. then placed his penis in
11 Terrie Sena's vagina, while she was lying flat on her back. The red light was on the computer
12 when the incident occurred which indicated that Defendant was filming it. The last incident
13 occurred in 2014, just before Terrie Sena left the residence. PHT, Vol. I, pp. 44-45.

14 Besides the sexual contact she had with R.S., Terrie Sena also had sexual contact with
15 B.S. Terrie Sena described an incident where she brought B.S. into the office, from the house,
16 and performed oral sex on him. Terrie Sena removed B.S.'s clothes, as well as her own, at
17 which time Defendant told B.S. to touch Terrie Sena's breast and to insert his penis into her
18 vagina as she lay flat on her back. That incident occurred in December 2012. A second
19 incident occurred a month later, in January 2013. During that incident, Defendant had B.S.
20 touch Terrie's breasts with his hands. Terrie put B.S.'s penis in her mouth, and B.S. inserted
21 his penis into Terrie's vagina, while she lay flat on her back, which was recorded by the
22 Defendant. **(COUNTS 79 – 85)** PHT, Vol. I, pp. 45-48.

23 Terrie Sena described an incident that occurred with A.S., in the living room of the
24 house. Terrie Sena was in the living room with Defendant and A.S. Defendant had A.S. lean
25 over the ottoman and Defendant penetrated A.S.'s anus with his penis **(COUNT 52)**, while
26 A.S. was touching Terrie Sena's breasts. PHT, Vol. I, pp. 48-49. A.S. was 17 years of age and
27 a senior in High School when the incident occurred. PHT, Vol. I, p. 52.

28 //

1 Terrie Sena testified that the first time something sexual happened in the household
2 with R.S. he was five years of age. During that incident, Defendant had Terrie Sena and
3 Deborah Sena bring R.S. and B.S. into the master bedroom. Defendant had Terrie Sena
4 undress B.S. and had Deborah Sena undress R.S., at which time Terrie Sena performed fellatio
5 on B.S. and Deborah Sena performed fellatio on R.S. Defendant was standing on the side of
6 the bed when the incident occurred. Terrie Sena was not aware of whether that incident was
7 recorded or not. PHT, Vol. I, pp. 52-53.

8 **The Preliminary Hearing Testimony of M.C.**

9 On August 27, 2015, M.C. testified that she has four sisters and one brother. M.C.
10 testified that her brother's name is Jerry Clark and that he is older than her. M.C. testified that
11 she was 34 years of age and her birthday is May 16, 1981. M.C. testified that she has three
12 sisters, but she is the baby of the family. M.C. testified that the next oldest sister is Terrie
13 Sena whose date of birth is October 26, 1970; then, Kimberly Gresham, whose date of birth is
14 April 29, 1964; then Mary Jo, age 51; and, Cheryl. PHT, Vol. I, pp. 136-137.

15 M.C. testified that she has one child, E.C., age 14, date of birth December 21, 2000.
16 M.C. testified that Terrie Sena has three children, A.S., T.S., and R.S. M.C. testified that
17 Kimberly Gresham has two children, Roy and T.G., age 18. PHT, Vol. I, pp. 138-139. M.C.
18 testified that Defendant was married to her sister, Terrie Sena. M.C. testified that she was
19 eight years of age when she first met Defendant and that her sister, Terrie, as eighteen. M.C.
20 testified that she spent time with Defendant and Terrie. PHT, Vol. I, p. 140.

21 M.C. was shown pictures of State's proposed Exhibits 13 through 22 and she identified
22 herself in those pictures. Each of the exhibits were photos of M.C. in the nude and/or in
23 sexually oriented positions. In State's proposed Exhibit "13", M.C. testified that she was 16.
24 M.C. testified that she believed Defendant took that picture as he was the only person in the
25 room with her. PHT, Vol. I, p. 142. M.C. testified that State's proposed Exhibit "14" was
26 taken when she was younger than 16. M.C. testified that she could not remember who took
27 the picture. M.C. testified that she was naked in the picture and that Defendant was the only
28 person who ever took pictures of her naked. **(Count 120)** PHT, Vol. I, pp. 141-144. State's

1 proposed Exhibit “15” was taken the same day as State’s proposed Exhibit “14”. M.C. was
2 15 years of age and the picture was also taken by Defendant. **(Count 121)** State’s proposed
3 Exhibit “16” was also taken that same day and showed a dildo being put into M.C.’s mouth,
4 which was given to her by Defendant. **(Count 122)** PHT, Vol. I, pp. 144-145.

5 State’s proposed Exhibit “17” was taken when M.C. was 16 years of age. Defendant is
6 in the picture which shows M.C. putting his penis in her mouth, while Terrie Sena took the
7 picture. PHT, Vol. I, p. 145. M.C. testified that State’s Exhibit “17” was taken when she was
8 16 years of age. Terrie Sena is in the picture and appears to be pregnant. M.C. testified that
9 Terrie Sena was pregnant with R.S., who was born on June 14, 1999. M.C. testified the picture
10 was taken before June 1999, by Defendant. PHT, Vol. I, p. 146.

11 M.C. testified that State’s proposed Exhibit “19” showed her at the trailer on
12 Yellowstone, when she was approximately 16 years of age. State’s proposed Exhibit “20”
13 showed M.C. with her sister, Terrie Sena, when M.C. was 16 years of age. M.C. testified that
14 Defendant took the picture and directed what they were doing in the picture. PHT, Vol. I, p.
15 147. In State’s proposed Exhibit “21” M.C. was 15 year old and a sophomore. The picture was
16 taken at her old residence by Defendant. **(Count 123)** In State’s proposed Exhibit “22” M.C.
17 was 15 years of age, holding a dildo up to her anal area, which she was directed to do by
18 Defendant. **(Count 124)** PHT, Vol. I, pp. 148-149. M.C. testified that it was Defendant’s idea
19 to take the pictures and it was not something she wanted to do. PHT, Vol. I, p. 150.

20 On re-direct, M.C. clarified that in State’s proposed Exhibit’s 14, 15, 16, 21, and 22,
21 were taken when she was 15 years of age. PHT, Vol. I, p. 188.

22 When interviewed by the police on approximately December 1, 2014, M.C. disclosed
23 specific incidents in which she was sexual abused by Defendant when she was young.

24 She first recalled when she was ten (10) or eleven (11) years of age, she visited
25 Defendant and TERRIE SENA at their apartment in Las Vegas. At that same time, while
26 visiting such apartment, TERRIE SENA told M.C. to go into the master bedroom and speak
27 with Defendant who was waiting for her. Upon entering the bedroom, Defendant was sitting
28 inside the closet in a pair of shorts. Defendant told M.C. he wanted to have a special bond

1 with her that should only be between them. Defendant then exposed his penis to M.C. and
2 told her to touch it which she did. Defendant then told her that since he showed her his penis
3 that she had to show him something. M.C. subsequently removed her shirt and exposed her
4 breasts. Defendant fondled her breasts after which he allowed M.C. to leave the room.

5 On another occasion when M.C. was approximately fifteen (15) or sixteen (16) years
6 of age, in the same apartment, Defendant and M.C. were alone in the living room while
7 watching a movie. Defendant told M.C. that if she loved him she would have anal sex with
8 him. Defendant removed his pants, put M.C. on her stomach, and had anal intercourse with
9 M.C. until he ejaculated on her back. M.C. remembered the penetration hurting and that she
10 asked Defendant to stop but he didn't until he ejaculated.

11 Also while M.C. was approximately fifteen (15) or sixteen (16) years of age, in the
12 same apartment, Defendant indicated to M.C. that he would stop having sexual intercourse
13 with M.C. and move onto another hobby. Defendant indicated he would need to have sexual
14 intercourse with her on one last time. Defendant pushed her against the wall with the front of
15 her body facing the wall and her standing up. Defendant proceeded to have anal intercourse
16 with M.C. M.C. remembers that Defendant ejaculated in a towel and her anus bled after the
17 incident.

18 **The Preliminary Hearing Testimony of Det. William Karau and Recorded Statement**
19 **Taken from DEBORAH SENA by Detective Karau**

20 Detective Karau testified that he was employed with the Las Vegas Metropolitan Police
21 Department and had been for 15 years in January. Detective Karau testified that he was
22 assigned to the Juvenile Sexual Abuse section for five years and a few months. On September
23 18, 2014, Detective Karau had occasion to assist in a search warrant at the residence of 6012
24 Yellowstone, Las Vegas, Clark County, Nevada. Detective Karau's role was to assist in
25 keeping an eye on the residence to see if anyone was coming or going from it. At the time
26 SWAT served the search warrant T.S. and Defendant were present at the residence. PHT, Vol.
27 I, pp. 191-192. During the execution of the search warrant they were looking for electronic
28 storage devices and computers, among other things. PHT, Vol. I, p. 193. Those items were

1 located in an office in the back of the property that had a bathroom and a kitchenette in it. The
2 items retrieved were sealed and booked into evidence and taken to the evidence vault. Among
3 the items seized and booked into evidence was No. 25, a Data Travel G3 Thumb drive. PHT,
4 Vol. I, pp. 193-194.

5 Approximately the day before the service of the referenced search warrant, Detective
6 Karau conducted a recorded interview with DEBORAH SENA. The interview was conducted
7 at the Southern Nevada Children's Assessment Center. Detective Karau and Detective
8 Madsen interviewed DEBORAH SENA and informed her that it was a casual information
9 gathering session. Detective Karau informed DEBORAH SENA that she would be walking
10 out the same door she came in, and she was leaving there when they were done. The interview
11 lasted approximately an hour.

12 During the course of the interview DEBORAH SENA showed no emotion and simply
13 answered questions being asked. Detective Karau testified at a previous hearing in
14 DEBORAH SENA's criminal case about his conversation with DEBORAH SENA. He
15 indicated that a few specific things stood out during the interview. First, the report stated that
16 DEBORAH SENA was forced to have sexual contact with B.S. and A.S., yet when she
17 described to the detectives what happened to B.S., DEBORAH SENA initially stated that she
18 and CHRISTOPHER SENA brought him in, but then corrected it by saying that
19 CHRISTOPHER SENA brought him in. Second, when she was asked if she was forced to do
20 anything with A.S., she initially said no, but a few minutes later told the detectives about a
21 sexual encounter with her, CHRISTOPHER SENA, and A.S. Third, when asked if she was in
22 fear during that incident, DEBORAH SENA stated that she felt "weird."

23 DEBORAH SENA told detectives that she was married to CHRISTOPHER SENA for
24 16 years and that B.S. was their biological child. DEBORAH SENA also referred to A.S. as
25 her daughter, and to T.S. as her step-son. She described that in the years preceding the
26 interview she had worked for Cox Communications for 16 years; and, that she supported the
27 family for the last 14 years, because CHRISTOPHER SENA was not working that much.

1 DEBORAH SENA told detectives that when B.S. was three years old CHRISTOPHER
2 SENA told her that she was going to teach B.S. how to have sex with a woman, so she was
3 lying on her back and put B.S. on top of her. DEBORAH SENA stated that CHRISTOPHER
4 SENA was giving instructions on what to do and was trying to manipulate B.S.'s penis into
5 DEBORAH SENA'S vagina. DEBORAH SENA stated that the incident had been recorded
6 somehow. When asked what led up to the incident, she told detectives that she had been in
7 an argument with CHRISTOPHER SENA and he told her that he wanted her to prove his love
8 to her; and, made a comment that TERRIE SENA loves her (sic) more, and if he loved her
9 (sic) he would do those things. (sic). Detective Karau clarified that CHRISTOPHER SENA
10 told her that if she loved him, she would do those things.

11 DEBORAH SENA described that when B.S. was fourteen or fifteen years old B.S.
12 came into the bedroom and CHRISTOPHER SENA wanted her to have sex with him. B.S. got
13 on top of DEBORAH SENA and had sex with her. B.S. stated that during that incident he
14 mouthed the words "I'm sorry mom" or "I'm sorry". DEBORAH SENA indicated that there
15 was a hidden camera in the room and she viewed the video a few days later.

16 DEBORAH SENA told detectives that she participated in the second incident with B.S.
17 because CHRISTOPHER SENA would threaten her with the previous videos that were made
18 of sexual contact she had. DEBORAH SENA did not indicate that force or violence caused
19 her to do those particular acts.

20 DEBORAH SENA described engaging in sexual conduct with T.S., the first incident
21 occurring in the shower. They had been painting and CHRISTOPHER SENA instructed
22 DEBORAH SENA to get into the shower and help T.S. get paint off of his face, which she
23 did. DEBORAH SENA further stated that she performed oral sex on T.S. and bent over so
24 that T.S.'s penis went between her legs. DEBORAH SENA stated that the incident was
25 recorded by a Sony Handycam. DEBORAH SENA indicated that T.S. was fifteen or sixteen
26 years of age during that incident.

27 //

28 //

1 A few months later, CHRISTOPHER SENA and DEBORAH SENA got into an
2 argument at which time DEBORAH SENA told CHRISTOPHER SENA that she did not have
3 sex with T.S. in the shower. She further stated that CHRISTOPHER SENA told her that he
4 wanted her to have sex with T.S., at which time DEBORAH SENA had sex with T.S. in the
5 bedroom.

6 DEBORAH SENA also described having sex with A.S., when A.S. was 17 or 18.
7 DEBORAH SENA described that she was in the living room when CHRISTOPHER SENA
8 and A.S. came in naked. DEBORAH SENA and A.S. kissed each other, fondled each other,
9 and used sex toys, and then CHRISTOPHER SENA engaged in sex with both of them.
10 DEBORAH SENA did not indicate that force was used during that incident

11 DEBORAH SENA told detectives that she left the residence where the acts occurred in
12 June because CHRISTOPHER SENA was verbally abusive calling them lazy or fat asses.
13 According to Detective Karau, DEBORAH SENA stated she called the police after
14 CHRISTOPHER SENA sent an email to her employer that was of DEBORAH SENA naked
15 with the family dog, looking like they were having sex.

16 At approximately this same time, DEBORAH SEAN wrote a statement detailing the
17 events leading up to her leaving the residence. On or about September 15, 2014, DEBORAH
18 SENA wrote a statement in which she detailed a number of violent acts committed upon her
19 and other members of her family which caused members of the family to be fearful of not
20 listening to Defendant. Specifically, DEBORAH SENA indicated that Defendant made it
21 known that if anyone ever called the police on him that he could do quite a bit of damage
22 before the police arrived and that if he ever was put in jail he would eventually get out and
23 either kill or break the legs of the person who put him in jail. Defendant committed regular
24 acts of violence against DEBORAH SENA and family members when things were not done
25 as he wanted.

26 In approximately May 2014, DEBORAH SENA observed B.S. making a sandwich for
27 his sister, A.S. Defendant did not agree with a male making a sandwich for a female and
28 pushed B.S. up against the wall and balled his fist up and told B.S. not to try him. As a result,

1 B.S. walked away. As a result of this contact, B.S. talked to A.S. and indicated he was
2 contemplating suicide. It was after this conversation the B.S. and A.S. left the residence with
3 DEBORAH SENA.

4 **The Preliminary Hearing Testimony of Det. Vince Ramirez**

5 Vince Ramirez testified that he was employed by the Las Vegas Metropolitan Police
6 Department and had been so employed for 20 years. Detective Ramirez testified that he was
7 currently assigned to Internet Crimes against Children Division and had been since 2000. PHT,
8 Vol. I, pp. 211-212. Detective Ramirez testified that he had occasion to perform a forensic
9 review of certain items seized under LVMPD Event #1409151583. The item was previously
10 seized pursuant to a search warrant executed on Defendant's residence on or about September
11 18, 2014. PHT, Vol.1, pp. 191-195. Specifically, Detective Ramirez received a Data Traveler
12 G3 thumb drive booked as package 6, item No. 25. Detective Ramirez requested an
13 authorization to have that equipment released to take to the lab for a forensic examination.
14 Detective Ramirez testified that he obtained a warrant in order to perform the forensic
15 examination. PHT, Vol. I, p. 212.

16 Detective Ramirez testified that when an item is received for forensic examination a
17 digital copy is made and that copy is used for testing, so as not to touch any of the original
18 evidence. PHT, Vol. I, p. 214. In the course of the analysis, Detective Ramirez obtained 8
19 videos from the electronic storage disk. Those videos were deemed relevant in this case based
20 upon the individuals in the videos. Detective Ramirez testified that the main subject matters
21 in the videos was Defendant, Terrie Sena, Deborah Sena, T.S., B.S. and R.S., all of which
22 were of a sexual nature, involving fellatio and sexual intercourse. PHT, Vol. I, pp. 215-216.
23 The disk of the videos was marked as State's proposed Exhibit "16" and was admitted into
24 evidence. PHT, Vol. I, p. 217.

25 Exhibit 1, video No. 1 (**COUNT 77, 78**) was played in court and showed B.S. and
26 Deborah Sena engaged in sex acts. Defendant is in the video, partially, although not all of his
27 face and only part of his body can be seen. As the video begins, B.S. can be seen laying on
28 his back while Deborah Sena is performing oral sex (fellatio) on him. (**COUNT 71**) Deborah

1 Sena is then shown positioning herself on top of B.S. and she is inserting his penis into her
2 vagina. **(COUNT 72, 73)** Later, after a repositioning shown on the video, Defendant can be
3 seen and then Deborah Sena is shown positioned on her back and B.S. is inserting his penis
4 into her vagina, in a missionary position. PHT, Vol. I, pp. 218-220. **(COUNT 74, 75)** The
5 video then shows B.S. repositioned to the right side of Deborah Sena, while a male individual
6 is having sexual intercourse with her. The video shows Deborah Sena performing oral sex on
7 B.S., **(COUNT 76)** while Christopher Sena is engaging in sexual intercourse with Deborah
8 Sena. PHT, Vol. I, p. 220. A male voice can be heard on the video directing all of the actions
9 that are occurring, which Detective Ramirez believed to be Defendant based upon his body
10 type and the fact that the same voice can be heard instructing on all of the videos. PHT, Vol.
11 I, p. 221. State's proposed Exhibit "2" was a still photograph of B.S. and Deborah Sena from
12 the video that was viewed, and was admitted by the Court. PHT, Vol. I, p. 222.

13 Exhibit 1, video No. 2, **(COUNT 69)** depicts an individual without any clothes on
14 setting up the video camera. As he sits down he is identified as Defendant. Deborah Sena is
15 also in the video along with T.S. Deborah Sena is seen without clothing fondling her breasts
16 while performing oral sex on Defendant. Defendant gets up off the bed and bring back T.S.,
17 telling him to lie down on the bed. Deborah Sena performed oral sex on T.S. **(COUNT 61 in**
18 **alternative to 62)** while Defendant watched and masturbated. Deborah Sena can then be seen
19 laying on her back with T.S. inserting his penis into her vagina. **(COUNT 63 in alternative**
20 **to 64)** Defendant is pictured on the right side of the screen masturbating himself. The video
21 then shows T.S. laying down with Deborah Sena on top of him, helping him insert his penis
22 into her vagina. **(COUNT 65 in alternative to 66)** PHT, Vol. I, pp. 222-224. The video next
23 shows T.S. on his back with Deborah Sena performing oral sex on him **(COUNT 67 in**
24 **alternative to 68)** while Defendant is behind Deborah Sena engaging in sex with her. PHT,
25 Vol. I, p. 225. State's proposed Exhibit "3" was as still photo of T.S. right before he engaged
26 in the missionary position with Deborah Sena, which was admitted by the Court. PHT, Vol. I,
27 p. 226.

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1 State's Exhibit "1", Video No. 3, depicted someone setting up a camera and a shower
2 curtain of a standup shower comes into view. Defendant is seen in the video and then T.S.
3 and Deborah Sena are observed entering the shower, neither are wearing clothes. Deborah
4 Sena is observed wiping something off of T.S.'s face. Defendant can be seen walking to the
5 camera and repositioning it. PHT, Vol. I, pp. 226-227. **(COUNTS 55 AND 56)** Detective
6 Ramirez testified that State's proposed Exhibit "4" was a still picture of T.S. and Deborah
7 Sena in the shower, taken from Video No. 3, which was admitted by the Court. PHT, Vol. I,
8 p. 228. **(COUNT 59 AND 60)**

9 Detective Ramirez described Exhibit 1, Video No. 4 as being shot through a door, with
10 the person in the video being T.G., who is in the shower with no clothes on. **(COUNTS 118**
11 **AND 119)** The video then pans down and shows Defendant receiving oral sex. Detective
12 Ramirez believed the Defendant to be the recipient of the oral sex based upon hearing his voice
13 on the video which is similar in nature to all of the others. PHT, Vol. I, pp. 228-229

14 On August 28, 2015, Detective Ramirez continued his preliminary hearing testimony.
15 With regard to Exhibit 1, Video No. 5, Detective Ramirez testified that it depicts video being
16 shot through an opening and is an image of E.C., in the stand-up shower. **(COUNTS 115-116)**
17 State's proposed Exhibit "6" was identified as a picture of E.C. in the shower, from the video
18 he had just observed. The video was admitted in to evidence by the Court. PHT, Vol. II, pp.
19 8-10.

20 Exhibit 1, Video No. 6 **(COUNTS 99 AND 100)** depicted a bedroom seen in previous
21 videos as well as parts of the Defendant in the mirror while he is adjusting the video camera.
22 The video proceeds to show Terrie Sena removing R.S.'s clothes. In the video, Terrie directs
23 R.S. to lie on his back and she places his penis in her mouth. **(COUNT 95)** R.S. is observed
24 using his left hand to fondle Terrie Sena's breast. The video also depicts Terrie positioning
25 R.S.'s hand on her breasts, showing him to massage her breasts, while she masturbates him
26 with her left hand. PHT, Vol. II, pp. 10-11. The video goes on to show R.S. kissing Terrie
27 Sena on her right breast and Terrie Sena continues to orally copulate R.S. The video shows
28 Terrie Sena positioned on her back with R.S. positioned between her legs penetrating her

1 vagina with his penis. **(COUNTS 96 AND 97)** PHT, Vol. II, pp. 11-12. The video shows
2 both Terrie Sena and R.S. stop and appear to look back, after which point they reposition
3 themselves in the missionary position and it appear that R.S. is penetrating Terrie Sena with
4 his penis in her vagina while she massages R.S.'s buttocks. PHT, Vol. II, pp. 12-13. The video
5 continues and Defendant appears and can be seen masturbating. Defendant points to R.S. to
6 get on the right side of Terrie Sena and he positions himself behind Terrie Sena, where he
7 appears to penetrate her vagina or anus while she performs oral sex on R.S. **(COUNT 98)**
8 PHT, Vol. II, p. 13. A conversation is being had during the incident, involving Defendant;
9 however, Detective Ramirez was not able to make out what was being said. PHT, Vol. II, p.
10 14. Detective Ramirez identified a still photograph, taken from the video, of R.S. and Terrie
11 Sena as State's Exhibit "7" PHT, Vol. II, p. 14.

12 Detective Ramirez testified that Exhibit 1, Video No. 7 depicts T.G. in the shower,
13 similar to the previous shower scenes **(COUNT 118 AND 119)**; and, identified State's Exhibit
14 No. "8" as a still photograph of T.G. from the video just viewed. PHT, Vol. II, p. 15. Detective
15 Ramirez testified that Exhibit 1, Video No. 8, depicts T.G. in the stand-up shower from the
16 previous video with the same angle filming; and, State's Exhibit "9" as a still photograph of
17 T.G., taken from the video. PHT, Vol. II, p. 16.

18 Detective Ramirez testified that other entries of evidentiary value came off the same
19 electronic storage device to include State's Exhibits 13 through 22 which he identified as being
20 images of M.C. and Terrie Sena. PHT, Vol. II, p. 17. State's proposed Exhibit "10" was
21 identified as a DVD containing images of the printed copies, to include stills of R.S. Terrie
22 Sena and Defendant. Those images were found to be relative to the investigation in that they
23 were a video that had been broken up into unallocated space, and contain images of Terrie
24 Sena, R.S. and Defendant engaging in sexual contact. PHT, Vol. II, pp. 18-19. Exhibit "10"
25 was admitted by the Court. **(COUNTS 103 AND 104)** PHT, Vol. II, p. 19.

26 Detective Ramirez identified frame number 0458 of Exhibit 10 as a room in the
27 residence labeled office. PHT, Vol. II, p. 20. Frame number 750 depicted R.S. sitting on a
28 stool, clothed, and other images of Terrie Sena. PHT, Vol. II, p. 21. Image number 1,000

1 depicts R.S. playing with his foot and Terrie Sena. PHT, Vol. II, p. 21. Image number 1328
2 depicts R.S. standing up and Terrie Sena knelt down and appearing to unbuckle R.S.'s shorts.
3 PHT, Vol. II, p. 21. Image number 1500 depicts R.S. removing his polo shirt, his shorts are
4 off and his penis is exposed. Terrie Sena is kneeling down holding a blue object of clothing
5 and is wearing her brassiere. PHT, Vol. II, p. 22. Image number 1640 depicts R.S. with his
6 shirt partially on and Terrie Sena has her mouth on R.S.'s penis, **(COUNT 101)** with her
7 brassiere off and her breasts exposed. PHT, Vol. II, p. 22. Frame number 4111 depicts R.S.
8 with his shirt partially on top. Terrie Sena has her mouth on R.S.'s penis and Defendant has
9 his pants partially down and is masturbating. PHT, Vol. II, p. 23. In the course of
10 viewing the frames Detective Ramirez was able to see Defendant's face and make a positive
11 I.D. Detective Ramirez explained that the video proceeds with still images of Terrie Sena's
12 mouth on Defendant's penis while she is holding R.S.'s penis and it goes back and forth with
13 the same sexual action, by Terrie Sena placing her mouth on R.S.'s penis. PHT, Vol. II, pp.
14 23-24. **(Count 102)** Detective Ramirez identified State's Exhibits 11 and 12 as follows:
15 Exhibit "11" depicts R.S. sitting in front of Defendant and Terrie Sena is standing to the left
16 of Defendant. Exhibit "12" depicts R.S. standing in front of Defendant, both still clothed, with
17 Terrie Sena is unbuckling the pants of R.S. PHT, Vol. II, p. 25.

18 **The Preliminary Hearing Testimony of E.C.**

19 E.C. testified that she was 14 years of age and in the ninth grade. E.C. further testified
20 that she lived with her mom, grandparents, cousin, two sisters, brother, and aunt. PHT, Vol.
21 II, p. 50. E.C. identified Defendant and indicated that he was her aunt's ex-husband. E.C.
22 testified that Defendant had been her uncle her entire life as far as she could remember and
23 she visited his residence at 6012 Yellowstone in North Las Vegas, Clark County, Nevada.
24 E.C. testified that she visited the residence more than one time and she began visiting when
25 she was 10 or 11 years of age, and in the fifth grade. PHT, Vol. II, p. 51. E.C. testified that
26 she went to Defendant's house almost every weekend to visit her aunt Terrie and her cousins,
27 R.S., A.S. and T.S. PHT, Vol. II, p. 52.

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1 E.C. testified that when she was 11 years old Defendant would touch her breasts and
2 vagina, underneath her clothes, by having her lift up her shirt and put her pants to her ankles,
3 while they were in the office. PHT, Vol. II, p. 53. E.C. testified that it happened more than
4 one time and Defendant would fondle her breasts with his hands and rub his hands over her
5 vagina. PHT, Vol. II, p. 55. E.C. testified that she went to Defendant's house nearly every
6 weekend from the ages of 11 to 12 or 13, from the third grade through the seventh grade. PHT,
7 Vol. II, p. 56. E.C. testified that Defendant would fondle her breasts and vagina a couple of
8 times during each weekend that she was there during the fifth grade when she was 11 years of
9 age. E.C. remembered Defendant touched her more than three times, as it became a routine.
10 PHT, Vol. II, p. 58-59. E.C. testified that her birthday is December 21, 2000. E.C. testified
11 that the last time something happened was before Deborah Sena left in 2014. PHT, Vol. II, p.
12 60. E.C. testified that she would expect Defendant to touch her when she went over there and
13 she got used to it happening. PHT, Vol. II, p. 62. E.C. testified that she remembered those
14 things happening in the fifth grade, sixth grade, seventh grade, and eighth grade. PHT, Vol II,
15 p. 64. **(COUNTS 107-114).**

16 E.C. testified that she took a shower at the residence a couple of times. Specifically,
17 E.C. recalled an incident when she had lice in her hair. E.C. was shown a picture of herself
18 that was taken of her in the shower, in the office. E.C. testified the picture was taken sometime
19 between the fifth and seventh grade. E.C. did not know that the picture was being taken. PHT,
20 Vol. II, pp. 65-66. **(COUNTS 115 AND 116).**

The Preliminary Hearing Testimony of T.G.

21 T.G. testified that she was 18 years of age and her date of birth is January 9, 1997. T.G.
22 testified that Terrie Sena is her aunt and her mother's sister. T.G. testified that her mom is
23 Kimberly Grisham and that M.C. is her aunt, and E.C. is her cousin. T.G. testified that she
24 grew up in Las Vegas. PHT, Vol. II, p. 86. While growing up, T.G. spent time with her aunt,
25 Terrie Sena, and visited her residence located at 6012 Yellowstone, Las Vegas, Clark County,
26 Nevada. T.G. was seven or eight years of age when she began visiting Terrie Sena at that
27 address. T.G. visited every weekend until she was 15 years age. T.G. stopped visiting because
28

1 she no long wanted to go over to the residence. T.G. testified that Defendant, Terrie Sena, and
2 Deborah Sena lived at the residence when she visited, as did her cousins, T.S., A.S., B.S. and
3 R.S. PHT, Vol. II, pp. 87-88.

4 T.G. testified that Defendant once showed her a picture of her aunt, M.C., giving him
5 oral sex. **(COUNT 117)** T.G. was in the office when he showed her the picture, which was a
6 separate building behind the residence, with computers, a T.V., a couch, a little kitchen, and a
7 bathroom. PHT, Vol. II, p. 89. T.G. testified that Defendant showed her the pictures on the
8 computer and that she was 11 or 12 when that occurred. T.G. testified that they were just
9 looking at pictures and Defendant showed her that one. T.G. testified that she did not really
10 say much to Defendant when he showed her the picture. PHT, Vol. II, pp. 90-91.

11 T.G. testified that she utilized the shower in the office from the time she was 7 until she
12 was 15. T.G. viewed State's Exhibits "5", "8", and "9" and identified herself in those photos.
13 T.G. testified that the photos depicted her in the shower, in the office. T.G. testified that she
14 had no idea that she was being photographed while showering. T.G. testified that she was 13
15 or 14 years of age in the photographs that were taken. **(COUNTS 118 AND 119)**. PHT, Vol.
16 II, pp. 91-92. T.G. testified that she did not visit the residence or shower at the residence after
17 she turned 16. PHT, Vol. II, p. 93.

18 **The Preliminary Hearing Testimony of T.S.**

19 T.S. testified that he was 20 years of age and his birthday is December 2, 1994. T.S.
20 testified Defendant is his father and Terrie Sena is his biological mother. T.S. testified that
21 Deborah Sena is his stepmom; and, that he has a sister and two brothers. T.S. testified that
22 A.S. is the biological child of Defendant and Terrie Sena; R.S. is the biological child of Terrie
23 Sena; and, B.S. is the biological child of Defendant and Deborah Sena. PHT, Vol. II, pp. 107-
24 108.

25 T.S. testified that he had testified in a previous proceeding regarding sexual conduct
26 that was going on at the trailer located at 6012 Yellowstone. PHT, Vol. II, p. 108. During that
27 time, T.S., Defendant, Terrie Sena, Deborah Sena and the entire family lived there. T.S.
28 resided there from the time he was 5 until he moved out a month after he turned 18. PHT, Vol.

1 II, p. 109.

2 When T.S. was 14 or 15 years of age, he engaged in having sexual intercourse with
3 both of his parents, in the bedroom and in the shower. During the shower incident, he and
4 Deborah Sena had been painting and were dirty. Defendant told T.S. to get in the shower.
5 Deborah Sena was already in the shower, naked. T.S. thought the request was really weird
6 and did not want to do it. When T.S. got in the shower he and Deborah Sena began cleaning
7 each other at Defendant's instruction. **(COUNTS 55 AND 56)** Additionally, Deborah Sena
8 placed her mouth on T.S.'s penis and gave him a "blowjob". **(COUNT 54)**. Deborah Sena
9 also bent over in the shower and T.S. placed his penis around her vaginal area, at Defendant's
10 instruction. T.S. stated that his penis did not go into the hole but did go between the lips of
11 Deborah's vaginal area. **(COUNT 57 AND 58)**. PHT, Vol. II, pp. 110-114.

12 T.S. testified that the incident occurring in the bedroom also happened when he was
13 between the ages of 14 and 15, during the day. T.S. was called into the bedroom by Defendant.
14 When T.S. went into the bedroom Defendant was naked. Defendant told T.S. to remove his
15 clothes. Deborah Sena came into the bedroom and also got naked. T.S. inserted his penis
16 between the lips of Deborah Sena's vaginal area, while Defendant inserted his penis into
17 Deborah Sena's anal opening. T.S. testified that prior to such act but during the same incident
18 Deborah Sena placed his penis in her mouth. PHT, Vol. II, pp. 117-118. T.S. watched the
19 video of himself, Deborah Sena, and Defendant engaging in various sexual acts, in the
20 bedroom. T.S. testified that while he may not remember all of the details, the video speaks
21 for itself. T.S. was shown State's Exhibits "3" and "4" and identified Exhibit "3" as a
22 photograph of him in the shower with Deborah Sena and Exhibit "4" as a photograph of him
23 and Deborah Sena in the bedroom. PHT, Vol. II, pp. 121-122. **(COUNT 61 in the alternative**
24 **to 62; COUNT 63 in the alternative to 64; COUNT 65 in the alternative to 66; COUNT**
25 **67 in the alternative to 68; and COUNT 69)**

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The Preliminary Hearing Testimony of B.S.

B.S. testified that he was 17 years of age and his date of birth is August 13, 1998. B.S. further testified that he is a senior at Bonanza High School. B.S. testified that he lives with his sister, A.S., but he used to reside at the residence located at 6012 Yellowstone Avenue, North Las Vegas, Clark County, Nevada. B.S. lived at the Yellowstone address from 1998 until June of 2014. PHT, Vol. II, pp. 147-149. B.S. testified that he lived at the residence with his half-sister, A.S. and his half-brother, T.S., and R.S. B.S. testified that Defendant and Deborah Sena are his parents and they lived in residence, as did Terrie Sena. PHT, Vol. II, pp. 149-151. B.S. testified that when he was 14 years old he engaged in sex acts with Terrie Sena in the back office area. B.S. described the office area as having a computer, anime dolls, a kitchen, and a bathroom. B.S. testified that Defendant was present when he engaged in the sex acts with Terrie Sena. PHT, Vol. II, pp. 152.

B.S. testified that Defendant told him to pull down his pants and Terrie Sena gave him oral sex. **(COUNT 79)**. B.S. testified that he put his penis in Terrie Sena's vagina. **(COUNT 80)** B.S. testified that Defendant stood and watched the entire thing and was trying to direct them. During the incident, Defendant also told B.S. to touch Terrie Sena's boobs with his hands. PHT, Vol. II, pp. 153-156. **(COUNTS 81 AND 82)**.

B.S. testified that Defendant had him come to the back office to have sex with Terrie Sena and touch her breasts, twice. PHT, Vol. II, p. 156.

B.S. clarified that the first time he went to the back office his penis went into Terrie Sena's mouth; his penis went into Terrie Sena's vagina; and, he touched Terrie Sena's boobs, when he was 14 years of age. **(COUNTS 79 – 82)** PHT, Vol. II, p. 157.

B.S. testified that the second time something happened in the office he was still 14 years old and he had gone into the back office for something early in the morning. B.S. testified that he and Defendant and Terrie Sena were the only people in the office. B.S. testified that Defendant told him and Terrie Sena to have sex and directed them. On that occasion, B.S. put his penis in Terrie Sena's vagina. **COUNT 83)** B.S. provided specific testimony that he did, in fact, touch Terrie Sena's breasts each time he went to the office and

1 engaged in sexual acts with her, B.S. also testified that he may have touched Terrie Sena's
2 breasts on that occasion but he could not remember. **(COUNTS 84-85)** PHT, Vol. II, pp. 161-
3 162.

4 B.S. testified that he had sexual contact with Deborah Sena in the bedroom when he
5 was 14 years of age. B.S. was watching T.V. Defendant called B.S. outside to the pool where
6 Defendant was with Deborah Sena. Defendant and Deborah took off their clothes and began
7 having sex in the pool. B.S. tried to look away but Defendant told him to remove his clothing
8 and told B.S. to watch him and Deborah having sex. **(COUNT 70)** PHT, Vol. II, pp. 163-
9 164. After they left the pool and went back inside the house, Defendant brought B.S. into the
10 bedroom where he and Deborah Sena were. Defendant had B.S. strip and get onto the bed.
11 Defendant instructed Deborah to sit on B.S.'s "dick" which went inside Deborah Sena's
12 vagina. PHT, Vol. II, pp. 165-166. **(COUNTS 72-73)**. B.S. then got on top of Deborah Sena
13 and put his dick back inside her vagina **(COUNT 74-75)**. B.S. testified that before the sexual
14 intercourse occurred, Defendant told Deborah Sena to give B.S. a blow job and she placed his
15 penis in her mouth. **(COUNT 71)**. PHT, Vol. II, pp. 166-168.

16 B.S. testified that he never told anyone about what had been happening in the house
17 due to death threats from the Defendant. Defendant told B.S. and other members of the
18 household that he would kill them if they told what was going on with anything. On cross
19 examination B.S. testified that he mentioned to the police something about [Defendant]
20 threatening to break his legs. PHT, Vol. II, pp. 168-170. **(COUNT 86)**.

21 **The Preliminary Hearing of A.S.**

22 A.S. testified that she was 25 years of age and her birthday is May 22, 1990. A.S.
23 graduated from high school in early June 2008. A.S. testified that Defendant is her father;
24 Deborah Sena is her stepmother; and, Terrie Sena is her mother. A.S. testified that she had
25 three brothers, B.S., age 17; R.S., a half-brother, age 17; and, T.S., age 20. PHT, Vol. III, pp.
26 6-7. A.S. testified that when she was 11 years old she living at 6012 Yellowstone Avenue,
27 North Las Vegas, Clark County, Nevada, with Defendant, Deborah Sena, Terrie Sena, T.S.,
28 B.S., and R.S. PHT, Vol. III, p. 8. During that time, A.S. would come home from school and

1 Defendant would be there. Defendant would ask A.S. if she loved him and when she said yes,
2 he wanted her to show him that she loved him. Defendant asked A.S. to take her clothes off
3 and touched her breasts area. **(COUNT 2)** A.S. testified that Defendant rubbed her clit with
4 his fingers, between the lips of her vagina area. **(COUNTS 3 AND 4)** PHT, Vol. III, pp. 13-
5 14. Defendant told A.S. to get on the bed and removed his dick/penis from his jeans and began
6 rubbing it on the outside of A.S.'s pussy/vagina. **(COUNT 5)** Defendant instructed A.S. to
7 spread out a little and she was laying on her back on the bed with her legs hanging off the bed.
8 Defendant lifted her legs and spit on his hands, rubbing saliva on his dick/penis. Defendant
9 penetrated A.S.'s anus with his penis which hurt her. **(COUNT 6 AND 7)** A.S. told
10 Defendant that it hurt her and he told her "It's going to hurt but this is life." Defendant came
11 inside of A.S.'s anus and told her to get dressed because the moms would be home. PHT, Vol.
12 III, pp. 15-16.

13 Defendant had anal intercourse with A.S. frequently, from time she was 11 years in
14 May 2001 until 2009. A.S. testified that it normally happened when the moms were gone
15 during the weekdays, two or three times a week. A.S. testified that on a rare occasion
16 Defendant would go more than a week without doing it, but he never went more than one
17 month without doing` it. In 2009, when A.S. was 19 years of age, it became less frequent.
18 PHT, Vol. III, pp. 17-18. A.S. testified that Defendant would do that to her in his room; in her
19 room; in the master bathroom; in the living room; and, in the boys' room. PHT, Vol. III, p.
20 19-20. **(COUNTS 8, 9, 11, 12, 16, 17, 23, 28, 33, 38, 43).**

21 A.S. testified that Defendant would rub his hands on her boobs, at least once a month,
22 when he was putting his penis in her. PHT, Vol. III, p. 21. **(COUNT 10, 13, 18, 24, 29, 34,**
23 **39, 44)** When A.S. was 14 years of age (May 22, 2004) Defendant began doing other things
24 to her. A.S. testified that she was taking a shower and Defendant came into the bathroom and
25 jumped into the shower with her. Defendant rubbed A.S.'s boobs and then told her to get up
26 against the wall. Defendant tried to put his penis in her anal opening but he inserted into her
27 vagina, taking her virginity. (PHT, Vol. III, p. 22. A.S. testified that Defendant put his penis
28 into her vagina on more than one occasion; and, that it happened every two weeks; never less

1 than once a month. Defendant would put his penis in A.S.'s vaginal opening in the living room;
2 in the boys' room; in the master bedroom; and, in A.S.'s room. PHT, Vol. III, pp. 23-24.
3 **(COUNTS 21, 22, 26, 27, 31, 32, 36, 37, 41, 42).**

4 A.S. testified that there were times that Defendant would put himself inside her vagina
5 and then he would put himself inside her anal opening. There was also times that he would
6 have anal sex one day and vaginal sex the other. PHT, Vol. III, p. 25. A.S. testified that
7 during that time there were days that Defendant would put his penis up against her boobs and
8 he would have her give him a blow job. A.S. was 12 years old the first time she gave Defendant
9 a blow job. A.S. gave Defendant blow jobs from the time she was 12 years old up to 2013.
10 A.S. would do this one or twice a month and some months not at all. A.S. would do this
11 mainly in the living room and the master bedroom. **(COUNTS 14, 15, 19, 20, 25, 30, 35, 40,**
12 **45)** A.S. was 23 years old in 2013. A.S. left the house in June 2013. The last time something
13 happened with Defendant was in January 2013. PHT, Vol. III, pp. 25-27.

14 When A.S. was 14 years of age, Defendant, Terrie Sena, and A.S. were in the
15 Defendant's back office. Terrie Sena gave Defendant a blow job, which A.S. described
16 Defendant's penis in Terrie Sena's mouth, while A.S. watched. Defendant inserted his penis
17 into A.S.'s anal opening, while Terrie Sena watched. **(COUNT 52)** PHT, Vol. III, pp. 29-31.

18 A.S. testified that when she was 17 to 18 years of age, during the last few months of
19 high school, before graduation, A.S. got home from school and Defendant brought Deborah
20 Sena out to where A.S. was. Defendant told A.S. to get naked and wanted her and Deborah
21 Sena play with each other's boobs and rub each other's clits. A.S. played with Deborah Sena's
22 clit and Deborah Sena rubbed the outside area of A.S.'s vagina. **(COUNTS 48, 49)** Defendant
23 had Deborah Sena get on top of A.S. Defendant inserted his penis into A.S.'s vagina while
24 Deborah was still on top of A.S. **(COUNTS 46 AND 47)** Defendant removed his penis and
25 put it in Deborah Sena's vagina or anus, while Deborah Sena was on top of A.S., with her
26 nipples touching A.S.'s chest. PHT, Vol. III, pp. 32-36. Defendant had Deborah Sena get on
27 her back and he placed a pillow under Deborah Sena's back before penetrating her again.
28 Defendant had A.S. play with herself so he could watch. A.S. touched the outside of her vagina

1 with her hand. **(COUNT 51)** PHT, Vol. III, p. 37. A.S. clarified that she touched Deborah
2 Sena's boobs **(COUNT 50)** and Deborah Sena touched her boobs; that Deborah Sena touched
3 the outside of A.S.'s pussy and A.S. touched Deborah Sena's clit. PHT, Vol. III, p. 38.

4 A.S. testified that she never told anybody in fear of what Defendant would do. A.S.
5 testified that Defendant would use threats and tell her that she was going to be taken away and
6 sent to Juvi. Defendant also told A.S. that she would do those things if she loved him. PHT,
7 Vol. III, pp. 40. **(COUNT 53)**

8 A.S. testified that between the ages of 11 and 14, Defendant engaged primarily in anal
9 intercourse with her. Additionally, without a doubt, Defendant engaged in vaginal and/or anal
10 intercourse with her at least once a year from the time she was 11 years of age until she was
11 23 years of age. Defendant also put his finger in A.S.'s pussy at least once a year throughout
12 that same time period. PHT, Vol. III, pp. 40-41.

13 **The Preliminary Hearing Testimony of R.S.**

14 R.S. testified that he was 17 years of age and his date of birth is June 14, 1998. R.S.
15 testified that he was a senior in high school and attends Sunset High School. R.S. testified
16 that he lives with his biological dad and had been living there since December 2014. R.S.
17 testified that his biological mother is Terrie Sena. PHT, Vol. IV, pp. 14-15. R.S. testified that
18 he lived at the residence located at 6012 Yellowstone Avenue, Las Vegas, Clark County
19 Nevada his entire life, until he moved out when he was 16 years old, back in June 2014. PHT,
20 Vol. III, pp. 15-16. When R.S. lived at the residence, he lived there with A.S., T.S., B.S.,
21 Deborah Sena, Defendant, and Terrie Sena. PHT, Vol. IV, pp. 17-29.

22 R.S. testified that when he was 12 and 13 years old, in the seventh or eighth grade,
23 Defendant sexually abused him. The abuse happened more than once and it happened in R.S.'s
24 room, Defendant's room, the office, and the living room. PHT, Vol. III, pp. 21-22. R.S.
25 testified that Defendant made him remove his clothes and he would touch R.S.'s behind where
26 poop comes out, with his dick. R.S. described an incident that occurred when he was 12 or 13,
27 in his bedroom, and Defendant came in and made R.S. remove his clothes, by yelling at him
28 and grabbing him. R.S. was afraid Defendant would come after him and hurt him if he did not

1 do what Defendant said. R.S. got onto the bedroom floor and laid flat on his stomach while
2 Defendant inserted his penis into R.S.'s anal opening. **(COUNT 87 AND 88)**. PHT, Vol. IV,
3 pp. 27-29. Another incident occurred in the Defendant's office, a separate building at the back
4 of the house, when R.S. was 14 or 15 years old. Defendant showed R.S. videos on his
5 computer. R.S. testified that the video was of Defendant and Terrie Sena having sex in the
6 back office. PHT, Vol. IV, pp. 29-31. **(COUNT 105)**

7 R.S. testified that when he was in junior high school, between 12 or 13 years of age, he
8 and Defendant were in the living room. R.S. had no pants or underwear on, nor did Defendant.
9 Defendant sat on the couch and had R.S. sit on his penis, inserting his penis into R.S.'s butt.
10 R.S. did not want to do that and Defendant forced him. **(COUNTS 89 AND 90)**. R.S. testified
11 that Defendant put his penis inside R.S.'s butt on three occasions when R.S. was in junior high
12 school and 12 or 13 years old; once in R.S.'s bedroom; once in the living room; and, once in
13 Defendant's room. **(COUNTS 91 AND 92)** PHT, Vol. IV, pp. 34-36.

14 R.S. testified that Defendant stopped his conduct for a little while when R.S. was 15
15 years of age. R.S. had no idea why it stopped at that time. PHT, Vol. IV, p. 36. R.S. testified
16 that when it started again he was still 15 years old and it went on until R.S. moved out of the
17 residence in June 2014. R.S. testified that it happened on two separate occasions, once in
18 Defendant's office and once in Defendant's room. The incident in the office occurred while
19 Defendant was sitting naked, on his computer chair, and R.S. sat on him and he inserted his
20 penis into R.S.'s butt. **(COUNT 93)**. The incident in Defendant's bedroom occurred with R.S.
21 laying on his stomach, on the bed, and Defendant inserting his penis into R.S.'s butt. **(COUNT**
22 **94)** PHT, Vol. IV, pp. 38-40.

23 R.S. testified that his mom, Terrie Sena, also engaged in sexually abusing him, on two
24 separate occasions. The incidents occurred in the office and in Defendant's room. The first
25 incident occurred in the bedroom prior to R.S. turning 16. R.S. went into the bedroom because
26 his mom was in there. Terrie Sena was talking to R.S. and began taking off his clothes.
27 Defendant was in the hallway and watching what was happening. Terrie Sena took all of
28 R.S.'s clothes off and Defendant told R.S. to lay on the bed, on his back. Terrie Sena removed

1 her clothes and began sucking on R.S.'s dick. PHT, Vol. IV, pp. 41-44. **(COUNT 95)**.
2 Defendant instructed Terrie Sena to lay on her back and had R.S. get on top of her and insert
3 his dick into her private spot. **(COUNTS 96 AND 97)**. PHT, Vol, IV, p. 45. Defendant had
4 R.S. get off of Terrie Sena and lay down on his back. Terrie Sena sucked R.S.'s dick while
5 Defendant got behind Terrie Sena. **(COUNT 98)**. R.S. testified that he did not want to do any
6 of those things but he was forced to do it by Defendant. PHT, Vol. IV, p. 46.

7 When R.S. was 12 or 13, he went to Defendant's office so that Defendant could help
8 him with an ingrown toenail. Afterward, Defendant told R.S. to stand up and Terrie Sena
9 removed R.S.'s clothes from the waist down. Terrie Sena sucked on R.S.'s dick. Terrie Sena
10 alternated and began sucking on Defendant's dick and then sucked on R.S.'s dick PHT, Vol.
11 IV, pp. 48-50. **(COUNTS 101 AND 102)**. R.S. testified that Defendant told him that if he
12 ever told somebody he and Terrie Sena would hate him and Defendant would make his life a
13 living hell. PHT, Vol. IV, p. 50. **(COUNT 106)**.

14 **Recorded Statement Taken from Defendant by Detective Samples**

15 On or about the day a search warrant was served on Defendant's residence, September
16 18, 2014, Detective Samples made contact with Defendant. Defendant agreed to give a
17 recorded statement to Detective Samples.

18 In such statement, Defendant described sexual conduct between himself and A.S.
19 Defendant indicated that when A.S. was about twenty-two (22) years of age, he, DEBORAH
20 SENA, and A.S. got intoxicated and went into a bedroom. Defendant indicated that it was that
21 time that DEBORAH SENA placed Defendant's penis into the anus of A.S. and he proceeded
22 to have anal sex with her until he ejaculated in her anus. Defendant indicated he had sex with
23 A.S. on a second occasion in which he and A.S. had vaginal intercourse approximately nine
24 months previous to the interview. Defendant also described a time when he, A.S. and TERRIE
25 SENA has sexual intercourse inside his office. Defendant indicated he had vaginal intercourse
26 with both A.S. and TERRIE SENA on that occasion and ejaculated in the vagina of TERRIE
27 SENA.

28 //

1 Defendant also described sexual conduct he observed involving B.S. Specifically,
2 Defendant indicated that, when B.S. was approximately three (3) years of age, he walked in
3 on Deborah “stroking” the penis of B.S. Defendant also indicated that when B.S. was
4 approximately fourteen (14) or fifteen (15) years of age, he watched B.S. and DEBORAH
5 SENA have sexual intercourse inside his bedroom.

6 **II. STATEMENT OF FACTS RELATED TO UNCHARGED CONDUCT THAT**
7 **THE COURT ORDERED ADMISSIBLE AT TRIAL OF THIS MATTER**

8 **A. Uncharged Sexual Contact Committed Upon B.S. And R.S.**

9 DEBORAH SENA told detectives that when B.S. was three (3) years old
10 CHRISTOPHER SENA told her that she was going to teach B.S. how to have sex with a
11 woman, so she was lying on her back and put B.S. on top of her. DEBORAH SENA stated
12 that CHRISTOPHER SENA was giving instructions on what to do and was trying to
13 manipulate B.S.’s penis into DEBORAH SENA’S vagina. DEBORAH SENA stated that the
14 incident had been recorded somehow. When asked what led up to the incident, she told
15 detectives that she had been in an argument with CHRISTOPHER SENA and he told her that
16 he wanted her to prove her love to him; and, made a comment that TERRIE SENA loves him
17 more, and if he loved him she would do those things.

18 DEBORAH SENA told police that she reported the above referenced conduct as well
19 as other sexual conduct to the police, through her attorney, because she was being emotionally
20 blackmailed by Defendant. Specifically, she referenced blackmail information held by
21 Defendant to include her sexual conduct with B.S. when he was three (3) years of age, a photo
22 of her sexual contact with an animal as well as other pictures and videos the Defendant had
23 depicting DEBORAH SENA and B.S. in the nude and engaged in sexual conduct.

24 Defendant made reference the event involving sexual contact between a three (3) year
25 old B.S. and DEBORAH SENA during his conversation with police. Specifically, Defendant
26 indicated that, when B.S. was approximately three (3) years of age, he walked in on Deborah
27 “stroking” the erect penis of B.S. while she was nude.

28 //

1 TERRIE SENA has testified in a prior proceedings that the first time something sexual
2 happened in the household with R.S. he was five (5) years of age. During that incident,
3 Defendant had Terrie Sena and Deborah Sena bring R.S. and B.S. into the master bedroom.
4 Defendant had Terrie Sena undress B.S. and had Deborah Sena undress R.S., at which time
5 Terrie Sena performed fellatio on B.S. and Deborah Sena performed fellatio on R.S.
6 Defendant was standing on the side of the bed when the incident occurred. Terrie Sena did
7 was not aware of whether that incident was recorded or not.

8 **B. Uncharged Sexual Contact Committed Upon M.C. And Photos Taken Of**
9 **M.C. By Defendant Constituting Child Pornography**

10 When interviewed by the police on approximately December 1, 2014, M.C. disclosed
11 specific incidents in which she was sexual abused by Defendant when she was young. This
12 occurred in the course of Defendant taking most of the photos of M.C., which constitute child
13 pornography, for which he is currently charged.

14 She first recalled when she was ten (10) or eleven (11) years of age, she visited
15 Defendant and TERRIE SENA at their apartment in Las Vegas. At that same time, while
16 visiting such apartment, TERRIE SENA told M.C. to go into the master bedroom and speak
17 with Defendant who was waiting for her. Upon entering the bedroom, Defendant was sitting
18 inside the closet in a pair of shorts. Defendant told M.C. he wanted to have a special bond
19 with her that should only be between them. Defendant then exposed his penis to M.C. and
20 told her to touch it which she did. Defendant then told her that since he showed her his penis
21 that she had to show him something. M.C. subsequently removed her shirt and exposed her
22 breasts. Defendant fondled her breasts after which he allowed M.C. to leave the room.

23 On another occasion when M.C. was approximately fifteen (15) or sixteen (16) years
24 of age, in the same apartment, Defendant and M.C. were alone in the living room while
25 watching a movie. Defendant told M.C. that if she loved him she would have anal sex with
26 him. Defendant removed his pants, put M.C. on her stomach, and had anal intercourse with
27 M.C. until he ejaculated on her back. M.C. remembered the penetration hurting and that she
28 asked Defendant to stop but he didn't until he ejaculated.

1 Also while M.C. was approximately fifteen (15) or sixteen (16) years of age, in the
2 same apartment, Defendant indicated to M.C. that he would stop having sexual intercourse
3 with M.C. and move onto another hobby. Defendant indicated he would need to have sexual
4 intercourse with her on one last time. Defendant pushed her against the wall with the front of
5 her body facing the wall and her standing up. Defendant proceeded to have anal intercourse
6 with M.C. M.C. remembers that Defendant ejaculated in a towel and her anus bled after the
7 incident.

8 **C. Uncharged Acts Of Violence Committed Upon Debra Sena And/Or A.S.**
9 **And/Or B.S. And/Or T.S. And/Or R.S.**

10 On or about September 15, 2014, DEBORAH SENA wrote a statement in which she
11 described a number of violent acts committed upon her and other members of her family living
12 in the family residence which caused members of the family to be fearful of not listening to
13 Defendant. Specifically, DEBORAH SENA indicated that Defendant made it known that if
14 anyone ever called the police on him that he could do quite a bit of damage before the police
15 arrived and that if he ever was put in jail he would eventually get out and either kill or break
16 the legs of the person who put him in jail. Defendant committed regular acts of violence
17 against DEBORAH SENA and family members when things were not done as he wanted.

18 In approximately May 2014, DEBORAH SENA observed B.S. making a sandwich for
19 his sister, A.S. Defendant did not agree with a male making a sandwich for a female and
20 pushed B.S. up against the wall and balled his fist up and told B.S. not to try him. As a result,
21 B.S. walked away. As a result of this contact, B.S. talked to A.S. and indicated he was
22 contemplating suicide. It was after this conversation that B.S. and A.S. left the residence with
23 DEBORAH SENA.

24 **D. Emails Sent To Debra Sena And/Or Others By Defendant In September**
25 **2014**

26 In September 2014, after DEBORAH SENA, B.S. and A.S. had left the family
27 residence, Defendant sent a series of e-mail messages to some of his children, DEBORAH
28 SENA, and various individuals employed at Cox Cable.

1 In an e-mail message sent on September 11, 2014, Defendant sent the e-mail to
2 DEBORAH SENA and some of his children. The e-mail indicated Defendant wanted to
3 communicate with them. It was that same day that an e-mail message was received by various
4 individuals at Cox Communications, where DEBORAH SENA worked, from Defendant to
5 which a photo was attached depicting DEBORA SENA in the nude and having apparent sexual
6 contact with a dog¹.

7 On September 15, 2014, Defendant sent another email to DEBORAH SENA in which
8 he references the possibility of him releasing a video depicting DEBORAH SENA and B.S.
9 Defendant indicates that “instead of spending all that money for a divorce all he had to do was
10 send a small video clip of you and [B.S]”. Defendant further indicates that this would result
11 in DEBORAH SENA having “free room and board and medical”.

12 On September 17, 2014, Defendant sent another email to DEBORAH SENA in which
13 Defendant indicates he may disclose that DEBORAH SENA was having sex with B.S. when
14 he was three (3) years of age as well as disclosing a video of DEBORAH SENA having sex
15 with B.S.

16 Trial of this matter is scheduled to commence on September 5, 2018. On August 13,
17 2018, Defendant filed a Notice of Expert Witnesses, Pursuant to NRS 174.234(2). The State
18 herein files its Motion to Strike Defendant’s Notice of Expert Witnesses, Pursuant to NRS
19 174.234(2).

20 APPLICABLE LAW

21 NRS 174.234(2) states:

22 2. If the defendant will be tried for one or more offenses that are
23 punishable as a gross misdemeanor or felony and a witness that a
24 party intends to call during the case in chief of the state or during
25 the case in chief of the defendant is expected to offer testimony as
26 an expert witness, the party who intends to call that witness shall
file and serve upon the opposing party, not less than 21 days before
trial or at such other time as the court directs, a written notice
containing:

27 ¹ On September 25, 2017, the Court conducted a Petrocelli Hearing and granted State’s Motion to Admit Evidence of
28 Other Crimes, Wrongs or Acts, with the exception of the photographs depicting sexual conduct with any animal, unless
the defense opens the door by denying he had any knowledge and/or control of the emails/photographs. The State has
recently filed a Motion for Clarification with the Court in regard to the ruling.

1 (a) A brief statement regarding the subject matter on which the
2 expert witness is expected to testify and the substance of his
testimony;

3 (b) A copy of the curriculum vitae of the expert witness; and

4 (c) A copy of all reports made by or at the direction of the expert
5 witness.

6 NRS 174.234(3)(b) further states:

7 3. After complying with the provisions of subsections 1 and 2,
8 each party has a continuing duty to file and serve upon the
opposing party:

9 (b) Any information relating to an expert witness that is required
10 to be disclosed pursuant to subsection 2. A party shall provide
information pursuant to this paragraph as soon as practicable after
11 the party obtains that information. The court shall prohibit the
party from introducing that information in evidence or shall
12 prohibit the expert witness from testifying if the court determines
that the party acted in bad faith by not timely disclosing that
13 information pursuant to subsection 2.

14 NRS 50.275, governing "Testimony by experts," permits expert witness testimony in
15 the following circumstances:

16 If scientific, technical or other specialized knowledge will assist the
17 trier of fact to understand the evidence or to determine a fact in issue,
a witness qualified as an expert by special knowledge, skill,
18 experience, training or education may testify to matters within the
scope of such knowledge.

19 In Perez v. State, 313 P.3d 862, 129 Nev.Adv.Op. 90 (2013), the Nevada Supreme
20 Court addressed the admissibility of expert testimony and stated, in relevant portion:

21 **The threshold test for the admissibility of testimony by a**
22 **qualified expert is whether the expert's specialized knowledge**
23 **will assist the trier of fact to understand the evidence or**
24 **determine a fact in issue.** Townsend v. State, 103 Nev. 113,
117, 734 P.2d 705, 708 (1987); see NRS 50.275 ("If scientific,
25 technical or other specialized knowledge will assist the trier of fact
to understand the evidence or to determine a fact in issue, a witness
26 qualified as an expert by special knowledge, skill, experience,
training or education may testify to matters within the scope of
such knowledge."). Expert testimony is admissible if it meets the
27 following three requirements, which we have described as the
"qualification," "assistance," and "limited scope" requirements:
28 (1) [the expert] must be qualified in an area of "scientific, technical
or other specialized knowledge" (the qualification requirement);
(2) his or her specialized knowledge must "assist the trier of fact
to understand the evidence or to determine a fact in issue" (the

assistance requirement); and (3) his or her testimony must be limited "to matters within the scope of [his or her specialized] knowledge" (the limited scope requirement).

Hallmark v. Eldridge, 124 Nev. 492, 498, 189 P.3d 646, 650 (2008) (second alteration in original) (quoting NRS 50.275); *see also* Higgs v. State, 126 Nev. ___, ___, 222 P.3d 648, 658 (2010). We review a district court's decision to allow expert testimony for an abuse of discretion. Hallmark, 124 Nev. At 498, 189 P.3d at 650.

Perez, *supra*, 313 P.3d 862 at 866 (emphasis added). Here, Defendant's proposed expert testimony does not meet even the threshold test for admissibility.

Expert testimony is generally admissible at trial when the subject matter of inquiry is sufficiently beyond the common experience of an average juror and is one in which only persons of skill and experience in the area are capable of forming a correct judgment regarding a connected fact. People v. Johnson, 423 N.E.2d 1206, 1216, (Ill.App., 1981). Expert opinions may not be admitted on matters of common knowledge unless the subject is difficult in comprehension and explanation. Id.

The "assistance" requirement has two components: whether the testimony is (1) relevant and (2) the product of reliable methodology. Hallmark, 124 Nev. at 500, 189 P.3d at 651 ("An expert's testimony will assist the trier of fact only when it is relevant and the product of reliable methodology." (footnote omitted))." Perez, 313 P.3d 862 at 867. The Perez Court articulated five factors to use in evaluating the second component of the "assistance" requirement—whether an expert's opinion is the product of reliable methodology. Id., 313 P.3d 862 at 869. These factors include whether the opinion is (1) within a recognized field of expertise; (2) testable and has been tested; (3) published and subjected to peer review; (4) generally accepted in the scientific community (not always determinative); and (5) based more on particularized facts rather than assumption, conjecture, or generalization. Hallmark, 124 Nev. at 500-01, 189 P.3d at 651-52 (footnotes omitted) (emphasis added).

Relevant evidence is not admissible if its probative value is substantially outweighed by the danger of unfair prejudice or misleading the jury, or if it amounts to needless presentation of cumulative evidence. NRS 48.035.

//

ARGUMENT

**I. THE DEFENDANT HAS FAILED TO PRESENT ADEQUATE NOTICE OF
EXPERT WITNESS PURSUANT TO NRS 174.234(2)**

Pursuant to NRS 174.234(2), as noted above, a notice of expert must include:
“A brief Statement regarding the subject matter on witch the expert
witness is expected to testify and the substance of his testimony”

NRS 174.234(2)(a). In the subject case, Defendant’s notice details the following:

“ . . . His testimony will provide expert opinions on sexual abuse
studies and research involving incest, sexual abuse of minors, child
pornography, child abuse, bestiality as well as psychosexual profiles
and evaluation, if any.

The State notes that the above provides a very general description of subject matter.
The State submits even the description of subject matter is not complete. From this
description, it cannot be determined if the proffered testimony would even be relevant in any
way to the subject case. The subject matter proffered is an expert opinion on “studies and
research” but there is no reference to what specific studies and research this expert will be
providing expert testimony on and, thus, no indication if such studies and research are even
relevant to this case. Additionally, the subject matter is further described as an expert opinion
on “psychosexual profiles and evaluation”. It is not clear what or whose psychosexual profile
or evaluation to which the notice refers. Clearly, the State cannot assess whether the State
should seek to challenge such studies, research, psychosexual profiles or evaluations with their
own expert based upon this notice.

Relative to the above expert notice, most obvious, there is no notice of the “substance
of his testimony”. For example, is the expert going to testify that the children in this case are
not capable of relaying specific acts of sexual abuse, is the expert going to testify as to the
unreliability of the manner of the disclosure of the children, is the expert going to testify as to
questionable words used by each child to disclose abuse, or maybe some other line of
testimony. The point is, there is literally no detail of the substance of testimony. The State
also notes that Defendant references eliciting potential testimony from their witness related to
such things as child pornography and bestiality. Depending upon the nature of the testimony

1 sought to be introduced, there is a great amount of additional evidence which the State is not
2 currently seeking to admit related to Defendant's interest in such things as both child
3 pornography and bestiality, which the State might seek to admit once the subject matter and
4 substance of such expert's testimony is known.

5 It is clear that the Notice provided by Defendant does not comply with the statutory
6 dictate of NRS 174.234. As such, the State cannot fully assess the expert's qualification to
7 testify, the relevance of his testimony, the need for the State to seek an expert to rebut the
8 testimony provided, or even seek the admission of additional evidence. For this reason, the
9 State seeks to strike such notice.

10 CONCLUSION

11 For the reasons stated above, the State respectfully requests this Court grant the State's
12 Motion to Strike Defendant's Notice of Expert Witnesses, Pursuant to NRS 174.234(2).


13 DATED this 14th day of August, 2018.

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

16 BY

17 
18 JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144

19 BY

20 
21 MARY KAY HOLTHUS
Chief Deputy District Attorney
Nevada Bar #003814

AFFIDAVIT OF ENTER DEPUTY DA NAME IN
SUPPORT OF ORDER SHORTENING TIME

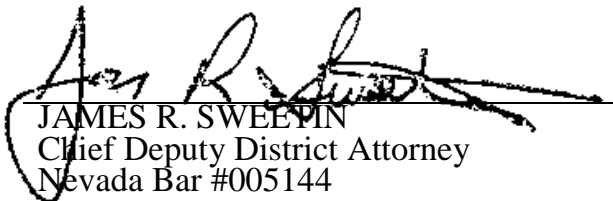
STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, **JAMES R. SWEETIN**, being first duly sworn, deposes and says:

1. That I am employed in the Office of the Clark County District Attorney, State of Nevada and am engaged in the prosecution of criminal matters and have been so employed for the period of twenty-three (23) years.
2. That on August 13, 2018, Defendant filed a Notice of Expert Witnesses, Pursuant to NRS 174.234(2). Such notice detailed Greg Harder as an expert; however, the State submits the notice provided did not provide the minimum information required by NRS 174.234(2).
3. That, absent the minimum statutory information required by NRS 174.234(2), the State is not able to assess the expert's qualification to testify, the relevance of his testimony, or the need for the State to seek an expert to rebut the testimony provided.
4. That trial in this matter is currently set for September 4, 2018, and, thus, a timely ruling from this Court as to the adequacy of Defendant's Notice of Expert Witness is essential for the State's preparation for trial.
5. That, for the above reason, the State is filing a Motion to Strike Defendant's Notice of Expert Witnesses, Pursuant to NRS 174.234(2) and seeks that such Motion be heard as soon as possible.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed on 08/14/2018
(Date)


JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144

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VIOLET RADOSTA, DPD

IN appearing to the satisfaction of the Court, and good cause appearing therefor,

IT IS HEREBY ORDERED that the forgoing Motion to Strike Defendant's Notice of Expert Witnesses, Pursuant to NRS 174.234(2), will be heard in Department XIX on _____, AUGUST, 2018, at the hour of 8:30 o'clock AM.

DATED this _____ day of August, 2018.

DISTRICT JUDGE

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

BY

JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144

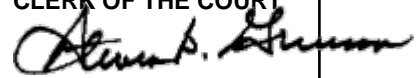
CERTIFICATE OF SERVICE

I hereby certify that service of the above and foregoing was made this 14th day of
AUGUST, 2018, to:

VIOLET RADOSTA, DPD
mcmahae@ClarkCountyNV.gov

BY /s/ HOWARD CONRAD
Secretary for the District Attorney's Office
Special Victims Unit

hjc/SVU



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Attorneys for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,)	
)	
Plaintiff,)	CASE NO. C-15-311453-1
)	
v.)	DEPT. NO. XIX
)	
CHRISTOPHER SENA,)	
)	DATE: August 22, 2018
Defendant,)	TIME: 8:30 a.m.
)	

OPPOSITION TO MOTION TO STRIKE EXPERT WITNESS NOTICE

COMES NOW, the Defendant, CHRISTOPHER SENA, by and through VIOLET R. RADOSTA, Deputy Public Defender and hereby requests the Court deny the State's motion.

This Motion is made and based upon all the papers and pleadings on file herein, the attached Declaration of Counsel, and oral argument at the time set for hearing this Motion.

DATED this 20th day of August, 2018.

PHILIP J. KOHN
CLARK COUNTY PUBLIC DEFENDER

By: /s/Violet R. Radosta
VIOLET R. RADOSTA, #5747
Deputy Public Defender

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VIOLET R. RADOSTA makes the following declaration:

- I am an attorney duly licensed to practice law in the State of Nevada; I am a Deputy Public Defender for the Clark County Public Defender's Office appointed to represent Defendant Christopher Sena in the present matter;

- I am more than 18 years of age and am competent to testify as to the matters stated herein. I am familiar with the procedural history of the case and the substantive allegations made by The State of Nevada. I also have personal knowledge of the facts stated herein or I have been informed of these facts and believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct. (NRS 53.045).

EXECUTED this 20th day of August, 2018.

/s/Violet R. Radosta
VIOLET R. RADOSTA

POINTS AND AUTHORITIES

On August 13th, 2018, the Defense filed a Notice of Expert Witness listed Dr. Greg Harder, Psy.D, a forensic psychologist as an expert witness pursuant to NRS 174.234(2). The notice complied with the requirements of NRS 174.234 by stating the subject matter on which the expert is expected to testify and the substance of his testimony.

On August 14th, 2018, the State filed a motion to strike the Defense's Notice of Witness claiming the notice was inadequate in that the State was unable to discern the topic/subject matter of Dr. Harder's testimony.

The Defense notice is wholly compliant with NRS 174.234 and the Court should deny the State's motion to strike. In its notice, the Defense stated the testimony will provide 'expert opinions of sexual abuse studies and research involving incest, sexual abuse of minors, child pornography, child abuse, bestiality as well as psychological profiles and evaluations, if any.' It is interesting to note the notice provided for Dr. Harder is more detailed than the notice the State has provided for its expert witnesses.¹

Apparently, the State is unable to discern that Dr. Harder will be testifying about psychological profiles and psychological evaluations of alleged offenders of the crimes that Mr. Sena is currently charged with such as incest, child pornography and sexual abuse of minors. As the State is now seeking the admission of videos of members of this family engaging in sexual acts with the family pet, he may also speak to those allegations should the Court deem them admitted. He will only testify about bestiality should the State proffer evidence of bestiality in its case.

The Defense notice in this case is compliant with the requirements of NRS 174.234 and should not be struck. Dr. Harder is a defense witness who is expected to testify to the defense theory of the case. To grant the State's motion to strike Dr. Harder from the defense's witness list would be a violation of Mr. Sena's constitutional due process rights.

¹ Dr. Sandra Cetl -will testify as an expert as to the nature, process and limitations of sexual assault examinations and/or the sexual assault examinations conducted in the instant case.

Vincente Ramirez – will testify as an expert as to the forensic examination of computers and related electronics technology, and/or as to the forensic examination of computers and related technology acquired in the instant case.

1 In Perez v. State, the Nevada Supreme Court held that the State's expert witness notice
2 was sufficient. 129 Nev. 850, 313 P.3d 862 (2013). In that case, the State provided timely
3 notice that Dr. Paglini was expected to testify as to the 'grooming techniques used on children'
4 in a case involving child sexual abuse charges. The State attached Dr. Paglini's curriculum vitae
5 to its notice. No reports were provided to the defense because Dr. Paglini did not produce any
6 reports for the case. The Nevada Supreme Court held it was not an abuse of discretion to allow
7 the Dr. Paglini to testify as an expert witness for the State.

8 The notice provided by the defense for Dr. Harder is more detailed than the one ruled
9 permissible in Perez. In light of that, the State's motion to strike should be denied.

10 Finally, the State objects to the notice provided because there is no indication in the
11 notice of the specific studies and research that Dr. Harder is relying on for his testimony. The
12 State fails to cite to any statute or case that requires either the State or the Defense to provide a
13 list of the specific studies and/or research an expert witness has used to prepare for his/her
14 testimony. Such a list is not required pursuant to NRS 174.234 and failure to provide is not a
15 basis to strike an otherwise compliant expert witness notice.

16 The Defense respectfully requests the State's Motion to Strike to be denied.

17 DATED this 20th day of August, 2018.

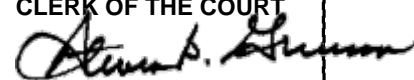
18 PHILIP J. KOHN
19 CLARK COUNTY PUBLIC DEFENDER

20 By: /s/Violet R. Radosta
21 VIOLET R. RADOSTA, #5747
22 Deputy Public Defender
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District Attorney's Office
E-Mail Address:
Jennifer.Georges@clarkcountyda.com

By: /s/ Annie McMahan
An employee of the
Clark County Public Defender's Office



ORIGINAL

ORDR
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

CHRISTOPHER SENA,
#0779849

Defendant.

CASE NO: **C-15-311453-1**

DEPT NO: **XIX**

ORDER GRANTING STATE'S MOTION TO STRIKE EXPERT WITNESS

DATE OF HEARING: **AUGUST 22, 2018**
TIME OF HEARING: **8:30 A.M.**

THIS MATTER having presented before the above entitled Court on the 11TH day of
DECEMBER, 2018; Defendant being present, represented by VIOLET RADOSTA, DPD,
and DAVID LOPEZ-NEGRETTE, DPD; the Plaintiff being represented by STEVEN B.
WOLFSON, District Attorney, through JAMES R. SWEETIN, Chief Deputy District
Attorney, and MARY KAY HOLTHUS, Chief Deputy District Attorney; and without
argument, based on the pleadings and good cause appearing therefor,

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//

1 THE COURT HEREBY ORDERS that the STATE'S MOTION TO STRIKE
2 EXPERT WITNESS is GRANTED.

3 DATED this 22nd day of August, 2018.

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5 
DISTRICT JUDGE

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

9 BY


10 JAMES R. SWEETIN
11 Chief Deputy District Attorney
12 Nevada Bar #005144
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28 hjc/SVU

Steven D. Grierson

PHILIP J. KOHN, PUBLIC DEFENDER
NEVADA BAR NO. 0556
VIOLET R. RADOSTA, DEPUTY PUBLIC DEFENDER
NEVADA BAR NO. 5747
PUBLIC DEFENDERS OFFICE
309 South Third Street, Suite 226
Las Vegas, Nevada 89155
Telephone: (702) 455-4685
Facsimile: (702) 455-5112
RadostVR@clarkcountynv.gov
Attorneys for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

DEPARTMENT XIX
NOTICE OF HEARING
DATE 8/22/18 TIME 8:30
APPROVED BY mmc

THE STATE OF NEVADA,

Plaintiff,

v.

CHRISTOPHER SENA,

Defendant,

CASE NO. C-15-311453-1
DEPT. NO. XIX
DATE: August 22, 2018
TIME: 8:30 a.m.

**DEFENDANT'S MOTION FOR PRODUCTION OF
CO-OFFENDERS' PSIs AND RELATED DISCOVERY**

COMES NOW Defendant CHRISTOPHER SENA, by and through Deputy Public
Defender VIOLET R. RADOSTA, and requests this Honorable Court to order the State of
Nevada to produce the discovery and Brady material discussed herein pursuant to NRS 174.235;
NRS 174.285; Kyles v. Whitley, 514 U.S. 419 (1995); Brady v. Maryland, 373 U.S. 83 (1963)
(and their progeny).

This Motion is made and based upon all the papers and pleadings on file herein, the
attached Declaration of Counsel, and oral argument at the time set for hearing this Motion.

DATED this 20th day of August, 2018.

PHILIP J. KOHN
CLARK COUNTY PUBLIC DEFENDER

By: /s/Violet R. Radosta
VIOLET R. RADOSTA, #5747
Deputy Public Defender

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VIOLET R. RADOSTA makes the following declaration:

1. I am an attorney duly licensed to practice law in the State of Nevada; I represent Defendant Christopher Sena in the present matter.

I declare under penalty of perjury that the foregoing is true and correct. (NRS 53.045).

EXECUTED this 20th day of August, 2018.

/s/Violet R. Radosta
VIOLET R. RADOSTA

1 POINTS & AUTHORITIES

2 ABBREVIATED FACTS

3 Defendant Christopher Sena faces 124 felony charges for sexually abusing his minor
4 children and stepchildren with the participation of his first and second wives, Teri and Deborah
5 Sena, over a course of years. The State also charged Teri and Deborah for their conduct and
6 their cases resolved via plea bargains that included agreements to testify against Defendant in his
7 trial. In preparation for sentencing, the Division of Parole & Probation interviewed Teri and
8 Deborah regarding the instant case and incorporated this information into their Presentence
9 Investigation Reports (PSIs).

10 The Defense requested copies of these reports as discoverable material in the State's
11 possession but it has not produced them.

12 DATED this 20th day of August, 2018.

13 PHILIP J. KOHN
14 CLARK COUNTY PUBLIC DEFENDER

15 By: /s/Violet R. Radosta
16 VIOLET R. RADOSTA, #5747
17 Deputy Public Defender
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DEFENDANT'S SPECIFIC DISCOVERY REQUESTS

These requests do not limit or substitute the State's duty to comply with Brady and Kyles.

1. The Presentence Investigation Reports of Teri and Deborah Sena, including the PSI writer's notes from their interviews.

Teri and Deborah are adverse witnesses against Defendant in his trial. The PSI reports necessarily include their statements about the facts of the case and their involvement. Having all of Teri's and Deborah's statements are crucial for effective preparation and cross examination. The PSIs also contain impeachment material if Teri and Deborah made any statements to the PSI writers which are in any way inconsistent with their testimony or prior statements to investigators. To the extent that Teri and Deborah discussed Defendant in their interviews, the PSIs will also contain Defendant's statements (which may be admissible as party admissions). Though the PSI writer may not have incorporated all of the Teri and Deborah's statements in the final report, notes of these conversations still constitute discoverable material to which Defendant is entitled.

If the State possesses any other witness statements by Teri and Deborah or any other adverse witness, whether recorded or unrecorded, the defense requests them.

LAW

Prior to trial, prosecutors are required to disclose both inculpatory and exculpatory information within their actual or constructive possession.

I. Prosecutors must Disclose *Inculpatory* Evidence

NRS 174.235 requires prosecutors to disclose evidence "within the possession, custody or control of the state, the existence of which is known, or by the exercise of due diligence may become known." NRS 174.235(1)(a)-(c).

1 ***A. Prosecutors must disclose all inculpatory evidence, regardless of whether the material is***
2 ***intended for use in the government's case in chief***

3 Prosecutors may not lawfully withhold inculpatory information from the defense simply
4 because they do not intend to present the information in the government's case-in-chief. State v.
5 Harrington, 9 Nev. 91, 94 (1873); People v. Carter, 312 P.2d 665, 675 (Cal.1957); People v.
6 Bunyard, 756 P.2d 795, 809 (Cal. 1988). Any holding to the contrary would allow prosecutors
7 to engage in unfair surprise by withholding inculpatory material from the government's case-in-
8 chief, only to surprise the defense by using it in rebuttal. Thus, prosecutors must disclose all
9 inculpatory evidence of which they are actually or constructively aware, including material not
10 necessarily intended for introduction in the prosecution's case-in-chief.

11 ***B. Fundamental fairness requires that NRS 174.235 be interpreted to encompass all***
12 ***statements made by a defendant, regardless of whether they are reduced to writing or***
13 ***recorded***

14 While NRS 174.235 obligates prosecutors to disclose a defendant's written or recorded
15 statements, fundamental fairness requires disclosure of unrecorded statements and statements for
16 which a defendant can be held vicariously liable.¹ Courts have recognized the fundamental
17 fairness involved in "granting the accused equal access to his own words, no matter how the
18 government came by them." U.S. v. Caldwell, 543 F.2d 1333, 1353 (D.D.C. 1974). This
19 includes allowing an accused access to his unrecorded words, including adoptive or vicarious
20 admissions. NRS 174.235 must be construed to require pretrial disclosure of any unrecorded
21 statements or admissions, including those for which the defendant can be held vicariously liable.

22 **II. Prosecutors Must Disclose Exculpatory Evidence as Required by the U.S. and**
23 **Nevada Constitutions**

24 The United States and Nevada Constitutions require prosecutors to disclose all
25 exculpatory information of which they are actually or constructively aware. U.S. Const. Amend.
26 V, VI, XIV; Nev. Const. Art. 1, Sect. 8; Brady v. Maryland, 373 U.S. 83 (1963); Kyles v.

27

¹ NRS 51.035(3)(a)-(e) provides that a defendant can be held vicariously liable for statements made by third parties.
28 See also Fields v. State, 129 Nev. 785 (2009) (finding evidence of defendant's silence following wife's complaint
that she was in jail because of his conduct admissible as an adoptive admission).

1 Whitley, 514 U.S. 419, (1995). A prosecutor's failure to disclose exculpatory evidence violates
2 the Due Process Clause. Jimenez v. State, 112 Nev. 610, 618 (1996). A due process violation
3 occurs when exculpatory evidence is withheld, regardless of the prosecution's motive. Jimenez,
4 112 Nev. 610.

5 ***A. Brady Places Broad Disclosure Obligations on Prosecutors, Questions About Which***
6 ***Must Be Resolved In Favor Of Disclosure***

7 Exculpatory evidence is information favorable to the defendant that is material to the
8 issue of guilt or punishment. U.S. v. Bagley, 473 U.S. 667, 675 (1985). Evidence is material
9 and favorable to the accused if its non-disclosure undermines confidence in the outcome of the
10 trial. Kyles, 514 U.S. at 434-35. This evidence must be disclosed even in the absence of a Brady
11 request.² Bagley, 473 U.S. at 680-82.

12 Ultimately, prosecutors are tasked with a "broad duty of disclosure." Strickler, 527 U.S.
13 at 281; cf. U.S. v. Agurs, 427 U.S. 97, 108 (1976) (holding that "the prudent prosecutor will
14 resolve doubtful questions in favor of disclosure"). As the Nevada Supreme Court has
15 explained:

16 Due process does not require simply the disclosure of "exculpatory" evidence.
17 Evidence also must be disclosed if it provides grounds for the defense to attack the
18 reliability, thoroughness, and good faith of the police investigation, to impeach the
19 credibility of the state's witnesses, or to bolster the defense case against
20 prosecutorial attacks. Furthermore, "discovery in a criminal case is not limited to
21 investigative leads or reports that are admissible in evidence." Evidence "need not
22 have been independently admissible to have been material."

23 Mazzan v. Warden, 116 Nev. 48, 67 (2000) (internal citations omitted). Thus, any question as to
24 whether certain material, information, or evidence falls within the purview of Brady should be
25 resolved in favor of disclosure. Agurs, 427 U.S. at 108; see also Kyles, 514 U.S. at 439 ("a
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² However, a specific Brady request changes the standard of review on appeal. When a defendant makes a specific request, a reversal is warranted when "there exists a reasonable *possibility* that the claimed evidence would have affected the judgment of the trier of fact." Jimenez, 112 Nev. 619; State v. Bennett, 119 Nev. 589 (2003). However, absent a specific request, reversal is warranted, "if there exists a reasonable *probability* that, had the evidence been disclosed, the result of the proceeding would have been different." Bagley, 473 U.S. at 667, 682, 685; Pennsylvania v. Ritchie, 480 U.S. 39, 57 (1986). A reasonable probability is a probability sufficient to undermine confidence in the outcome. Bagley, 473 U.S. at 678, 685; Ritchie, 480 U.S. at 57.

1 prosecutor anxious about tacking too close to the wind will disclose a favorable piece of
2 evidence.”).

3 ***B. Favorable Evidence Includes Impeachment Information***

4 The Due Process Clause of the Fifth and Fourteenth Amendments requires prosecutors to
5 disclose “any information about its witnesses that could cast doubt on their credibility.” U.S. v.
6 Jennings, 960 F.2d 1488, 1490 (9th Cir. 1992). A witness can be attacked by “revealing possible
7 biases, prejudices, or ulterior motives of the witnesses as they may relate directly to issues or
8 personalities in the case at hand. The partiality of a witness is . . . always relevant [to]
9 discrediting the witness and affecting the weight of his testimony.” Davis, 415 U.S. at 316; see
10 also Lobato v. State, 120 Nev. 512 (2004) (discussing the nine basic modes of impeachment).
11 Accordingly, favorable evidence includes impeachment information pertaining to all government
12 witnesses. Giglio v. U.S., 405 U.S. 150, 154 (1972); Youngblood v. West Virginia, 547 U.S.
13 867 (2006); U.S. v. Bagley, 473 U.S. at 676 (requiring disclosure of all impeachment evidence).

14 **1. Impeachment information includes evidence contradicting a government** 15 **witness’s statement**

16 Impeachment evidence encompasses prior inconsistent statements and other evidence that
17 contradicts government witnesses. Accordingly, prosecutors must disclose prior inconsistent
18 statements by prosecution witnesses. Lay v. State, 116 Nev. 1185, 1199 (2000). Prosecutors
19 must also disclose other evidence contradicting the testimony of government witnesses. Rudin v.
20 State, 120 Nev. 121, 139 (2004).

21 **2. Confidential records must be disclosed if they contain impeachment information**

22 Impeachment evidence can derive from privileged or confidential material. When this
23 occurs, the privileged or confidential nature of the material at issue must yield to a defendant’s
24 constitutionally secured right to confront and cross-examine those who testify against him.
25 Davis, 415 U.S. at 356 (finding the State’s interest in maintaining confidentiality of juvenile
26 records must yield to defendant’s right to cross-examine as to bias); see also U.S. v. Nixon, 418
27 U.S. 683, 713 (1974) (generalized assertion of privilege must yield to demonstrated, specific
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1 need for evidence in a pending criminal case). Thus, prosecutors must obtain and disclose
2 privileged and confidential records when the records contain information bearing on witness
3 credibility.³

4 This includes adult and juvenile parole, probation, jail, and prison records. U.S. v.
5 Strifler, 851 F.2d 1197, 1201 (9th Cir. 1988); Carriger v. Stewart, 132 F.3d 463, 479-82 (9th Cir.
6 1997) (requiring production of Department of Corrections file on principal government witness);
7 Davis, 415 U.S. at 356; see also Bennett, 119 Nev.at 603 (2003) (failure to disclose co-
8 conspirator's juvenile records in penalty hearing amounted to Brady violation). Thus,
9 prosecutors cannot refuse disclosure of impeachment information on the basis that the
10 information is privileged or confidential.

11 ***C. Favorable Evidence Includes Witnesses with Exculpatory Information***

12 Prosecutors must disclose the identity of witnesses possessing exculpatory information,
13 as no legitimate interest is served by precluding the defense from calling such witnesses for trial.
14 U.S. v. Eley, 335 F.Supp. 353 (N.D. Ga. 1972); U.S. v. Houston, 339 F.Supp. 762 (N.D. GA
15 1972).

16 **III. The Disclosure Obligations Conferred by NRS 174.235 and Brady Include Rough** 17 **Notes**

18 Raw notes made by any law enforcement officer or other prosecution agent in connection
19 with the investigation of instant matter must be disclosed to the defense. See, e.g., State v.
20 Banks, 2014 WL 7004489 (Nev. S.Ct. Dec. 10, 2014) (unpublished) (court did not take issue
21 with lower court's order requiring preservation and disclosure of police officer's rough notes);
22 see also U.S. v. Clark, 385 F.3d 609, 619 (6th Cir. 2004) (finding rough notes discoverable under
23 F.R.C.P. 16); U.S. v. Molina-Guevara, 96 F.3d 698, 705 (3d Cir. 1996) (remanding on other
24 grounds but noting that, on remand, production of rough notes required under F.R.C.P. 16); U.S.
25 v. Harris, 543 F.2d 1247 (9th Cir. 1976) (noting as important, and requiring preservation of, law
26

27 ³ At a minimum, otherwise confidential or privileged material must be submitted to the Court for an *in camera*
28 review to determine materiality. Pennsylvania v. Ritchie, 480 U.S. 39, 60 (1987).

1 enforcement rough notes). Notably, this does not include information amounting to work
2 product.

3 **IV. The Disclosure Obligations Set Forth Above Extend to All Material in the**
4 **Prosecutors Actual or Constructive Possession**

5 Prosecutors must turn over all material related to the case in the possession, control and
6 custody of any government agent or agency. See U.S. v. Blanco, 392 F.3d 382, 388 (9th Cir.
7 2004). Prosecutors are responsible for disclosing evidence in their possession as well as
8 evidence held or maintained by other government agents, as “it is appropriate to charge the State
9 with constructive knowledge” of evidence held by any investigating agency. Bennett, 119 Nev.
10 at 603.

11 This constructive possession rule applies to evidence that is *withheld* by other agencies.
12 Bennett, 119 Nev. at 603. Even if investigating officers withhold reports without the
13 prosecutor’s knowledge, “the state attorney is *charged with constructive knowledge and*
14 *possession of evidence withheld by other state agents*, such as law enforcement officers.” Id.
15 (internal quotations and citation omitted) (emphasis added). “Exculpatory evidence cannot be
16 kept out of the hands of the defense just because the prosecutor does not have it, where an
17 investigative agency does.” U.S. v. Zuno-Arce, 44 F.3d 1420, 1427 (9th Cir. 1995). “It is a
18 violation of due process for the prosecutor to withhold exculpatory evidence, and his motive for
19 doing so is immaterial.” Jimenez, 112 Nev. at 618.

20 **CONCLUSION**

21 Based on the foregoing, Sena respectfully requests that this Honorable Court grant the
22 instant motion, and order the timely disclosure of the material sought herein. NRS 174.235;
23 Brady v. Maryland, 373 U.S. 83 (1963); U.S.C.A. V, VI, XIV; and Nev. Const. Art. 1 § 8.

24 DATED this 20th day of August, 2018.

25 PHILIP J. KOHN
26 CLARK COUNTY PUBLIC DEFENDER
27 By: /s/Violet R. Radosta
28 VIOLET R. RADOSTA, #5747
Deputy Public Defender

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NOTICE OF MOTION

TO: CLARK COUNTY DISTRICT ATTORNEY, Attorney for Plaintiff:

YOU WILL PLEASE TAKE NOTICE that the Public Defender's Office will bring the above and foregoing MOTION on for hearing before the Court on the 22nd day of August, 2018, at 8:30 a.m. in Department 19 of the District Court.

DATED this 20th day of August, 2018.

PHILIP J. KOHN
CLARK COUNTY PUBLIC DEFENDER

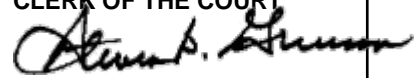
By: /s/Violet R. Radosta
VIOLET R. RADOSTA, #5747
Deputy Public Defender

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that service of the above and forgoing Defendant's Motion for Production of Co-Offenders' PSIs and Related Discovery was served via electronic e-filing to the Clark County District Attorney's Office on this 20th day of August, 2018.

District Attorney's Office
E-Mail Address:
Jennifer.Georges@clarkcountyda.com

By: /s/ Annie McMahan
An employee of the
Clark County Public Defender's Office



SLOW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CHRISTOPHER SENA,
#0779849

Defendant.

CASE NO: **C-15-311453-1**

DEPT NO: **XIX**

STATE'S SECOND SUPPLEMENTAL NOTICE OF WITNESSES

AND/OR EXPERT WITNESSES
[NRS 174.234]

TO: CHRISTOPHER SENA, Defendant; and

TO: VIOLET RADOSTA, DPD, Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

*indicates additional witness(es) and/or modification(s)

A.S.; c/o CCDA-SVU/VWAC

B.S.; c/o CCDA-SVU/VWAC

BARR, CANDACE ESQ.; UNK

BERNAT, K.; SNCAC/CPS/DFS

BOLOGNINI, MIKE; COX COMMUNICATIONS

1 BRINKLEY; LVMPD#09819
2 CETL, DR SANDRA; SUNRISE HOSPITAL/SNCAC; Will testify as an expert as to
3 the nature, process and limitations of sexual assault examinations, and/or as to the sexual
4 assault examinations conducted in the instant case.
5 COOLEY, CHERYL; CPS/DFS
6 COR or Designee; CCDC
7 COR or Designee; COX COMMUNICATIONS
8 *COR or Designee; GOOGLE
9 COR or Designee; LVMPD COMMUNICATIONS
10 COR or Designee; LVMPD RECORDS
11 DAVIS, K.; SNCAC/CPS/DFS
12 DETWEILER; LVMPD#05460
13 E.C.; c/o CCDA-SVU/VWAC
14 EDWARDS, KALENA; CPS/DFS
15 EKROOS, DR. RACHELLE; UNLV SCHOOL OF NURSING/SANE; Will testify as
16 an expert as to the nature, process and limitations of sexual assault examinations, and/or as to
17 the sexual assault examinations conducted in the instant case.
18 GRISHAM, KIMBERLY; UNK
19 HENSON; FARAH; CPS/DFS
20 HINKSON, PATTY; UNK
21 HINKSON, STEVE; UNK
22 HOWELL; LVMPD#14401
23 IACULLO; LVMPD#07857
24 JASAMES, LYNN; CPS/DFS
25 KURAU; LVMPD#07047
26 *LIVENGOOD, ALAN; COX COMMUNICATIONS
27 LOEFFLER; LVMPD#09247
28 M.C.; c/o CCDA-SVU/VWAC

1 MADSEN; LVMPD#07315
2 MARIAM; LVMPD#14401;
3 MARTINEZ; LVMPD#07775
4 MILLER; LVMPD#06507
5 PARENT/GUARDIAN of B.S.; c/o CCDA-SVU/VWAC
6 PARENT/GUARDIAN of E.C.; c/o CCDA-SVU/VWAC
7 PARENT/GUARDIAN of R.C.; c/o CCDA-SVU/VWAC
8 PARENT/GUARDIAN of R.S.; c/o CCDA-SVU/VWAC
9 PARENT/GUARDIAN of T.S.; c/o CCDA-SVU/VWAC
10 PARISH, SHARICE; CPS/DFS
11 R.S.; c/o CCDA-SVU/VWAC
12 RAMIREZ, VINCENTE; LVMPD#04916; Will testify as an expert as to the forensic
13 examination of computers and related electronics technology, and/or as to the forensic
14 examination of computers and related technology acquired in the instant case.
15 RENHARD; LVMPD#05223
16 SAMPLES; LVMPD#09354
17 SANTAROSA; LVMPD#06930
18 SCOTT, STACEY; CPS/DFS
19 SENA, DEBRA; NEVADA DEPARTMENT OF CORRECTIONS
20 SENA, TERRI; NEVADA DEPARTMENT OF CORRECTIONS
21 T.G.; c/o CCDA-SVU/VWAC
22 T.S.; c/o CCDA-SVU/VWAC
23 TINDALL, JILLIAN ESQ.; 3838 RAYMERE DR #1, LVN 89121
24 WHEELER, JENNIFER; CPS/DFS
25 ZINGELMAN; LVMPD#14791

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1 These witnesses are in addition to those witnesses endorsed on the Information or
2 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
3 Witnesses has been filed.

4 A copy of each expert witness' curriculum vitae, if available, is attached hereto.

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

7
8 BY /s/ JAMES R. SWEETIN
9 JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144

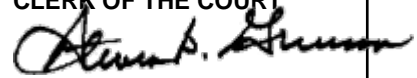
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16
17
18 **CERTIFICATE OF SERVICE**

19 I hereby certify that service of the above and foregoing was made this 31st day of
20 AUGUST, 2018, to:

21 VIOLET RADOSTA, DPD
22 mcmahaae@clarkcountynv.gov

23
24 BY /s/ HOWARD CONRAD
25 Secretary for the District Attorney's Office
26 Special Victims Unit

27
28 hjc/SVU



SLOW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

CHRISTOPHER SENA,
#0779849

Defendant.

CASE NO: **C-15-311453-1**

DEPT NO: **XIX**

STATE'S THIRD SUPPLEMENTAL NOTICE OF WITNESSES

AND/OR EXPERT WITNESSES
[NRS 174.234]

TO: CHRISTOPHER SENA, Defendant; and

TO: VIOLET RADOSTA, DPD, Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

*indicates additional witness(es) and/or modification(s)

A.S.; c/o CCDA-SVU/VWAC

B.S.; c/o CCDA-SVU/VWAC

BARR, CANDACE ESQ.; UNK

BERNAT, K.; SNCAC/CPS/DFS

BOLOGNINI, MIKE; COX COMMUNICATIONS

1 BRINKLEY; LVMPD#09819
2 CETL, DR SANDRA; SUNRISE HOSPITAL/SNCAC; Will testify as an expert as to
3 the nature, process and limitations of sexual assault examinations, and/or as to the sexual
4 assault examinations conducted in the instant case.
5 COOLEY, CHERYL; CPS/DFS
6 COR or Designee; CCDC
7 COR or Designee; COX COMMUNICATIONS
8 COR or Designee; GOOGLE
9 COR or Designee; LVMPD COMMUNICATIONS
10 COR or Designee; LVMPD RECORDS
11 DAVIS, K.; SNCAC/CPS/DFS
12 DETWEILER; LVMPD#05460
13 E.C.; c/o CCDA-SVU/VWAC
14 EDWARDS, KALENA; CPS/DFS
15 EKROOS, DR. RACHELLE; UNLV SCHOOL OF NURSING/SANE; Will testify as
16 an expert as to the nature, process and limitations of sexual assault examinations, and/or as to
17 the sexual assault examinations conducted in the instant case.
18 GRISHAM, KIMBERLY; UNK
19 HENSON; FARAH; CPS/DFS
20 HINKSON, PATTY; UNK
21 HINKSON, STEVE; UNK
22 HOWELL; LVMPD#14401
23 IACULLO; LVMPD#07857
24 JASAMES, LYNN; CPS/DFS
25 *KNOKE, NILEEN; COX COMMUNICATIONS CUSTODIAN OF RECORDS
26 KURAU; LVMPD#07047
27 LIVENGOD, ALAN; COX COMMUNICATIONS
28 LOEFFLER; LVMPD#09247

1 M.C.; c/o CCDA-SVU/VWAC
2 MADSEN; LVMPD#07315
3 MARIAM; LVMPD#14401;
4 MARTINEZ; LVMPD#07775
5 MILLER; LVMPD#06507
6 PARENT/GUARDIAN of B.S.; c/o CCDA-SVU/VWAC
7 PARENT/GUARDIAN of E.C.; c/o CCDA-SVU/VWAC
8 PARENT/GUARDIAN of R.C.; c/o CCDA-SVU/VWAC
9 PARENT/GUARDIAN of R.S.; c/o CCDA-SVU/VWAC
10 PARENT/GUARDIAN of T.S.; c/o CCDA-SVU/VWAC
11 PARISH, SHARICE; CPS/DFS
12 R.S.; c/o CCDA-SVU/VWAC
13 RAMIREZ, VINCENTE; LVMPD#04916; Will testify as an expert as to the forensic
14 examination of computers and related electronics technology, and/or as to the forensic
15 examination of computers and related technology acquired in the instant case.
16 RENHARD; LVMPD#05223
17 SAMPLES; LVMPD#09354
18 SANTAROSA; LVMPD#06930
19 SCOTT, STACEY; CPS/DFS
20 SENA, DEBRA; NEVADA DEPARTMENT OF CORRECTIONS
21 SENA, TERRI; NEVADA DEPARTMENT OF CORRECTIONS
22 T.G.; c/o CCDA-SVU/VWAC
23 T.S.; c/o CCDA-SVU/VWAC
24 TINDALL, JILLIAN ESQ.; 3838 RAYMERE DR #1, LVN 89121
25 WHEELER, JENNIFER; CPS/DFS
26 ZINGELMAN; LVMPD#14791

27 //

28 //

1 These witnesses are in addition to those witnesses endorsed on the Information or
2 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
3 Witnesses has been filed.

4 A copy of each expert witness' curriculum vitae, if available, is attached hereto.

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

7
8 BY /s/ JAMES R. SWEETIN
9 JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144

10
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17
18 **CERTIFICATE OF SERVICE**

19 I hereby certify that service of the above and foregoing was made this 4th day of
20 SEPTEMBER, 2018, to:

21 VIOLET RADOSTA, DPD
22 mcmahaae@clarkcountynv.gov

23
24 BY /s/ HOWARD CONRAD
25 Secretary for the District Attorney's Office
26 Special Victims Unit

27
28 hjc/SVU

● **ORIGINAL** ●

1 **AINF**
2 **STEVEN B. WOLFSON**
3 **Clark County District Attorney**
4 **Nevada Bar #001565**
5 **JAMES R. SWEETIN**
6 **Chief Deputy District Attorney**
7 **Nevada Bar #005144**
8 **MARY KAY HOLTHUS**
9 **Nevada Bar #003814**
10 **Chief Deputy District Attorney**
11 **200 Lewis Avenue**
12 **Las Vegas, Nevada 89155-2211**
13 **(702) 671-2500**
14 **Attorney for Plaintiff**

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

SEP 05 2018

BY: 
TIA EVERETT, DEPUTY

C-15-311453-1
AINF
Amended Information
4777024



DISTRICT COURT
CLARK COUNTY, NEVADA

11 **THE STATE OF NEVADA,**
12 **Plaintiff,**

13 **-vs-**

14 **CHRISTOPHER SENA,**
15 **#0779849**
16 **Defendant.**

CASE NO: C-15-311453-1

DEPT NO: XIX

SECOND AMENDED
INFORMATION

17 **STATE OF NEVADA** }
18 **COUNTY OF CLARK** } ss.

19 **STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State**
20 **of Nevada, in the name and by the authority of the State of Nevada, informs the Court:**

21 **That CHRISTOPHER SENA, as Defendant above named, having committed the**
22 **crimes of CONSPIRACY TO COMMIT SEXUAL ASSAULT (Category B Felony - NRS**
23 **200.364, 200.366, 199.480 - NOC 50131), SEXUAL ASSAULT WITH A MINOR UNDER**
24 **FOURTEEN YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC**
25 **50105), LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category A Felony -**
26 **NRS 201.230 - NOC 50975), SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN**
27 **YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50106), INCEST**
28 **(Category A Felony - NRS 201.180 - NOC 50957), OPEN OR GROSS LEWDNESS**

1 (Category D Felony - NRS 201.210 - NOC 50972), SEXUAL ASSAULT (Category A
2 Felony - NRS 200.364, 200.366 - NOC 50095), PREVENTING OR DISSUADING
3 WITNESS OR VICTIM FROM REPORTING CRIME OR COMMENCING
4 PROSECUTION (Category D Felony - NRS 199.305 - NOC 52996), CHILD ABUSE
5 AND NEGLECT, SEXUAL ABUSE OR EXPLOITATION (Category B Felony - NRS
6 200.508(1) - NOC 55220), POSSESSION OF VISUAL PRESENTATION DEPICTING
7 SEXUAL CONDUCT OF A CHILD (Category B Felony - NRS 200.700, 200.730 - NOC
8 50374), USE OF MINOR IN PRODUCING PORNOGRAPHY (Category A Felony -
9 NRS 200.700, 200.710.1, 200.750 - NOC 50367) and USE OF MINOR UNDER THE AGE
10 OF 14 IN PRODUCING PORNOGRAPHY (Category A Felony - NRS 200.700,
11 200.710.1, 200.750 - NOC 50368) in the manner following:

12 That Defendant, on or between May 22, 2001 and June 30, 2014, at and within the
13 County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such
14 cases made and provided, and against the peace and dignity of the State of Nevada,

15 COUNT 1 - CONSPIRACY TO COMMIT SEXUAL ASSAULT

16 did, on or between May 22, 2007 and June 30, 2014, willfully, unlawfully, and
17 feloniously conspire with DEBORAH SENA and/or TERRIE SENA and/or others unknown
18 to commit a sexual assault, by performing those acts described in Counts 46 through 52; 54
19 through 59; 61 through 77; 79 through 85; 95 through 99; 101 through 103 and 105.

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

21 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully, lewdly,
22 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
23 or member thereof, a child, to-wit: A.S., said child being under the age of fourteen years, by
24 said Defendant using his hand(s) and/or finger(s) to touch and/or rub and or fondle the breast(s)
25 and/or area of the breast(s) of the said A.S., with the intent of arousing, appealing to, or
26 gratifying the lust, passions, or sexual desires of said Defendant, or said child.

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1 COUNT 3 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
2 AGE

3 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully,
4 unlawfully, and feloniously sexually assault and subject A.S., a child under fourteen years of
5 age, to sexual penetration, to-wit: digital penetration, by said Defendant inserting his hand(s)
6 and/or finger(s) into the genital opening of the said A.S., against the will of the said A.S., or
7 under conditions in which Defendant knew, or should have known, that A.S. was mentally or
8 physically incapable of resisting or understanding the nature of Defendant's conduct.

9 COUNT 4 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

10 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully, lewdly,
11 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
12 or member thereof, a child, to-wit: A.S., said child being under the age of fourteen years, by
13 said Defendant using his hand(s) and/or finger(s) to touch and/or rub and or fondle the genital
14 area of the said A.S., with the intent of arousing, appealing to, or gratifying the lust, passions,
15 or sexual desires of said Defendant, or said child.

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

17 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully, lewdly,
18 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
19 or member thereof, a child, to-wit: A.S., said child being under the age of fourteen years, by
20 said Defendant using his penis to touch and/or rub and/or fondle the genital area of the said
21 A.S., with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires
22 of said Defendant, or said child.

23 COUNT 6 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
24 AGE

25 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully,
26 unlawfully, and feloniously sexually assault and subject A.S., a child under fourteen years of
27 age, to sexual penetration, to-wit: anal intercourse, by said Defendant inserting his penis into
28 the anal opening of the said A.S., against the will of the said A.S., or under conditions in which

1 Defendant knew, or should have known, that A.S. was mentally or physically incapable of
2 resisting or understanding the nature of Defendant's conduct.

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

4 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully, lewdly,
5 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
6 or member thereof, a child, to-wit: A.S., said child being under the age of fourteen years, by
7 said Defendant using his penis to touch and/or rub and or fondle the anal area of the said A.S.,
8 with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of
9 said Defendant, or said child.

10 COUNT 8 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
11 AGE

12 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully,
13 unlawfully, and feloniously sexually assault and subject A.S., a child under fourteen years of
14 age, to sexual penetration, to-wit: anal intercourse, by said Defendant inserting his penis into
15 the anal opening of the said A.S., against the will of the said A.S., or under conditions in which
16 Defendant knew, or should have known, that A.S. was mentally or physically incapable of
17 resisting or understanding the nature of Defendant's conduct.

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

19 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully, lewdly,
20 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
21 or member thereof, a child, to-wit: A.S., said child being under the age of fourteen years, by
22 said Defendant using his penis to touch and/or rub and or fondle the anal and/or genital area
23 of the said A.S., with the intent of arousing, appealing to, or gratifying the lust, passions, or
24 sexual desires of said Defendant, or said child.

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

26 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully, lewdly,
27 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
28 or member thereof, a child, to-wit: A.S., said child being under the age of fourteen years, by

1 said Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the
2 breast(s) of the said A.S., with the intent of arousing, appealing to, or gratifying the lust,
3 passions, or sexual desires of said Defendant, or said child.

4 COUNT 11 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
5 AGE

6 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully,
7 unlawfully, and feloniously sexually assault and subject A.S., a child under fourteen years of
8 age, to sexual penetration, to-wit: anal intercourse, by said Defendant inserting his penis into
9 the anal opening of the said A.S., against the will of the said A.S., or under conditions in which
10 Defendant knew, or should have known, that A.S. was mentally or physically incapable of
11 resisting or understanding the nature of Defendant's conduct.

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

13 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully, lewdly,
14 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
15 or member thereof, a child, to-wit: A.S., said child being under the age of fourteen years, by
16 said Defendant using his penis to touch and/or rub and or fondle the anal area of the said A.S.,
17 with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of
18 said Defendant, or said child.

19 COUNT 13 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

20 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully, lewdly,
21 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
22 or member thereof, a child, to-wit: A.S., said child being under the age of fourteen years, by
23 said Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the
24 breast(s) of the said A.S., with the intent of arousing, appealing to, or gratifying the lust,
25 passions, or sexual desires of said Defendant, or said child.

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1 COUNT 14 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
2 AGE

3 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully,
4 unlawfully, and feloniously sexually assault and subject A.S., a child under fourteen years of
5 age, to sexual penetration, to-wit: fellatio, by said Defendant causing the said A.S. to have the
6 penis of the said Defendant on and/or in the mouth of the said A.S., against the will of the said
7 A.S., or under conditions in which Defendant knew, or should have known, that A.S. was
8 mentally or physically incapable of resisting or understanding the nature of Defendant's
9 conduct.

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

11 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully, lewdly,
12 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
13 or member thereof, a child, to-wit: A.S., said child being under the age of fourteen years, by
14 said Defendant using his penis to touch and/or rub and/or fondle the mouth of the said A.S.,
15 with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of
16 said Defendant, or said child.

17 COUNT 16 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
18 AGE

19 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully,
20 unlawfully, and feloniously sexually assault and subject A.S., a child under fourteen years of
21 age, to sexual penetration, to-wit: anal intercourse, by said Defendant inserting his penis into
22 the anal opening of the said A.S., against the will of the said A.S., or under conditions in which
23 Defendant knew, or should have known, that A.S. was mentally or physically incapable of
24 resisting or understanding the nature of Defendant's conduct.

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

26 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully, lewdly,
27 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
28 or member thereof, a child, to-wit: A.S., said child being under the age of fourteen years, by

1 said Defendant using his penis to touch and/or rub and or fondle the anal area of the said A.S.,
2 with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of
3 said Defendant, or said child.

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

5 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully, lewdly,
6 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
7 or member thereof, a child, to-wit: A.S., said child being under the age of fourteen years, by
8 said Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the
9 breast(s) of the said A.S., with the intent of arousing, appealing to, or gratifying the lust,
10 passions, or sexual desires of said Defendant, or said child.

11 COUNT 19 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
12 AGE

13 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully,
14 unlawfully, and feloniously sexually assault and subject A.S., a child under fourteen years of
15 age, to sexual penetration, to-wit: fellatio, by said Defendant causing the said A.S. to have the
16 penis of the said Defendant on and/or in the mouth of the said A.S., against the will of the said
17 A.S., or under conditions in which Defendant knew, or should have known, that A.S. was
18 mentally or physically incapable of resisting or understanding the nature of Defendant's
19 conduct.

20 COUNT 20 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

21 did, on or between May 22, 2001 and May 21, 2004, then and there, willfully, lewdly,
22 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
23 or member thereof, a child, to-wit: A.S., said child being under the age of fourteen years, by
24 said Defendant using his penis to touch and/or rub and/or fondle the mouth of the said A.S.,
25 with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of
26 said Defendant, or said child.

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1 COUNT 21 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

2 did, on or between May 22, 2004 and May 21, 2006, then and there, willfully,
3 unlawfully, and feloniously sexually assault and subject A.S., a child under sixteen years of
4 age, to sexual penetration, to-wit: sexual intercourse, by said Defendant inserting his penis
5 into the genital opening of the said A.S., against the will of the said A.S., or under conditions
6 in which Defendant knew, or should have known, that the said victim was mentally or
7 physically incapable of resisting or understanding the nature of Defendant's conduct.

8 COUNT 22 - INCEST

9 did, on or between May 22, 2004 and May 21, 2006, then and there willfully,
10 unlawfully, and feloniously commit fornication or adultery with and/or on A.S., the Daughter
11 of said Defendant, the Defendant and A.S. being within the degree of consanguinity within
12 which marriages are declared by law to be incestuous and void; the Defendant committing the
13 crime by engaging in sexual intercourse with the said A.S.

14 COUNT 23 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

15 did, on or between May 22, 2004 and May 21, 2006, then and there, willfully,
16 unlawfully, and feloniously sexually assault and subject A.S., a child under sixteen years of
17 age, to sexual penetration, to-wit: anal intercourse, by said Defendant inserting his penis into
18 the anal opening of the said A.S., against the will of the said A.S., or under conditions in which
19 Defendant knew, or should have known, that the said victim was mentally or physically
20 incapable of resisting or understanding the nature of Defendant's conduct.

21 COUNT 24 - OPEN OR GROSS LEWDNESS

22 did, on or between May 22, 2004 and May 21, 2006, willfully and unlawfully commit
23 an act of open or gross lewdness by said Defendant using his hand(s) and/or finger(s) to touch
24 and/or rub and/or fondle the breast(s) of A.S.

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1 COUNT 25 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF
2 AGE

3 did, on or between May 22, 2004 and May 21, 2006, then and there, willfully,
4 unlawfully, and feloniously sexually assault and subject A.S., a child under sixteen years of
5 age, to sexual penetration, to-wit: fellatio, by said Defendant causing the said A.S. to have the
6 penis of the said Defendant on and/or in the mouth of the said A.S., against the will of the said
7 A.S., or under conditions in which Defendant knew, or should have known, that A.S. was
8 mentally or physically incapable of resisting or understanding the nature of Defendant's
9 conduct.

10 COUNT 26 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

11 did, on or between May 22, 2004 and May 21, 2006, then and there, willfully,
12 unlawfully, and feloniously sexually assault and subject A.S., a child under sixteen years of
13 age, to sexual penetration, to-wit: sexual intercourse, by said Defendant inserting his penis
14 into the genital opening of the said A.S., against the will of the said A.S., or under conditions
15 in which Defendant knew, or should have known, that the said victim was mentally or
16 physically incapable of resisting or understanding the nature of Defendant's conduct.

17 COUNT 27 - INCEST

18 did, on or between May 22, 2004 and May 21, 2006, then and there willfully,
19 unlawfully, and feloniously commit fornication or adultery with and/or on A.S., the Daughter
20 of said Defendant, the Defendant and A.S. being within the degree of consanguinity within
21 which marriages are declared by law to be incestuous and void; the Defendant committing the
22 crime by engaging in a sexual intercourse with the said A.S.

23 COUNT 28 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

24 did, on or between May 22, 2004 and May 21, 2006, then and there, willfully,
25 unlawfully, and feloniously sexually assault and subject A.S., a child under sixteen years of
26 age, to sexual penetration, to-wit: anal intercourse, by said Defendant inserting his penis into
27 the anal opening of the said A.S., against the will of the said A.S., or under conditions in which
28 Defendant knew, or should have known, that the said victim was mentally or physically

1 incapable of resisting or understanding the nature of Defendant's conduct.

2 COUNT 29 - OPEN OR GROSS LEWDNESS

3 did, on or between May 22, 2004 and May 21, 2006, willfully and unlawfully commit
4 an act of open or gross lewdness by said Defendant using his hand(s) and/or finger(s) to touch
5 and/or rub and/or fondle the breast(s) of A.S.

6 COUNT 30 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF
7 AGE

8 did, on or between May 22, 2004 and May 21, 2006, then and there, willfully,
9 unlawfully, and feloniously sexually assault and subject A.S., a child under sixteen years of
10 age, to sexual penetration, to-wit: fellatio, by said Defendant causing the said A.S. to have the
11 penis of the said Defendant on and/or in the mouth of the said A.S., against the will of the said
12 A.S., or under conditions in which Defendant knew, or should have known, that A.S. was
13 mentally or physically incapable of resisting or understanding the nature of Defendant's
14 conduct.

15 COUNT 31 - SEXUAL ASSAULT

16 did, on or between May 22, 2006 and August 30, 2014, then and there willfully,
17 unlawfully, and feloniously sexually assault and subject A.S. to sexual penetration, to-wit:
18 sexual intercourse, by said Defendant inserting his penis into the genital opening of the said
19 A.S., against the will of the said A.S., or under conditions in which Defendant knew, or should
20 have known, that A.S. was mentally or physically incapable of resisting or understanding the
21 nature of Defendant's conduct.

22 COUNT 32 - INCEST

23 did, on or between May 22, 2006 and August 30, 2014, then and there willfully,
24 unlawfully, and feloniously commit fornication or adultery with and/or on A.S., the Daughter
25 of said Defendant, the Defendant and A.S. being within the degree of consanguinity within
26 which marriages are declared by law to be incestuous and void; the Defendant committing the
27 crime by engaging in a sexual intercourse with the said A.S.

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1 COUNT 33 - SEXUAL ASSAULT

2 did, on or between May 22, 2006 and August 30, 2014, then and there willfully,
3 unlawfully, and feloniously sexually assault and subject A.S. to sexual penetration, to-wit: anal
4 intercourse, by said Defendant inserting his penis into the anal opening of the said A.S., against
5 the will of the said A.S., or under conditions in which Defendant knew, or should have known,
6 that A.S. was mentally or physically incapable of resisting or understanding the nature of
7 Defendant's conduct.

8 COUNT 34 - OPEN OR GROSS LEWDNESS

9 did, on or between May 22, 2006 and August 30, 2014, willfully and unlawfully
10 commit an act of open or gross lewdness by said Defendant using his hand(s) and/or finger(s)
11 to touch and/or rub and/or fondle the breast(s) of A.S.

12 COUNT 35 - SEXUAL ASSAULT

13 did, on or between May 22, 2006 and August 30, 2014, then and there, willfully,
14 unlawfully, and feloniously sexually assault and subject A.S., to sexual penetration, to-wit:
15 fellatio, by said Defendant causing the said A.S. to have the penis of the said Defendant on
16 and/or in the mouth of the said A.S., against the will of the said A.S., or under conditions in
17 which Defendant knew, or should have known, that A.S. was mentally or physically incapable
18 of resisting or understanding the nature of Defendant's conduct.

19 COUNT 36 - SEXUAL ASSAULT

20 did, on or between May 22, 2006 and August 30, 2014, then and there willfully,
21 unlawfully, and feloniously sexually assault and subject A.S. to sexual penetration, to-wit:
22 sexual intercourse, by said Defendant inserting his penis into the genital opening of the said
23 A.S., against the will of the said A.S., or under conditions in which Defendant knew, or should
24 have known, that A.S. was mentally or physically incapable of resisting or understanding the
25 nature of Defendant's conduct.

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1 COUNT 37 - INCEST

2 did, on or between May 22, 2006 and August 30, 2014, then and there willfully,
3 unlawfully, and feloniously commit fornication or adultery with and/or on A.S., the Daughter
4 of said Defendant, the Defendant and A.S. being within the degree of consanguinity within
5 which marriages are declared by law to be incestuous and void; the Defendant committing the
6 crime by engaging in a sexual intercourse with the said A.S.

7 COUNT 38 - SEXUAL ASSAULT

8 did, on or between May 22, 2006 and August 30, 2014, then and there willfully,
9 unlawfully, and feloniously sexually assault and subject A.S. to sexual penetration, to-wit: anal
10 intercourse, by said Defendant inserting his penis into the anal opening of the said A.S., against
11 the will of the said A.S., or under conditions in which Defendant knew, or should have known,
12 that A.S. was mentally or physically incapable of resisting or understanding the nature of
13 Defendant's conduct.

14 COUNT 39 - OPEN OR GROSS LEWDNESS

15 did, on or between May 22, 2006 and August 30, 2014, willfully and unlawfully
16 commit an act of open or gross lewdness by said Defendant using his hand(s) and/or finger(s)
17 to touch and/or rub and/or fondle the breast(s) of A.S.

18 COUNT 40 - SEXUAL ASSAULT

19 did, on or between May 22, 2006 and August 30, 2014, then and there, willfully,
20 unlawfully, and feloniously sexually assault and subject A.S., to sexual penetration, to-wit:
21 fellatio, by said Defendant causing the said A.S. to have the penis of the said Defendant on
22 and/or in the mouth of the said A.S., against the will of the said A.S., or under conditions in
23 which Defendant knew, or should have known, that A.S. was mentally or physically incapable
24 of resisting or understanding the nature of Defendant's conduct.

25 COUNT 41 - SEXUAL ASSAULT

26 did, on or between May 22, 2006 and August 30, 2014, then and there willfully,
27 unlawfully, and feloniously sexually assault and subject A.S. to sexual penetration, to-wit:
28 sexual intercourse, by said Defendant inserting his penis into the genital opening of the said

1 A.S., against the will of the said A.S., or under conditions in which Defendant knew, or should
2 have known, that A.S. was mentally or physically incapable of resisting or understanding the
3 nature of Defendant's conduct.

4 COUNT 42 - INCEST

5 did, on or between May 22, 2006 and August 30, 2014, then and there willfully,
6 unlawfully, and feloniously commit fornication or adultery with and/or on A.S., the Daughter
7 of said Defendant, the Defendant and A.S. being within the degree of consanguinity within
8 which marriages are declared by law to be incestuous and void; the Defendant committing the
9 crime by engaging in a sexual intercourse with the said A.S.

10 COUNT 43 - SEXUAL ASSAULT

11 did, on or between May 22, 2006 and August 30, 2014, then and there willfully,
12 unlawfully, and feloniously sexually assault and subject A.S. to sexual penetration, to-wit: anal
13 intercourse, by said Defendant inserting his penis into the anal opening of the said A.S., against
14 the will of the said A.S., or under conditions in which Defendant knew, or should have known,
15 that A.S. was mentally or physically incapable of resisting or understanding the nature of
16 Defendant's conduct.

17 COUNT 44 - OPEN OR GROSS LEWDNESS

18 did, on or between May 22, 2006 and August 30, 2014, willfully and unlawfully
19 commit an act of open or gross lewdness by said Defendant using his hand(s) and/or finger(s)
20 to touch and/or rub and/or fondle the breast(s) of A.S.

21 COUNT 45 - SEXUAL ASSAULT

22 did, on or between May 22, 2004 and May 21, 2006, then and there, willfully,
23 unlawfully, and feloniously sexually assault and subject A.S., to sexual penetration, to-wit:
24 fellatio, by said Defendant causing the said A.S. to have the penis of the said Defendant on
25 and/or in the mouth of the said A.S., against the will of the said A.S., or under conditions in
26 which Defendant knew, or should have known, that A.S. was mentally or physically incapable
27 of resisting or understanding the nature of Defendant's conduct.

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1 COUNT 46 - SEXUAL ASSAULT

2 did, on or between May 22, 2007 and June 30, 2008, then and there willfully,
3 unlawfully, and feloniously sexually assault and subject A.S. to sexual penetration, to-wit:
4 sexual intercourse, by said Defendant inserting his penis into the genital opening of the said
5 A.S., against the will of the said A.S., or under conditions in which Defendant knew, or should
6 have known, that A.S. was mentally or physically incapable of resisting or understanding the
7 nature of Defendant's conduct; Defendant being liable under one or more of the following
8 principles of criminal liability: (1) by Defendant directly performing such acts; and/or (2) by
9 Defendant acting with DEBORAH SENA and/or others unknown pursuant to a conspiracy
10 with DEBORAH SENA and/or others unknown in performing such acts; and/or (3) by
11 Defendant aiding and abetting the performance of such acts by counseling, encouraging,
12 inducing or otherwise procuring DEBORAH SENA to commit such acts.

13 COUNT 47 - INCEST

14 did, on or between May 22, 2007 and June 30, 2008, willfully, unlawfully, and
15 feloniously commit fornication or adultery with and/or on A.S., the daughter of and A.S. being
16 within the degree of consanguinity within which marriages are declared by law to be
17 incestuous and void; the Defendant committing the crime by engaging in sexual intercourse
18 with said A.S.; Defendant being liable under one or more of the following principles of
19 criminal liability: (1) by Defendant directly performing such acts; and/or (2) by Defendant
20 acting with DEBORAH SENA and/or others unknown pursuant to a conspiracy with
21 DEBORAH SENA and/or others unknown in performing such acts; and/or (3) by Defendant
22 aiding and abetting the performance of such acts by counseling, encouraging, inducing or
23 otherwise procuring DEBORAH SENA to commit such acts.

24 COUNT 48 - SEXUAL ASSAULT

25 did, on or between May 22, 2007 and June 30, 2008, then and there willfully,
26 unlawfully, and feloniously sexually assault and subject A.S. to sexual penetration, to-wit:
27 digital penetration, by said Defendant causing the finger(s) of the said A.S. to be placed into
28 the genital opening of DEBORAH SENA, against the will of the said A.S., or under conditions

1 in which Defendant knew, or should have known, that A.S. was mentally or physically
2 incapable of resisting or understanding the nature of Defendant's conduct; Defendant being
3 liable under one or more of the following principles of criminal liability: (1) by Defendant
4 directly performing such acts; and/or (2) by Defendant acting with DEBORAH SENA and/or
5 others unknown pursuant to a conspiracy with DEBORAH SENA and/or others unknown in
6 performing such acts; and/or (3) by Defendant aiding and abetting the performance of such
7 acts by counseling, encouraging, inducing or otherwise procuring DEBORAH SENA to
8 commit such acts.

9 COUNT 49 - OPEN OR GROSS LEWDNESS

10 did, on or between May 22, 2007 and June 30, 2008, then and there willfully and
11 unlawfully commit an act of open or gross lewdness by said Defendant assisting and/or causing
12 DEBORAH SENA to use her hand(s) and/or finger(s) to touch and/or rub and/or fondle the
13 breast(s) and/or genital area of A.S.; Defendant being liable under one or more of the following
14 principles of criminal liability: (1) by Defendant directly performing such acts; and/or (2) by
15 Defendant acting with DEBORAH SENA and/or others unknown pursuant to a conspiracy
16 with DEBORAH SENA and/or others unknown in performing such acts; and/or (3) by
17 Defendant aiding and abetting the performance of such acts by counseling, encouraging,
18 inducing or otherwise procuring DEBORAH SENA to commit such acts.

19 COUNT 50 - OPEN OR GROSS LEWDNESS

20 did, on or between May 22, 2007 and June 30, 2008, then and there willfully and
21 unlawfully commit an act of open or gross lewdness by said Defendant assisting and/or causing
22 A.S. to use her hand(s) and/or finger(s) to touch and/or rub and/or fondle the breast(s) of
23 DEBORAH SENA; Defendant being liable under one or more of the following principles of
24 criminal liability: (1) by Defendant directly performing such acts; and/or (2) by Defendant
25 acting with DEBORAH SENA and/or others unknown pursuant to a conspiracy with
26 DEBORAH SENA and/or others unknown in performing such acts; and/or (3) by Defendant
27 aiding and abetting the performance of such acts by counseling, encouraging, inducing or
28 otherwise procuring DEBORAH SENA to commit such acts.

1 COUNT 51 - OPEN OR GROSS LEWDNESS

2 did, on or between May 22, 2007 and June 30, 2008, then and there willfully and
3 unlawfully commit an act of open or gross lewdness by said Defendant assisting and/or causing
4 A.S. to use her hand(s) and/or finger(s) to touch and/or rub and/or fondle the genital area of
5 the said A.S.; Defendant being liable under one or more of the following principles of criminal
6 liability: (1) by Defendant directly performing such acts; and/or (2) by Defendant acting with
7 DEBORAH SENA and/or others unknown pursuant to a conspiracy with DEBORAH SENA
8 and/or others unknown in performing such acts; and/or (3) by Defendant aiding and abetting
9 the performance of such acts by counseling, encouraging, inducing or otherwise procuring
10 DEBORAH SENA to commit such acts.

11 COUNT 52 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

12 did, on or between May 22, 2004 and May 21, 2006, then and there willfully,
13 unlawfully, and feloniously sexually assault and subject A.S., a child under sixteen years of
14 age, to sexual penetration, to-wit: anal intercourse, by said Defendant inserting his penis into
15 the anal opening of the said A.S., against the will of the said A.S., or under conditions in which
16 Defendant knew, or should have known, that A.S. was mentally or physically incapable of
17 resisting or understanding the nature of Defendant's conduct; Defendant being liable under one
18 or more of the following principles of criminal liability: (1) by Defendant directly performing
19 such acts; and/or (2) by Defendant acting with DEBORAH SENA and/or others unknown
20 pursuant to a conspiracy with DEBORAH SENA and/or others unknown in performing such
21 acts; and/or (3) by Defendant aiding and abetting the performance of such acts by counseling,
22 encouraging, inducing or otherwise procuring DEBORAH SENA to commit such acts.

23 COUNT 53 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
24 REPORTING CRIME OR COMMENCING PROSECUTION

25 did, on or about May 22, 2001 and June 30, 2014, then and there, willfully, unlawfully,
26 and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay A.S., from
27 reporting a crime to anyone by said Defendant telling the said A.S. that the said Defendant
28 would kill and/or break the legs of the said A.S. and/or have A.S. taken away and sent to

1 juvenile detention if the said A.S. told anyone of the sexual acts the said A.S. was forced to
2 commit or have committed upon the said A.S.

3 COUNT 54 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

4 did, on or between December 2, 2008 and December 1, 2010, then and there willfully,
5 unlawfully, and feloniously sexually assault and subject T.S., a child under sixteen years of
6 age, to sexual penetration, to-wit: fellatio, by said Defendant assisting and/or causing the penis
7 of the said T.S. to be placed on and/or in the mouth of DEBORAH SENA, against the will of
8 the said T.S., or under conditions in which Defendant knew, or should have known, that T.S.
9 was mentally or physically incapable of resisting or understanding the nature of Defendant's
10 conduct; Defendant being liable under one or more of the following principles of criminal
11 liability: (1) by Defendant directly performing such acts; and/or (2) by Defendant acting with
12 DEBORAH SENA and/or others unknown pursuant to a conspiracy with DEBORAH SENA
13 and/or others unknown in performing such acts; and/or (3) by Defendant aiding and abetting
14 the performance of such acts by counseling, encouraging, inducing or otherwise procuring
15 DEBORAH SENA to commit such acts.

16 COUNT 55 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT - SEXUAL ABUSE

17 did, on or between December 2, 2008 and December 1, 2010, willfully, unlawfully,
18 and feloniously cause a child under the age of 18 years, to-wit: T.S. to suffer unjustifiable
19 physical pain or mental suffering as a result of abuse or neglect, to wit: sexual abuse, and/or
20 cause T.S. to be placed in a situation where the said T.S. might have suffered unjustifiable
21 physical pain or mental suffering as a result of abuse or neglect, to wit: sexual abuse, by said
22 Defendant causing and/or directing and/or encouraging the said T.S. to wash said DEBORAH
23 SENA as said DEBORAH SENA washed the said T.S. ; Defendant being liable under one or
24 more of the following principles of criminal liability: (1) by Defendant directly performing
25 such acts; and/or (2) by Defendant acting with DEBORAH SENA and/or others unknown
26 pursuant to a conspiracy with DEBORAH SENA and/or others unknown in performing such
27 acts; and/or (3) by Defendant aiding and abetting the performance of such acts by counseling,
28 encouraging, inducing or otherwise procuring DEBORAH SENA to commit such acts.

1 COUNT 56 - OPEN OR GROSS LEWDNESS

2 did, on or between December 2, 2008 and December 1, 2010, willfully and unlawfully
3 commit an act of open or gross lewdness by said Defendant assisting and/or causing
4 DEBORAH SENA to get into a shower naked with T.S. and/or by said Defendant assisting
5 and/or causing DEBORAH SENA to cause and/or direct and/or encouraging the said T.S. to
6 wash DEBORAH SENA as DEBORAH SENA washed the said T.S.; Defendant being liable
7 under one or more of the following principles of criminal liability: (1) by Defendant directly
8 performing such acts; and/or (2) by Defendant acting with DEBORAH SENA and/or others
9 unknown pursuant to a conspiracy with DEBORAH SENA and/or others unknown in
10 performing such acts; and/or (3) by Defendant aiding and abetting the performance of such
11 acts by counseling, encouraging, inducing or otherwise procuring DEBORAH SENA to
12 commit such acts.

13 COUNT 57 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT - SEXUAL ABUSE

14 did, on or between December 2, 2008 and December 1, 2010, willfully, unlawfully,
15 and feloniously cause a child under the age of 18 years, to-wit: T.S. to suffer unjustifiable
16 physical pain or mental suffering as a result of abuse or neglect, to wit: sexual abuse, and/or
17 cause T.S. to be placed in a situation where the said T.S. might have suffered unjustifiable
18 physical pain or mental suffering as a result of abuse or neglect, to wit: sexual abuse, by
19 Defendant assisting and/or causing DEBORAH SENA to use her hand(s) and/or finger(s) to
20 touch and/or rub and/or fondle the penis of T.S., and/or having the penis of the said T.S.
21 between the legs and/or on the genital area of DEBORAH SENA; Defendant being liable
22 under one or more of the following principles of criminal liability: (1) by Defendant directly
23 performing such acts; and/or (2) by Defendant acting with DEBORAH SENA and/or others
24 unknown pursuant to a conspiracy with DEBORAH SENA and/or others unknown in
25 performing such acts; and/or (3) by Defendant aiding and abetting the performance of such
26 acts by counseling, encouraging, inducing or otherwise procuring DEBORAH SENA to
27 commit such acts.

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1 COUNT 58 - OPEN OR GROSS LEWDNESS

2 did, on or between December 2, 2008 and December 1, 2010, wilfully and unlawfully
3 commit an act of open or gross lewdness by Defendant assiting and/or causing DEBORAH
4 SENA to use her hand(s) and/or finger(s) to touch and/or rub and/or fondle the penis of T.S.,
5 and/or having the penis of the said T.S. between the legs and/or on the genital area of
6 DEBORAH SENA; Defendant being liable under one or more of the following principles of
7 criminal liability: (1) by Defendant directly performing such acts; and/or (2) by Defendant
8 acting with DEBORAH SENA and/or others unknown pursuant to a conspiracy with
9 DEBORAH SENA and/or others unknown in performing such acts; and/or (3) by Defendant
10 aiding and abetting the performance of such acts by counseling, encouraging, inducing or
11 otherwise procuring DEBORAH SENA to commit such acts.

12 COUNT 59 - USE OF MINOR IN PRODUCING PORNOGRAPHY

13 did, on or between December 2, 2008 and December 1, 2010, then and there willfully,
14 unlawfully, feloniously and knowingly, use, encourage, entice or permit T.S., a minor under
15 the age of 18, to simulate or engage in, or assist others to simulate or engage in sexual conduct,
16 and/or be the subject of a sexual portrayal, to-wit: DEBORAH SENA and T.S. showering
17 together in the nude, for the purpose of producing a pornographic performance and that said
18 performance was video recorded by said Defendant; Defendant being liable under one or more
19 of the following principles of criminal liability: (1) by Defendant directly performing such
20 acts; and/or (2) by Defendant acting with DEBORAH SENA and/or others unknown pursuant
21 to a conspiracy with DEBORAH SENA and/or others unknown in performing such acts;
22 and/or (3) by Defendant aiding and abetting the performance of such acts by counseling,
23 encouraging, inducing or otherwise procuring DEBORAH SENA to commit such acts.

24 COUNT 60 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
25 CONDUCT OF A CHILD

26 did, on or about the 18th day of September, 2014, then and there, feloniously,
27 knowingly and willfully have in his possession a film, photograph, or other visual presentation
28 depicting a child under the age of 16 years of age to simulate or engage in sexual conduct

1 and/or be the subject of a sexual portrayal, to-wit: DEBORAH SENA and T.S., a minor under
2 the age of sixteen (16) showering together in the nude.

3 COUNT 61 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

4 did, on or between December 2, 2008 and December 1, 2010, then and there willfully,
5 unlawfully, and feloniously sexually assault and subject T.S., a child under sixteen years of
6 age, to sexual penetration, to-wit: fellatio, by said Defendant assisting and/or causing
7 DEBORAH SENA to have the penis of the said T.S. on and/or in the mouth of DEBORAH
8 SENA, against the will of the said T.S., or under conditions in which Defendant knew, or
9 should have known, that T.S. was mentally or physically incapable of resisting or
10 understanding the nature of Defendant's conduct; Defendant being liable under one or more of
11 the following principles of criminal liability: (1) by Defendant directly performing such acts;
12 and/or (2) by Defendant acting with DEBORAH SENA and/or others unknown pursuant to a
13 conspiracy with DEBORAH SENA and/or others unknown in performing such acts; and/or
14 (3) by Defendant aiding and abetting the performance of such acts by counseling,
15 encouraging, inducing or otherwise procuring DEBORAH SENA to commit such acts.

16 COUNT 62 - SEXUAL ASSAULT

17 did, on or between December 2, 2008 and December 1, 2012, then and there willfully,
18 unlawfully, and feloniously sexually assault and subject T.S. to sexual penetration, to-wit:
19 fellatio, by said Defendant assisting and/or causing DEBORAH SENA to have the penis of
20 the said T.S. on and/or in the mouth of DEBORAH SENA, against the will of the said T.S., or
21 under conditions in which Defendant knew, or should have known, that T.S. was mentally or
22 physically incapable of resisting or understanding the nature of Defendant's conduct;
23 Defendant being liable under one or more of the following principles of criminal liability: (1)
24 by Defendant directly performing such acts; and/or (2) by Defendant acting with DEBORAH
25 SENA and/or others unknown pursuant to a conspiracy with DEBORAH SENA and/or others
26 unknown in performing such acts; and/or (3) by Defendant aiding and abetting the
27 performance of such acts by counseling, encouraging, inducing or otherwise procuring
28 DEBORAH SENA to commit such acts.

1 COUNT 63 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

2 did, on or between December 2, 2008 and December 1, 2010, then and there willfully,
3 unlawfully, and feloniously sexually assault and subject T.S., a child under sixteen years of
4 age, to sexual penetration, to-wit: sexual intercourse, by said Defendant assisting and/or
5 causing DEBORAH SENA to have the penis of the said T.S. in the genital opening of
6 DEBORAH SENA, against the will of the said T.S., or under conditions in which Defendant
7 knew, or should have known, that T.S. was mentally or physically incapable of resisting or
8 understanding the nature of Defendant's conduct; Defendant being liable under one or more of
9 the following principles of criminal liability: (1) by Defendant directly performing such acts;
10 and/or (2) by Defendant acting with DEBORAH SENA and/or others unknown pursuant to a
11 conspiracy with DEBORAH SENA and/or others unknown in performing such acts; and/or
12 (3) by Defendant aiding and abetting the performance of such acts by counseling,
13 encouraging, inducing or otherwise procuring DEBORAH SENA to commit such acts.

14 COUNT 64 - SEXUAL ASSAULT

15 did, on or between December 2, 2008 and December 1, 2012, then and there willfully,
16 unlawfully, and feloniously sexually assault and subject T.S. to sexual penetration, to-wit:
17 sexual intercourse, by said Defendant assisting and/or causing DEBORAH SENA to have the
18 penis of the said T.S. in the genital opening of DEBORAH SENA, against the will of the said
19 T.S., or under conditions in which Defendant knew, or should have known, that T.S. was
20 mentally or physically incapable of resisting or understanding the nature of Defendant's
21 conduct; Defendant being liable under one or more of the following principles of criminal
22 liability: (1) by Defendant directly performing such acts; and/or (2) by Defendant acting with
23 DEBORAH SENA and/or others unknown pursuant to a conspiracy with DEBORAH SENA
24 and/or others unknown in performing such acts; and/or (3) by Defendant aiding and abetting
25 the performance of such acts by counseling, encouraging, inducing or otherwise procuring
26 DEBORAH SENA to commit such acts.

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1 COUNT 65 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

2 did, on or between December 2, 2008 and December 1, 2010, then and there willfully,
3 unlawfully, and feloniously sexually assault and subject T.S., a child under sixteen years of
4 age, to sexual penetration, to-wit: sexual intercourse, by said Defendant assisting and/or
5 causing DEBORAH SENA to have the penis of the said T.S. in the genital opening of
6 DEBORAH SENA, against the will of the said T.S., or under conditions in which Defendant
7 knew, or should have known, that T.S. was mentally or physically incapable of resisting or
8 understanding the nature of Defendant's conduct; Defendant being liable under one or more of
9 the following principles of criminal liability: (1) by Defendant directly performing such acts;
10 and/or (2) by Defendant acting with DEBORAH SENA and/or others unknown pursuant to a
11 conspiracy with DEBORAH SENA and/or others unknown in performing such acts; and/or
12 (3) by Defendant aiding and abetting the performance of such acts by counseling,
13 encouraging, inducing or otherwise procuring DEBORAH SENA to commit such acts.

14 COUNT 66 - SEXUAL ASSAULT

15 did, on or between December 2, 2008 and December 1, 2012, then and there willfully,
16 unlawfully, and feloniously sexually assault and subject T.S., a child under sixteen years of
17 age, to sexual penetration, to-wit: sexual intercourse, by said Defendant assisting and/or
18 causing DEBORAH SENA to have the penis of the said T.S. in the genital opening of
19 DEBORAH SENA, against the will of the said T.S., or under conditions in which Defendant
20 knew, or should have known, that T.S. was mentally or physically incapable of resisting or
21 understanding the nature of Defendant's conduct; Defendant being liable under one or more of
22 the following principles of criminal liability: (1) by Defendant directly performing such acts;
23 and/or (2) by Defendant acting with DEBORAH SENA and/or others unknown pursuant to a
24 conspiracy with DEBORAH SENA and/or others unknown in performing such acts; and/or
25 (3) by Defendant aiding and abetting the performance of such acts by counseling,
26 encouraging, inducing or otherwise procuring DEBORAH SENA to commit such acts.

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1 COUNT 67 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

2 did, on or between December 2, 2008 and December 1, 2010, then and there willfully,
3 unlawfully, and feloniously sexually assault and subject T.S., a child under sixteen years of
4 age, to sexual penetration, to-wit: fellatio, by said Defendant assisting and/or causing
5 DEBORAH SENA to have the penis of the said T.S. on and/or in the mouth of DEBORAH
6 SENA, against the will of the said T.S., or under conditions in which Defendant knew, or
7 should have known, that T.S. was mentally or physically incapable of resisting or
8 understanding the nature of Defendant's conduct; Defendant being liable under one or more of
9 the following principles of criminal liability: (1) by Defendant directly performing such acts;
10 and/or (2) by Defendant acting with DEBORAH SENA and/or others unknown pursuant to a
11 conspiracy with DEBORAH SENA and/or others unknown in performing such acts; and/or
12 (3) by Defendant aiding and abetting the performance of such acts by counseling,
13 encouraging, inducing or otherwise procuring DEBORAH SENA to commit such acts.

14 COUNT 68 - SEXUAL ASSAULT

15 did, on or between December 2, 2008 and December 1, 2012, then and there willfully,
16 unlawfully, and feloniously sexually assault and subject T.S. to sexual penetration, to-wit:
17 fellatio, by said Defendant assisting and/or causing DEBORAH SENA to have the penis of
18 the said T.S. on and/or in the mouth of DEBORAH SENA, against the will of the said T.S., or
19 under conditions in which Defendant knew, or should have known, that T.S. was mentally or
20 physically incapable of resisting or understanding the nature of Defendant's conduct;
21 Defendant being liable under one or more of the following principles of criminal liability: (1)
22 by Defendant directly performing such acts; and/or (2) by Defendant acting with DEBORAH
23 SENA and/or others unknown pursuant to a conspiracy with DEBORAH SENA and/or others
24 unknown in performing such acts; and/or (3) by Defendant aiding and abetting the
25 performance of such acts by counseling, encouraging, inducing or otherwise procuring
26 DEBORAH SENA to commit such acts.

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1 COUNT 69 - USE OF MINOR IN PRODUCING PORNOGRAPHY

2 did, on or between December 2, 2008 and December 1, 2013, then and there willfully,
3 unlawfully, feloniously and knowingly, use, encourage, entice or permit T.S., a minor under
4 the age of 18, to simulate or engage in, or assist others to simulate or engage in sexual conduct,
5 and/or be the subject of a sexual portrayal, to-wit: DEBORAH SENA engaging in sexual
6 intercourse with and performing fellatio on T.S., for the purpose of producing a pornographic
7 performance and that said performance was video recorded by said Defendant; Defendant
8 being liable under one or more of the following principles of criminal liability: (1) by
9 Defendant directly performing such acts; and/or (2) by Defendant acting with DEBORAH
10 SENA and/or others unknown pursuant to a conspiracy with DEBORAH SENA and/or others
11 unknown in performing such acts; and/or (3) by Defendant aiding and abetting the
12 performance of such acts by counseling, encouraging, inducing or otherwise procuring
13 DEBORAH SENA to commit such acts.

14 COUNT 70 CHILD ABUSE, NEGLECT, OR ENDANGERMENT - SEXUAL ABUSE

15 did, on or between August 13, 2011 and June 30, 2014, willfully, unlawfully, and
16 feloniously cause a child under the age of 18 years, to-wit: B.S. to suffer unjustifiable physical
17 pain or mental suffering as a result of abuse or neglect, to wit: sexual abuse, and/or cause B.S.
18 to be placed in a situation where the said B.S. might have suffered unjustifiable physical pain
19 or mental suffering as a result of abuse or neglect, to wit: sexual abuse, by said Defendant
20 causing B.S. to remove his clothes and get into a pool with Defendant and Deborah Sena, both
21 of whom were also nude, as Defendant and DEBORAH SENA proceeded to have sexual
22 intercourse in the presence of B.S.; Defendant being liable under one or more of the following
23 principles of criminal liability: (1) by Defendant directly performing such acts; and/or (2) by
24 Defendant acting with DEBORAH SENA and/or others unknown pursuant to a conspiracy
25 with DEBORAH SENA and/or others unknown in performing such acts; and/or (3) by
26 Defendant aiding and abetting the performance of such acts by counseling, encouraging,
27 inducing or otherwise procuring DEBORAH SENA to commit such acts.

28 //

1 COUNT 71 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

2 did, on or between August 13, 2011 and June 30, 2014, then and there willfully,
3 unlawfully, and feloniously sexually assault and subject B.S., a child under sixteen years of
4 age, to sexual penetration, to-wit: fellatio, by said Defendant assisting and/or causing the said
5 DEBORAH SENA to have the penis of the said B.S. on and/or in the mouth of DEBORAH
6 SENA, against the will of the said B.S., or under conditions in which Defendant knew, or
7 should have known, that B.S. was mentally or physically incapable of resisting or
8 understanding the nature of Defendant's conduct; Defendant being liable under one or more of
9 the following principles of criminal liability: (1) by Defendant directly performing such acts;
10 and/or (2) by Defendant acting with DEBORAH SENA and/or others unknown pursuant to a
11 conspiracy with DEBORAH SENA and/or others unknown in performing such acts; and/or
12 (3) by Defendant aiding and abetting the performance of such acts by counseling,
13 encouraging, inducing or otherwise procuring DEBORAH SENA to commit such acts.

14 COUNT 72 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

15 did, on or between August 13, 2011 and June 30, 2014, then and there willfully,
16 unlawfully, and feloniously sexually assault and subject B.S., a child under sixteen years of
17 age, to sexual penetration, to-wit: sexual intercourse, by said Defendant assisting and/or
18 causing the said DEBORAH SENA to have the penis of the said B.S. in the genital opening of
19 DEBORAH SENA, against the will of the said B.S., or under conditions in which Defendant
20 knew, or should have known, that B.S. was mentally or physically incapable of resisting or
21 understanding the nature of Defendant's conduct; Defendant being liable under one or more of
22 the following principles of criminal liability: (1) by Defendant directly performing such acts;
23 and/or (2) by Defendant acting with DEBORAH SENA and/or others unknown pursuant to a
24 conspiracy with DEBORAH SENA and/or others unknown in performing such acts; and/or
25 (3) by Defendant aiding and abetting the performance of such acts by counseling,
26 encouraging, inducing or otherwise procuring DEBORAH SENA to commit such acts.

27 //

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1 COUNT 73 - INCEST

2 did, on or between August 13, 2011 and June 30, 2014, willfully, unlawfully, and
3 feloniously assist and/or cause DEBORAH SENA to commit fornication or adultery with
4 and/or on B.S., the son of DEBORAH SENA; DEBORAH SENA and B.S. being within the
5 degree of consanguinity within which marriages are declared by law to be incestuous and void;
6 the Defendant committing the crime by assisting and/or causing DEBORAH SENA to engage
7 in sexual intercourse with B.S.; Defendant being liable under one or more of the following
8 principles of criminal liability: (1) by Defendant acting with DEBORAH SENA and/or others
9 unknown pursuant to a conspiracy with DEBORAH SENA and/or others unknown in
10 performing such acts; and/or (2) by Defendant aiding and abetting the performance of such
11 acts by counseling, encouraging, inducing, or otherwise procuring DEBORAH SENA to
12 commit such acts.

13 COUNT 74 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

14 did, on or between August 13, 2011 and June 30, 2014, then and there willfully,
15 unlawfully, and feloniously sexually assault and subject B.S., a child under sixteen years of
16 age, to sexual penetration, to-wit: sexual intercourse, by said Defendant assisting and/or
17 causing DEBORAH SENA to have the penis of the said B.S. in the genital opening of
18 DEBORAH SENA, against the will of the said B.S., or under conditions in which Defendant
19 knew, or should have known, that B.S. was mentally or physically incapable of resisting or
20 understanding the nature of Defendant's conduct; Defendant being liable under one or more of
21 the following principles of criminal liability: (1) by Defendant acting with DEBORAH SENA
22 and/or others unknown pursuant to a conspiracy with DEBORAH SENA and/or others
23 unknown in performing such acts; and/or (2) by Defendant and DEBORAH SENA and/or
24 others unknown aiding and abetting each other by counseling, encouraging, inducing, or
25 otherwise procuring each other to commit such acts, and/or (3) by aiding and abetting the
26 performance of such acts by counseling, encouraging, inducing or otherwise procuring
27 DEBORAH SENA to commit such acts.

28 //

1 COUNT 75 - INCEST

2 did, on or between August 13, 2011 and June 30, 2014, willfully, unlawfully, and
3 feloniously assist and/or cause DEBORAH SENA to commit fornication or adultery with
4 and/or on B.S., the son of DEBORAH SENA; DEBORAH SENA and B.S. being within the
5 degree of consanguinity within which marriages are declared by law to be incestuous and void;
6 the Defendant committing the crime by assisting and/or causing DEBORAH SENA to engage
7 in sexual intercourse with B.S.; Defendant being liable under one or more of the following
8 principles of criminal liability: (1) by Defendant acting with DEBORAH SENA and/or others
9 unknown pursuant to a conspiracy with DEBORAH SENA and/or others unknown in
10 performing such acts; and/or (2) by Defendant aiding and abetting the performance of such
11 acts by counseling, encouraging, inducing, or otherwise procuring DEBORAH SENA to
12 commit such acts.

13 COUNT 76 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

14 did, on or between August 13, 2011 and June 30, 2014, then and there willfully,
15 unlawfully, and feloniously sexually assault and subject B.S., a child under sixteen years of
16 age, to sexual penetration, to-wit: fellatio, by said Defendant assisting and/or causing
17 DEBORAH SENA to have the penis of the said B.S. on and/or in the mouth of DEBORAH
18 SENA, against the will of the said B.S., or under conditions in which Defendant knew, or
19 should have known, that B.S. was mentally or physically incapable of resisting or
20 understanding the nature of Defendant's conduct; Defendant being liable under one or more of
21 the following principles of criminal liability: (1) by Defendant directly performing such acts;
22 and/or (2) by Defendant acting with DEBORAH SENA and/or others unknown pursuant to a
23 conspiracy with DEBORAH SENA and/or others unknown in performing such acts; and/or
24 (3) by Defendant aiding and abetting the performance of such acts by counseling,
25 encouraging, inducing or otherwise procuring DEBORAH SENA to commit such acts.

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1 COUNT 77 - USE OF MINOR IN PRODUCING PORNOGRAPHY

2 did, on or between August 13, 2011 and June 30, 2014, then and there willfully,
3 unlawfully, feloniously and knowingly, use, encourage, entice or permit B.S., a minor under
4 the age of 18, to simulate or engage in, or assist others to simulate or engage in sexual conduct,
5 and/or be the subject of a sexual portrayal, to-wit: DEBORAH SENA engaging in sexual
6 intercourse with and performing fellatio on B.S., for the purpose of producing a pornographic
7 performance and that said performance was video recorded by said Defendant; Defendant
8 being liable under one or more of the following principles of criminal liability: (1) by
9 Defendant directly performing such acts; and/or (2) by Defendant acting with DEBORAH
10 SENA and/or others unknown pursuant to a conspiracy with DEBORAH SENA and/or others
11 unknown in performing such acts; and/or (3) by Defendant aiding and abetting the
12 performance of such acts by counseling, encouraging, inducing or otherwise procuring
13 DEBORAH SENA to commit such acts.

14 COUNT 78 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
15 CONDUCT OF A CHILD

16 did, on or about September 18, 2014, willfully, unlawfully, feloniously and knowingly
17 have in his possession a film, photograph, or other visual presentation depicting B.S., a child
18 under the age of 16 years of age, as the subject of a sexual portrayal or engaging in, simulating,
19 or assisting others to engage in or simulate sexual conduct, to-wit: a video showing
20 DEBORAH SENA engaging in sexual intercourse with and performing fellatio on B.S.

21 COUNT 79 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

22 did, on or between August 13, 2011 and June 30, 2014, then and there willfully,
23 unlawfully, and feloniously sexually assault and subject B.S., a child under sixteen years of
24 age, to sexual penetration, to-wit: fellatio, by said Defendant assisting and/or causing TERRIE
25 SENA to place her mouth on the penis of the said B.S., against the will of the said B.S., or
26 under conditions in which Defendant knew, or should have known, that B.S. was mentally or
27 physically incapable of resisting or understanding the nature of Defendant's conduct;
28 Defendant being liable under one or more of the following principles of criminal liability: (1)

1 by Defendant directly performing such acts; and/or (2) by Defendant acting with TERRIE
2 SENA and/or others unknown pursuant to a conspiracy with TERRIE SENA and/or others
3 unknown in performing such acts; and/or (3) by Defendant aiding and abetting the
4 performance of such acts by counseling, encouraging, inducing or otherwise procuring
5 TERRIE SENA to commit such acts.

6 COUNT 80 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

7 did, on or between August 13, 2011 and June 30, 2014, then and there willfully,
8 unlawfully, and feloniously sexually assault and subject B.S., a child under sixteen years of
9 age, to sexual penetration, to-wit: sexual intercourse, by said Defendant assisting and/or
10 causing TERRIE SENA to have the penis of the said B.S. in the genital opening of TERRIE
11 SENA, against the will of the said B.S., or under conditions in which Defendant knew, or
12 should have known, that B.S. was mentally or physically incapable of resisting or
13 understanding the nature of Defendant's conduct; Defendant being liable under one or more of
14 the following principles of criminal liability: (1) by Defendant directly performing such acts;
15 and/or (2) by Defendant acting with TERRIE SENA and/or others unknown pursuant to a
16 conspiracy with TERRIE SENA and/or others unknown in performing such acts; and/or (3)
17 by Defendant aiding and abetting the performance of such acts by counseling, encouraging,
18 inducing or otherwise procuring TERRIE SENA to commit such acts.

19 COUNT 81 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT - SEXUAL ABUSE

20 did, on or between August 13, 2011 and June 30, 2014, willfully, unlawfully, and
21 feloniously cause a child under the age of 18 years, to-wit: B.S. to suffer unjustifiable physical
22 pain or mental suffering as a result of abuse or neglect, to wit: sexual abuse, and/or cause B.S.
23 to be placed in a situation where the said B.S. might have suffered unjustifiable physical pain
24 or mental suffering as a result of abuse or neglect, to wit: sexual abuse, by said Defendant
25 causing and/or directing and/or encouraging the said B.S. to fondle the breast(s) of TERRIE
26 SENA; Defendant being liable under one or more of the following principles of criminal
27 liability: (1) by Defendant directly performing such acts; and/or (2) by Defendant acting with
28 TERRIE SENA and/or others unknown pursuant to a conspiracy with TERRIE SENA and/or

1 others unknown in performing such acts; and/or (3) by Defendant aiding and abetting the
2 performance of such acts by counseling, encouraging, inducing or otherwise procuring
3 TERRIE SENA to commit such acts.

4 COUNT 82 - OPEN OR GROSS LEWDNESS

5 did, on or between August 13, 2011 and June 30, 2014, willfully and unlawfully
6 commit an act of open or gross lewdness by said Defendant assisting and/or causing B.S. to
7 touch and/or rub and/or fondle the breast(s) of TERRIE SENA; Defendant being liable under
8 one or more of the following principles of criminal liability: (1) by Defendant directly
9 performing such acts; and/or (2) by Defendant acting with TERRIE SENA and/or others
10 unknown pursuant to a conspiracy with TERRIE SENA and/or others unknown in performing
11 such acts; and/or (3) by Defendant aiding and abetting the performance of such acts by
12 counseling, encouraging, inducing or otherwise procuring TERRIE SENA to commit such
13 acts.

14 COUNT 83 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

15 did, on or between August 13, 2011 and June 30, 2014, then and there willfully,
16 unlawfully, and feloniously sexually assault and subject B.S., a child under sixteen years of
17 age, to sexual penetration, to-wit: sexual intercourse, by said Defendant assisting and/or
18 causing TERRIE SENA to have the penis of the said B.S. in the genital opening of said
19 TERRIE SENA, against the will of the said B.S., or under conditions in which Defendant
20 knew, or should have known, that B.S. was mentally or physically incapable of resisting or
21 understanding the nature of Defendant's conduct; Defendant being liable under one or more of
22 the following principles of criminal liability: (1) by Defendant directly performing such acts;
23 and/or (2) by Defendant acting with TERRIE SENA and/or others unknown pursuant to a
24 conspiracy with TERRIE SENA and/or others unknown in performing such acts; and/or (3)
25 by Defendant aiding and abetting the performance of such acts by counseling, encouraging,
26 inducing or otherwise procuring TERRIE SENA to commit such acts.

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1 COUNT 84 - CHILD ABUSE, NEGLECT, OR ENDANGERMENT - SEXUAL ABUSE

2 did, on or between August 13, 2011 and June 30, 2014, willfully, unlawfully, and
3 feloniously cause a child under the age of 18 years, to-wit: B.S. to suffer unjustifiable physical
4 pain or mental suffering as a result of abuse or neglect, to wit: sexual abuse, and/or cause B.S.
5 to be placed in a situation where the said B.S. might have suffered unjustifiable physical pain
6 or mental suffering as a result of abuse or neglect, to wit: sexual abuse, by said Defendant
7 causing and/or directing and/or encouraging the said B.S. to touch and/or rub and/or fondle
8 the breast(s) of TERRIE SENA; Defendant being liable under one or more of the following
9 principles of criminal liability: (1) by Defendant directly performing such acts; and/or (2) by
10 Defendant acting with TERRIE SENA and/or others unknown pursuant to a conspiracy with
11 TERRIE SENA and/or others unknown in performing such acts; and/or (3) by Defendant
12 aiding and abetting the performance of such acts by counseling, encouraging, inducing or
13 otherwise procuring TERRIE SENA to commit such acts.

14 COUNT 85 - OPEN OR GROSS LEWDNESS

15 did, on or between August 13, 2011 and June 30, 2014, willfully and unlawfully
16 commit an act of open or gross lewdness by said Defendant assisting and/or causing B.S. to
17 touch and/or rub and/or fondle the breast(s) of TERRIE SENA; Defendant being liable under
18 one or more of the following principles of criminal liability: (1) by Defendant directly
19 performing such acts; and/or (2) by Defendant acting with TERRIE SENA and/or others
20 unknown pursuant to a conspiracy with TERRIE SENA and/or others unknown in performing
21 such acts; and/or (3) by Defendant aiding and abetting the performance of such acts by
22 counseling, encouraging, inducing or otherwise procuring TERRIE SENA to commit such
23 acts.

24 COUNT 86 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
25 REPORTING CRIME OR COMMENCING PROSECUTION

26 did, on or between August 13, 2011 and June 30, 2014, then and there, willfully,
27 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay
28 B.S., from reporting a crime to anyone by said Defendant telling the said B.S. that the said

1 Defendant would break the legs of the said B.S. and/or kill the said B.S. if the said B.S. told
2 anyone of the sexual acts the said B.S. was forced to commit or have committed upon the said
3 B.S.

4 COUNT 87 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
5 AGE

6 did, on or between June 14, 2010 and June 13, 2012, then and there willfully,
7 unlawfully, and feloniously sexually assault and subject R.S., a child under fourteen years of
8 age, to sexual penetration, to-wit: anal intercourse, by said Defendant inserting his penis into
9 the anal opening of the said R.S., against the will of the said R.S., or under conditions in which
10 Defendant knew, or should have known, that R.S. was mentally or physically incapable of
11 resisting or understanding the nature of Defendant's conduct.

12 COUNT 88 - LEWDNESS WITH A MINOR UNDER THE AGE OF 14

13 did, on or between June 14, 2010 and June 13, 2012, willfully, lewdly, unlawfully, and
14 feloniously commit a lewd or lascivious act upon or with the body, or any part or member
15 thereof, of a child, to-wit: R.S., a child under the age of fourteen years, by said Defendant
16 using his penis to touch and/or rub and/or fondle the anal area of the said R.S., with the intent
17 of arousing, appealing to, or gratifying the lust, passions, or sexual desires of defendant, or
18 R.S.

19 COUNT 89 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
20 AGE

21 did, on or between June 14, 2010 and June 13, 2012, then and there willfully,
22 unlawfully, and feloniously sexually assault and subject R.S., a child under fourteen years of
23 age, to sexual penetration, to-wit: anal intercourse, by said Defendant inserting his penis into
24 the anal opening of the said R.S., against the will of the said R.S., or under conditions in which
25 Defendant knew, or should have known, that R.S. was mentally or physically incapable of
26 resisting or understanding the nature of Defendant's conduct.

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1 COUNT 90 - LEWDNESS WITH A MINOR UNDER THE AGE OF 14

2 did, on or between June 14, 2010 and June 13, 2012, willfully, lewdly, unlawfully, and
3 feloniously commit a lewd or lascivious act upon or with the body, or any part or member
4 thereof, of a child, to-wit: R.S., a child under the age of fourteen years, by said Defendant
5 using his penis to touch and/or rub and/or fondle the anal area of the said R.S., with the intent
6 of arousing, appealing to, or gratifying the lust, passions, or sexual desires of defendant, or
7 R.S.

8 COUNT 91 - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF
9 AGE

10 did, on or between June 14, 2010 and June 13, 2012, then and there willfully,
11 unlawfully, and feloniously sexually assault and subject R.S., a child under fourteen years of
12 age, to sexual penetration, to-wit: anal intercourse, by said Defendant inserting his penis into
13 the anal opening of the said R.S., against the will of the said R.S., or under conditions in which
14 Defendant knew, or should have known, that R.S. was mentally or physically incapable of
15 resisting or understanding the nature of Defendant's conduct.

16 COUNT 92 - LEWDNESS WITH A MINOR UNDER THE AGE OF 14

17 did, on or between June 14, 2010 and June 13, 2012, willfully, lewdly, unlawfully, and
18 feloniously commit a lewd or lascivious act upon or with the body, or any part or member
19 thereof, of a child, to-wit: R.S., a child under the age of fourteen years, by said Defendant
20 using his penis to touch and/or rub and/or fondle the anal area of the said R.S., with the intent
21 of arousing, appealing to, or gratifying the lust, passions, or sexual desires of defendant, or
22 R.S.

23 COUNT 93 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

24 did, on or between June 14, 2012 and June 13, 2014, then and there willfully,
25 unlawfully, and feloniously sexually assault and subject R.S., a child under sixteen years of
26 age, to sexual penetration, to-wit: anal intercourse, by said Defendant inserting his penis into
27 the anal opening of the said R.S., against the will of the said R.S., or under conditions in which
28 Defendant knew, or should have known, that R.S. was mentally or physically incapable of

1 resisting or understanding the nature of Defendant's conduct.

2 COUNT 94 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

3 did, on or between June 14, 2012 and June 13, 2014, then and there willfully,
4 unlawfully, and feloniously sexually assault and subject R.S., a child under sixteen years of
5 age, to sexual penetration, to-wit: anal intercourse, by said Defendant inserting his penis into
6 the anal opening of the said R.S., against the will of the said R.S., or under conditions in which
7 Defendant knew, or should have known, that R.S. was mentally or physically incapable of
8 resisting or understanding the nature of Defendant's conduct.

9 COUNT 95 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

10 did, on or between June 14, 2010 and June 13, 2014, then and there willfully,
11 unlawfully, and feloniously sexually assault and subject R.S., a child under sixteen years of
12 age, to sexual penetration, to-wit: fellatio, by said Defendant assisting and/or causing TERRIE
13 SENA to have the penis of the said R.S. on and/or in the mouth of said TERRIE SENA, against
14 the will of the said R.S., or under conditions in which Defendant knew, or should have known,
15 that R.S. was mentally or physically incapable of resisting or understanding the nature of
16 Defendant's conduct; Defendant being liable under one or more of the following principles of
17 criminal liability: (1) by Defendant directly performing such acts; and/or (2) by Defendant
18 acting with TERRIE SENA and/or others unknown pursuant to a conspiracy with TERRIE
19 SENA and/or others unknown in performing such acts; and/or (3) by Defendant aiding and
20 abetting the performance of such acts by counseling, encouraging, inducing or otherwise
21 procuring TERRIE SENA to commit such acts.

22 COUNT 96 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

23 did, on or between June 14, 2010 and June 13, 2014, then and there willfully,
24 unlawfully, and feloniously sexually assault and subject R.S., a child under sixteen years of
25 age, to sexual penetration, to-wit: sexual intercourse, by said Defendant assisting and/or
26 causing TERRIE SENA to have the penis of the said R.S. in the genital opening of said
27 TERRIE SENA, against the will of the said R.S., or under conditions in which Defendant
28 knew, or should have known, that R.S. was mentally or physically incapable of resisting or

1 understanding the nature of Defendant's conduct; Defendant being liable under one or more of
2 the following principles of criminal liability: (1) by Defendant directly performing such acts;
3 and/or (2) by Defendant acting with TERRIE SENA and/or others unknown pursuant to a
4 conspiracy with TERRIE SENA and/or others unknown in performing such acts; and/or (3)
5 by Defendant aiding and abetting the performance of such acts by counseling, encouraging,
6 inducing or otherwise procuring TERRIE SENA to commit such acts.

7 COUNT 97 - INCEST

8 did, on or between June 14, 2010 and June 13, 2014, willfully, unlawfully, and
9 feloniously assist and/or cause TERRIE SENA to commit fornication or adultery with and/or
10 on R.S., the son of TERRIE SENA; TERRIE SENA and R.S. being within the degree of
11 consanguinity within which marriages are declared by law to be incestuous and void; the
12 Defendant committing the crime by assisting and/or causing TERRIE SENA to engage in
13 sexual intercourse R.S.; Defendant being liable under one or more of the following principles
14 of criminal liability: (1) by Defendant acting with TERRIE SENA and/or others unknown
15 pursuant to a conspiracy with TERRIE SENA and/or others unknown in performing such acts;
16 and/or (2) by Defendant aiding and abetting the performance of such acts by counseling,
17 encouraging, inducing, or otherwise procuring TERRIE SENA to commit such acts.

18 COUNT 98 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

19 did, on or between June 14, 2010 and June 13, 2014, then and there willfully,
20 unlawfully, and feloniously sexually assault and subject R.S., a child under sixteen years of
21 age, to sexual penetration, to-wit: fellatio, by said Defendant assisting and/or causing TERRIE
22 SENA to have the penis of the said R.S. on and/or in the mouth of TERRIE SENA, against the
23 will of the said R.S., or under conditions in which Defendant knew, or should have known,
24 that R.S. was mentally or physically incapable of resisting or understanding the nature of
25 Defendant's conduct; Defendant being liable under one or more of the following principles of
26 criminal liability: (1) by Defendant directly performing such acts; and/or (2) by Defendant
27 acting with TERRIE SENA and/or others unknown pursuant to a conspiracy with TERRIE
28 SENA and/or others unknown in performing such acts; and/or (3) by Defendant aiding and

1 abetting the performance of such acts by counseling, encouraging, inducing or otherwise
2 procuring TERRIE SENA to commit such acts.

3 COUNT 99 - USE OF MINOR IN PRODUCING PORNOGRAPHY

4 did, on or between June 14, 2010 and June 13, 2014, then and there willfully,
5 unlawfully, feloniously and knowingly, use, encourage, entice or permit R.S., a minor under
6 the age of 18, to simulate or engage in, or assist others to simulate or engage in sexual conduct,
7 and/or be the subject of a sexual portrayal, to-wit: TERRIE SENA engaging in sexual
8 intercourse with and performing fellatio on R.S., for the purpose of producing a pornographic
9 performance and that said performance was video recorded by said Defendant; Defendant
10 being liable under one or more of the following principles of criminal liability: (1) by
11 Defendant directly performing such acts; and/or (2) by Defendant acting with TERRIE SENA
12 and/or others unknown pursuant to a conspiracy with TERRIE SENA and/or others unknown
13 in performing such acts; and/or (3) by Defendant aiding and abetting the performance of such
14 acts by counseling, encouraging, inducing or otherwise procuring TERRIE SENA to commit
15 such acts.

16 COUNT 100 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
17 CONDUCT OF A CHILD

18 did, on or about September 18, 2011, willfully, unlawfully, feloniously and knowingly
19 have in his possession a film, photograph, or other visual presentation depicting R.S., a child
20 under the age of 16 years of age, as the subject of a sexual portrayal or engaging in, simulating,
21 or assisting others to engage in or simulate sexual conduct, to-wit: a video showing TERRIE
22 SENA engaging in sexual intercourse with and performing fellatio on R.S.

23 COUNT 101 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

24 did, on or between June 14, 2010 and June 13, 2014, then and there willfully,
25 unlawfully, and feloniously sexually assault and subject R.S., a child under sixteen years of
26 age, to sexual penetration, to-wit: fellatio, by said Defendant assisting and/or causing TERRIE
27 SENA to have the penis of the said R.S. on and/or in the mouth of TERRIE SENA, against the
28 will of the said R.S., or under conditions in which Defendant knew, or should have known,

1 that R.S. was mentally or physically incapable of resisting or understanding the nature of
2 Defendant's conduct; Defendant being liable under one or more of the following principles of
3 criminal liability: (1) by Defendant directly performing such acts; and/or (2) by Defendant
4 acting with TERRIE SENA and/or others unknown pursuant to a conspiracy with TERRIE
5 SENA and/or others unknown in performing such acts; and/or (3) by Defendant aiding and
6 abetting the performance of such acts by counseling, encouraging, inducing or otherwise
7 procuring TERRIE SENA to commit such acts.

8 COUNT 102 - SEXUAL ASSAULT WITH A MINOR UNDER SIXTEEN YEARS OF AGE

9 did, on or between June 14, 2010 and June 13, 2014, then and there willfully,
10 unlawfully, and feloniously sexually assault and subject R.S., a child under sixteen years of
11 age, to sexual penetration, to-wit: fellatio, by said Defendant assisting and/or causing TERRIE
12 SENA to have the penis of the said R.S. on and/or in the mouth of TERRIE SENA, against the
13 will of the said R.S., or under conditions in which Defendant knew, or should have known,
14 that R.S. was mentally or physically incapable of resisting or understanding the nature of
15 Defendant's conduct; Defendant being liable under one or more of the following principles of
16 criminal liability: (1) by Defendant directly performing such acts; and/or (2) by Defendant
17 acting with TERRIE SENA and/or others unknown pursuant to a conspiracy with TERRIE
18 SENA and/or others unknown in performing such acts; and/or (3) by Defendant aiding and
19 abetting the performance of such acts by counseling, encouraging, inducing or otherwise
20 procuring TERRIE SENA to commit such acts.

21 COUNT 103 - USE OF MINOR IN PRODUCING PORNOGRAPHY

22 did, on or between June 14, 2010 and June 13, 2014, then and there willfully,
23 unlawfully, feloniously and knowingly, use, encourage, entice or permit R.S., a minor under
24 the age of 18, to simulate or engage in, or assist others to simulate or engage in sexual conduct,
25 and/or be the subject of a sexual portrayal, to-wit: TERRIE SENA performing fellatio on R.S.,
26 for the purpose of producing a pornographic performance and that said performance was video
27 recorded by said Defendant; Defendant being liable under one or more of the following
28 principles of criminal liability: (1) by Defendant directly performing such acts; and/or (2) by

1 Defendant acting with TERRIE SENA and/or others unknown pursuant to a conspiracy with
2 TERRIE SENA and/or others unknown in performing such acts; and/or (3) by Defendant
3 aiding and abetting the performance of such acts by counseling, encouraging, inducing or
4 otherwise procuring TERRIE SENA to commit such acts.

5 COUNT 104 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
6 CONDUCT OF A CHILD

7 did, on or about September 18, 2011, willfully, unlawfully, feloniously and knowingly
8 have in his possession a film, photograph, or other visual presentation depicting R.S., a child
9 under the age of 16 years of age, as the subject of a sexual portrayal or engaging in, simulating,
10 or assisting others to engage in or simulate sexual conduct, to-wit: a video showing TERRIE
11 SENA performing fellatio on R.S.

12 COUNT 105 - CHILD ABUSE, NEGLECT OR ENDANGERMENT - SEXUAL
13 EXPLOITATION

14 did, on or between June 14, 2010 and June 13, 2014, willfully, unlawfully, and
15 feloniously cause a child under the age of 18 years, to-wit: R.S. to suffer unjustifiable physical
16 pain or mental suffering as a result of abuse or neglect, to wit: sexual exploitation, and/or cause
17 R.S. to be placed in a situation where the said R.S. might have suffered unjustifiable physical
18 pain or mental suffering as a result of abuse or neglect, to wit: sexual exploitation, by said
19 Defendant causing the said R.S. to observe videos showing Defendant having sexual contact
20 with TERRIE SENA and/or pictures of DEBORAH SENA and TERRIE SENA in the nude
21 and/or a video which shows sexual contact between Defendant and/or TERRIE SENA and/or
22 DEBORAH SENA.

23 COUNT 106 - PREVENTING OR DISSUADING WITNESS OR VICTIM FROM
24 REPORTING CRIME OR COMMENCING PROSECUTION

25 did, on or between June 14, 2010 and June 13, 2014, then and there, willfully,
26 unlawfully, and feloniously, by intimidation or threats, prevent or dissuade, or hinder or delay
27 R.S., from reporting a crime to anyone by said Defendant telling the said R.S. that the said
28 Defendant would kill him and/or make his life a living hell if the said R.S. told anyone of the

1 sexual acts the said B.S. was forced to commit or have committed upon the said R.S.

2 COUNT 107 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

3 did, on or between December 21, 2010 and June 30, 2014, willfully, lewdly,
4 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
5 or member thereof, of a child, to-wit: E.C., a child under the age of fourteen years, by said
6 Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the genital area
7 of the said E.C., with the intent of arousing, appealing to, or gratifying the lust, passions, or
8 sexual desires of defendant, or E.C.

9 COUNT 108 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

10 did, on or between December 21, 2010 and June 30, 2014, willfully, lewdly,
11 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
12 or member thereof, of a child, to-wit: E.C., a child under the age of fourteen years, by said
13 Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the breast(s) of
14 the said E.C., with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual
15 desires of defendant, or E.C.

16 COUNT 109 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

17 did, on or between December 21, 2010 and June 30, 2014, willfully, lewdly,
18 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
19 or member thereof, of a child, to-wit: E.C., a child under the age of fourteen years, by said
20 Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the genital area
21 of the said E.C., with the intent of arousing, appealing to, or gratifying the lust, passions, or
22 sexual desires of defendant, or E.C.

23 COUNT 110 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

24 did, on or between December 21, 2010 and June 30, 2014, willfully, lewdly,
25 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
26 or member thereof, of a child, to-wit: E.C., a child under the age of fourteen years, by said
27 Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the breast(s) of
28 the said E.C., with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual

1 desires of defendant, or E.C.

2 COUNT 111 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

3 did, on or between December 21, 2010 and June 30, 2014, willfully, lewdly,
4 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
5 or member thereof, of a child, to-wit: E.C., a child under the age of fourteen years, by said
6 Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the genital area
7 of the said E.C., with the intent of arousing, appealing to, or gratifying the lust, passions, or
8 sexual desires of defendant, or E.C.

9 COUNT 112 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

10 did, on or between December 21, 2010 and June 30, 2014, willfully, lewdly,
11 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
12 or member thereof, of a child, to-wit: E.C., a child under the age of fourteen years, by said
13 Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the breast(s) of
14 the said E.C., with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual
15 desires of defendant, or E.C.

16 COUNT 113 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

17 did, on or between December 21, 2010 and June 30, 2014, willfully, lewdly,
18 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
19 or member thereof, of a child, to-wit: E.C., a child under the age of fourteen years, by said
20 Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the genital area
21 of the said E.C., with the intent of arousing, appealing to, or gratifying the lust, passions, or
22 sexual desires of defendant, or E.C.

23 COUNT 114 - LEWDNESS WITH A CHILD UNDER THE AGE OF 14

24 did, on or between December 21, 2010 and June 30, 2014, willfully, lewdly,
25 unlawfully, and feloniously commit a lewd or lascivious act upon or with the body, or any part
26 or member thereof, of a child, to-wit: E.C., a child under the age of fourteen years, by said
27 Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the breast(s) of
28 the said E.C., with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual

1 desires of defendant, or E.C.

2 COUNT 115 - USE OF MINOR UNDER THE AGE OF 14 IN PRODUCING
3 PORNOGRAPHY

4 did, on or between December 21, 2010 and June 30, 2014, then and there willfully,
5 unlawfully, feloniously and knowingly, use, encourage, entice or permit E.C., a minor under
6 the age of 14, to simulate or engage in, or assist others to simulate or engage in sexual conduct,
7 and/or be the subject of a sexual portrayal, to-wit: E.C. showering in the nude, for the purpose
8 of producing a pornographic performance and that said performance was video recorded by
9 said Defendant and/or TERRIE SENA; Defendant being liable under one or more of the
10 following principles of criminal liability: (1) by Defendant directly performing such acts;
11 and/or (2) by Defendant acting with TERRIE SENA and/or others unknown pursuant to a
12 conspiracy with TERRIE SENA and/or others unknown in performing such acts; and/or (3)
13 by Defendant aiding and abetting the performance of such acts by counseling, encouraging,
14 inducing or otherwise procuring TERRIE SENA to commit such acts.

15 COUNT 116 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
16 CONDUCT OF A CHILD

17 did, on or about the 18th day of September, 2014, then and there, feloniously,
18 knowingly and willfully have in his possession a film, photograph, or other visual presentation
19 depicting a child under the age of 16 years of age to simulate or engage in sexual conduct
20 and/or be as the subject of a sexual portrayal, to-wit: E.C. in the nude.

21 COUNT 117 - CHILD ABUSE, NEGLECT OR ENDANGERMENT - SEXUAL
22 EXPLOITATION

23 did, on or between January 9, 2004 and January 8, 2013, willfully, unlawfully, and
24 feloniously cause a child under the age of 18 years, to-wit: T.G. to suffer unjustifiable physical
25 pain or mental suffering as a result of abuse or neglect, to wit: sexual exploitation, and/or cause
26 T.G. to be placed in a situation where the said T.G. might have suffered unjustifiable physical
27 pain or mental suffering as a result of abuse or neglect, to wit: sexual exploitation, by said
28 Defendant showing T.G. photos of nude individuals including individuals engaged in sexual

1 activity.

2 COUNT 118 - USE OF MINOR UNDER THE AGE OF 18 IN PRODUCING
3 PORNOGRAPHY

4 did, on or between January 9, 2004 and January 8, 2013, then and there willfully,
5 unlawfully, feloniously and knowingly, use, encourage, entice or permit T.G., a minor under
6 the age of 18, to simulate or engage in, or assist others to simulate or engage in sexual conduct,
7 and/or be the subject of a sexual portrayal, to-wit: said Defendant video recording T.G.
8 showering in the nude, for the purpose of producing a pornographic performance; Defendant
9 being liable under one or more of the following principles of criminal liability: (1) by
10 Defendant directly performing such acts; and/or (2) by Defendant acting with TERRIE SENA
11 and/or others unknown pursuant to a conspiracy with TERRIE SENA and/or others unknown
12 in performing such acts; and/or (3) by Defendant aiding and abetting the performance of such
13 acts by counseling, encouraging, inducing or otherwise procuring TERRIE SENA to commit
14 such acts.

15 COUNT 119 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
16 CONDUCT OF A CHILD

17 did, on or about the 18th day of September, 2014, then and there, feloniously,
18 knowingly and willfully have in his possession a film, photograph, or other visual presentation
19 depicting a child under the age of 16 years of age to simulate or engage in sexual conduct
20 and/or be the subject of a sexual portrayal, to-wit: T.G., a minor under the age of 16, showering
21 in the nude.

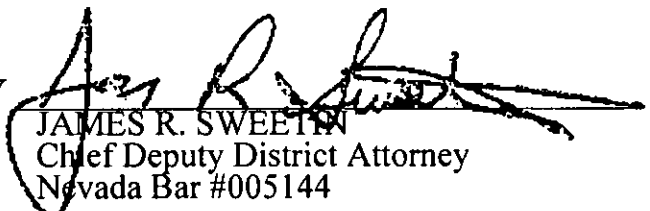
22 COUNT 120 - POSSESSION OF VISUAL PRESENTATION DEPICTING SEXUAL
23 CONDUCT OF A CHILD

24 did, on or about September 18, 2014, willfully, unlawfully, feloniously and knowingly
25 have in his possession a film, photograph, or other visual presentation depicting M.C., a child
26 under the age of 16 years of age, as the subject of a sexual portrayal or engaging in, simulating,
27 or assisting others to engage in or simulate sexual conduct, to-wit: an image of the said M.C.
28 sitting nude on a bed with a vibrator between her legs; and/or an image of the said M.C. sitting


1 nude on a bed with a vibrator between her breasts; an image of the said M.C. sitting nude on
2 a bed with a vibrator touching her mouth; an image of the said M.C. sitting on a bed in the
3 nude; an image of the said M.C. kneeling on a bed in the nude with an apparent vibrator
4 between her legs.

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

8 BY

9 
10 JAMES R. SWEETIN
11 Chief Deputy District Attorney
12 Nevada Bar #005144

13 BY

14 
15 MARY KAY HORTHUS
16 Chief Deputy District Attorney
17 Nevada Bar #003814

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27 DA#14F14785X/hjc/SVU
28 LVMPD EV#1409151583
(TK03)

● ORIGINAL ●

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

SEP 05 2018

BY

TIA EVERETT, DEPUTY

1 **MOT**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 JAMES R. SWEETIN
6 Chief Deputy District Attorney
7 Nevada Bar #005144
8 MARY KAY HOLTHUS
9 Chief Deputy District Attorney
10 Nevada Bar #003814
11 200 Lewis Avenue
12 Las Vegas, Nevada 89155-2212
13 (702) 671-2500
14 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,
11
12 Plaintiff,

13 -VS-

14 CHRISTOPHER SENA,
15 #0779849

16 Defendant.

CASE NO: C-15-311453-1

DEPT NO: XIX

17 **STATE'S MOTION TO STRIKE DEFENDANT'S NOTICE OF EXPERT**
18 **WITNESSES, PURSUANT TO NRS 174.234(2)**

19 DATE OF HEARING: September 5, 2018
20 TIME OF HEARING: 11:00 AM

21 **YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE** that the State of
22 Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through JAMES R.
23 SWEETIN, Chief Deputy District Attorney, and MARY KAY HOLTHUS, Chief Deputy
24 District Attorney, will bring a Motion to Strike Defendant's Notice of Expert Witnesses,
25 Pursuant to NRS 174.234(2), before the above entitled Court on the 5th day of September,
26 2018, at the hour of 11:00 o'clock AM, or as soon thereafter as counsel may be heard.

27 ///

28 ///

///

C-15-311453-1
MSTR
Motion to Strike
4777057



1 POINTS AND AUTHORITIES

2 Trial of this matter is scheduled to commence on September 5, 2018. On December
3 29, 2017, Defendant filed a Notice of Expert Witnesses, Pursuant to NRS 174.234 (2).

4 The State herein files its Motion to Strike Defendant's Notice of Expert Witnesses,
5 Pursuant to NRS 174.234(2). See Exhibit "1"

6 The State adopts facts as set forth in previous Motion to Strike.

7 The State became aware of the Notice on September 4, 2018 and contacted defense
8 requesting additional information regarding the Notice to comply with statutory requirements.
9 Defense did not provide any additional information. The State also contacted the expert
10 witness listed who indicated he had not been contacted by defense and had no knowledge
11 regarding any testimony he would be called to give.

12
13 APPLICABLE LAW

14 NRS 174.234(2) states:

15 2. If the defendant will be tried for one or more offenses that are
16 punishable as a gross misdemeanor or felony and a witness that a
17 party intends to call during the case in chief of the state or during
18 the case in chief of the defendant is expected to offer testimony as
19 an expert witness, the party who intends to call that witness shall
20 file and serve upon the opposing party, not less than 21 days before
21 trial or at such other time as the court directs, a written notice
22 containing:

23 (a) A brief statement regarding the subject matter on which the
24 expert witness is expected to testify and the substance of his
25 testimony;

26 (b) A copy of the curriculum vitae of the expert witness; and

27 (c) A copy of all reports made by or at the direction of the expert
28 witness.

NRS 174.234(3)(b) further states:

3. After complying with the provisions of subsections 1 and 2,
each party has a continuing duty to file and serve upon the
opposing party:

1 (b) Any information relating to an expert witness that is required
2 to be disclosed pursuant to subsection 2. A party shall provide
3 information pursuant to this paragraph as soon as practicable after
4 the party obtains that information. The court shall prohibit the
5 party from introducing that information in evidence or shall
6 prohibit the expert witness from testifying if the court determines
7 that the party acted in bad faith by not timely disclosing that
8 information pursuant to subsection 2.

9
10 NRS 50.275, governing "Testimony by experts," permits expert witness testimony in
11 the following circumstances:

12 If scientific, technical or other specialized knowledge will assist the
13 trier of fact to understand the evidence or to determine a fact in issue,
14 a witness qualified as an expert by special knowledge, skill,
15 experience, training or education may testify to matters within the
16 scope of such knowledge.

17 In Perez v. State, 313 P.3d 862, 129 Nev.Adv.Op. 90 (2013), the Nevada Supreme
18 Court addressed the admissibility of expert testimony and stated, in relevant portion:

19 **The threshold test for the admissibility of testimony by a**
20 **qualified expert is whether the expert's specialized knowledge**
21 **will assist the trier of fact to understand the evidence or**
22 **determine a fact in issue."** Townsend v. State, 103 Nev. 113,
23 117, 734 P.2d 705, 708 (1987); *see* NRS 50.275 ("If scientific,
24 technical or other specialized knowledge will assist the trier of fact
25 to understand the evidence or to determine a fact in issue, a witness
26 qualified as an expert by special knowledge, skill, experience,
27 training or education may testify to matters within the scope of
28 such knowledge."). Expert testimony is admissible if it meets the
following three requirements, which we have described as the
"qualification," "assistance," and "limited scope" requirements:
(1) [the expert] must be qualified in an area of "scientific, technical
or other specialized knowledge" (the qualification requirement);
(2) his or her specialized knowledge must "assist the trier of fact
to understand the evidence or to determine a fact in issue" (the
assistance requirement); and (3) his or her testimony must be
limited "to matters within the scope of [his or her specialized]
knowledge" (the limited scope requirement).

Hallmark v. Eldridge, 124 Nev. 492, 498, 189 P.3d 646, 650
(2008) (second alteration in original) (quoting NRS 50.275); *see*
also Higgs v. State, 126 Nev. ___, 222 P.3d 648, 658 (2010). We
review a district court's decision to allow expert testimony for an
abuse of discretion. Hallmark, 124 Nev. At 498, 189 P.3d at 650.

26 Perez, *supra*, 313 P.3d 862 at 866 (emphasis added). Here, Defendant's proposed expert
27 testimony does not meet even the threshold test for admissibility.

1 Expert testimony is generally admissible at trial when the subject matter of inquiry is
2 sufficiently beyond the common experience of an average juror and is one in which only
3 persons of skill and experience in the area are capable of forming a correct judgment regarding
4 a connected fact. People v. Johnson, 423 N.E.2d 1206, 1216, (Ill.App., 1981). Expert opinions
5 may not be admitted on matters of common knowledge unless the subject is difficult in
6 comprehension and explanation. Id.

7 The "assistance" requirement has two components: whether the testimony is (1)
8 relevant and (2) the product of reliable methodology. Hallmark, 124 Nev. at 500, 189 P.3d at
9 651 ("An expert's testimony will assist the trier of fact only when it is relevant and the product
10 of reliable methodology." (footnote omitted))." Perez, 313 P.3d 862 at 867. The Perez Court
11 articulated five factors to use in evaluating the second component of the "assistance"
12 requirement—whether an expert's opinion is the product of reliable methodology. Id., 313
13 P.3d 862 at 869. These factors include whether the opinion is (1) within a recognized field of
14 expertise; (2) testable and has been tested; (3) published and subjected to peer review; (4)
15 generally accepted in the scientific community (not always determinative); and (5) based more
16 on particularized facts rather than assumption, conjecture, or generalization. Hallmark, 124
17 Nev. at 500-01, 189 P.3d at 651-52 (footnotes omitted) (emphasis added).

18 Relevant evidence is not admissible if its probative value is substantially outweighed
19 by the danger of unfair prejudice or misleading the jury, or if it amounts to needless
20 presentation of cumulative evidence. NRS 48.035.

21 ARGUMENT

22 **I. THE DEFENDANT HAS FAILED TO PRESENT ADEQUATE NOTICE OF** 23 **EXPERT WITNESS PURSUANT TO NRS 174.234(2)**

24 Pursuant to NRS 174.234(2), as noted above, a notice of expert must include:
25 "A brief Statement regarding the subject matter on which the expert
26 witness is expected to testify and the substance of his testimony"

27 NRS 174.234(2)(a). In the subject case, Defendant's notice details the following:

28 ". . . His testimony will provide expert opinions on sexual abuse
studies and research involving incest, sexual abuse of minors, child

1 pornography, child abuse, bestiality as well as psychosexual profiles
and evaluation, if any.

2 The Defendant gives only the name and address which in no way satisfies requirements
3 of NRS 174.234.

4 **CONCLUSION**

5 For the reasons stated above, the State respectfully requests this Court grant the State's
6 Motion to Strike Defendant's Notice of Expert Witnesses, Pursuant to NRS 174.234(2).

7 DATED this 5th day of September, 2018.

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

10 BY

11 JAMES R. SWEETIN
12 Chief Deputy District Attorney
Nevada Bar #005144

13 BY

14 MARY KAY HOLTHUIS
15 Chief Deputy District Attorney
Nevada Bar #003814

EXHIBIT “1”

2007

Steven D. Grierson

1 PHILIP J. KOHN, PUBLIC DEFENDER
2 NEVADA BAR NO. 0556
3 309 South Third Street, Suite 226
4 Las Vegas, Nevada 89155
(702) 455-4685
Attorney for Defendant.

5 **DISTRICT COURT**

6 **CLARK COUNTY, NEVADA**

7 THE STATE OF NEVADA,)

8 Plaintiff,)

9 v.)

10 CHRISTOPHER SENA,)

11 Defendant.)
12

CASE NO. C-15-311453-1

DEPT. NO. XIX

13 **DEFENDANT'S NOTICE OF EXPERT WITNESS, PURSUANT TO NRS 174.234**

14 **TO: CLARK COUNTY DISTRICT ATTORNEY:**

15 You, and each of you, will please take notice that the Defendant, CHRISTOPHER
16 SENA, intends to call the following witness:
17

18 Larry Smith
19 Nevada Digital Forensics
20 6895 E. Lake Mead Blvd., A6-131
Las Vegas, NV 89156

21 In addition, the Defendant hereby incorporates by reference any and all witnesses
22 (including expert witnesses) listed in the Information on file, the State's Notice of Witnesses and
23 and/all Supplemental Notices of Witnesses filed by the State in this case.

24 DATED this 29th day of December, 2017.

25 PHILIP J. KOHN
26 CLARK COUNTY PUBLIC DEFENDER

27 By: /s/ Violet R. Radosta
28 VIOLET R. RADOSTA, #5747
Deputy Public Defender

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By: /s/ Carrie M. Connolly
An employee of the
Clark County Public Defender's Office

ORIGINAL

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

SEP 05 2018

BY *Tia Everett*
TIA EVERETT, DEPUTY

1 **ROC**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 JAMES R. SWEETIN
6 Chief Deputy District Attorney
7 Nevada Bar #005144
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

10 THE STATE OF NEVADA,
11 Plaintiff,

12 -vs-

13 **CHRISTOPHER SENA,**
14 **#0779849**

15 Defendant.

CASE NO: **C-15-311453-1**

DEPT NO: **XIX**

16 **RECEIPT OF COPY**

18 RECEIPT OF COPY of TWENTY-FIVE (25) DVDS/CDS is hereby acknowledged
19 this 5 day of SEPTEMBER, 2018.

20 VIOLET RADOSTA, DPD
21 ATTORNEY FOR DEFENDANT

22 BY *Violet Radosta*
23 mcmahaae@ClarkCountyNV.gov

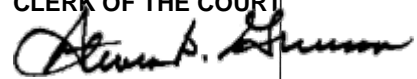
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DISTRICT COURT
CLARK COUNTY, NEVADA

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9/6/2018 4:40 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 104104918

6

) KIMBERLY DAWN SISNEROS-
SHAFER

7

) 4537 ROCKPINE DR
NORTH LAS VEGAS, NV 89081-3272

8

9

10

YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

11

26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

12

not be held in contempt of court for your failure to appear for jury service on:

13

Thursday, September 6, 2018

14

15

16

17

18

19

YOUR FAILURE TO APPEAR AS ABOVE SET FORTH, AT THE TIME, DATE,
AND PLACE THEREOF, WILL CAUSE THE COURT TO ISSUE A BENCH WARRANT
FOR YOUR ARREST AND DETENTION IN JAIL UNTIL SUCH TIME AS THE MATTER
CAN BE HEARD UNLESS BAIL IS FURNISHED AS PROVIDED IN SUCH WARRANT

20

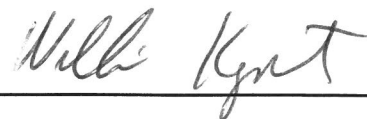
21

Dated this 6th day of September, 2018.

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WILLIAM KEPHART

26

DISTRICT COURT JUDGE DEPT # 19

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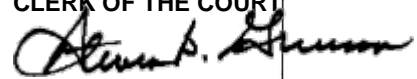
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2011

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 4:42 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 101110634

6

) JONATHON GISH

7

) 10609 REDWOOD GROVE AVE

8

) LAS VEGAS, NV 89144-1205

9

YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

10

11 26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

12 not be held in contempt of court for your failure to appear for jury service on:

13

Thursday, September 6, 2018

14

15 YOUR FAILURE TO APPEAR AS ABOVE SET FORTH, AT THE TIME, DATE,

16 AND PLACE THEREOF, WILL CAUSE THE COURT TO ISSUE A BENCH WARRANT

17 FOR YOUR ARREST AND DETENTION IN JAIL UNTIL SUCH TIME AS THE MATTER

18 CAN BE HEARD UNLESS BAIL IS FURNISHED AS PROVIDED IN SUCH WARRANT

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21 Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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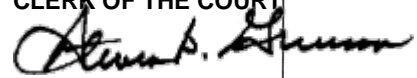
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2012

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 4:43 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3 vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 100115260

6

) ERIC F WOLF

7

) 3951 AVONWOOD AVE

8

) LAS VEGAS, NV 89121-4505

9

10 YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

11 26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

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21 Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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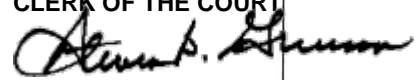
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2013

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 4:45 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 103645545

6

) ANNE MARIE DE MARCO REHM

7

) 8173 SEDONA SUNSET DR

8

) LAS VEGAS, NV 89128-7309

9

10 YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

11 26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

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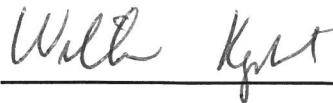
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21 Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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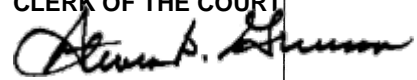
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2014

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 4:47 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 101270154

6

) ALEXANDER RYAN DACKO

7

) 286 MERRICK WAY

8

) HENDERSON, NV 89014-6054

9

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YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

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26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

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FOR YOUR ARREST AND DETENTION IN JAIL UNTIL SUCH TIME AS THE MATTER

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CAN BE HEARD UNLESS BAIL IS FURNISHED AS PROVIDED IN SUCH WARRANT

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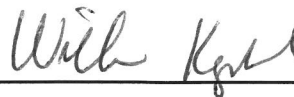
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Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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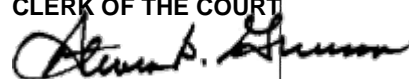
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DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 4:48 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 104797221

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) YURI LUDWIG SHANG

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) 9772 GALAHAD POINT CT

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) LAS VEGAS, NV 89147-8065

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10

YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

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26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

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21

Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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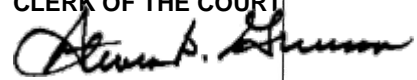
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2016

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 4:50 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 100756494

6

) MARIA CORONA-PAREDES

7

) 6049 CRAGGED DRAW ST
) NORTH LAS VEGAS, NV 89031-6839

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YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

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26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

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Thursday, September 6, 2018

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YOUR FAILURE TO APPEAR AS ABOVE SET FORTH, AT THE TIME, DATE,
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FOR YOUR ARREST AND DETENTION IN JAIL UNTIL SUCH TIME AS THE MATTER
CAN BE HEARD UNLESS BAIL IS FURNISHED AS PROVIDED IN SUCH WARRANT

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Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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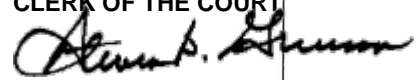
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2017

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 4:52 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 100668592

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) DONNA TILLERY

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) 720 N SLOAN LN

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) LAS VEGAS, NV 89110-3927

9

YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

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11 26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

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Thursday, September 6, 2018

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FOR YOUR ARREST AND DETENTION IN JAIL UNTIL SUCH TIME AS THE MATTER

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CAN BE HEARD UNLESS BAIL IS FURNISHED AS PROVIDED IN SUCH WARRANT

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Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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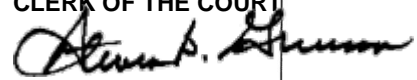
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2018

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 4:54 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 104664268

6

) CHONTHIDA SUNGKAMEE

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) JAEMJAENG

8

) 6723 SHELTER LN

) LAS VEGAS, NV 89103-4369

9
10 YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

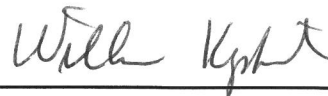
11 26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

12 not be held in contempt of court for your failure to appear for jury service on:

13
14 **Thursday, September 6, 2018**

15 YOUR FAILURE TO APPEAR AS ABOVE SET FORTH, AT THE TIME, DATE,
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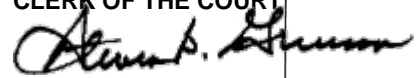
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21 Dated this 6th day of September, 2018.

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25 WILLIAM KEPHART
26 DISTRICT COURT JUDGE DEPT # 19
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DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 4:56 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3 vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 104843526

6

) TRAYVONTAE TEAGUE

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) 3651 N RANCHO DR APT 225

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) LAS VEGAS, NV 89130-3135

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10

YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

11

26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

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FOR YOUR ARREST AND DETENTION IN JAIL UNTIL SUCH TIME AS THE MATTER

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Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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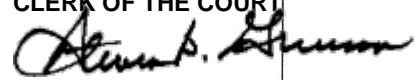
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2020

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 4:58 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 102503475

6

) JUAN RAMOS

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) 709 SCHOLL DR

8

) LAS VEGAS, NV 89107-3328

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10

YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

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26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

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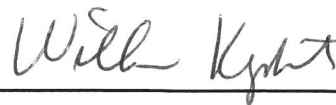
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Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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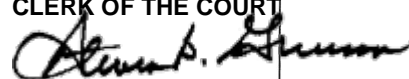
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2021

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 5:00 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 104799791

6

) JIMMY CLAUSELL

7

) 7777 S JONES BLVD APT 2288

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) LAS VEGAS, NV 89139-6174

9

YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

10

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Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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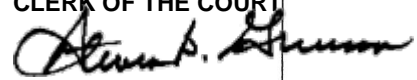
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2022

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 5:02 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 100041689

6

) CHRISTINE CARAFELLI

7

) 4375 TALL TREE ST

8

) LAS VEGAS, NV 89147-7843

9

YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

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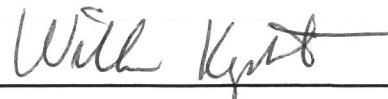
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21

Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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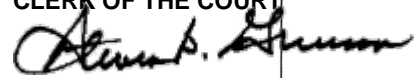
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2023

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 5:03 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3 vs.

) RE: CONTEMPT

4

) JUROR ID: 103887988

5 CHRISTOPHER SENA

) STACY PETTIES

6

) 6612 CROSSTIMBER COURT

7

) LAS VEGAS, NV 89108-1815

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9

YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

10

11 26th day of September, 2018, at 8:30 a.m in Department 19 to show cause why you should

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Thursday, September 6, 2018

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FOR YOUR ARREST AND DETENTION IN JAIL UNTIL SUCH TIME AS THE MATTER

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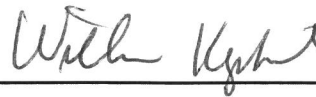
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Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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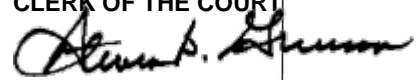
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2024

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 5:06 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 104830948

6

) SUSY GARCIA

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) 22 KOLMAR CT

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) LAS VEGAS, NV 89110-4748

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10

YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

11

26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

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21

Dated this 6th day of September, 2018.

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WILLIAM KEPHART

25

DISTRICT COURT JUDGE DEPT # 19

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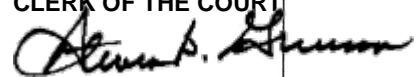
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2025

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/6/2018 5:08 PM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 102552768

6

) AMY SCHMIDT

7

) 9044

8

) CLARETTA DR, NV 89129

9

10 YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the
11 26th day of September, 2018, at 8:30 a.m in Department 19 to show cause why you should

12 not be held in contempt of court for your failure to appear for jury service on:

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Thursday, September 6, 2018

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Dated this 6th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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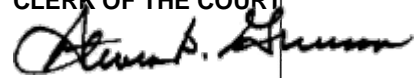
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DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:14 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

) JUROR ID: 103616507

5

CHRISTOPHER SENA

) STEVE BURTIS

6

) 50 CONTRA COSTA PL

7

) HENDERSON, NV 89052-6665

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9

10 YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the
11 26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

12 not be held in contempt of court for your failure to appear for jury service on:

13

Wednesday, September 5, 2018

14

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21

Dated this 5th day of September, 2018.

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WILLIAM KEPHART
DISTRICT COURT JUDGE DEPT # 19

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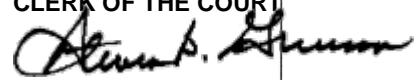
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2027

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:19 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 101824168

6

) NOELIN WHEELER

7

) 7160 PICTON AVE

8

) LAS VEGAS, NV 89178

9

10 YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the
11 26th day of September, 2018, at 8:30 a.m in Department 19 to show cause why you should
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13 **Wednesday, September 5, 2018**

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15 YOUR FAILURE TO APPEAR AS ABOVE SET FORTH, AT THE TIME, DATE,
16 AND PLACE THEREOF, WILL CAUSE THE COURT TO ISSUE A BENCH WARRANT
17 FOR YOUR ARREST AND DETENTION IN JAIL UNTIL SUCH TIME AS THE MATTER
18 CAN BE HEARD UNLESS BAIL IS FURNISHED AS PROVIDED IN SUCH WARRANT
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21 Dated this 5th day of September, 2018.

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WILLIAM KEPHART
DISTRICT COURT JUDGE DEPT # 19

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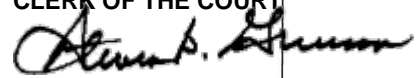
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DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:21 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

) JUROR ID: 104401514

5

CHRISTOPHER SENA

) ELIZABETH RUTH JENSEN

6

) 2812 BRIAR KNOLL DR

7

) HENDERSON, NV 89074-7009

8

9

YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

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Dated this 5th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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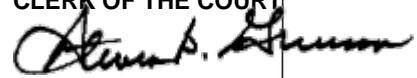
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2029

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:23 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3 vs.

) RE: CONTEMPT

4

) JUROR ID: 104262937

5 CHRISTOPHER SENA

) CRISTINA GUADALUPE MOYA

6

) 6300 W TROPICANA AVE TRLR 273

7

) LAS VEGAS, NV 89103-4427

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9

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11 26th day of September, 2018, at 8:30 a.m in Department 19 to show cause why you should

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21

Dated this 5th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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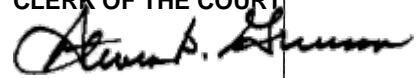
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DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:25 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3 vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 104876818

6

) ESMERALDA BUENROSTRO-
MENDOZA

7

) 5572 LONESOME BIKER LN

8

) LAS VEGAS, NV 89113-1516

9

10 YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the
11 26th day of September, 2018, at 8:30 a.m. in Department 19 to show cause why you should

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21 Dated this 5th day of September, 2018.

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WILLIAM KEPHART
DISTRICT COURT JUDGE DEPT # 19

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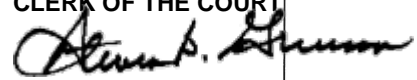
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DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:27 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3 vs.

) RE: CONTEMPT

4

) JUROR ID: 101612610

5 CHRISTOPHER SENA

) ERIC NELSON

6

) 1111 WARBONNET WAY UNIT 126

7

) LAS VEGAS, NV 89117-1388

8

9

10 YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the
11 26th day of September, 2018, at 8:30 a.m in Department 19 to show cause why you should
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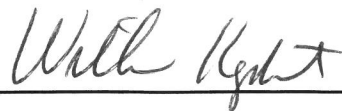
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21 Dated this 5th day of September, 2018.

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WILLIAM KEPHART
DISTRICT COURT JUDGE DEPT # 19

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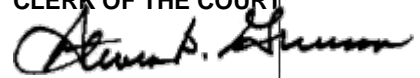
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DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:28 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2
3 vs.

) ORDER TO SHOW CAUSE

) RE: CONTEMPT

4
5 CHRISTOPHER SENA

) JUROR ID: 100929612

) BERNADETTE GERVASI

) 83 REZZONICO DR

) HENDERSON, NV 89011-2811

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9 YOU ARE HEREBY ORDERED TO APPEAR in the above entitled court on the

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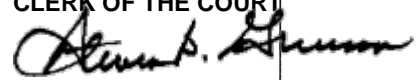
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24 WILLIAM KEPHART

25 DISTRICT COURT JUDGE DEPT # 19

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:30 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 100008546

6

) WILHELMINA B ALMOGELA

7

) 9750 RAMHORN CANYON ST

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) LAS VEGAS, NV 89183-6301

9

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21 Dated this 5th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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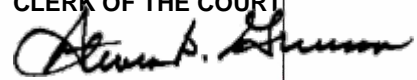
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2034

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:31 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3 vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 104567045

6

) WYATT ROZEA

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) 6728 BREMERTON CIR

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) LAS VEGAS, NV 89107-3380

9

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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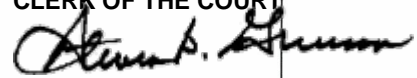
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2035

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:33 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

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5 CHRISTOPHER SENA

) JUROR ID: 104755265

6

) ARIEUS BAZEMORE

7

) 1840 MONTVALE CT

8

) LAS VEGAS, NV 89134-6683

9

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23 Dated this 5th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

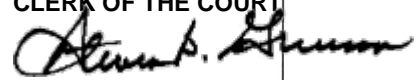
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DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:36 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3 vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 104193961

6

) CLINTON FONTES

7

) 4901 BLACK BEAR RD UNIT 204

8

) LAS VEGAS, NV 89149-7715

9

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23

24 Dated this 5th day of September, 2018.

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WILLIAM KEPHART

DISTRICT COURT JUDGE DEPT # 19

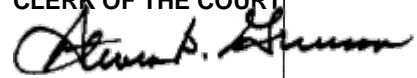
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DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:37 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 100606231

6

) DOROTHY HOWELL

7

) 4201 E CRAIG RD APT 3072
) NORTH LAS VEGAS, NV 89030-7580

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9

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Dated this 5th day of September, 2018.

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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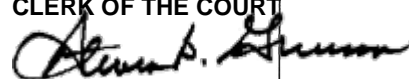
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DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
9/7/2018 10:38 AM
Steven D. Grierson
CLERK OF THE COURT



1 State of Nevada

) Case No.: C311453Q

2

) ORDER TO SHOW CAUSE

3

vs.

) RE: CONTEMPT

4

5 CHRISTOPHER SENA

) JUROR ID: 101866944

6

) STACI MAIONE

7

) 2960 AMERICAN RIVER LN

8

) LAS VEGAS, NV 89135-1713

9

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WILLIAM KEPHART

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DISTRICT COURT JUDGE DEPT # 19

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ORIGINAL

Electronically Filed
9/18/2018 10:18 AM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

1 **ROC**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 JAMES R. SWEETIN
6 Chief Deputy District Attorney
7 Nevada Bar #005144
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

7 **DISTRICT COURT**
8
9 **CLARK COUNTY, NEVADA**

10 THE STATE OF NEVADA,
11
12 Plaintiff,

13 -vs-

14 **CHRISTOPHER SENA,**
15 **#0779849**

16 Defendant.

CASE NO: **C-15-311453-1**

DEPT NO: **XIX**

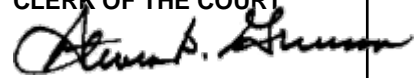
17 **RECEIPT OF COPY**

18 RECEIPT OF COPY for the LVMPD STATEMENT OF A.S.#2 is hereby
19 acknowledged this 17 day of SEPTEMBER, 2018.

20 VIOLET RADOSTA, DPD
21 ATTORNEY FOR DEFENDANT

22 BY *Spencer Brown*
23 mcmahaae@ClarkCountyNV.gov

24
25
26
27
28 hjc/SVU



SLOW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CHRISTOPHER SENA,
#0779849

Defendant.

CASE NO: **C-15-311453-1**

DEPT NO: **XIX**

STATE'S FOURTH SUPPLEMENTAL NOTICE OF WITNESSES

AND/OR EXPERT WITNESSES
[NRS 174.234]

TO: CHRISTOPHER SENA, Defendant; and

TO: VIOLET RADOSTA, DPD, Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

*indicates additional witness(es) and/or modification(s)

A.S.; c/o CCDA-SVU/VWAC

B.S.; c/o CCDA-SVU/VWAC

BARR, CANDACE ESQ.; UNK

BERNAT, K.; SNCAC/CPS/DFS

BOLOGNINI, MIKE; COX COMMUNICATIONS

1 BRINKLEY; LVMPD#09819
2 CETL, DR SANDRA; SUNRISE HOSPITAL/SNCAC; Will testify as an expert as to
3 the nature, process and limitations of sexual assault examinations, and/or as to the sexual
4 assault examinations conducted in the instant case.
5 COOLEY, CHERYL; CPS/DFS
6 COR or Designee; CCDC
7 COR or Designee; COX COMMUNICATIONS
8 COR or Designee; GOOGLE
9 COR or Designee; LVMPD COMMUNICATIONS
10 COR or Designee; LVMPD RECORDS
11 DAVIS, K.; SNCAC/CPS/DFS
12 DETWEILER; LVMPD#05460
13 E.C.; c/o CCDA-SVU/VWAC
14 EDWARDS, KALENA; CPS/DFS
15 EKROOS, DR. RACHELLE; UNLV SCHOOL OF NURSING/SANE; Will testify as
16 an expert as to the nature, process and limitations of sexual assault examinations, and/or as to
17 the sexual assault examinations conducted in the instant case.
18 GRISHAM, KIMBERLY; UNK
19 HENSON; FARAH; CPS/DFS
20 HINKSON, PATTY; UNK
21 HINKSON, STEVE; UNK
22 HOWELL; LVMPD#14401
23 IACULLO; LVMPD#07857
24 JASAMES, LYNN; CPS/DFS
25 KNOKE, NILEEN; COX COMMUNICATIONS CUSTODIAN OF RECORDS
26 KURAU; LVMPD#07047
27 LIVENGOD, ALAN; COX COMMUNICATIONS
28 LOEFFLER; LVMPD#09247

1 M.C.; c/o CCDA-SVU/VWAC
2 MADSEN; LVMPD#07315
3 MARIAM; LVMPD#14401;
4 MARTINEZ; LVMPD#07775
5 *MATTHIAS, DR JOHN; 1050 S RAINBOW BLVD, LVN 89145; Will testify as an
6 expert as to grooming techniques used by sex offenders on children and/or abusive conduct
7 and/or coercive control methods perpetrated upon a child or adult as it relates to that child's or
8 adult's ability to consent to sexual conduct and/or the affect of family relationships and/or
9 living situations on the ability of a child or adult to consent to sexual conduct and/or to rebut
10 testimony of DR. GREG HARDER.
11 MILLER; LVMPD#06507
12 PARENT/GUARDIAN of B.S.; c/o CCDA-SVU/VWAC
13 PARENT/GUARDIAN of E.C.; c/o CCDA-SVU/VWAC
14 PARENT/GUARDIAN of R.C.; c/o CCDA-SVU/VWAC
15 PARENT/GUARDIAN of R.S.; c/o CCDA-SVU/VWAC
16 PARENT/GUARDIAN of T.S.; c/o CCDA-SVU/VWAC
17 PARISH, SHARICE; CPS/DFS
18 R.S.; c/o CCDA-SVU/VWAC
19 *RAMIREZ, VINCENTE; LVMPD RETIRED; Will testify as an expert as to the
20 forensic examination of computers and related electronics technology, and/or as to the forensic
21 examination of computers and related technology acquired in the instant case.
22 RENHARD; LVMPD#05223
23 SAMPLES; LVMPD#09354
24 SANTAROSA; LVMPD#06930
25 SCOTT, STACEY; CPS/DFS
26 SENA, DEBRA; NEVADA DEPARTMENT OF CORRECTIONS
27 SENA, TERRI; NEVADA DEPARTMENT OF CORRECTIONS
28 T.G.; c/o CCDA-SVU/VWAC

1 T.S.; c/o CCDA-SVU/VWAC

2 TINDALL, JILLIAN ESQ.; 3838 RAYMERE DR #1, LVN 89121

3 WHEELER, JENNIFER; CPS/DFS

4 ZINGELMAN; LVMPD#14791

5 These witnesses are in addition to those witnesses endorsed on the Information or
6 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
7 Witnesses has been filed.

8 A copy of each expert witness' curriculum vitae, if available, is attached hereto.

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

11 BY /s/ JAMES R. SWEETIN
12 JAMES R. SWEETIN
13 Chief Deputy District Attorney
Nevada Bar #005144

14
15
16
17
18 **CERTIFICATE OF SERVICE**

19 I hereby certify that service of the above and foregoing was made this 12th day of
20 DECEMBER, 2018, to:

21 VIOLET RADOSTA, DPD
22 mcmahaae@clarkcountynv.gov

23
24 BY /s/ HOWARD CONRAD
25 Secretary for the District Attorney's Office
26 Special Victims Unit

27
28 hjc/SVU

ORIGINAL

Electronically Filed
12/17/2018 9:28 AM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

1 **ROC**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 JAMES R. SWEETIN
6 Chief Deputy District Attorney
7 Nevada Bar #005144
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

12 THE STATE OF NEVADA,
13
14 Plaintiff,

15 -vs-

16 **CHRISTOPHER SENA,**
17 **#0779849**

18 Defendant.

CASE NO: **C-15-311453-1**

DEPT NO: **XIX**

RECEIPT OF COPY

19 RECEIPT OF COPY of the following attached listing of documents is hereby
20 acknowledged this 14 day of DECEMBER, 2018.

21 VIOLET RADOSTA, ESQ.
22 ATTORNEY FOR DEFENDANT

23 BY

Sponar Press
PUBLIC DEFENDER'S OFFICE
309 S. Third St., #226
Las Vegas, Nevada 89155

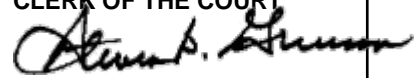
24 PREPARED BY:
25 STEVEN B. WOLFSON
26 District Attorney
27 Nevada Bar #001565

28 BY

JS
MICHELLE SUDANO
Deputy District Attorney
Nevada Bar #013260

PRODUCED ON DECEMBER 12, 2018:

- Property Withdrawal dated 08/24/18 under LVMPD event #140915-1583
- Property Withdrawal dated 01/04/18 under LVMPD event #140915-1583
- Property Withdrawal dated 12/29/17 under LVMPD event #140915-1583
- Property Withdrawal dated 01/28/16 under LVMPD event #140915-1583
- Property Report dated 10/25/16 under LVMPD event #140915-1583
- Property Report dated 10/13/16 under LVMPD event #140915-1583
- Property Report dated 10/05/16 under LVMPD event #140915-1583
- Property Report dated 09/18/14 under LVMPD event #140915-1583
- Property Report dated 09/09/17 under LVMPD event #140915-1583
- Property Report dated 05/25/15 under LVMPD event #140915-1583
- Property Report dated 10/13/16 (revised 01/24/18) under LVMPD event #140915-1583
- Authorization for Temporary Release dated 10/24/14 under event #140915-1583
- Authorization for Temporary Release dated 10/17/14 under event #140915-1583
- Authorization for Temporary Release dated 10/01/14 under event #140915-1583
- Authorization for Temporary Release dated 12/28/17 under event #140915-1583
- Authorization for Temporary Release dated 01/03/18 under event #140915-1583
- Authorization for Temporary Release dated 08/23/18 under event #140915-1583
- Search Warrant for Google account information under LVMPD event #140915-1583
- Application and Affidavit for Search Warrant for Google account information under LVMPD event #140915-1583
- Cox Communications personnel records for Deborah Sena
- Brandon Sena email dated 01/27/16



SLOW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

CHRISTOPHER SENA,
#0779849

Defendant.

CASE NO: **C-15-311453-1**

DEPT NO: **XIX**

STATE'S AMENDED FOURTH SUPPLEMENTAL NOTICE
OF WITNESSES AND/OR EXPERT WITNESSES
[NRS 174.234]

TO: CHRISTOPHER SENA, Defendant; and

TO: VIOLET RADOSTA, DPD, Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

*indicates additional witness(es) and/or modification(s)

A.S.; c/o CCDA-SVU/VWAC

B.S.; c/o CCDA-SVU/VWAC

BARR, CANDACE ESQ.; UNK

BERNAT, K.; SNCAC/CPS/DFS

BOLOGNINI, MIKE; COX COMMUNICATIONS

1 BRINKLEY; LVMPD#09819
2 CETL, DR SANDRA; SUNRISE HOSPITAL/SNCAC; Will testify as an expert as to
3 the nature, process and limitations of sexual assault examinations, and/or as to the sexual
4 assault examinations conducted in the instant case.
5 COOLEY, CHERYL; CPS/DFS
6 COR or Designee; CCDC
7 COR or Designee; COX COMMUNICATIONS
8 COR or Designee; GOOGLE
9 COR or Designee; LVMPD COMMUNICATIONS
10 COR or Designee; LVMPD RECORDS
11 DAVIS, K.; SNCAC/CPS/DFS
12 DETWEILER; LVMPD#05460
13 E.C.; c/o CCDA-SVU/VWAC
14 EDWARDS, KALENA; CPS/DFS
15 EKROOS, DR. RACHELLE; UNLV SCHOOL OF NURSING/SANE; Will testify as
16 an expert as to the nature, process and limitations of sexual assault examinations, and/or as to
17 the sexual assault examinations conducted in the instant case.
18 GRISHAM, KIMBERLY; UNK
19 HENSON; FARAH; CPS/DFS
20 HINKSON, PATTY; UNK
21 HINKSON, STEVE; UNK
22 HOWELL; LVMPD#14401
23 IACULLO; LVMPD#07857
24 JASAMES, LYNN; CPS/DFS
25 KNOKE, NILEEN; COX COMMUNICATIONS CUSTODIAN OF RECORDS
26 KURAU; LVMPD#07047
27 LIVENGOD, ALAN; COX COMMUNICATIONS
28 LOEFFLER; LVMPD#09247

1 M.C.; c/o CCDA-SVU/VWAC
2 MADSEN; LVMPD#07315
3 MARIAM; LVMPD#14401;
4 MARTINEZ; LVMPD#07775
5 *MATTHIAS, DR JOHN; 1050 S RAINBOW BLVD, LVN 89145; Will testify as an
6 expert as to grooming techniques used by sex offenders on children and/or abusive conduct
7 and/or coercive control methods perpetrated upon a child or adult as it relates to that child's or
8 adult's ability to consent to sexual conduct and/or the affect of family relationships and/or
9 living situations on the ability of a child or adult to consent to sexual conduct and/or to rebut
10 testimony of DR. GREG HARDER.
11 MILLER; LVMPD#06507
12 PARENT/GUARDIAN of B.S.; c/o CCDA-SVU/VWAC
13 PARENT/GUARDIAN of E.C.; c/o CCDA-SVU/VWAC
14 PARENT/GUARDIAN of R.C.; c/o CCDA-SVU/VWAC
15 PARENT/GUARDIAN of R.S.; c/o CCDA-SVU/VWAC
16 PARENT/GUARDIAN of T.S.; c/o CCDA-SVU/VWAC
17 PARISH, SHARICE; CPS/DFS
18 R.S.; c/o CCDA-SVU/VWAC
19 RAMIREZ, VINCENTE; LVMPD RETIRED; Will testify as an expert as to the
20 forensic examination of computers and related electronics technology, and/or as to the forensic
21 examination of computers and related technology acquired in the instant case.
22 RENHARD; LVMPD#05223
23 SAMPLES; LVMPD#09354
24 SANTAROSA; LVMPD#06930
25 SCOTT, STACEY; CPS/DFS
26 SENA, DEBRA; NEVADA DEPARTMENT OF CORRECTIONS
27 SENA, TERRI; NEVADA DEPARTMENT OF CORRECTIONS
28 T.G.; c/o CCDA-SVU/VWAC

1 T.S.; c/o CCDA-SVU/VWAC

2 TINDALL, JILLIAN ESQ.; 3838 RAYMERE DR #1, LVN 89121

3 WHEELER, JENNIFER; CPS/DFS

4 ZINGELMAN; LVMPD#14791

5 These witnesses are in addition to those witnesses endorsed on the Information or
6 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert
7 Witnesses has been filed.

8 A copy of each expert witness' curriculum vitae, if available, is attached hereto.

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

11 BY /s/ JAMES R. SWEETIN
12 JAMES R. SWEETIN
13 Chief Deputy District Attorney
Nevada Bar #005144

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18 **CERTIFICATE OF SERVICE**

19 I hereby certify that service of the above and foregoing was made this 12th day of
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22 mcmahaae@clarkcountynv.gov

23
24 BY /s/ HOWARD CONRAD
25 Secretary for the District Attorney's Office
26 Special Victims Unit

27
28 hjc/SVU

JOHN M. MATTHIAS, Ph.D.

National Register Psychologist #55609

Nevada License #PY0520 (2006)

Utah License #10420050-2501 (2017)

Eagala Certification #33950

6 Basalt Circle

Santa Clara, UT 84765

Phone: (702)-373-8360

drjohn@strivepsychology.com

www.strivepsychology.com

PROFESSIONAL EXPERIENCE

2018-present Founder and Director, Strive Psychology

Founded Strive Psychology, providing outdoor experiential-based leadership development programs, family and couple experiential programs and team-building experiences; conduct in-depth therapeutic, family and personality assessments (MMPI-2; NEO-PI; Rorschach; TAT; WAIS-IV; Mental Toughness Inventories; EQ-I 2, etc.) to assess personality strengths and challenges for feedback prior to and during adventure and equine experiences; devise custom-canyon and equine experiences for leaders, families, couples and individuals seeking personal growth; focus upon family and individual strengths and resiliency for growth and development; provide community trainings and education on experiential work and leadership development; facilitate and direct an outdoor adventure program for children and adolescents with terminal illnesses; developed an approved practicum training site for UNLV doctoral students to provide in-depth supervision for clinical and experiential work and personality and forensic assessments; provide custom detailed reports related to the adventure experience and assessment information for client improvement and learning.

2006-2018 Clinical Director, Family and Child Treatment of Southern Nevada (FACT)

Responsible for the oversight and supervision of all clinical cases at FACT, including both victims and offenders; designed and implemented the innovative FACT Family Challenge programs to address the unique needs of victims of abuse and juvenile offenders in an experiential, strengths-based family therapy context; conduct adult and juvenile sex offense specific evaluations for the courts to assess community risk levels for offenders; perform individual, family and group counseling for juvenile and adult offenders and victims of abuse; supervise the clinical staff of twelve therapists on appropriate interventions and therapeutic goals for all clinical cases;

perform agency and community trainings related to the effects of trauma, including physical, sexual and emotional abuse on children and adults in addition to assessing risk factors for adult and juvenile offenders; developed an approved practicum training site for UNLV doctoral students through the clinical psychology doctoral program; supervise doctoral students from UNLV; conduct appropriate research and evaluations of FACT victim and juvenile offender programs for grant funding sources and to assess program efficacy; assist with grant writing for all FACT programs.

2006-2007 Executive Director, Family and Child Treatment of Southern Nevada (FACT)

Responsible for the oversight of all community and clinical programs, including their development, evaluation and maintenance; oversee all administrative, fiscal and contractual obligations for FACT programs, including grant writing and grant program development and maintenance; provide consultation to FACT staff regarding clinical case conceptualization and intervention on cases involving child and family psychotherapy often with concomitant forms of child abuse, domestic violence and sexual assault; responsible for supervision and oversight of 26 employees.

2004-2006 Director, Compensated Work Therapy Programs, VA Black Hills Heath Care System

Responsible for the oversight of all clinical and vocational rehabilitation services for the Compensated Work Therapy Programs in the Black Hills, including at Fort Meade, Hot Springs, and the Pine Ridge, Standing Rock and Cheyenne River Lakota Sioux reservations. Provided all clinical and vocational rehabilitation supervision for over 30 staff in the VA Black Hills CWT program; oversaw all administrative, fiscal and contractual obligations for Black Hills CWT programs; provided clinical services, including individual, family and group psychotherapy, for veterans with an array of problems in the CWT program, including substance abuse and PTSD; developed and wrote grants for various outreach and community programs on the reservations; performed testing and assessments for all prospective program candidates; performed compensation evaluations for veterans with PTSD to determine levels of functioning; supervised and maintained functioning of three transitional housing residences for vets in the program, including the provision of group psychotherapy at each halfway house; collaborated with numerous community agencies to extend the breath and scope of all CWT programs; assisted in the education and training of clinical psychology interns through the APA accredited internship program; provided consultation to other mental health staff and psychiatrists concerning treatment, referrals, and discharge; provided consultation to all CWT programs and outside agencies seeking involvement and collaboration with the program such as South Dakota State Vocational Rehabilitation programs.

1998-2004 Organization Development Consultant

Designed and implemented community and organizational development projects and program evaluations for non-profit organizations within Clark County Nevada, including the Andre Agassi Charitable Foundation. Major accomplishments included the design and deployment of a national demonstration collaborative domestic violence program funded through the Andre Agassi Charitable Foundation in conjunction with the Department of Justice to address the problems of domestic violence within the context of child protection. Responsibilities included: writing the Clark County Child Protection Protocols for the investigation of domestic violence cases within child protection, which have been disseminated and adopted throughout the State of Nevada and presented nationally; design and implementation of a comprehensive action research model in coordination with the Department of Justice and the Agassi Foundation to examine attitudinal shifts among child protective workers towards domestic violence victims when working jointly with domestic violence advocates; design of a joint investigative model for child and victim safety that can be replicated within other communities; dissemination of the model's results through publications and national conference presentations; design and implementation of an interagency database to monitor and track client services among six project agencies; written quarterly reports based upon this database to track client outcomes and meet client needs; development of a comprehensive analysis of the Clark County child protection database to examine project outcomes; development and facilitation of project staff work groups; establishment of research protocols for the collection and analysis of child data utilizing the Child Behavior Checklist (CBCL); analysis of child CBCL data; development of surveys and provision of feedback to organizations based upon data; conducted qualitative interviews and focus groups for collaborative feedback; performed case reviews and summaries for feedback in action research model; performed research on risk and co-factors such as drug abuse and mental illness for child abuse in domestic violence cases; performed reviews and revisions of multiple agency policies and procedures to examine professional's attitudes towards domestic violence victims, and conducted organization-wide safety audits to increase safety for victims of domestic violence and their children on child protection cases in addition to working closely with each Executive Director and leaders of each individual organization within the collaborative project.

Additional independent projects have included conducting the research and writing for the 2003, 2005, 2007 and 2009 Nevada State Report Card on the well-being of children, devising community needs assessments, providing technical assistance to all collaborative project programs and their leadership, and the dissemination of several community project reports. Consultation and organization development experience has included the following local agencies: Andre Agassi Charitable Foundation, Center for Independent

Living, Children's Advocacy Alliance, Children's Advocacy Center, Clark County Department of Family and Youth Services, Clark County District Attorney's Office, Family and Child Treatment of Southern Nevada, Safe House, Safe Nest, and the Women's Development Center. Collaborative experience with national agencies and their leadership has included the Department of Justice, Violence Against Women Office and the Department of Health and Human Services, Office of Juvenile Justice Programs.

1996-1998 Associate Director, Family and Child Treatment of Southern Nevada

Developed agency outreach programs including the delivery of mental health services on the Paiute reservation in Nevada; created violence prevention outreach programs at the Shade Tree Shelter for homeless women and their children; developed violence education and prevention outreach programs and mental health services at the Boys and Girls Clubs of Las Vegas; developed special needs parenting classes and mental health services at MASH Village homeless shelter in downtown Las Vegas; designed outreach domestic violence screening and prevention programs at the Clark County Health District, and developed psychoeducational and mental health programs at Clark County temporary shelter for high-risk children and adolescents; assisted in the writing and maintenance of all agency grants; performed program evaluation and research for funding sources and agency operations.

EDUCATION

2004 Ph.D., Counseling Psychology, APA Accredited Program, 3.99 GPA
University of Southern California, Los Angeles, California.

1995 Master of Arts: Marriage, Family and Child Counseling; 4.0 GPA
University of Southern California, Los Angeles, California.

1986 Bachelor of Arts: Philosophy; 3.7 GPA
Princeton University, Princeton, New Jersey.

RESEARCH EXPERIENCE

2002-2003 Principal Investigator
Agassi Foundation Family Intervention Team Family Violence Prevention Program (FIT Program)

Developed the conceptual basis and grant for the Family Intervention Team (FIT) national demonstration project that implemented a consumer-driven, strengths-based model for child abuse intervention and prevention based upon the joint investigative model developed from a previous Agassi grant; duties included assessing recidivism rates for families in the child protection system,

collecting and analyzing all quantitative and qualitative data, and collaboratively developing national curriculum for family violence prevention among the FIT project members. This initial strengths-based collaborative model is still in effect in the Clark County Child Protection system.

1999-2001 Principal Investigator
Andre Agassi Charitable Foundation Stop Violence Prevention Project

Designed and led the program evaluation for a comprehensive domestic violence national demonstration project seeking to integrate services and philosophies across several community agencies, including among domestic violence service providers and child protective services. Responsibilities included qualitative and quantitative data collection and analysis, feedback of information, work group development and issuance of project memos and reports. The main focus of the project was to affect a paradigm shift within child protection on child abuse cases with domestic violence as a concurrent charge. An innovative action research model was proposed and developed in collaboration with the Department of Justice to evaluate and assess attitudinal changes among CPS workers and several community agencies in their approach to domestic violence and child abuse cases. Adoption of a set of policies and procedures to address domestic violence within the context of child protection throughout Nevada has been a successful outcome of this project as well as acceptance of domestic violence as a legitimate child protection problem. The conceptual and practical bases for this project remain active today. Project data analysis tools included the use of MS Excel, MS Access, S-Plus, SPSS and NVivo qualitative software.

TEACHING EXPERIENCE

2007-present Assistant Professor Clinical Psychology Department/Adjunct Faculty,
University of Nevada Las Vegas

Supervise and train UNLV doctoral students in a community mental health setting. Teach classes on group psychotherapy, counseling skills and psychopathology to UNLV doctoral level students as requested by department.

2004-2006 Instructor for graduate level doctoral internship seminars at the VA Black Hills Health Care System in the areas of group psychotherapy, family systems and vocational rehabilitation and career counseling.

SUPERVISED TRAINING EXPERIENCE

2003-2004 Clinical Psychology Intern
VA Black Hills Health Care System, APA Accredited Clinical Internship
Primary Supervisor: Chris Elia, Ph.D.

Performed inpatient and outpatient services to a broad array of veterans experiencing a myriad of problems ranging from depression and substance abuse to schizophrenia; conducted testing and assessments for inpatient and outpatient populations; provided individual, couple, family and group psychotherapy; treated PTSD patients in individual and group formats; provided vocational rehabilitation counseling to a diverse client population, including a largely Native American patient base.

2002-2003 Practicum Student
State of Nevada Division of Child & Family Services
Primary Supervisor: Maggie Freese, Ph.D.

Performed counseling, play therapy and assessments with children and families through the State of Nevada Early Childhood Services division; devised treatment plans and evaluated client outcomes; communicated with courts and foster care workers to ensure positive family outcomes; conducted evaluations of child and family functioning for court and psychiatric intervention.

2000-2001 Practicum Supervisor
Primary Supervisor: Rodney Goodyear, Ph.D.

In the context of a course on clinical supervision, supervised four master's level counseling students in group and individual supervision formats; utilized audiotapes, videotapes, and transcripts of sessions to evaluate and supervise counseling sessions and outcomes.

1999-2000 Practicum Counselor
Didi Hirsch Community Mental Health Center
Primary Supervisor: Rodney Goodyear, Ph.D.

Performed individual counseling and intakes; devised treatment plans and evaluated client outcomes; conducted psychological assessments; communicated with court on client progress and case evaluation.

1997-1998 Marriage and Family Therapist Trainee
Family and Child Treatment of Southern Nevada
Primary Supervisor: Fran Marshall, M.Ed., MFT

Performed individual, couple, family, child and group counseling for agency; conducted all duties related to agency's Laughlin office two days per week, including all counseling, record maintenance, case management, scheduling, and fee collections. Other responsibilities included crisis intervention, treatment planning, and case evaluations with a multicultural and heterogeneous population in both rural and urban areas.

- 1996-1998 Marriage and Family Therapist Trainee
Safe Nest/ Temporary Assistance for Domestic Crisis
Primary Supervisor: Evelyn Hall, Ph.D.
- Facilitated men's groups for batterers arrested for domestic violence;
conducted intake interviews and/or counseling with individual clients and
victims of domestic violence; formulated treatment plans and assessed
outcomes.
- 1995-1996 Marriage and Family Therapist Trainee
Charter Hospital of Las Vegas
Primary Supervisor: Leigh Buis, MFT
- Performed intake interviews and psychosocial assessments for patients
seeking treatment; provided provisional diagnoses for patient placements;
interfaced with managed care providers for determination of hospitalization;
assisted clients with substance abuse detoxification.
- 1995 Practicum Student
Family Service of Los Angeles
Primary Supervisor: Gary Richey, Ph.D.
- Conducted counseling with individual adults, couples, students and families;
formulated treatment plans and monitored client progress; performed
psychodiagnostic tests, crisis intervention, and case management with a
multicultural and heterogeneous population in downtown Los Angeles.
- 1995 Practicum Student
Community Counseling Service, Healthy Start Program, Rosemont
Elementary School, East Los Angeles
Primary Supervisor: Gary Richey, Ph.D.
- Performed individual and family counseling with inner city elementary school
children coping with emotional/behavioral problems in school and home;
formulated treatment plans, evaluated treatment progress and designed family
therapy interventions.
- 1994 Practicum Counselor
East Valley Community Clinic, West Covina, CA
Primary Supervisor: Rodney Goodyear, Ph.D.
- Conducted counseling with adolescents and their families and adults seeking
treatment; performed intakes for clients seeking services; devised treatment
plans and evaluated treatment outcomes.

PUBLIC SERVICE

- 2006-2016 Children's Advocacy Alliance Board Member
- Participated in the planning and implementation of community-based projects to assist the victims of abuse in various Clark County institutions such as foster care and child protection.
- 1998- 2006 Agassi Foundation Event Volunteer
Andre Agassi Charitable Foundation
- Assisted with the Agassi Foundation annual charitable fundraising event to raise money for at-risk children in Las Vegas and the Agassi Charter School.
- 2000-2003 Organization Development Consultant
Clark County Fatality Review Board
- Assisted advisory committee for the Clark County Fatality Review Board to develop a mission statement and to initiate a strategic plan for the first three years of the group; assisted committee with assessment protocols and evaluation of outcomes.
- 2000-2004 Community Consultant
Children's Advocacy Alliance
- Provided technical assistance and consultation for the Children's Advocacy Alliance state-wide report cards on Nevada children.
- 1997-2003 Organization Development Consultant
Center for Independent Living
- Provided technical assistance to residential agency in the development of new programs that included Boys and Girls Clubs of Las Vegas, Nevada State foster care, Nevada State parole and probation, and Nevada State Department of Education for "aged out" foster care children; provided technical assistance to the Board of Directors on human resource problems and strategic planning.
- 1996 Suicide Intervention Specialist
Suicide Prevention Center of Clark County
- Assessed suicidal ideation, mental health and lethality for crisis calls on a volunteer basis; performed crisis intervention and brief counseling as appropriate.

CONFERENCE PRESENTATIONS

Matthias, J.M. (2002). *Building collaborations for effective community intervention*. American Professional Society on the Abuse of Children (APSAC), 10th Annual Conference.

Matthias, J.M. (2001). *From collision to collaboration: Intersecting advocacy and investigation in domestic violence and child abuse*. Family Violence and Sexual Assault Institute, 6th Annual Conference on Family Violence.

Matthias, J.M. (2001). *From collision to collaboration: Intersecting advocacy and investigation in domestic violence and child abuse*. Nevada Network Against Domestic Violence, 8th Annual Conference

Matthias, J.M. (2001). *Women and children first: Impact and results of a collaboration between CPS investigators and domestic violence advocates*. Presentation to National Council of Juvenile and Family Court Judges, Reno, Nevada.

Matthias, J.M. (2001). *From collision to collaboration: Intersecting advocacy and investigation in domestic violence and child abuse*. American Professional Society on the Abuse of Children (APSAC), 9th Annual Conference.

Matthias, J.M. (2000). *Women and children first: Impact and results of a collaboration between CPS investigators and domestic violence advocates*. Praxis National Conference on Family Violence, Rural Grantees Showcase.

Matthias, J.M. (2000). *When organizations collide: Evaluating the collaborative efforts between child welfare workers and domestic violence advocates*. Family Violence & Sexual Assault Institute, 5th Annual Conference on Family Violence.

Matthias, J.M. (1999). *Evaluation as collaboration: Integrating evaluation with services*. Nevada Network Against Domestic Violence, 6th Annual Conference.

PUBLICATIONS

Matthias, J.M. *Children and domestic violence: A developmental framework*. Manuscript submitted to Journal of Emotional Abuse; pending edits.

Matthias, J.M. (2003) *From collision to collaboration: Impact and results of a community collaboration on family violence prevention*. Las Vegas, NV: Andre Agassi Charitable Foundation Final Report.

Matthias, J.M. (2001). *Domestic violence: The children's response*. Las Vegas, NV: Andre Agassi Charitable Foundation Report.

Matthias, J.M. (2001). *Women and children first: Impact and results of a collaboration between CPS investigators and domestic violence advocates*. Las Vegas, NV: Andre Agassi Charitable Foundation Report.

PROFESSIONAL MEMBERSHIPS

American Psychological Association
APA Division 13, Division of Consulting Psychology
APA Division 17, Division of Counseling Psychology
APA Division 47, Division of Sport, Exercise and Performance Psychology

HONORS

2001 Way of Change Award, Nevada Network Against Domestic Violence
1995 Phi Kappa Phi Academic Honor Society, University of Southern California
1986 McCosh Thesis Prize, Outstanding Senior Thesis, Princeton University
1986 *Cum laude*, Princeton University
1981 Valedictorian, Barrington High School, Illinois

TRAINING SEMINARS

2017 EAGALA Part II Certification Training
2016 EAGALA Part I Certification Training
2014 ATSA Annual Conference for treatment of Adult Sex Offenders.
2013 ATSA Annual Conference for treatment of Adult Sex Offenders.
2012 ATSA Annual Conference for treatment of Adult Sex Offenders.
2009 NOJOS Annual Conference for the treatment of Juvenile Sex Offenders.
2008 NOJOS Annual Conference for the treatment of Juvenile Sex Offenders.
2007 NOJOS Annual Conference for the treatment of Juvenile Sex Offenders.
2005 Quantum Leadership by Timothy Porter-O'Grady, Ph.D. sponsored by Indian Health Services and VA Black Hills Health Care System
2004 What Works in Therapy: Practical Applications of 40 Years of Outcome Research by Scott Miller, Ph.D. sponsored by the Inter-Agency Training Council

- 2004 Compensated Work Therapy's Supported Employment Training for Mental Health
 Staff sponsored by the Department of Veterans Affairs
- 1999 Community Based Research and Evaluation on Violence Against Women
 Center for Effective Public Policy sponsored by Department of Justice

REFERENCES

Lileana Barrera, LCSW

Family and Child Treatment (FACT) Clinical Director, Las Vegas, NV
(702)-258-5855 (office); (702)-480-2811 (cell)

Michelle Paul, Ph.D.

Training Director, Clinical Psychology Department UNLV
(702)-895-0134 (office); (702)-682-3269 (cell)

Tom Kinsora, Ph.D.

Clinical Neuropsychologist, Las Vegas, NV
(702)-460-1930 (cell)

Marilyn LaMascus, LCSW

Family and Child Treatment (FACT) supervisor (retired), Las Vegas, NV
702-306-1485 (cell)

Jason Chipman, LPC

VA Black Hills Health Care System, Sturgis, SD
(605)-641-2203 (cell)

ORIGINAL

Electronically Filed
1/23/2019 2:46 PM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

ROC
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JAMES R. SWEETIN
Chief Deputy District Attorney
Nevada Bar #005144
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,
Plaintiff,

-vs-

CHRISTOPHER SENA,
#0779849

Defendant.

CASE NO: C-15-311453-1

DEPT NO: XIX

RECEIPT OF COPY

RECEIPT OF COPY for CPS/DFS REPORT, BATES STAMPED PAGES 1
THROUGH 336, is hereby acknowledged this 23 day of JANUARY, 2018.

VIOLET RADOSTA, DPD
ATTORNEY FOR DEFENDANT

BY *Emilia Brown*
mcmahaae@ClarkCountyNV.gov

hjc/SVU

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STEVE WOLFSON
Clark County District Attorney
200 Lewis Avenue, 3rd Floor
Las Vegas, Nevada 89155

AARON FORD
Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717
(702) 687-3538

Counsel for Respondent

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20

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WILLIAM M. WATERS
HOWARD S. BROOKS

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