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Respondent.

Electronically Filed
May 20 2020 01:24 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Docket 79036 Document 2020-19242

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CHRISTOPHER SENA
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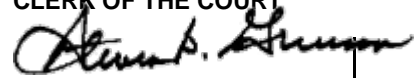
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RTRAN

DISTRICT COURT
CLARK COUNTY, NEVADA
* * * * *

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

BEFORE THE HONORABLE WILLIAM D. KEPHART, DISTRICT COURT JUDGE

MONDAY, FEBRUARY 4, 2019

**RECORDER'S TRANSCRIPT OF HEARING
JURY TRIAL - DAY 6**

APPEARANCES:

FOR THE STATE:

JAMES R. SWEETIN, ESQ.
Chief Deputy District Attorney

MICHELLE L. SUDANO, ESQ.
Deputy District Attorney

FOR THE DEFENDANT:

VIOLET R. RADOSTA, ESQ.
DAVID E. LOPEZ-NEGRETE, ESQ.
Deputy Public Defenders

RECORDED BY: CHRISTINE ERICKSON, COURT RECORDER
TRANSCRIBED BY: VERBATIM DIGITAL REPORTING, LLC

1 LAS VEGAS, NEVADA, MONDAY, FEBRUARY 4, 2019

2 [Case called at 11:41 A.M.]

3 (Outside the presence of the jury)

4 THE COURT: All right. Okay. Good morning,
5 everybody. We're on the case of State of Nevada versus
6 Christopher Sena in C-311453.

7 We're outside the presence of the jury. Is there
8 anything that needs to be brought to the Court's attention
9 before we get started?

10 MR. SWEETIN: Not from the State.

11 MS. RADOSTA: Not from the State, Your Honor.

12 THE COURT: All right. Go ahead and get the jury
13 in.

14 (Pause in the proceedings)

15 THE MARSHAL: All rise for the presence of the
16 jury.

17 (In the presence of the jury)

18 THE COURT: Okay. Everybody go ahead and have a
19 seat. Good morning, everyone.

20 THE JURY: Good morning.

21 THE COURT: This is continuation of jury trial in
22 Case No. C-311453, State of versus Christopher Sena. I'd
23 like the record to reflect the presence of the defendant, his
24 counsel, as well as the State and their counsel.

25 (COURT CALLS ROLL OF THE JURY)

1 THE COURT: All members have answered to the call.
2 Will the parties stipulate to the presence of the jury?
3 MR. SWEETIN: Yes, Your Honor.
4 MS. RADOSTA: Yes, Your Honor.
5 THE COURT: All right. Ladies and gentlemen,
6 before we took our break, the State had and the defense had
7 concluded their opening remarks. At this point in time, it's
8 scheduled for the State's case-in-chief.
9 Call your first witness.
10 MS. SUDANO: Thank you, Your Honor. State calls
11 Anita Sena.
12 ANITA CHRISTINE SENA, STATE'S WITNESS, SWORN
13 THE CLERK: Thank you. Please be seated.
14 Please state your full name, spelling your first
15 and last name for the record.
16 THE WITNESS: My full name is Anita Christine Sena.
17 First name is A-n-i-t-a. Last name is S-e-n-a.
18 THE COURT: All right. Your witness.
19 MS. SUDANO: Thank you, Your Honor.
20 DIRECT EXAMINATION
21 BY MS. SUDANO:
22 Q Good morning.
23 A Good morning.
24 Q Do you mind if I call you Anita?
25 A Yes.

1 Q You mind, or I can call you Anita?

2 A You can call me Anita.

3 THE COURT: Can you hear okay, Christine?

4 THE COURT RECORDER: Yeah [inaudible].

5 THE WITNESS: Sure, I can move this forward. Okay.

6 BY MS. SUDANO:

7 Q And if you could just do your best to keep your

8 voice up for us.

9 What's your date of birth, Anita?

10 A May 22, 1990.

11 Q How old are you?

12 A I'm 28.

13 Q Okay. I want to walk through your family tree a

14 little bit. What's your biological mother's name?

15 A Terrie Lynne Sena.

16 Q What about your biological father?

17 A Christopher Sena.

18 Q Do you see Christopher Sena here in the courtroom?

19 A Yes.

20 Q Can you point to him and tell me something that he's

21 wearing today?

22 A He is right there, and he's wearing a light off-

23 white shirt and maroon tie.

24 MS. SUDANO: May the record reflect identification

25 of the defendant?

1 THE COURT: It will.

2 MS. SUDANO: All right.

3 BY MS. SUDANO:

4 Q Anita, do you have any siblings?

5 A Yes, three.

6 Q Who's your -- well, are they older than you or
7 younger than you?

8 A Younger than me.

9 Q Who's the sibling that's closest to you in age?

10 A That would be Terry Tails Sena.

11 Q Okay. You said Terry Tails, Sena?

12 A Correct.

13 Q Do you call him Terry around the house or do you
14 call him something different?

15 A I call him Tails.

16 Q That's his middle name?

17 A Yes.

18 Q Where did "Tails" come from?

19 A A Sonic video game.

20 Q Okay. Does Terry have the same mother and father as
21 you?

22 A Yes.

23 Q Okay. So dad is Chris Sena, mom is Terrie Sena?

24 A Correct.

25 Q Do you have any other siblings?

1 A Yes.

2 Q Who's your next oldest sibling?

3 A It would be Ryan Sena.

4 Q How old is Ryan Sena?

5 A At this moment, he's about 20.

6 Q Who are Ryan's parents?

7 A It would be Bill. I don't know his father's last
8 name. And Terrie Sena.

9 Q Okay. So he has the same mom as you?

10 A Correct.

11 Q But a different dad?

12 A Correct.

13 Q So the defendant here in court, does he have any
14 biological tie to Ryan?

15 A No.

16 Q All right. Who's your next oldest sibling?

17 A Brandon Sena.

18 Q How old is Brandon Sena?

19 A Brandon would also be 20.

20 Q Who are Brandon's parents?

21 A It would be Debra Sena and Christopher Sena.

22 Q Okay. So he has the same dad as you, but a
23 different mom; is that right?

24 A Correct.

25 Q Okay. Now, where were you born?

1 A I was born here in Las Vegas at Sunrise Hospital.
2 Q At some point early on in your childhood, did you
3 move out of Las Vegas?
4 A Yes.
5 Q Where did you move to?
6 A I moved several times. I know at one point we lived
7 in Colorado about 1994.
8 Q Okay. So that would have been when you were about
9 four years old?
10 A Correct.
11 Q Was Tails actually born in Colorado?
12 A Tails was born in Colorado.
13 Q Did you also live in Texas at some point?
14 A Yes.
15 Q At some point after Texas and Colorado, did you come
16 back to Las Vegas?
17 A Yes.
18 Q About when was that?
19 A About when I was five or six.
20 Q When you were five or six, who all was in the family
21 at that point?
22 A That was when Christopher and Terrie Sena were
23 divorcing.
24 Q Okay. So your biological mom, Terrie Sena, and the
25 defendant had been married at some point; is that right?

1 A Correct.

2 Q When were they married?

3 A A few months after I was born or a year after I was

4 born.

5 Q Okay. And you said at some point they got divorced;

6 is that right?

7 A Correct.

8 Q When did they get divorced?

9 A Like I said, it's kind of hazy when -- when they

10 were divorced. It was about five or six, as they -- as they

11 claimed.

12 Q Okay. So when you were about five or six?

13 A Um-h'm.

14 Q So -- is that a yes?

15 A Yes, sorry.

16 Q So that would have been '95 or '96; is that right?

17 A Correct.

18 Q Was there a time where Terrie and the defendant were

19 still married or still together and you were living back in

20 Las Vegas?

21 A I was living in Las Vegas, but during the divorce, I

22 would be spending the weekends with Terrie and the weekdays

23 with Chris.

24 Q Okay. Where did the defendant live at that point?

25 A At the time, we had our own apartment, but with --

1 he was dating Deborah.

2 Q Okay. Do you remember about where that apartment
3 was?

4 A It was by the Martin Luther King Elementary School.

5 Q Now, you said that you would spend part of the week
6 with Terrie during that period; is that right?

7 A Yes.

8 Q Where were you living with Terrie?

9 A I was living at grandma and grandpa's house.

10 Q Who are grandma and grandpa?

11 A Penny Clark and Noble Clark (phonetic).

12 Q Was there anybody else that was living at grandma
13 and grandpa's house at that point?

14 A Yes. It would have been my Aunt Melissa at the time
15 and Kim here and there.

16 Q Okay. What was Aunt Melissa's last name?

17 A Melissa Clark.

18 Q Melissa Clark? And did Kim have the same last name,
19 Clark, or did she have a different last name?

20 A I believe she had a different last name.

21 Q Was it Grisham?

22 A I believe so. I don't really pay attention to the
23 last names when you're married.

24 Q Okay. Did either Kim or Melissa have kids that were
25 living with your grandparents at that time?

1 A At that time, it was Tamara and Roy, and they were
2 Kim's children.

3 Q Okay. You said that you would sort of bounce back
4 and forth between Terrie and your grandparents on the
5 weekend, I think, and then with Chris during the week.

6 A Correct.

7 Q Was that just you or was Tails going with you?

8 A Tails was also there.

9 Q Okay. And you said that by that point, the
10 defendant was living with Deborah; is that right?

11 A We -- we were living with Chris, but he was dating
12 Deborah.

13 Q Okay. Who is Deborah?

14 A Some woman that I met at the time, but he -- she was
15 dating with Chris. So I was slowly but surely getting to
16 know her.

17 Q Okay. Do you remember about how old you were when
18 you first met Deborah?

19 A About seven, eight.

20 Q At some point, did the defendant and Deborah get
21 married?

22 A Yes.

23 Q How old were you when they got married?

24 A About nine, eight, somewhere around there.

25 Q So 1998 or 1999, the defendant and Deborah got

1 married; is that right?

2 A Correct.

3 Q Did the living situation change after Deborah and

4 the defendant got married?

5 A Yes.

6 Q What was the living situation at that point?

7 A We -- before we were living in a little apartment,

8 and then we moved into a house or actually, a trailer.

9 Q What was the address of that trailer?

10 A 6012 Yellowstone.

11 Q Is that here in Las Vegas, Clark County, Nevada?

12 A Yes.

13 Q Now, was it all of the same people that we talked

14 about before; yourself, Tails, Deborah, and the defendant

15 living in that Yellowstone house initially?

16 A Correct.

17 Q Were there eventually some other people that --

18 A That were added to it?

19 Q Yes.

20 A Yes, later on it would have been Terrie and Ryan.

21 Q Okay. And so Ryan is your 20-year-old brother?

22 A Yes.

23 Q About when did Terrie and Ryan move into the

24 residence?

25 A About a couple of months afterwards.

1 Q Okay. And a couple of months after what?
2 A After we moved there.
3 Q And you indicated that Chris and Deborah also had a
4 child in common; is that right?
5 A Correct.
6 Q And that's Brandon?
7 A That's Brandon.
8 Q Brandon at some point around then comes into the
9 picture; is that correct?
10 A Correct.
11 Q Were you all living at Yellowstone by the time
12 Brandon was born?
13 A Yes. Along with grandpa.
14 Q Okay. Who -- grandpa on which side of the family?
15 A Chris's father.
16 Q All right.
17 MS. SUDANO: Your Honor, may I approach with
18 Proposed 1 and Proposed 3? Showing to the defense right now.
19 THE COURT: Yes.
20 BY MS. SUDANO:
21 Q I'm going to show you Proposed Exhibit 3. Do you
22 recognize that?
23 A Yeah, but Bill's not there with -- for -- with
24 Ryan.
25 Q What are you looking there in Exhibit 3; is it a

1 family tree?

2 A It's a family tree.

3 Q Okay. And is that a fair and accurate --

4 A Yes.

5 Q -- depiction of the family tree, other than missing

6 Bill?

7 A Yeah.

8 Q Okay. And then I'm going to trade you, and show you

9 Proposed Exhibit 1. What are you looking at there in

10 Proposed Exhibit 1?

11 A The layout of the trailer.

12 Q Okay. Is that the trailer at 6012 Yellowstone?

13 A Correct.

14 Q Is that a fair and accurate depiction of the layout

15 of the trailer?

16 A Yes.

17 MS. SUDANO: Your Honor, at this time, I would move

18 for admission of Proposed 1 and Proposed 3.

19 THE COURT: Any objection?

20 MS. RADOSTA: Submit it.

21 THE COURT: It will be admitted.

22 (State's Exhibits 1 and 3 admitted)

23 MS. SUDANO: And may I publish, Your Honor?

24 THE COURT: Yes.

25 MS. SUDANO: Okay.

1 BY MS. SUDANO:

2 Q So Anita, we had just, sort of, talked about your
3 family tree, and I'm going to put Exhibit 3 up here. Let me
4 see if we can get it to zoom in. There we go.

5 Okay. So we talked a little bit about the family
6 tree. So Chris Sena was initially married to Terrie Sena,
7 and then they got divorced, and he married Deborah Sena; is
8 that correct?

9 A Correct.

10 Q And Chris and Terrie's children together are
11 yourself and your brother, Tails; is that right?

12 A Correct.

13 Q And then you indicated that Bill should actually be
14 indicated in here as being Ryan's father with Terrie; is that
15 right?

16 A Correct.

17 Q Okay. And then after the divorce with Terrie, the
18 defendant married Deborah?

19 A Yes.

20 Q And they had one child, Brandon?

21 A Correct.

22 Q All right. Now, I don't know if I asked you this
23 before, but you talked about Kim and Melissa living at your
24 grandparents' house; is that right?

25 A Yes.

1 Q What is their relationship to Terrie Sena?

2 A They're her sisters.

3 Q And you talked about Kim's daughter, Tamara?

4 A Yes.

5 Q Did Melissa also have children?

6 A Yes.

7 Q Okay. And I had asked you before who was living

8 there when you were young, and you indicated just Tamara; is

9 that right?

10 A Yeah, just Tamara and Roy, Kim's children.

11 Q Okay. So were Melissa's children born at the time

12 that you were living at your grandparents' house during the

13 divorce?

14 A No, not at that time.

15 Q Do you know about -- sorry. Do you know about how

16 old Tamara is now?

17 A I hardly socialize with Tamara and stuff like that,

18 so she's probably 20 or -- no, she's -- she's probably about

19 Tails's age.

20 Q Okay. So -- and Tails is how old currently?

21 A He's 24.

22 Q Okay. So she's somewhere around Tails's age?

23 A Yes.

24 Q And then do you have any idea how old Erin is?

25 A Erin should have been 18 right now.

1 Q Okay. All right. And then I'm going to show you
2 Exhibit 1. What are we looking at here in Exhibit 1?

3 A The layout of the trailer.

4 Q Okay. How many bedrooms were in the trailer?

5 A It's supposed to be three, but technically, there's
6 four, if you count the office where Terrie slept.

7 Q Okay. So you said there's supposed to be three.
8 What do you mean by that?

9 A The master bedroom, the bedroom by the bathroom, the
10 bedroom in the living room was made. So there's three there.
11 And then when Terrie came into the picture, the back office
12 in that little square by the computer desk is where she would
13 sleep at.

14 Q Okay. So you indicated -- and I'm going to sort of
15 point on the exhibit here -- the bottom left of the actual
16 house is the master bedroom; is that right?

17 A Correct.

18 Q And then there's another bedroom that's by the
19 bathroom, and then in the living room/dining room area you
20 said there was another bedroom that was added on; is that
21 right?

22 A Correct.

23 Q When you all moved in, was this room in the top
24 right corner a bedroom?

25 A No, it was part of the living room at the time. But

1 it was built to be a bedroom for the boys.

2 Q Okay. So which boys had this bedroom in the top

3 right?

4 A It would have been right now Tails and Brandon and

5 Ryan. They all went into their room.

6 Q So all three boys shared that bedroom?

7 A Correct.

8 Q Did you have your own bedroom?

9 A Yes.

10 Q Which bedroom was yours?

11 A Right by the bathroom.

12 Q So this bedroom in the top left?

13 A Yes.

14 Q And then who slept in the master bedroom?

15 A Deborah and Chris.

16 Q You indicated that Terrie slept out, you said, by

17 what's marked as computer desk on here; is that right?

18 A It would be right behind the wall.

19 Q Okay. So there's a wall or --

20 A Yeah.

21 Q -- a divider that's marked sort of in the middle of

22 that --

23 A Right where --

24 Q -- back bedroom?

25 A -- your pen's at, that's where she would be at.

1 Q Okay. Did she have some sort of a couch or a bed
2 back there?

3 A She had a fold out bed/couch with a TV.

4 Q Okay. And is this a separate building than the rest
5 of the house?

6 A That's a separate building.

7 Q What did you commonly refer to that building as?

8 A Office.

9 Q You indicated that Terrie lived or slept in the
10 office; is that right?

11 A Correct.

12 Q What else was back in that office?

13 A There was a bathroom, a kitchen, and a computer
14 desk.

15 Q All right. Who's computer was it in the office?

16 A The main computer desk held Chris's computer, and
17 the wall right before the bathroom would have been Deborah's
18 computer.

19 Q Okay. So Deborah had a computer back there as well?

20 A It was a laptop.

21 Q But the main computer on that computer desk belonged
22 to the defendant; is that right?

23 A Yeah.

24 Q So on this map, what's the front of the property
25 where the driveway is?

1 A The driveway would be pointed in front of my
2 brother's bedroom.

3 Q So --

4 A That's where the driveway was at.

5 Q All the way on the right of this photograph?

6 A Yeah.

7 Q And --

8 A But -- but right where the window is, the second
9 window from the living room, that's where the gate was at.

10 Q Okay. So was there a front yard further off to the
11 right?

12 A Yeah.

13 Q And you could get into the front yard through a gate
14 that was right by these windows in the living room?

15 A Yes.

16 Q And then you would walk around to the front door --

17 A Yeah.

18 Q -- further down in the living room?

19 A Yeah, that's the front door.

20 Q What was over in this area near the hot tub?

21 A It was a patio, along with a side yard.

22 Q So a patio and a side yard would be on the bottom of
23 this photo?

24 A Yes.

25 Q Could you walk around past the hot tub between the

1 two buildings?

2 A Yes, there was a walkway in between the pool and the
3 master bedroom.

4 Q You had -- you've mentioned a pool there. Was that
5 an in-ground pool or was it an above-ground pool?

6 A Above-ground pool. And next door to the pool would
7 have been sheds.

8 Q Just storage sheds?

9 A Yeah.

10 MS. SUDANO: And Your Honor, may I approach again
11 after I show --

12 THE COURT: Sure.

13 MS. SUDANO: -- the defense? All right. Court's
14 indulgence, Your Honor.

15 (Pause in the proceedings)

16 MS. SUDANO: All right. At this point, may I
17 approach?

18 THE COURT: Yes.

19 MS. SUDANO: Thank you.

20 BY MS. SUDANO:

21 Q And I'm going to show you what's been marked as
22 Proposed --

23 THE COURT: Why don't we have -- is that your
24 bag --

25 THE WITNESS: Yeah, this is mine.

1 THE COURT: -- Ms. Sena? Could you set that on the
2 floor?
3 THE WITNESS: Yeah. I was just told to put it up
4 there, so --
5 MS. SUDANO: I was just going to ask.
6 THE WITNESS: -- I'll take it down.
7 MS. SUDANO: Thank you, Your Honor.
8 BY MS. SUDANO:
9 Q I'm going to show you Proposed 4 through 51. So
10 these kind of have clips on them, if you can move them --
11 A Correct.
12 Q -- as they're clipped for me, and go ahead and look
13 through those. And then I'm also going to give you Proposed
14 57 and Proposed 58. Okay?
15 A Okay.
16 Q Go ahead and flip through them, and then I'm going
17 to ask you some questions. Okay?
18 A Okay.
19 MS. SUDANO: And may we approach while she's
20 looking through those, Your Honor?
21 THE COURT: What's that?
22 MS. SUDANO: May we approach while she's --
23 THE COURT: Yes.
24 MS. SUDANO: -- looking through those?
25 (Off-record bench conference.)

1 THE COURT: Ed, could you come up?
2 (Off-record bench conference.)
3 BY MS. SUDANO:
4 Q We'll talk about those in just a second. Okay?
5 A Okay.
6 Q Okay. Did you recognize what you were looking at in
7 State's Proposed 4 through 51 and Proposed 57 and 58?
8 A There was some stuff that was changed.
9 Q Okay. What were we looking in general?
10 A The house.
11 Q Which house?
12 A The trailer and the office.
13 Q Is that at 6012 Yellowstone?
14 A Yes.
15 Q And you're saying that there's some stuff that was
16 changed. Specifically what was changed?
17 A The office.
18 Q What was changed in the office?
19 A The wall was gone, all along with majority of the
20 nudes that were up there and the naked action figures.
21 Q Okay. So other than those changes to the office,
22 the wall being gone and some of the pictures being different
23 than you remember, is that a fair and accurate depiction of
24 the house at 6012 Yellowstone?
25 A Yes.

1 MS. SUDANO: Your Honor, at this time, I would move
2 for admission of Proposed 4 through 51 and 57 and 58.

3 THE COURT: Any objection.

4 MS. RADOSTA: We'll submit it, Your Honor.

5 THE COURT: Which ones did she say that are
6 different? Can you -- do you have those identified?

7 MS. SUDANO: The office pictures are 57, 58, and
8 then 38 through 51, and it's just a couple of details.

9 THE COURT: All right. So you're saying that just
10 the photos of 38 through 51 and 57, 58 are of the office?

11 MS. SUDANO: Yes.

12 THE WITNESS: Yes.

13 THE COURT: And there's some differences that she
14 remembers based on location of a wall?

15 MS. SUDANO: Correct.

16 THE COURT: Okay. Other than that, with that
17 understanding, I'll admit the exhibits. Okay.

18 (State's Exhibits 4 through 51 and 57 and 58 admitted)

19 MS. RADOSTA: And I'm sorry, what were the exhibit
20 numbers again? 4 through --

21 THE COURT: 38 through 51 and 57 through 58; is
22 that right?

23 MS. SUDANO: Yes, Your Honor.

24 THE COURT: Okay.

25 MS. SUDANO: And may I publish even with that

1 understanding, Your Honor?

2 THE COURT: Yeah.

3 MS. SUDANO: Okay.

4 BY MS. SUDANO:

5 Q All right. So we've still got Exhibit 1 up here on
6 the screen, which is that diagram of the house, and you
7 indicated that there's a wall in the office that's not in the
8 photographs that I just showed you; is that correct?

9 A Correct.

10 Q All right. Where is that -- well, is that wall
11 visible here in Exhibit 1?

12 A Yes.

13 Q Where is that wall?

14 A Right where the little triangle is at.

15 Q This little triangle here?

16 A Yep.

17 Q Okay. So the last time you saw the office was this
18 wall present?

19 A Yes.

20 Q But in the photographs that I showed you, that
21 little divider wall is not present; is that correct?

22 A Correct.

23 Q Other than that, you indicated that there were some
24 photos that had been moved around in the office; is that
25 right?

1 A Correct.

2 Q Where were those photos?

3 A They're -- they were just nudes of the men that were

4 on the -- on the wall, and there's even one in your picture

5 that still has one of those nude pictures on the wall.

6 Q They were just additional photographs --

7 A Yeah.

8 Q -- that you remembered in the office?

9 A Correct.

10 Q Where in the office?

11 A They're all on that little wall.

12 Q What little wall?

13 A That was -- disappeared.

14 Q I see. So those photographs that you remember were

15 on this divider wall that had been taken down?

16 A Correct.

17 Q Okay.

18 A Along with pictures that were on the desk itself.

19 Q I understand. So the pictures on the divider wall

20 were obviously no longer there because the divider wall was

21 gone?

22 A Correct.

23 Q And then some of the pictures that were around the

24 computer had also moved?

25 A Yes.

1 Q All right. All right. So then with that
2 understanding, I'm showing you Exhibit 4. What are we
3 looking at here in Exhibit 4?

4 A The front of the house of the trailer.

5 Q And so you indicated that the gate is right between
6 these two living room -- or living room windows; is that
7 correct?

8 A Correct.

9 Q And the front door to enter would actually be over
10 on the left side of the residence in this photograph; is that
11 right?

12 A Yes.

13 Q And there's some sort of mobile trailer parked in
14 the driveway; is that correct?

15 A It's normally not right there. It's normally behind
16 the gate that you see in the back.

17 Q Okay. And then here in Exhibit 6, what are we
18 looking at here in Exhibit 6?

19 A The living room.

20 Q And then Exhibit 7, what are we looking at in
21 Exhibit 7?

22 A We're still in the living room, but facing the front
23 door.

24 Q Okay. So this is the front door to the residence
25 here?

1 A Correct.

2 Q And are there steps, it looks like outside of the
3 residence?

4 A Yes.

5 Q And then showing you Exhibit 8. What are we looking
6 at there in Exhibit 8?

7 A The last bit of the living room into the dining
8 room.

9 Q Okay. So where is the dining room in this
10 particular photo?

11 A Right where the tables and chairs are at.

12 Q Sort of right towards the middle of the back of this
13 photograph is the dining room?

14 A Correct.

15 Q All right. What are we looking at here in Exhibit
16 9?

17 A We're still in the living room, but a little bit
18 through in the boys' bedroom.

19 Q So in the back of this photo there's a doorway, and
20 is that into the boys' bedroom?

21 A Correct.

22 Q What are we looking at here in Exhibit 10?

23 A We are looking at my brothers' beds. Tails is on
24 the top bunk, and Ryan and Nova -- Brandon were on the
25 bottom.

1 Q Okay. So you said that Tails would sleep up on this
2 top bunk?
3 A Correct.
4 Q And then Ryan and Brandon would share the bottom
5 bunk; is that right?
6 A Correct.
7 Q The bottom bunk, is it a twin bed or is it something
8 different on the bottom?
9 A It's -- it's kind of hard to explain what it is.
10 It's -- it's a -- it's like a bunk bed.
11 Q Okay. Is the bottom bed bigger than the top bed?
12 A Yes.
13 Q Is that how those two were able to share the bottom
14 bunk?
15 A Correct.
16 Q All right. And then what are we looking at here in
17 Exhibit No. 13?
18 A A dining room.
19 Q Okay. Sort of the same thing we saw before, just
20 zoomed in on the dining room?
21 A Yes.
22 Q And Exhibit 14, what are we looking at here in
23 Exhibit 14?
24 A The kitchen.
25 Q And then here in Exhibit 18, what is this?

1 A The master bedroom.

2 Q Where is the master bedroom in reference to the
3 kitchen?

4 A Up five or six steps away from the kitchen --

5 Q Okay.

6 A -- in the hallway.

7 Q You indicated that this was the bedroom that was
8 shared by the defendant and Deborah; is that correct?

9 A Correct.

10 Q And then Exhibit 19, what are we looking at there?

11 A We're in the full view of the master bedroom.

12 Q And Exhibit 21, what are we looking at in Exhibit
13 21?

14 A Partial of the master bedroom and parts of the
15 bathroom.

16 Q Is the bathroom this door that's down here to the
17 right of Exhibit 21?

18 A Yes, it is.

19 Q Is the bedroom actually within the master bedroom or
20 not?

21 A It is not. It's across the hallway.

22 Q And Exhibit 27, what are we looking at here in
23 Exhibit 27?

24 A The bathroom.

25 Q Which bathroom?

1 A The bathroom in the trailer.

2 Q Is there only one bathroom within the trailer?

3 A There's only one bathroom within the trailer.

4 Q Is there another bathroom out in the office?

5 A Yes, there is a bathroom outside of the -- in the

6 office.

7 Q I don't have a very good picture of it, but is there

8 anything unique about the door to this particular bathroom

9 within the trailer?

10 A It's not really a door. It's a fold door. It

11 doesn't have any locks, and it's easy to open even by popping

12 it open.

13 Q When you say that it's a fold door, what do you mean

14 by that?

15 A It's one of those foldable doors, where you -- it's

16 like a sliding door, but it folds when it gets close to the

17 hinge.

18 Q Okay. And you said there's no lock?

19 A There's no lock.

20 Q How would you keep the door closed?

21 A Magnets.

22 Q Showing you here Exhibit 30, what are we looking at

23 there in Exhibit 30?

24 A That's my bedroom.

25 Q Okay. Is that the door to your bedroom?

1 A Yeah. Also, with no locks.

2 Q Is there not a lock on the door at all or is does
3 the lock just not work?

4 A No, there's no locks.

5 Q Are there locks on any of the doors within the
6 residence?

7 A In the trailer, the only lock on a door is the main
8 master bedroom.

9 Q Okay. So other than that, any of the internal doors
10 in the residence did not have locks; is that right?

11 A Correct. Other than the front door and the back
12 door.

13 Q Showing you Exhibit 32. Oops, it's sliding out of
14 there. What are we looking at there in Exhibit 32?

15 A My bedroom.

16 Q And then Exhibit 36, what are we looking at there in
17 Exhibit 36?

18 A Inside my bedroom.

19 Q Okay. Does it look like there are some items sort
20 of stacked on your bed here in Exhibit 36?

21 A Yes. Those are all the -- all the gear for
22 Christopher's business for Knight Imaging.

23 Q All right. Showing you now Exhibit 38. What are we
24 looking at here in Exhibit 38?

25 A The front of the office.

1 Q All right. So this is that separate building that
2 you were talking about before?

3 A Correct.

4 Q What's this over to the left of Exhibit 38?

5 A The pool.

6 Q The above-ground pool?

7 A The above-ground pool.

8 Q What's over on the right of this photograph?

9 A The gazebo.

10 Q Showing you Exhibit 39, what are we looking at there
11 in Exhibit 39?

12 A The inside of the office.

13 Q Where is this photograph taken from?

14 A Right in front of the kitchen.

15 Q You indicated before that there was a wall that you
16 were used to seeing in the office near the computer desk; is
17 that correct?

18 A Correct.

19 Q Can --

20 A Right where the keyboard was -- is at.

21 Q When you're talking about the keyboard, are you
22 talking about --

23 A Yeah.

24 Q -- instrument keyboard?

25 A It's the instrument keyboard.

1 Q Okay. So this item right over here to the left of
2 the photograph?

3 A Correct.

4 Q And there was typically -- or you were used to
5 seeing a wall here; is that right?

6 A Yeah, there was a fold wall. It came from the wall
7 a little bit outwards, a little bit towards the safe that you
8 see, and then there's a mini wall that blocked view the
9 computer.

10 Q So you said it was a mini wall or a fold wall, I
11 think is what you said?

12 A It was one of those cubicle walls.

13 Q So was it actually part of the structure of this
14 building?

15 A No.

16 Q If you know, how long had that been in there?

17 A It's been in there since Chris turned it into an
18 office.

19 Q Was that wall in there when you initially moved into
20 the property?

21 A No.

22 Q And you indicated that wall blocked view to
23 something; is that correct?

24 A Yeah. It blocked view of the main computer, which
25 you see in the picture.

1 Q Blocked the view of it from where?

2 A From the front door, a little bit from the -- well,
3 you couldn't really see it from the bathroom, but you could
4 see it a little bit from the kitchen.

5 Q So would the front door be over to the left of this
6 photograph, then?

7 A Correct.

8 Q So when you walked in the front door, when that wall
9 was there, you couldn't see what was happening at the
10 computer; is that correct?

11 A Correct.

12 Q All right. And then I'm going to show you Exhibit
13 41. What are we looking at there in 41?

14 A The office where Terrie used to -- used to stay.

15 Q All right. So can you actually see the front door
16 to the office in this photograph?

17 A Yes.

18 Q And you can see the keyboard that we were just using
19 as that reference point?

20 A I -- yes.

21 Q So the wall would have run, again, right where that
22 keyboard is?

23 A Yes.

24 Q Okay. And then showing you Exhibit 42. What are we
25 looking at there in Exhibit 42?

1 A It would be Christopher Sena's computer.

2 Q Okay. Was this a computer that you were ever able
3 to use?

4 A Not really, no.

5 Q Okay. Why weren't you able to use it?

6 A I wasn't allowed to use it.

7 Q Okay. Do you know if there was a password to that
8 particular computer?

9 A There is a password for that computer.

10 Q Did you know the password to that computer?

11 A No.

12 Q All right. And I'm showing you now Exhibit 46.
13 What are we looking at there in Exhibit 46?

14 A We're seeing part of the office and into the
15 bathroom.

16 Q And is this the bathroom within the trailer -- or
17 within the office, I apologize?

18 A Correct.

19 Q And --

20 A Also a folding door.

21 Q So that type of door that you talked about with the
22 bathroom in the main trailer?

23 A Yes.

24 Q Pull it to open it and close it, and it was like a
25 sliding door?

1 A Yeah. And the only thing holding it was magnets.
2 Q So there was in lock on that door either?
3 A No.
4 Q And then showing you Exhibit 47. What are we
5 looking at in 47?
6 A We're looking at the shower in the bathroom in the
7 office.
8 Q Was there also a kitchen in the office?
9 A Yes.
10 Q So it was essentially it's own studio apartment; is
11 that fair?
12 A Yeah.
13 Q I'm showing you Exhibit 49. What are we looking at
14 there?
15 A The kitchen of the office.
16 Q All right. So you had indicated earlier before I
17 started showing you the pictures that Terrie and Ryan moved
18 into the house when you were about nine?
19 A Nine or ten, yes.
20 Q Did Terrie work during the period of time when she
21 first moved back into the house with Ryan?
22 A I don't really remember.
23 Q Okay. Do you know why it was that Terrie moved back
24 into the house?
25 A No, she came and gone all the time.

1 Q Okay. When you say, she came and gone, what do you
2 mean by that?

3 A She would leave and then she would come back, she
4 would leave, and she would come back.

5 Q Would you and Tails stay there or would you go with
6 Terrie when she would come and go?

7 A We would stay there.

8 Q What about Ryan?

9 A Ryan would sometimes stay with us, and Ryan would
10 sometimes go with her.

11 Q When Terrie would come and go, how long would she be
12 out of the house?

13 A Months, or the time she was gone for a whole year.

14 Q Okay. About how old were you when she was gone for
15 a year?

16 A About 2008, 2009, around there.

17 Q So you would have been 18 or 19?

18 A Correct.

19 Q Now, you said you didn't remember if Terrie worked
20 when she first moved back into the house with Ryan. Do you
21 know, as you got older, whether or not she worked?

22 A She started working like for the District for
23 substituting and trying to go to school to be a lawyer.

24 Q Okay. So she was, you said, substituting for the
25 district. Was she substitute teaching?

1 A I believe so at the time.

2 Q About how old were you when she started doing that?

3 A After I got out of -- out of high school.

4 Q Before that, had she worked?

5 A She worked here and there some odd jobs like Walmart

6 and a few other places that she didn't stay very long.

7 Q Okay. What about Deborah, did Deborah work?

8 A Yes.

9 Q Where did Deborah work, if you know?

10 A She works at the Cox communication warehouse.

11 Q Was that a job that she just had for a little while

12 or did she have that job for a long time?

13 A She had that job for a long time.

14 Q Did she have a set schedule or did her hours vary?

15 A It varied here and there, but she mainly had a set

16 schedule.

17 Q What were her hours, if you know?

18 A Well, I know she came back about 3:00 or 4:00 in the

19 afternoon, so the hours -- probably left at 5:00 or 6:00 in

20 the morning.

21 Q All right. So she'd leave at 5:00 or 6:00 in the

22 morning, come back at 3:00 or 4:00 in the afternoon?

23 A Yeah.

24 Q Was she just working Monday through Friday?

25 A Monday through Friday.

1 Q Okay. What about the defendant, did he work?
2 A No.
3 Q Were there ever periods of time where he did work?
4 A The last year of high school, but he -- I don't know
5 if he was getting paid for it.
6 Q Okay. What was he doing during that last year of
7 high school? Was he sort of a body guard?
8 A He was a body guard for a millionaire for Zingers
9 at the time.
10 Q Okay. Did he have any other type of jobs or hobbies
11 that he would do?
12 A He would be trying to run Knight Imaging at the
13 time, but he did a lot of freebies, so we weren't getting any
14 money out of that.
15 Q You said he was running Knight Imaging. What was
16 night imaging?
17 A A lighting and sound company.
18 Q Was that something that the defendant was running
19 himself or was he an employee for someone?
20 A He was running himself.
21 Q What type of lighting and sound?
22 A DJ lights and lighting equipment, DJ work, that type
23 of stuff. Like, mainly DJ stuff.
24 Q Mainly DJ stuff?
25 A Um-h'm.

1 Q Did he have equipment that went along with the DJ
2 stuff?

3 A Yes.

4 Q What type of equipment?

5 A Radios, speakers, sound tracks, tents, a whole bunch
6 of laser machines and stuff like that.

7 Q You said that he would do a bunch of freebies; is
8 that right?

9 A Correct.

10 Q Anyone in particular that he would do freebies for?

11 A He would do it for friends, like for Riders for Life
12 or any type of gig that he could get for birthday parties and
13 stuff like that.

14 Q Okay. In addition to Knight Imaging, did he have
15 any other companies that he was trying to start or trying to
16 work for?

17 A No.

18 Q Okay. Now, you already said that Deborah would work
19 -- or leave at 5:00 or 6:00, get back at 3:00 or 4:00; is
20 that right?

21 A Correct.

22 Q What was Deborah's sleep schedule around that time,
23 do you know?

24 A She didn't really have a sleep schedule. As soon as
25 she came home, she had to take care of the house, she had to

1 take care of us kids, she had to cook, she had to clean, she
2 had to do everything that Chris told her to do when he wanted
3 her to do something like yard work or help with gigs for
4 Knight Imaging.

5 She had -- she really didn't have time to sleep.

6 Q Okay. What about the defendant, did he have a set
7 sleep schedule around that time?

8 A No. He'll stay up all night until probably 3:00 or
9 4:00 in the morning, and then he'll sleep in all the way
10 until about 1:00 or 2:00 in the afternoon or later.

11 Q All right. Now, we talked about everybody else in
12 the house working. Was there a point where you were working
13 as well?

14 A Yes.

15 Q How old were you when you started working?

16 A I was trying to start work, but it's hard to get a
17 job here in Vegas if you're not 21. So -- so my first main
18 job would have been at City Stop.

19 Q What is City Stop?

20 A It's a convenience store, like 7-Eleven.

21 Q How old were you when you were working at that
22 convenience store?

23 A 21.

24 Q How long did you work there?

25 A About one-and-a-half years, almost two years.

1 Q Did you get a job after you worked at -- was it City
2 Center?

3 A At City Stop.

4 Q City Stop, I'm sorry. Where did you work after City
5 Stop?

6 A Albertsons.

7 Q What were you doing at Albertsons?

8 A I was a Courtesy Clerk.

9 Q Now, were there ever any times at City Stop where
10 you had to get the police involved?

11 A Yes. I had a manager, a very irresponsible manager
12 that would do drugs on the job, and she advised me to call
13 the cops, but it sounded like she said bomb, not bum, because
14 she was slurring because of the drugs that she was taking.

15 Q Okay. So she was telling you --

16 A To call the cops about the bum, but I thought I
17 heard bomb, so I called the cops. And by the time I got
18 home, I didn't tell anybody what happened at work, and
19 Christopher already knew of what happened at my work not
20 even ten minutes or five minutes before I even stepped
21 through the door.

22 Q Okay. Do you know how he knew what had happened at
23 your work that day?

24 A No. My only assumption is his cops friends.

25 MS. RADOSTA: Objection, Your Honor. Speculation.

1 THE COURT: Sustained.

2 MS. SUDANO: Okay.

3 BY MS. SUDANO:

4 Q Now, you talked about the defendant doing DJ gigs or
5 gigs for birthday parties, things like that. Were there any
6 other agencies that he would work with?

7 A With the Metro.

8 Q The police department?

9 A With the Metro.

10 Q What type of work would he do for the police
11 department?

12 A I wouldn't really know, other than that one time
13 when the cops got killed at the Cici's Pizza, and he went out
14 there to honor those police officers.

15 Q If you know, what did he do during that particular
16 event?

17 A DJ work.

18 Q Okay. Did he have any sort of stage or anything
19 like that that he could set up for them?

20 A Yeah, we had to personally make the stage.

21 Q Okay. Who is "we"?

22 A Me, the moms, and my brothers.

23 Q Okay. So that was something that you were involved
24 with?

25 A Yes.

1 Q Would you go to that type of event with the
2 defendant?

3 A We would have to be.

4 Q What would you do at that type of event?

5 A We would have to pull all of the stuff out of the
6 trailer, we had to detangle the cords, line the cords up, we
7 had to figure out where all of the speakers would have went
8 to, we had to hook up all of the sound systems to the laptop,
9 and we would have to set up the stage.

10 Q All right. Now going to those events and setting
11 everything up, is that something that you wanted to do?

12 A No.

13 Q Why would you do that?

14 A Because I was forced to go.

15 Q Who would force you to go?

16 A Christopher.

17 Q Did you ever indicate to him that you did not want
18 to go to those events and help out?

19 A I couldn't say no to Chris. I would have been hit.

20 Q All right. So you said you couldn't say no or you
21 would be hit?

22 A Yeah.

23 Q So were there times that there was physical violence
24 within the house?

25 A More than once, yes.

1 Q Okay. What type of physical violence would happen
2 in the house with you specifically?

3 A Me, specifically, there was a time when I was 14, I
4 came home, and Chris was doing yard work, and I accidentally
5 got water in the pop. He got so pissed off at me, he grabbed
6 me by my hair, dragged me in the house, threw me on the
7 floor, and he put his foot on my throat, pressing down.

8 And he told me after he gave me some type of
9 lecture that I couldn't pay attention because I was too busy
10 focusing trying to keep the foot off, but I do remember the
11 words, he brought me into this world, he could take me out of
12 it. Sorry.

13 Q Take your time. Do you remember how old you were
14 for that incident?

15 A I was 14.

16 Q Was that the first time that the defendant had been
17 physically violent with you?

18 A No.

19 Q Do you remember any other incidents prior to that?

20 A I was nine years old, and we were supposed to be
21 cleaning the shed, and we weren't moving fast enough because
22 he was throwing things out of the shed, and he threw a hard
23 metal pipe, and he got me in the back of the head.

24 Q What happened after he hit you in the back of the
25 head with the pipe?

1 A Nothing. He told me I should have been quick enough
2 to pick up the stuff.

3 Q What, if anything, did you do after you got hit with
4 the pipe?

5 A I went to school that day or after, and my head was
6 hurting so bad, I couldn't concentrate in class. So I ended
7 up going to the nurse's office after the teachers noticed
8 that I wasn't paying attention and always rubbing my head.

9 The nurse looked at the back of my head. I didn't
10 know what was going on. All I know is that everybody started
11 bringing all these people in and asking me questions of my
12 home life.

13 Q So do you know who the people were that came in and
14 started asking you questions?

15 A Yes. Child Services.

16 Q What kind of questions were they asking you?

17 A They were asking me about if he touched me anywhere,
18 if he used other objects to hit me with.

19 Q What did you tell them?

20 A I -- I -- the sexual parts, I -- none of that was
21 going on at that age, so there was no sexual anything going
22 on at that age.

23 But I told them I would get punishments, other than
24 like spankings and being hit across the face at the time.
25 That's when the first violence started happening.

1 Q Okay. Do you remember telling them that it was an
2 accident or you didn't know if it was an accident that you
3 got --
4 A I didn't know --
5 Q -- hit with the pipe?
6 A -- it was a -- if it was an accident or not.
7 Q All right. But your dad had told you if you were
8 quicker --
9 A I wouldn't have got hit.
10 Q Got hit. Okay.
11 Now, where did you talk to those people from Child
12 Protective Services?
13 A At the school.
14 Q Was that within that same day?
15 A Within the same day.
16 Q What, if anything, happened when you went home after
17 school that day?
18 A I got in major trouble and I got a beating.
19 Q When you say you got in major trouble, what do you
20 mean by that?
21 A I got yelled at, I got a lecture, and I got hit a
22 few times with a -- with a spoon, a wooden spoon.
23 Q Who yelled at you?
24 A Christopher.
25 Q Who gave you the lecture?

1 A Christopher.

2 Q Who hit you with the wooden spoon?

3 A Christopher.

4 Q Did anything else happen after you got home from
5 school that day?

6 A After that, I just kept my mouth shut.

7 Q Why did you keep your mouth shut?

8 A Because I didn't want to get in trouble more.

9 Q Okay. If you know, did CPS ever come back to the
10 house?

11 A I wouldn't have known if they did.

12 Q Okay. Did you ever see CPS back at the house?

13 A No.

14 Q Did they ever talk to you again at school?

15 A No.

16 Q Okay. Did you feel like you -- that anything had
17 happened when you talked to CPS?

18 A Please ask that question again.

19 Q Sorry. It was a bad question.

20 Did you feel like anything came of you talking to
21 CPS?

22 A I felt like nothing helped me.

23 Q Okay. Were there other times that the defendant
24 would slow things in the house?

25 A Yes.

1 Q What type of things would he throw?
2 A He would throw wrenches, he would --
3 MS. RADOSTA: Objection, Your Honor. Lack of
4 foundation.
5 THE COURT: Sustained.
6 MS. SUDANO: All right.
7 BY MS. SUDANO:
8 Q So you talked about the time where the defendant
9 threw the metal pipe; is that right?
10 A Correct.
11 Q All right. Were there other times where you saw him
12 throwing items either within the house or outside the house?
13 A Yes.
14 Q How old were you when that happened?
15 A After nine years old.
16 Q Okay. So from nine -- was it --
17 A Onwards.
18 Q Was it something that happened one time? Was it
19 something that happened more than one time?
20 A More than one time.
21 Q Okay. Was there ever a time after nine where you
22 saw him throw a different item within the house?
23 A Yes.
24 Q Okay. What's the next time that you can think of?
25 A Remote controls.

1 Q Okay. Do you remember how old you were when he
2 threw a remote control?

3 A Ten.

4 Q Who did he throw the remote control at?

5 A Me.

6 Q Was that something that happened one time, more than
7 one time, or something different?

8 A More times than once.

9 Q Was it always something that he would throw at you?

10 A Not only at me.

11 Q It you ever see him throw a remote at anybody else?

12 A Yes.

13 Q Who else did you see him throw a remote at?

14 A Tails Sena, Brandon Sena, and Ryan Sena.

15 Q Did you ever see him throw other items at anyone
16 else?

17 MS. RADOSTA: Your Honor, once again, lack of
18 foundation.

19 THE COURT: You said -- your question was, did you
20 ever see him throw items -- other items at individuals other
21 than what she just indicated?

22 MS. SUDANO: Yes.

23 THE COURT: I think timeframe, yeah, yeah. I'm
24 going to sustain the objection. Just ask another -- I mean,
25 clear it up.

1 MS. SUDANO: Sure.

2 BY MS. SUDANO:

3 Q So you indicated that he would throw remotes more
4 than one time; is that correct?

5 A Correct.

6 Q Was that something that just happened once or did it
7 happen over a period of time?

8 A It happens over a period of time, like, most of the
9 time.

10 Q Okay. Is there ever anything -- what would prompt
11 these incidents where he would be throwing things?

12 A Just silly stupid stuff like we -- we were trying to
13 listen to what he says or trying to do what he tells us to
14 do, but we're -- don't meet his expectations.

15 Q Okay. So do you ever remember an incident where he
16 threw, for instance, a rock?

17 MS. RADOSTA: Objection, Your Honor, leading.

18 THE COURT: Overruled. Go ahead.

19 BY MS. SUDANO:

20 Q Do you remember an instance where he threw a rock?

21 A Yes.

22 Q Who did he throw the rock at?

23 A Me in my face.

24 Q How old were you when he threw the rock at you?

25 A 21.

1 Q Okay.

2 THE COURT: How old?

3 THE WITNESS: 21.

4 BY MS. SUDANO:

5 Q Do you remember an instance where he threw a wrench?

6 A Yes.

7 Q Who did he throw the wrench at?

8 A Me.

9 Q How old were you when he threw the wrench?

10 A 17.

11 Q So that's -- we've talked about things that happened

12 when up nine, when you were ten, when you were 17, and when

13 you were 21; is that right?

14 A Correct.

15 Q All right. Can you think of a specific instance

16 where he threw something at another member of your family?

17 A Yes.

18 Q Okay. How old are you for this specific instance?

19 A I don't remember the age for that one.

20 Q Okay. Who did he throw something at?

21 A Tails.

22 Q What was the item that he threw at Tails?

23 A He threw a shoe.

24 Q Okay. Do you know why he threw the shoe at Tails?

25 A Because he was angry at him.

1 Q Do you know why he was angry at Tails?
2 A I don't remember.
3 Q Okay. Do you remember any other specific instances
4 where he threw something at a family member?
5 A There was quite a few, but with different objects.
6 Q Okay. Did you ever see any incidents that happened
7 between the defendant and Ryan Sena?
8 A Can you clarify?
9 Q Did you ever see an incident where the defendant got
10 violent with Ryan Sena?
11 A Yes.
12 Q Okay. How old were you for that incident with Ryan
13 Sena, if you remember?
14 A 23.
15 Q And Ryan was eight years younger than you; is that
16 right?
17 A Yes.
18 Q So he would have been 15 at the time?
19 A Yes.
20 Q All right. What happened -- or what started the
21 incident where the defendant got violent with Ryan when he
22 was 15?
23 A I don't know what started it. I was in the living
24 room watching TV, and Chris came in requesting Ryan, who was
25 in the bedroom, and it happened right in front of me. He was

1 asking Ryan if he felt loved in the family, and Ryan would
2 answer honestly, no. So he backhand him so hard that he fell
3 to the floor, telling him to get up again and ask the same
4 question.

5 Again, no. He hit him again. He fell to the
6 floor, and this would repeat until Ryan said yes.

7 Q Okay. Now, that was an incident specifically
8 between the defendant and Ryan; is that correct?

9 A Correct.

10 Q Did the defendant treat you and all of your brothers
11 equally?

12 A No.

13 Q Were there some of you that were treated better than
14 others?

15 A It all depend on the situation.

16 Q What do you mean by that?

17 A The boys were treated more roughly than when -- me,
18 when we got in trouble.

19 Q Okay. And between the boys, were all three of the
20 boys treated equally by the defendant?

21 A That's kind of hard to explain.

22 Q Did you ever see anything like the incident with
23 Ryan where the defendant was asking if he loved him, did you
24 ever see anything like that happen with either Tails or
25 Brandon?

1 A With Brandon, I saw an incident.

2 Q Okay. And we'll come back to that in a little bit.

3 But did you ever see the defendant do anything just

4 like that to either of the other two?

5 A No, not the same.

6 Q Okay. Was Ryan treated differently than Tails and

7 Brandon?

8 A Yes.

9 Q Did the defendant ever say anything about why he

10 treated Ryan differently?

11 A I remember a time when he said that his father

12 didn't love him.

13 Q When -- sorry, we've got a lot of pronouns. So when

14 who said whose father didn't love him?

15 A Christopher told Ryan that his father didn't love

16 him and didn't want him.

17 Q Okay. So --

18 A And that he is the only one that would take him in.

19 Q So Ryan's father didn't love Ryan?

20 A He wasn't around.

21 Q Okay. And defendant was the only one that would

22 take Ryan in?

23 A Correct.

24 Q Now, in addition to the physical violence that we

25 talked about, were there ever times where the defendant would

1 call, specifically, you, names?

2 A Clarify again.

3 Q Were there times that the defendant would call you

4 names?

5 A Yes.

6 Q All right. Is that something that happened one

7 time, more than one time or something different?

8 A Almost every day.

9 Q All right. What type of name would he call you when

10 you were younger?

11 A He would call me stupid majority of the time.

12 Q Did the type of names or the type of things that he

13 said to you change as you got older?

14 A Yeah.

15 Q What types of things would he say to you when you

16 got older?

17 A He would call me his little slut.

18 Q He would call you, I'm sorry, his what?

19 A His little slut.

20 Q Okay. Were there other things that he said to you

21 as you got older?

22 A That I was useless, pathetic, and other things.

23 Q So we talked about one incident where the defendant

24 knew about you having to call the cops at work before you had

25 even gotten home; is that right?

1 A Correct.

2 Q Were there other instances where the defendant knew
3 what was going on with you at work?

4 A Yes.

5 Q What type of things would he know?

6 A He would know when I was going outside to get carts
7 and stuff like that, when I was working at Albertsons.

8 Q Okay. If you know, did he have any friends or know
9 of your coworkers at Albertsons?

10 A He knew one of my coworkers at Albertsons, and he
11 would have friends that came to my work.

12 Q Okay. What was -- what did you think was happening
13 when his friends would come to work?

14 A That they were watching me.

15 Q What made you think that they were watching you?

16 A I'm always being watched.

17 Q What makes you think that?

18 A Because he knows what's going on.

19 Q Okay. And how do you know that he knew what was
20 going on?

21 A Because he would tell me --

22 Q Okay. So --

23 A -- what I did that day.

24 Q So similar to the incident where you called the
25 cops?

1 A Correct.

2 Q All right. Now, is there anything else that makes
3 you think or say that you were always being watched?

4 A The cameras.

5 Q Okay. What cameras are you talking about?

6 A The cameras that are -- that were in the office and
7 in the trailer.

8 Q Were those cameras inside the trailer, outside the
9 trailer, both?

10 A They were both.

11 Q Were there always cameras inside and outside the
12 trailer?

13 A The majority of the time, yes.

14 Q Okay. Had those been there when you first moved in?

15 A No.

16 Q Who put the cameras there?

17 A Christopher.

18 Q Did he put the cameras inside the trailer and
19 outside the trailer at the same time?

20 A He worked -- he worked on one camera at a time, but,
21 yes.

22 Q So were the cameras inside or outside first?

23 A Inside.

24 Q Okay. Initially, why did the defendant say that he
25 was putting cameras outside the house?

1 A He would tell people to -- for safety reasons.

2 Q Okay. This trailer, the 6012 Yellowstone, what part
3 of town is that in?

4 A It's in the Sunrise Manor.

5 Q Okay. Is that south of Nellis Air Force Base?

6 A I think so.

7 Q What are the main cross streets for it?

8 A It would be Mountain Head and Lake Mead.

9 Q Okay. And so the defendant had said it was for --

10 A Safety.

11 Q -- safety outside. What was the reason that was
12 given for the cameras being inside the residence?

13 A To watch us.

14 Q Okay. Was that what he had said initially or was
15 that what happened later?

16 A It didn't happen until later.

17 Q Okay. What was the reason that was given by the
18 defendant initially?

19 A To spot the people inside the house robbing the
20 house.

21 Q Okay. So same thing for safety?

22 A Correct.

23 Q All right. If you remember, how old were you when
24 the defendant installed those cameras?

25 A It was about 18 or 19.

1 Q So you were 18 or 19 when the cameras came into
2 play?
3 A Correct.
4 Q Okay. You said later on those cameras were used for
5 something different; is that right?
6 A Correct.
7 Q What were those cameras used for?
8 A To watch us.
9 Q What do you mean they would be used to watch you?
10 A There was times where Chris would take off with both
11 of the mothers, Terrie and Deborah, to some bar or gig, and
12 if me and my brothers were not in front of the cameras, he
13 would call us up and ask us why we were not in front of the
14 cameras.
15 Q Okay. What would happen if you didn't answer that
16 phone call?
17 A I would have been in trouble.
18 Q Okay. Were there times that you did answer phone
19 calls like that?
20 A I -- I answered all his phone calls as much as I
21 could so I don't get in trouble.
22 Q Okay. Was there ever a time that you were not in
23 front of the camera when you were supposed to be?
24 A Yeah.
25 Q What happened in that instant -- incidence?

1 A He would get mad at me, yell at me, and there was
2 one incident where -- where I got backhanded for back talking
3 about it.

4 Q Now --

5 MS. SUDANO: May I approach, Your Honor, with
6 Proposed 2?

7 THE COURT: Yes.

8 BY MS. SUDANO:

9 Q Showing you Proposed Exhibit 2. Do you recognize
10 that?

11 A Yes.

12 Q What do you recognize that to be?

13 A My drawing of the trailer of all the locations where
14 the cameras were at and the view angles what the camera would
15 see.

16 Q Okay. Is this something that you actually drew?

17 A This would -- exactly what I drew.

18 Q And it's a fair and accurate depiction of what you
19 drew?

20 A Yes.

21 MS. SUDANO: Your Honor, I'd move for admission of
22 Proposed 2?

23 THE COURT: Any objection?

24 MS. RADOSTA: I'm sorry, I couldn't hear if she
25 said when she --

1 MS. SUDANO: Oh, we can do that too.

2 BY MS. SUDANO:

3 Q When did you draw this?

4 A I drew this the first trial -- during the trials for

5 the Terrie and Deborah trials.

6 Q Okay. Did you also draw something similar to this

7 when you met with Detective Samples?

8 A Yes.

9 Q And would that have been September 17th of 2014?

10 A I believe that's the day.

11 Q Okay.

12 A I'm not sure.

13 Q Okay. Does this look like the one that you drew for

14 Detective Samples?

15 A It looks like the drawing that I drew with -- for

16 Detective Samples with the -- with the windows and all that

17 nice -- with colors.

18 Q All your detail?

19 A All my details.

20 Q All right. And do you remember where you drew this?

21 A In the office of the -- for the detective.

22 Q Okay. And is that why you had access to all of the

23 colors because there was markers and crayons in there?

24 A Yes.

25 Q All right.

1 MS. SUDANO: Your Honor, I'd move for the admission
2 of Proposed Exhibit 2.

3 THE COURT: Any objection?

4 MS. RADOSTA: We'll submit it, Your Honor.

5 THE COURT: It will be admitted.

6 (State's Exhibit 2 admitted)

7 MS. SUDANO: May be publish?

8 THE COURT: Yes.

9 MS. SUDANO: All right.

10 BY MS. SUDANO:

11 Q Okay. So this is big. May have to kind of move it
12 around because I can't fit the entire thing on the screen.

13 But so you indicated that you drew this for a
14 detective in this case showing the layout of the trailer and
15 where all the cameras were; is that correct?

16 A Correct.

17 Q All right. So I'm going to start over on the right
18 side of Exhibit 2.

19 A Okay.

20 Q What are we looking at in the right side?

21 A That would be front of the -- of the house. Right
22 where you see the first dot on the outside of the lines for
23 the yard is a 360 full view day and night camera is able to
24 zoom up the street, down the street, go all the way around
25 the building that would see mainly the front and partially of

1 the side of the yard.

2 Q Okay. So there's a red dot in the middle of this;
3 is that right?

4 A Yeah. That's the -- that's the camera.

5 Q Okay. And then there's some red lines that come
6 out?

7 A Yeah, that's supposed to signify the 360.

8 Q Okay. So the direction the camera is looking or the
9 red lines; is that right?

10 A Correct.

11 Q Okay. So would that have been one of the exterior
12 cameras?

13 A That was outside.

14 Q Okay. Were there some other cameras that were
15 outside as well?

16 A Yeah, the second two dots by the hot tub.

17 Q Okay. So there's one dot right above the hot tub?

18 A Yeah, which would be facing mainly at the front
19 door.

20 Q Okay. So you could see the front door of the
21 residence and sort of the side of the trailer in that camera;
22 is that right?

23 A Correct.

24 Q Okay. And then there's another dot down by the hot
25 tub on the bottom left of this exhibit; is that right?

1 A Correct.

2 Q Is that another camera?

3 A That was another camera outside.

4 Q What did that camera cover?

5 A That camera covered the whole walkway to the gazebo
6 to the office and my back window.

7 Q Okay.

8 A And a little bit of the pool. And a little bit of
9 the pool.

10 Q A little bit of the pool. Okay.

11 Were those the only cameras outside or were there
12 some additional cameras outside?

13 A There's one more camera outside if you go up top.

14 Q Okay.

15 A Right above my bedroom outside there was another
16 camera pointed at the back door and the gate.

17 Q Okay. So this one here pointing down towards the
18 gate and the back door; is that right?

19 A Correct.

20 Q All right. And then how many cameras were inside
21 the actual trailer?

22 A Just one.

23 Q Where was that camera located?

24 A It was in the corner of the dining room where it was
25 able to see the whole -- a majority of the dining room, the

1 living room, and the kitchen.

2 Q Could that see into any of the bedrooms?

3 A No, but it can see at the doors.

4 Q So the doors to, for instance, the boys' room?

5 A The boys' room and the back door and the kitchen.

6 Q Okay. But it couldn't see into the defendant and

7 Deborah's bedroom or your bedroom; is that correct?

8 A Correct.

9 Q All right. Were there cameras back in the office?

10 A Yes.

11 Q Okay. And can you see that here?

12 A Yes, in the corner where that last red dot was at.

13 It was facing at the bathroom, and it was facing Deborah --

14 not Deborah -- Deborah's desk and Terrie's living space.

15 Q Now, we talked a little bit earlier about that

16 divider cubicle wall that was in the office.

17 A Yes.

18 Q Could this camera pick up anything that was

19 happening on the other side of that divider wall?

20 A No.

21 Q Okay. So for instance, the area around the computer

22 desk back there would not be caught in this camera; is that

23 right?

24 A It wouldn't catch anything.

25 Q Okay. Now, was there any way of monitoring the

1 cameras?

2 A Yes.

3 Q How was that?

4 A It could be monitored by bluetooth from a device

5 that was in the living room, but we weren't allowed to touch

6 it. But the majority of the monitoring was on Christopher's

7 -- Christopher's computer on his dual screen.

8 Q Was the camera system also set up so that anybody

9 could be view it from their cell phone?

10 A Yes.

11 Q Okay. Who had access to the surveillance camera on

12 their cell phones?

13 A Me, Deborah, and Terrie.

14 Q Okay. Did the defendant have access to it on his

15 cell phone?

16 A Yes.

17 Q Was that video being recorded, if you know?

18 A Yes.

19 Q Was there also a live stream that went along with

20 it?

21 A I don't know.

22 Q So could you view it live or could you just go back

23 and view the recording?

24 A Go back and review the recording.

25 Q Okay. Was there anybody in the house that would

1 review that recording?

2 A Only Chris.

3 Q Okay. If you know, how often would Chris view that
4 recording?

5 A I never was around when he viewed it.

6 Q Okay. How would you know that he was viewing the
7 recording?

8 A There was a funny incident where he flipped his
9 trailer, his little trailer that he bought, and he wanted to
10 show people the funny incident, so that's the only time I
11 know that it was able to do that.

12 Q Okay. But you indicated earlier that you would get
13 phone calls if you weren't visible in front of the camera?

14 A That, too.

15 Q Okay. So somebody would have been viewing the
16 camera to know that information; is that fair?

17 A Yes.

18 Q Would you get punished if you were not in front of
19 the camera when you were supposed to be?

20 A Yes.

21 Q What would those punishments consist of?

22 A Lectures, sometimes it would end with some rape on
23 some occasions, and other occasions it would be like a hit.

24 Q Did you just mention a rape; is that what you
25 indicated?

1 A Yes.

2 Q Okay. Were there times in the house where things
3 that would happen with the defendant that would make you
4 uncomfortable?

5 A Yes.

6 Q What was the first incident that you remember? How
7 old were you?

8 A I was 11 years old, and he would sometimes -- before
9 all the rape actually happened, it was, I would come home
10 from school, and he would be in his bedroom, and he would be
11 jacking himself off.

12 Since his side of the bed was the closest to the
13 door, you could view all of it. You could tell what he was
14 doing.

15 MS. RADOSTA: Your Honor, I'm sorry, I have to
16 object as to foundation.

17 THE COURT: Well, she said before -- she said the
18 first time anything sexual happened to her was when she was
19 11. And she said before that, as I heard it, when she came
20 home from school, she would see him.

21 MS. RADOSTA: So sometime before the age of 11
22 while she was in school --

23 THE COURT: Right.

24 MS. RADOSTA: -- is the timeframe we're looking at?
25

1 THE COURT: Um-h'm.

2 MS. RADOSTA: Objection. Foundation, Your Honor.

3 THE COURT: Okay. Overruled.

4 Go ahead.

5 MS. SUDANO: Thank you.

6 BY MS. SUDANO:

7 Q All right. So you were talking about what would

8 happen before you were 11, when you'd come home and you'd see

9 him, I think you say jacking off?

10 A He would be jacking off in bed.

11 Q Would there be anybody else home during that time?

12 A No.

13 Q Okay. Where would Deborah be?

14 A Work.

15 Q What about Terrie?

16 A She would be out.

17 Q Okay. What about -- how old would Brandon and Ryan

18 have been at the time?

19 A About three.

20 Q Okay. So this would have been, I guess, earlier on

21 when you were 11?

22 A Yeah.

23 Q Where would Brandon and Ryan be?

24 A With Terrie.

25 Q Okay. What about Tails?

1 A Tails would be at school.

2 Q Okay. When you were 11, did you and Tails get out
3 of school at the same time?

4 A No.

5 Q Why is that?

6 A Different grades.

7 Q Okay. So you had talked about coming home and
8 seeing the defendant in bed, your word was -- your phrase was
9 jacking off?

10 A Correct.

11 Q Is that something that happened one time or more
12 than one time?

13 A More than one time.

14 Q The first time that you can remember that happening,
15 did the defendant say anything to you when you came into the
16 house?

17 A No.

18 Q Okay. Did you say anything to the defendant?

19 A I didn't want to ask.

20 Q Okay. Did -- were there times where the defendant
21 did say something to you when you came in and he was jacking
22 off?

23 A Yes.

24 Q What did he say to you?

25 A This would be the time when he was asking me if I

1 loved him enough.

2 Q Okay. So prior to getting into that incident, were
3 there other times that there was inappropriate contact
4 between yourself and the defendant prior to the incident
5 starting when you were 11?

6 A Other than just the abuse, no.

7 Q Okay. Was there any buildup to the incidents that
8 happened when you were 11?

9 A Small touches, but it felt like, you know, what you
10 would normally do with -- with your child, you know, with
11 parents.

12 Q When you say a small touch, what do you mean?

13 A Like on the lap or setting the child on the lap and
14 putting the hands on the hips to show some stuff, you know.

15 Q Okay. And who would put you on their lap?

16 A Chris.

17 Q Okay. Would he touch you anywhere else?

18 A On the upper leg sometimes.

19 Q Okay. Anything else that would happen during that
20 sort of buildup period?

21 A It would start off like that.

22 Q What happened after that?

23 A We would go back to the normal life after Deborah
24 came home.

25 Q Okay. So the first incident or first incidents that

1 you were talking about sitting on the defendant's lap or
2 having his hands on your hips, when would that happen during
3 the day?

4 A When I came home. You know, when you come home and
5 you're excited to see your parents after a long day at
6 school, you know.

7 Q So would that be the same age when you were about
8 11?

9 A About 11, yeah.

10 Q Okay. So same situation, Deborah would be at work?

11 A Yes.

12 Q Do you remember where those incidents would take
13 place?

14 A In the living room or in the bedroom because he has
15 a TV in the bedroom.

16 Q Okay. You indicated that there was one time that
17 you came home from school, and you walked past and saw the
18 defendant jacking off; is that right?

19 A Correct.

20 Q You indicated that he said something to you on one
21 of the later occasions; is that right?

22 A Correct.

23 Q What did he say to you?

24 A He was asking me if I loved him.

25 Q What was your response to that?

1 A Of course, I love you, you're my dad.

2 Q What happened after he asked if you loved him?

3 A If you love me, show it, prove it to me.

4 Q Where did that conversation take place?

5 A In the bedroom.

6 Q Which bedroom?

7 A In the master bedroom.

8 Q What happened after the defendant said, If you love

9 me, prove it or show me?

10 A At that time, I didn't know any better, I said, I do

11 love you and stuff like that. And he says, I'll show you how

12 to love me.

13 Q What happened after he said, I'll show you how to

14 love me?

15 A He would start touching me in the chest and start

16 rubbing up against my private parts with clothes. And then

17 it -- it just started turning to him asking me to take off my

18 clothes.

19 Q So did all of that happen within the same day?

20 A It happened on the same day.

21 Q Okay. So do you remember what you were wearing when

22 you came home from school that day?

23 A I was wearing my favorite shirt.

24 Q What shirt was that?

25 A It was a blue, with light blue stripes with Taz, and

1 it said, back off.

2 Q So Taz like the Tasmanian devil from Loony Tunes?

3 A Yeah.

4 Q Do you remember what the defendant was wearing when

5 you got home from school?

6 A He doesn't wear clothes.

7 Q What do you mean he doesn't wear clothes?

8 A He doesn't wear his clothes when he's in bed.

9 Q So he --

10 A He's always naked in bed when I come home.

11 Q All right. So where did you start out that

12 interaction?

13 A Please explain.

14 Q Where were you when you saw him jacking off?

15 A In the hallway. My room is past his room in the

16 hallway.

17 Q Okay. And so he was in the master bedroom?

18 A Correct.

19 Q Okay. Did you stay in the hallway or did you go

20 somewhere else?

21 A I was in the hallway, but he would tell me to come

22 here.

23 Q Okay. Where did you go when he told you to come

24 here?

25 A Into the master bedroom.

1 Q Okay. What happened when you got into the master
2 bedroom?

3 A He would start taking off my clothes and my pants,
4 and then he would start messing with me on my boobs and my
5 chest and my chest area.

6 Q And were you standing, sitting, laying down?

7 A I was standing. He would lean over and so he got
8 off the bed, and he was already fully nude, so --

9 Q Okay. And you said he started touching your
10 breasts; is that right?

11 A Correct.

12 Q How was he touching them?

13 A Massaging them.

14 Q Okay. With what part of his body?

15 A With his hands.

16 Q At some point after that, what -- or, I guess, what
17 happened after that?

18 A We moved into the living room.

19 Q Okay. What happened in the living room?

20 A We finished declothing me because while he was doing
21 that, he wanted to make sure that the door was locked.

22 Q What happened once you got into the living room?

23 A He would massage my clit after all that stuff was
24 set, and he would still ask me if I loved him and stuff like
25 that. I didn't know any better, I'm like, yes, I love you.

1 So he would grab some pillows, put them on the floor, and he
2 would ask me to bend over on all fours on the floor.

3 Q Okay. Now, were you fully naked at that point?

4 A Yes.

5 Q How had the rest of your clothes come off?

6 A He asked me to take them off.

7 Q Okay. Was he fully naked at that point still?

8 A He was -- he was still naked.

9 Q Okay. And you said at some point he massaged your
10 clit, I think was your --

11 A Yes.

12 Q What do you mean by clit?

13 A He put his fingers in between my legs and started
14 using one of his fingers to rub up against the private part
15 of my clit.

16 Q Okay. So when you say clit, do you mean clitoris?

17 A Yes, the clitoris.

18 Q Okay. And was he touching you between the lips of
19 your vagina or on the outside of the lips of your vagina?

20 A A little bit in and out.

21 Q Okay. So both?

22 A Both.

23 Q After that happened, what, if anything, did he do?

24 A Well, he said -- he would ask me to bend over onto
25 the pillows where he could get a hold of me, and I felt

1 something penetrate my anal, and it hurt --

2 Q Okay.

3 A -- so much. And it would continue. All I could

4 think about is I didn't like it.

5 Q Okay. And you said you felt something penetrate

6 your anus. What penetrated your anus?

7 A His penis.

8 Q Okay. And you were thinking about that you didn't

9 like it?

10 A I didn't like it.

11 Q Did you say anything to him about not liking it?

12 A It hurt. He told me that I would get used to it and

13 that this is how I show my love.

14 Q Okay. How long -- well, what he did with his penis

15 once it was inside your anus?

16 A He would thrust it in and out.

17 Q How long did that last?

18 A I don't know.

19 Q If you know, what made it stop?

20 A Until he came.

21 Q And when you say came, what do you mean?

22 A He would ejaculate inside me.

23 Q After he ejaculated inside of you, what did he do?

24 A Act like nothing happened, tell me to get dressed.

25 He would then go into the bathroom and clean himself up with

1 a rag and start getting dressed and went on with his day.

2 Q Okay. Did he tell you anything afterwards?

3 A Yeah. Tell me --

4 Q What did he --

5 A He'd tell me that he has police friends and nobody

6 would believe me if I told anybody, and that I would be the

7 one sent to jail because I was the one that did wrong.

8 Q How old were you when that incident took place?

9 A 11.

10 Q Okay. Do you remember another incident where you

11 came home from school and something happened in the master

12 bedroom?

13 A It happened all the time. Almost every day, except

14 for weekends.

15 Q Why wouldn't it happen on weekends?

16 A Because everybody was home.

17 Q Now, do you remember a time where you were called

18 into the master bedroom?

19 A There was several times that I've been called into

20 the master bedroom.

21 Q Do you remember any of the incidents when you were

22 11?

23 A There was so many incidences when I was 11 it's

24 ridiculous.

25 Q So you said that this was something that happened

1 more than one time when you were 11; is that right?

2 A Correct.

3 Q How often would something like that happen?

4 A Almost every day, sometimes it -- there was would be

5 one free week where it didn't happen, but majority of the

6 time it happened couple of times a week.

7 Q Okay. Did it just happen in the living room?

8 A The living room, the master bedroom, the office, the

9 boys' bedroom, and the trailer's bathroom.

10 Q How old were you when those incidents took place in

11 the living room, the master bedroom, the boys' room, the

12 office?

13 A The master bedroom and the living room would have

14 been mainly when I was in middle school.

15 Q Okay. So how old were you in middle school?

16 A I was 11, 12, and 13.

17 Q Okay. What grades is middle school?

18 A Sixth, seventh, and eighth.

19 Q The incident that we just talked about when you were

20 wearing the Tasmanian devil shirt, what grade were you for

21 that incident?

22 A I was sixth grade.

23 Q Do you remember an incident that happened when you

24 were in middle school in the boys' bedroom?

25 A It was when I was 13.

1 Q Okay. What happened?

2 A Eighth grade.

3 Q What happened in the boys' bedroom when you were in

4 eighth grade?

5 A Again, I would come home, and he was already naked,

6 and he wanted it, so -- and he was watching out for any

7 family members to come home too soon, he took me into the

8 boys' bedroom and he anally raped me on the boys' bed while

9 he kept on looking outside the boys' bedroom window.

10 Q Okay. Where did the boys' window face?

11 A Out to the main street right at the driveway.

12 Q How is it that he was able to look through that

13 window out towards the driveway?

14 A He would open up the -- the blinds.

15 Q Okay. So on that incident, if you remember, how did

16 you get into the boys' bedroom?

17 A He would just -- he would just tell me to go in

18 there.

19 Q What happened when you went in there?

20 A I had to take off my clothes and gave it to him.

21 Q What do you mean gave it to him?

22 A He wanted sex.

23 Q And you said you were how old for that incident?

24 A I was 13.

25 Q Okay. Is that something that you wanted to happen

1 when you were 13?

2 A No.

3 Q Why did you let it happen when you were 13?

4 A When he's in angry moods and stuff like that, he
5 would beat the shit out of my brothers, he would yell at
6 them, he would hit them over and over sometimes because he's
7 not in a good mood or he'd throw objects at us, mainly harder
8 at the boys than at me.

9 Q Do you remember an incident where the defendant told
10 you that it might hurt, but that's life?

11 A On several occasions.

12 Q Okay. Tell me about one of those occasions.

13 A It would have been about right before high school.
14 He would rape me, and I would tell him that it hurts, and I
15 don't like it, and that's when he told me that life hurts,
16 get used to it.

17 Q Okay. How old were you for that incident?

18 A I was almost 14, still 13 at the time.

19 Q And we talked about that first incident where he had
20 his hands on your breasts initially; is that right?

21 A Correct.

22 Q Is that something that happened one time, more than
23 one time or something different?

24 A It happens on several different occasions when --
25 when the rape occurs.

1 Q Okay. And when you're talking about rape when you
2 were that age, when you were 11, 12, 13, what are you talking
3 about?

4 A When right before the rape he would massage me or
5 claims to get me in the mood.

6 Q Would that -- sorry.

7 A And it just felt weird. I didn't like it. And
8 that's when he would tell me to get off -- take off my
9 clothes and stuff like that. There was other occasions at
10 that time period that he would want me to suck his dick.

11 Q Okay. How old were you when that started?

12 A Later on after the first rape at 11, like late 11,
13 right before I turned 12.

14 Q Okay. So 11, just about 12 is when that happened?

15 A Correct.

16 Q When's the first incident where you remember him
17 telling you to suck his dick?

18 A I don't remember.

19 Q Okay. Where would that happen?

20 A In the bedroom.

21 Q Which bedroom?

22 A The master bedroom.

23 Q Did that ever happen anywhere other than the master
24 bedroom?

25 A The living room.

1 Q Did it happen anywhere in the living room and the
2 master bedroom?

3 A Also in the boys' bedroom.

4 Q Okay. When he would tell you to suck his dick,
5 would you actually do that?

6 A I would be forced to, yes.

7 Q So what part of your body would touch what part of
8 his body?

9 A When he's sitting down, I have to kneel down in
10 front of him, and I'd have to put my hands on his legs or his
11 knees. Sometimes he would ask me to pump his dick while
12 licking and then sucking on it. While I'm sucking on it,
13 sometimes he would put his hand on the back of my head and
14 grip on my hair for his speed.

15 Q Okay. And you indicated that he would be sitting
16 down for that?

17 A Most of the time, yes.

18 Q What would he be sitting on?

19 A The bed, the couch.

20 Q Okay. Where would you be?

21 A If it was in the bedroom, it was on his side of the
22 bed. He would be sitting on his bed, and I would be kneeling
23 in between his legs right where the desk was at.

24 Q What about if it was in the boys' bedroom?

25 A It would also be the same -- well, almost the same

1 thing in the master bedroom, but not in front of objects. It
2 would be right in front of the window where he could look
3 out.

4 Q What about in the living room?

5 A On -- on the couch.

6 Q Would you be on the couch with him?

7 A No.

8 Q Where would you --

9 A I'd be also kneeling down.

10 Q So is that something that happened more than one
11 time from when you were 11 until when you were 13?

12 A Yes.

13 Q Is that something that happened at least once a year
14 from when you were 11 to when you were 13?

15 A More than once a year.

16 Q Okay. Did it happen at least once when you were 11?

17 A Yeah, at least once before I turned 12.

18 Q And did it happen at least once when you were 12?

19 A It happened more times when I was 12.

20 Q How often did it happen when you were 12?

21 A When he was in the mood for it.

22 Q How often would that be?

23 A Too many times. I can't tell you exact number.

24 Q Okay. Would it be -- would it ever go more than a
25 month without that happening when you were 12?

1 A No. At least a couple of times or more within a
2 month.

3 Q All right. And what about when you were 13, did it
4 at happen at least once when you were 13?

5 A Just like at 12.

6 Q Okay. So did you ever go more than a month without
7 that happening when you were 13?

8 A No.

9 Q Okay. While you were 11, 12, and 13, were there
10 other types of sexual contact that you and the defendant had?

11 A It was just mainly anal, the touching of the
12 breasts, sucking his dick --

13 Q Okay.

14 A -- orally.

15 Q Did he ever rub his penis against you?

16 A Yeah.

17 Q Okay. How old were you the first time that he
18 rubbed his penis against you?

19 A 11.

20 Q What part of his body did he rub his penis against?

21 A My butt.

22 Q Where did that take place?

23 A In the living room.

24 Q Where were you in the living room?

25 A In the middle of the living room.

1 Q Sitting, standing, laying down?
2 A On all fours.
3 Q Where was he?
4 A Behind me.
5 Q Is that something that happened one time or more
6 than one time?
7 A More than one time.
8 Q Did it happen at least once when you were 11?
9 A Yeah.
10 Q What about when you were 12? Did it happen at least
11 once when you were 12?
12 A Yes.
13 Q How often would it happen when you were 12?
14 A Right before he's ready to put it in.
15 Q Okay. So was that something that came before him
16 putting his penis into your anus?
17 A Yeah.
18 Q Did he do that every time he put his penis into your
19 anus?
20 A No.
21 Q So there were sometimes where he didn't rub his
22 penis on you before he put it into your anus?
23 A Correct.
24 Q Were there times where he would rub his penis on
25 your anus without putting it inside your anus?

1 A Will you clarify?

2 Q Were there ever time where he just rubbed his penis
3 on you without putting it inside of your anus?

4 A No.

5 Q Okay. So did that happen at least once when you
6 were 12?

7 A Yes.

8 Q What about when you were 13, did that happen at
9 least once when you were 13?

10 A Yes.

11 Q All right. How often would it happen when you were
12 13?

13 A I can't remember how many times, but it was enough.

14 Q Okay. Now, did he ever rub his penis against any
15 other part of your body?

16 A My face.

17 Q Okay. And was that part of him asking you --

18 A To give him a blowjob, yes.

19 Q Okay. Did he ever rub his penis against your
20 genital area?

21 A That didn't happen until 14.

22 Q Okay. All right. Okay. Now, we talked about there
23 were a lot of times where he would anally penetrate you from
24 the time that you were 11 until the time that you were 13; is
25 that right?

1 A Correct.

2 Q Is that something that happened at least once when
3 you were 11?

4 A Will you clarify?

5 Q Did that start happening when you were 11?

6 A I'm trying to think -- of the rubbing of the dick
7 against me or --

8 Q No. When he would actually put his anus -- or
9 excuse me, his penis inside of your anus?

10 A Yeah.

11 Q That started when you were 11?

12 A Yes.

13 Q All right. Did that continue when you were 12?

14 A Yes.

15 Q So did it happen at least one time when you were 12?

16 A It happened multiple times when I was 12.

17 Q How often would it happen when you were 12?

18 MS. RADOSTA: Your Honor, asked and answered
19 multiple times already.

20 THE COURT: Sustained.

21 MS. SUDANO: Okay. All right.

22 BY MS. SUDANO:

23 Q Now, that conduct continued when you were 13 as
24 well?

25 A Yes.

1 Q All right. It happened at least one time when you
2 were 13?

3 A Yes.

4 Q Did the conduct that the defendant would do to you
5 change when you turned 14?

6 A Yes.

7 Q Okay. What grade were you in when you were 14?

8 A I was in ninth grade.

9 Q I'm sorry?

10 A Ninth grade.

11 Q Okay. So were you in high school at that point?

12 A Yes.

13 Q How did the conduct change when you were in ninth
14 grade?

15 A I came home from school, and I wanted a shower, and
16 he was at home. I thought he wasn't home. So I was taking a
17 shower, and he came in already butt naked, and he came in and
18 he told me to go up against the wall, slightly bend over.
19 And at first I thought he was going to put it in anally at
20 first. But it went in the wrong hole. He took virginity
21 that day.

22 Q All right. Where did his penis go instead?

23 A My vagina.

24 Q What did he do once his penis was inside your
25 vagina?

1 A He kept thrusting, and then before he was able to
2 ejaculate, he actually stuck it in my -- my anal and then he
3 ejaculated there.

4 Q Okay. So he actually ejaculated inside your anus?

5 A Yes.

6 Q Did he say anything to you about why things were
7 different that day or that time?

8 A No, he didn't indicate that everything changed,
9 other than it was my fault that I didn't lift up my butt
10 higher for him.

11 Q Did he ever say anything to you about being on your
12 period?

13 A I started my period before ninth grade.

14 Q Was he aware of that?

15 A Yes. I didn't know what was going on with my body,
16 so I asked my parents.

17 Q Did he ever say anything to you about your period in
18 regards to him penetrating you?

19 A No.

20 Q So what happened after he ejaculated in your anus
21 during that shower incident when you were 14?

22 A He just got out and acted like it was a normal day.

23 Q Where did he go, if you know?

24 A He would go into the office.

25 Q Where did you go or what did you do after that?

1 A I felt so dirty I tried to clean myself.

2 Q How did you try to do that?

3 A I think I spent most of my time, and the rest of the
4 shower scrubbing myself.

5 THE COURT: Let's take a break. Okay?

6 Ladies and gentlemen, you're admonished not to
7 converse amongst yourself or with anyone else on any subject
8 connected with this trial, or read, watch, or listen to any
9 report or commentary on the trial or by any person connected
10 with this case until -- by any medium of information,
11 including without limitation, newspapers, television,
12 Internet, or radio, or form or express any opinion on any
13 subject connected with this trial until the case is finally
14 submitted to you.

15 It's about 25 'till. Why don't we come back about
16 five 'till. Okay?

17 All right. We'll be at ease while the jury exits
18 the courtroom.

19 (Jury recessed at 1:36 P.M.)

20 THE COURT: Okay. We're outside the presence of
21 the jury. Is there an advocate here?

22 MR. SWEETIN: There is, Judge.

23 THE COURT: Okay. All right. Anita -- Anita, I
24 want you to understand you're still under oath, and when you
25 come back we'll resume. Okay?

1 Go ahead and take a break and compose yourself. Do
2 not discuss your testimony or do not discuss it with anyone
3 at -- anyone. Okay?

4 THE WITNESS: Yes, sir.

5 THE COURT: You can go with the advocate, though.
6 Okay? Is that okay?

7 THE WITNESS: Yes.

8 THE COURT: All right. Go ahead. Okay. Is there
9 anything need to be -- do you need to put anything on the
10 record at this time?

11 MS. RADOSTA: I honestly did not understand her
12 last answer and neither did Mr. Lopez.

13 THE COURT: Well, I'm going to let them come back
14 to that.

15 MS. RADOSTA: Okay.

16 THE COURT: I think that's why I took a break
17 because --

18 MS. RADOSTA: Yeah I didn't --

19 THE COURT: -- I'm having a hard time hearing her.
20 She's getting a little bit more emotional now, so -- okay.
21 So why don't we get ready to get started by five 'till.
22 Okay?

23 MS. RADOSTA: Thank you.

24 MS. SUDANO: Thank you, Your Honor.

25 THE COURT: All right.

1 (Court recessed at 1:37 p.m. until 1:55 p.m.)
2 (Outside the presence of the jury)
3 THE COURT: Okay. We're on the record in the case
4 of State of Nevada versus Christopher Sena, Case No.
5 C-311453.
6 We're outside the presence of the jury. During the
7 break, did anything come up that you thought we needed to put
8 on the record?
9 MS. RADOSTA: No, Your Honor.
10 THE COURT: I'm just giving you that opportunity.
11 I mean, I'll stop asking if you guys want me to. I just --
12 MS. RADOSTA: No.
13 THE COURT: -- didn't know if you --
14 MS. RADOSTA: No, no, no, that's fine, Judge. I
15 think, honestly, given the amount of time that was -- that we
16 were just talking during the break, how much Ms. Sudano still
17 has left, I think we're going to need another break before --
18 THE COURT: Okay. That's fine.
19 MS. RADOSTA: -- I start.
20 THE COURT: Anita, Anita, can you come back up here
21 to the stand for me? Okay? You coming up here? Okay. All
22 right.
23 THE WITNESS: I'm sorry about the meltdown, Judge.
24 THE COURT: What's that?
25 THE WITNESS: I'm sorry for the meltdown, Judge.

1 THE COURT: Oh, you're okay. You're okay. Ed,
2 next go get the jury. Okay?

3 THE MARSHAL: Okay.

4 THE COURT: Just go ahead and make yourself
5 comfortable.

6 THE WITNESS: Okay.

7 THE COURT: All right.

8 THE MARSHAL: All rise for the presence of the
9 jury.

10 (Jury reconvened at 1:55 P.m.)

11 THE COURT: Okay. Everybody go ahead and have a
12 seat.

13 We're back on the record in the presence of the
14 jury in Case No. C-311453, State of Nevada versus Christopher
15 Sena.

16 Will the parties stipulate to the presence of the
17 jury?

18 MR. SWEETIN: Yes, Your Honor.

19 MS. RADOSTA: Yes, Your Honor.

20 THE COURT: All right. Ladies and gentlemen,
21 before we took our break, the State was still in the -- in
22 directing Ms. Sena. Did you have any further questions, Ms.
23 Sudano?

24 MS. SUDANO: Yes, Your Honor.

25 THE COURT: All right. Go ahead.

1 MS. SUDANO: And may I approach your Clerk first
2 and --
3 THE COURT: Yes, yes.
4 MS. SUDANO: -- retrieve the exhibits?
5 THE COURT: Ms. Sena, I want to remind you that
6 you're still under oath. Okay?
7 THE WITNESS: Yes, sir.
8 THE COURT: All right.
9 MS. SUDANO: May I proceed, Your Honor?
10 THE COURT: Yes.
11 BY MS. SUDANO:
12 Q So Anita, before we took the break, I was asking you
13 about incidents that happened both before you were 14 and, I
14 guess, right after you had turned 14; is that right?
15 A Correct.
16 Q So you're how old now?
17 A Well, last that we left I was 14.
18 Q I meant --
19 A Right now --
20 Q -- now when you're sitting in the court.
21 A -- is 28.
22 Q Okay. So you're talking about things that happened
23 14, 15 years ago; is that right?
24 A Yes.
25 Q Okay. Now, do you have a perfect memory about

1 everything that happened 14 or 15 years ago?

2 A Only the main events.

3 Q Okay. The things that we were talking about, are
4 those things that you like to remember?

5 A No.

6 Q Are we talking about a lot of different events that
7 happened over a long period of time?

8 A There's times where it's jumbled, and there's
9 sometimes where it's clear, but most of the time it's
10 jumbled.

11 Q Okay.

12 THE COURT: Can you hear okay, Christine?

13 THE COURT RECORDER: She's soft spoken.

14 THE COURT: Okay.

15 MS. RADOSTA: Your Honor, I -- we -- I can't.

16 THE COURT: You can't? Ms. Sena, I need you to
17 speak up a little bit. Okay?

18 THE WITNESS: Okay.

19 THE COURT: We're having a hard time hearing you.

20 THE WITNESS: Okay.

21 THE COURT: Okay. All right. Ms. Sudano.

22 MS. SUDANO: Thank you.

23 BY MS. SUDANO:

24 Q All right. So I'd asked if you remember everything
25 clearly or something along those lines, and your last answer

1 was sometimes yes, sometimes it's jumbled, but a lot of the
2 times it's jumbled; is that right?

3 A Majority of the time it's jumbled, yes.

4 Q Okay.

5 A It's like a VHS tape where it speeds forward, speeds
6 back, relives it, sometimes it rewinds, sometimes it's all
7 over the place where it chooses different scenarios,
8 different moments, and it just plays it.

9 Q Okay. So I had talked to you a little bit earlier
10 about the some of the earlier incidents when the defendant
11 was anally penetrating you; do you recall that?

12 A Yes.

13 Q You indicated that that took place in, I believe,
14 the master bedroom --

15 A The living room, and the boys' bedroom.

16 Q And the boys' bedroom.

17 Now, during those incidents, did the defendant use
18 any type of lubrication?

19 A Normally, it was his spit, sometimes it was just
20 raw. But other times he used baby oil.

21 Q Okay. Do you recall specifically one of the earlier
22 incidents where he used spit?

23 A The majority of the time it was spit.

24 Q Okay. What would he do with spit?

25 A He would take his index finger, his thumb, his

1 middle, and his last finger and he would spit in it as much
2 as he could before he went down and start rubbing the spit on
3 his penis.

4 Q Okay. And then what would he do after that?

5 A Then he would put it in -- in me after he's done
6 spitting on his fingers and then onto his dick and then into
7 me.

8 Q Is that something that happened one time or more
9 than one time?

10 A More than one time.

11 Q Would he ever do anything else other than the baby
12 oil in order -- in the form of lubrication?

13 A There was rare occasions Vaseline.

14 Q Any other forms of lubrication that you can
15 remember?

16 A No.

17 Q Okay. Now, we were talking about an incident that
18 happened in the shower where the defendant vaginally
19 penetrated you when we took our break; do you remember that?

20 A Yes.

21 Q I think we had just gotten up to the point where the
22 defendant had left the room, and I was asking you what you
23 were doing. Do you remember that?

24 A Yes.

25 Q I think the last question I asked you was what you

1 had done after he left the shower. What was it that you did?
2 A I was trying to scrub myself clean.
3 Q Why were you trying to scrub yourself clean?
4 A It felt wrong.
5 Q What --
6 A Dirty.
7 Q What felt wrong or dirty?
8 A What happened.
9 Q Did you have any sort of conversation with the
10 defendant about the fact that it felt wrong or dirty?
11 A I can't speak up to -- to Chris.
12 Q Okay. What makes you say you can't speak up to
13 Chris?
14 A Because he didn't like it when you have your own
15 opinion of what you like and what you don't like.
16 Q What would happen if he got upset?
17 A He would get really mad at you.
18 Q What would happen when he got mad?
19 A On some occasions he would hit you.
20 Q Okay. Now, we had talked about some conduct that
21 happened before you were 14, and there was a number of
22 different things that we had talked about, a number of
23 different ways the defendant had touched you; do you recall
24 that?
25 A Correct.

1 Q Did that conduct keep going after you were 14 or did
2 it stop?

3 A It continued.

4 Q Okay. What type of conduct continued after you were
5 14?

6 A The blowjobs, the rubbing of the dick on the butt,
7 sometimes anal penetration. And there was only a few times
8 where he would mess with the boobs.

9 Q Okay.

10 A He would massage them.

11 Q All right. So you indicated that early on the
12 defendant would rub your boobs or massage your breasts.

13 A Correct.

14 Q And that's something that happened at least once a
15 year from the time you were 11 to 14?

16 A Yeah, a few times.

17 Q Okay. Did that continue after you were 14?

18 A It continued after I was 14.

19 Q Did it happen as often once you were 14, less often?

20 A Less -- less often.

21 Q How often did it happen once you were 14?

22 A It would happen here and there a couple of times a
23 month.

24 Q I'm sorry, you're really quiet?

25 A A couple of times during the month.

1 Q Okay. A couple of times a month where he would
2 touch your -- or your breasts?

3 A Yes.

4 Q What would he do while he was touching your breasts
5 on those occasions?

6 A Sometimes I would be just sitting on the couch
7 watching TV, and he's sitting next to me, and he would just
8 lean his hand over to touch whatever breast was the closest
9 and start massaging it.

10 Q Okay. During those times when you were sitting on
11 the couch -- and these are incidents that are happening when
12 you're 14, 15?

13 A Correct.

14 Q Would you be wearing clothes during that or not is
15 this?

16 A Clothes.

17 Q When he would reach over and just massage or touch
18 you on whatever side was closest, would he be touching you
19 over the clothes, under the clothes, or something different?

20 A Most days it's over the clothes, but sometimes he
21 would -- he would lift up the shirt to -- and the bra to feel
22 it.

23 Q Okay. And is that something that -- I'm sorry, I
24 think you indicated that happened a couple of times a month?

25 A Yes.

1 Q Okay. So certainly, more than once a year when you
2 were 14, 15?

3 A Correct.

4 Q And then you talked about the defendant would still
5 have you perform blowjobs after you were 14; is that fair?

6 A It's fair.

7 Q Is that something that happened more or less after
8 you turned 14?

9 A It was a little less, but it was still there.

10 Q Okay. After you were 14, how often would you
11 perform blowjobs on the defendant?

12 A I wouldn't tell you the exact number.

13 Q All right. Would it happen as its own separate
14 incident or would it happen as part of something else that
15 was going on?

16 A Sometimes it happens in its own separate incident.

17 Q Okay. When it would happen as its own separate
18 incident, where would that take place?

19 A In the office.

20 Q All right. Did it happen anywhere else in the
21 house?

22 A In the living room, and in the bedroom.

23 Q What do you remember specifically, about the office?

24 A What I remember specifically of the office is that
25 you're not supposed to touch the computer, there was a lot of

1 pictures of pornography and naked figurines.

2 Q That was my fault. That was a terrible question.
3 So you indicated that when you were 14 or 15, the defendant
4 would make you give him a blowjob, and you said that happened
5 in the office, the living room, and I think the master
6 bedroom; is that right?

7 A Correct.

8 Q What do you remember specifically about the
9 defendant asking you or making you give him a blowjob in the
10 office when you were 14 or 15?

11 A Terrie would be in the house with the boys, and I
12 would be in the back with him. He would start showing nude
13 cartoons on the computer and showing me that stuff. He liked
14 to show the Jetsons with the -- with the father and daughter
15 in that one. There was also an incident where he showed me
16 him having sex with my Aunt Melissa on the computer.

17 Q Okay. And so those are incidents that took place
18 when you were about 14 or 15?

19 A Yes.

20 Q All right. Now, you talked about some of the videos
21 that the defendant would show you.

22 A Yes.

23 Q And you said the Jetsons?

24 A Jetsons, the pornography of Jetsons with the father
25 and daughter.

1 Q I think that was my question. So not actually the
2 Jetsons like it was on TV?

3 A No, not the -- it was just drawings of the Jetsons.

4 Q Okay. But the Jetsons in pornographic situations?

5 A Yes.

6 Q Okay. And specifically which characters from the
7 Jetsons?

8 A It's hard, I don't remember their names. I know
9 it's the father and the daughter with the blonde hair.

10 Q Would the defendant say anything to you while he had
11 the Jetsons characters up?

12 A He would ask me what -- what do I think.

13 Q Okay. What was the defendant wearing when that
14 happened?

15 A I can't remember everything that he wore.

16 Q Was he wearing clothing?

17 A Yeah, he was wearing clothing.

18 Q Were you wearing clothing?

19 A Yes.

20 Q What happened after he was showing you the Jetsons?

21 A He would show me a whole bunch of pornography and
22 then sometimes he would unzip his pants and he would start
23 ejaculating in front of me, and then he would push his chair
24 the way, and he gave gestures of what he wanted me to do.

25 Q What did those gestures mean to you?

1 A That I had to get on my hands and knees and go in
2 between his legs to suck him off.

3 Q And did you actually do that?

4 A I didn't want to have the consequences on me if I
5 said no.

6 Q So what part of your body came into contact with
7 what part of his body in the office?

8 A My hands on his -- on his thighs and knees and
9 sometimes on his penis when he wants me to pump it or
10 ejaculate him off and put my mouth on his dick.

11 Q Okay. So you actually put your mouth on his penis?

12 A Yes.

13 Q Okay. You indicated that there was another time in
14 the office where the defendant showed you photographs of your
15 aunt; is that right?

16 A Yes.

17 Q What type of photographs of your aunt did the
18 defendant show you?

19 A Him having sex with her.

20 Q And that's Aunt Melissa?

21 A Aunt Melissa.

22 Q Did the defendant say anything to you while that was
23 -- while he was showing you those photographs?

24 A He would say, beautiful, isn't it? I did that with
25 your aunt.

1 Q Did the defendant say anything to you about how old
2 Melissa was at the time?

3 A Didn't need to.

4 Q What do you mean by that?

5 A I already knew how old she was in the picture.

6 Q How do you know how old she was?

7 A Because in that photo of when she was extremely
8 beautiful, she was in high school, and she was a cheerleader.

9 Q Okay. So you could tell that those were pictures of
10 Melissa in high school?

11 A Yes.

12 Q Now, you had also talked about when you were 14 or
13 15, the defendant asking you to give him a blowjob in the
14 living room and in the master bedroom; is that right?

15 A Correct.

16 Q Do you remember anything specifically about either
17 of those incidents?

18 A No. It was just random.

19 Q Okay. Now, did -- when you were 14 or 15, did the
20 defendant continue to put his penis inside of your anus?

21 A Yes.

22 Q How often did that happen, was that more or less
23 frequent than before you were 14?

24 A It was a little bit more when I was in high school.

25 Q How often would that happen when you were in high

1 school?

2 A After school.

3 Q Okay. Would it happen once a week, once a month,
4 once a year?

5 A It would happen a couple of times or more.
6 Sometimes all week. Sometimes if he's in the mood.

7 Q Okay. So a couple of times a week, sometimes every
8 day of the week?

9 A Yes.

10 Q Okay. We had talked a little bit before about the
11 arrangement from when you'd come home from school, and that
12 was when you were in middle school.

13 What was the arrangement when you were in high school?

14 A Clarify.

15 Q What a terrible question, you're right.
16 So when you were in middle school, you said you were
17 the first home because Tails was in a different grade.

18 A Correct.

19 Q What time would you get home from high school?

20 A From high school it was about 1:30.

21 Q What time would Tails get home?

22 A About an hour later.

23 Q Okay. We talked earlier about Deborah and Deborah's
24 work schedule when you were in middle school. Did Deborah
25 have the same work schedule when you were in high school?

1 A Yes.

2 Q We talked about Terrie and Terrie's work schedule,
3 and you said when you were in middle school, she was working
4 sort of sporadically; is that right?

5 A Correct.

6 Q On and off?

7 A On and off.

8 Q By the time you were in high school, did Terrie have
9 a steady job?

10 A She was steadily working with tutoring and going to
11 school.

12 Q So what time would Terrie come home when you were in
13 high school?

14 A 5:00, 5:00 or 4:00, depends on the day.

15 Q So typically she'd be out of the house --

16 A Longer.

17 Q -- until 4:00 or 5:00? So she would be the last one
18 home?

19 A Yes.

20 Q All right. And by the time you were in high school,
21 how old were Ryan and Brandon?

22 A They would be going into elementary school or middle
23 school.

24 Q Okay. So what time would Ryan and Brandon come
25 home?

1 A About 3:00.

2 Q And we talked before about the defendant not having
3 steady work, and he was home most of the time when you came
4 home; is that fair?

5 A That's fair.

6 Q Did that continue into when you were in high school?

7 A Yes.

8 Q So you talked about the anal penetration, and you
9 said that was something that happened a couple of times a
10 week all the way up to once a week; is that correct?

11 A Yes.

12 Q Okay. Before we broke, we talked about an incident
13 in the shower where the defendant had vaginally penetrated
14 you; do you recall that?

15 A Yes.

16 Q Was that something that happened one time or more
17 than one time?

18 A After that incident, it happened more times
19 throughout high school.

20 Q How often did that happen in high school?

21 A It was 50/50 with the anal and the vaginal --

22 Q Okay.

23 A -- but with a condom.

24 Q Would the defendant always use a condom?

25 A Not all the time, no.

1 Q So there were times where he did not use a condom?

2 A Yes.

3 Q What, if anything, would you do after the defendant

4 had had vaginal sex with you without using a condom?

5 A When he went straight to the office, I knew I had

6 chances of getting pregnant, so I would hit myself with a two

7 by four in the abdomen.

8 Q I'm sorry, where would you hit yourself with the two

9 by four?

10 A Right in the abdomen, in the stomach.

11 Q In your stomach. Why would you hit yourself in the

12 stomach?

13 A At the time, I thought it would keep -- prevent me

14 from getting pregnant from my own father.

15 Q So you said that the vaginal penetration was about

16 50/50 with anal penetration. Were there times where both of

17 those things happened within the same day?

18 A It would happen most of the time on the same day.

19 Q Okay.

20 A Where it would be vaginal first, then anal, then he

21 ejaculates.

22 Q Okay. So would he typically ejaculate in your anus

23 or somewhere different?

24 A There was times where he ejaculated in my vaginal,

25 if he had a condom on.

1 Q Okay. And is the vaginal penetration something that
2 happened at least once a year from the time that you were 14
3 on?

4 A At least once a week.

5 Q Okay. Was there ever a time where it went more than
6 a month without that happening?

7 A No.

8 Q So everything that we've talked about thus far was
9 just the defendant and you, is that correct, as far as the
10 sexual?

11 A Other than when I was 14, there was one incident
12 where it was -- it was in the office, and it was me, Terrie
13 Sena and Christopher Sena.

14 Q So you said that there was an incident -- I'm sorry,
15 how old were you for that one?

16 A 14.

17 Q What -- how did you go into the office that day?

18 A I just went into to ask a question. I don't
19 remember what I was going to ask. All I know is I was going
20 to ask a question, and I went in, and I don't know why it led
21 up to that, other than the nudes on the computer. Chris lied
22 to Terrie saying that I never had anal sex, and that I would
23 like to experience it, which I didn't volunteer myself for.

24 Q Okay.

25 A So I had somewhat of a threesome with Chris and

1 Terrie with me.

2 Q So I want to get into some of the background on that
3 one before we get into what ultimately happened.

4 You said you came back into the office, and the
5 defendant was looking at nudes on the computer; is that
6 right?

7 A Correct.

8 Q Okay. Do you remember if he was nude or clothed at
9 that point?

10 A He was half clothes.

11 Q Okay. What do you mean by that?

12 A A shirt and underwear.

13 Q Okay. But no pants at that point?

14 A No.

15 Q Was Terrie back in the office?

16 A Yes.

17 Q What was Terrie doing when you came in?

18 A She was drinking.

19 Q Okay. When you say drinking --

20 A She was drinking alcohol.

21 Q Okay. Do you remember where she was?

22 A She was in the cubicle area where the wall is at in
23 the office where you can't see.

24 Q All right. So that cubicle area that kind of
25 blocked into the computer desk; is that right?

1 A Yes.

2 Q So she was in there with the defendant?

3 A Yeah.

4 Q And you said that the defendant had said something
5 to Terrie about you.

6 A That I had never experienced sex before, and that I
7 would want to learn how about sex.

8 Q And specifically anal sex; is that right?

9 A Anal sex. I had anal sex that day with Chris while
10 Terrie was kissing me and rubbing and playing with my breasts
11 while Chris -- it was not a great day.

12 Q Okay. So after the defendant made that comment
13 about you wanting to learn how to have sex, what happened
14 from there?

15 A I already knew I had to do what he said.

16 Q Okay. Did he tell you what to do?

17 A Yes, he told me to lay down on the ground, and to
18 take off my clothes.

19 Q Did you take off your clothes?

20 A Yes.

21 Q And did you lay down on the ground?

22 A Yes.

23 Q How were you laying on the ground?

24 A I was laying down on my back.

25 Q Where was Terrie at that point?

1 A On top and in front right above my head.

2 Q Okay. Was Terrie clothed or was Terrie naked?

3 A She was clothed.

4 Q Did she stay clothed the entire time or did she take

5 her clothes off?

6 A No, she took her own clothes off.

7 Q Okay.

8 A She took off just her -- her bra and her shirt.

9 Q Do you know why Terrie took off her bra and her

10 shirt?

11 A I don't remember why she took it off.

12 Q Okay. So while you were laying on your back, what

13 was the defendant doing?

14 A He was prepping himself.

15 Q What do you mean by that?

16 A Spitting in his hand again.

17 Q Okay. After he spit in his hand, what did he do?

18 A He went toward -- he kneeled down on me while Terrie

19 was above my head. He grabbed me by my legs and lifted up my

20 upper -- like lower end closer to his penis so he could

21 penetrate me anally.

22 Q And did he actually anally penetrate your --

23 A Yes.

24 Q -- or penetrate you that time? Okay.

25 What was Terrie doing after the defendant anally

1 penetrated you?

2 A She didn't say anything. I don't know what she was
3 thinking or anything.

4 Q You indicated earlier that she had been kissing you
5 and playing with your breasts?

6 A Correct.

7 Q Did she continue to do that?

8 A Yeah, when he was penetrating me.

9 Q Was the defendant saying anything at that point?

10 A Other than dirty things like oh, you like that, do
11 you like more of it, do you like daddy's dick?

12 Q What made that incident stop?

13 A Huh?

14 Q What made that incident stop?

15 A Until he ejaculated.

16 Q Do you remember where he ejaculated in?

17 A In the anal.

18 Q After he ejaculated in your anus, what did you do?

19 A Pretend like it never happened. After it was over,
20 he was already kissing Terrie, and trying to get her to take
21 off her pants while I got dressed, and I left, and they
22 continued where they left off.

23 Q Did you do anything to clean yourself up after that
24 incident?

25 A Yeah, I went into the bathroom and cleaned my lower

1 regions.

2 Q Did you go into the bathroom in the office or the
3 trailer?

4 A The trailer.

5 Q Okay. So that was after you had already left the
6 office?

7 A Yeah.

8 Q When you left the office, were the defendant and
9 Terrie still in there.

10 A They were still in the office.

11 Q When were the defendant and Terrie doing when you
12 left the office?

13 A I can't make exceptions [sic].

14 Q Okay. Did you see what he were doing as you were
15 leaving?

16 A They were kissing, and Terrie was taking off her
17 pants.

18 Q Okay. Now, what was the relationship between you
19 and Terrie like that after this -- like after this incident?

20 A I hated her.

21 Q Why did you hate her?

22 A Because she allowed it to happen.

23 Q Okay. Did you and Terrie ever talk about this?

24 A No.

25 Q Was that the only time that something happened with

1 Terrie?

2 A Yes.

3 Q Okay. Was there ever anything that happened
4 sexually between Terrie and you when the defendant was not
5 there?

6 A No.

7 Q You indicated that incident in the office with
8 Terrie and the defendant happened when you were about 14; is
9 that right?

10 A Correct.

11 Q Were there other times -- or well, did the defendant
12 continue to have sexual contact with you through high school?

13 A Yes.

14 Q Was it as frequent all the way through high school?

15 A It was mainly frequent, except for when he started
16 working for the rich people as -- at Zingers when I was in
17 eighth grade.

18 Q When you were in eighth grade?

19 A Eighth grade, I was almost 18.

20 Q I'm sorry?

21 A I was almost 18.

22 Q So you were almost 18, so it would have been your
23 senior year of high school?

24 A My senior year.

25 Q So things started to be less frequent at that point?

1 A It was less frequent, but it still happened.

2 Q Okay. What type of things would happen later on in
3 high school, so 16, 17, 18?

4 A It was the same thing almost every day after school.

5 Q Were there incidents where the defendant placed his
6 penis in your vagina when you were 16, 17, 18?

7 A Yes.

8 Q How frequent was that?

9 A Couple of times a month.

10 Q So at least once a year?

11 A Multiple -- almost multiple times a month.

12 Q Okay. Were there still times that the defendant
13 placed his penis in your anus?

14 A Yes.

15 Q Did that happen at least once a year when you were
16 16, 17, 18?

17 A Multiple times a year on the --

18 Q And we talked earlier about the defendant placing
19 his hands on your breasts. Did you that continue to happen
20 when you were 16, 17, 18?

21 A Less frequent, but yes.

22 Q But it did still continue to happen?

23 A Still continued to happen.

24 Q How frequent was that?

25 A It wasn't that frequent. It was like here and

1 there.

2 Q Was that still at least once a year for 16, 17, 18?

3 A Yes, at least.

4 Q And we talked before about the defendant asking you

5 to give him blowjobs; do you recall that?

6 A Yes.

7 Q Did that continue to happen?

8 A Yes.

9 Q Was that more or less frequent?

10 A It was less frequent. It kind of slowed down when

11 he started working with the -- with the millionaires at

12 Zingers.

13 Q Okay. So once that Zinger's job started senior

14 year, the blowjobs slowed down; is that fair?

15 A The majority of the rape and the sex and all that

16 was less frequent, but it was still there.

17 Q Okay. So did the defendant still have you give him

18 a blowjob at least once all of those years, 16, 17?

19 A Yeah.

20 Q So we talked about the one incident between the

21 defendant, Terrie, and you. Were there any other incidents

22 that involved someone other than the defendant?

23 A Deborah Sena.

24 Q Okay. And Deborah Sena was your step-mom?

25 A Correct.

1 Q What happened between the defendant, Deborah Sena,
2 and yourself?

3 A I was coming back from school, and I opened the
4 door, and Chris was already butt naked, and then he told me
5 to lock the door so I did. And then he went into the
6 bedroom. At first I didn't think anything of it. I thought
7 it was normal routine again, but this time he came out
8 dragging Deborah with him out to the living room butt naked
9 also.

10 Q Okay. So Deborah was naked when she came out of the
11 bedroom?

12 A Yes.

13 Q And you said you were coming home from school. Do
14 you remember what age you were?

15 A I was 17 or 18 at the time.

16 Q Okay. Would that have been during your senior year
17 of high school?

18 A It was my senior year of high school.

19 Q Was it towards the beginning, the middle, or the end
20 of your senior?

21 A The end.

22 Q Okay. And I think you said very, very early, your
23 birthday's in May?

24 A May 22nd, right --

25 Q Do you --

1 A Like four weeks or five weeks because school -- no,
2 three or four weeks before school ended.

3 Q Okay. So this incident, do you remember if it
4 happened before or after your birthday?

5 A I can't give you exact date with that.

6 Q Was it somewhere around your birthday?

7 A It was around my birthday.

8 Q Okay. So you said that the defendant pulled Deborah
9 out of the bedroom and she was naked at that point?

10 A Yeah.

11 Q What happened after that?

12 A I looked at Deborah, and she was crying, and she
13 gave me a mouth of "I'm sorry" before Chris starting tell us
14 what he wanted to see.

15 Q Okay. What was Chris saying that he wanted to see?

16 A He wanted to see us make out. He wanted to see us
17 play with each other's breasts. He wanted to see one of us
18 girls eat each out. He wanted to see us on top of each
19 other, me laying down on the floor while she was on fours on
20 top of me.

21 Also, he wanted to see us rub each other's clits.

22 Q Okay. So you said that he wanted to see you make
23 out. So he wanted to see the two of you kiss; is that right?

24 A Correct.

25 Q He wanted to see you touch each other's breasts?

1 A Correct.

2 Q And then you said he wanted to see one of you eat
3 the other one out?

4 A Correct.

5 Q What do you mean by that?

6 A He wanted -- wanted to see one of us lick each
7 other's clitoris.

8 Q Okay. And then he also wanted to see you touching
9 each other's clitoris; is that right?

10 A Correct.

11 Q Did any of those things happen?

12 A Specify.

13 Q So there was a whole list of things that the
14 defendant was saying he wanted to see happen; is that right?

15 A And they all happened.

16 Q All of those things did happen? Okay.

17 So when you came home from school, I'm assuming you
18 had clothes on?

19 A I had clothes on.

20 Q At some point, did your clothes come off?

21 A Yeah, I was told to take my clothes off.

22 Q Did you take your clothes off?

23 A Yes.

24 Q What did you do after you took your clothes off?

25 A I followed directions of what Chris wanted me to do.

1 Q What did Chris want you to do at that point?

2 A All the stuff that I gave you the list.

3 Q Okay. Where were you within the house?

4 A We were all in the living room.

5 Q Okay. Were you standing, laying down, sitting down,
6 something different?

7 A We were in different positions. We were laying --
8 laying down, standing.

9 Q Okay. So after --

10 A On all fours.

11 Q After you took your clothes off, what was the first
12 position that you were in?

13 A Standing.

14 Q Okay. And then what after that?

15 A We were kneeling on our knees.

16 Q Who's we?

17 A Me and Deborah.

18 Q What was happening while you were on your knees?

19 A We were rubbing each other's breasts -- breasts up
20 against each other because Chris wanted to see it on top of
21 us licking both sides of his dick while he was there.

22 Q Okay. So were you actually touching Deborah's
23 breasts?

24 A Yes.

25 Q How were you touching them?

1 A Just like grabbing a ball.

2 Q With your hands?

3 A Yes.

4 Q Was Deborah touching your breasts?

5 A Yes.

6 Q How was she touching them?

7 A Just like a ball. Just squeeze them.

8 Q With her hands, too, though?

9 A Correct.

10 Q And then what's the next thing that happened after

11 the two of you were touching each other's breasts?

12 A He just kept on asking us in different positions

13 that he wanted us to do and what he wanted to see.

14 Q Okay. So what was the next position that you were

15 in after being on your knees?

16 A After licking his dick?

17 Q Yes.

18 A He told me to lie down and Deborah to get on top of

19 me. He wanted her breasts to rub up against mine, and she

20 kept on repeating "I'm sorry" to me in a whisper, and he

21 penetrated Deborah while she was on top of me.

22 Q Okay. Now, did you -- were you and Deborah kissing

23 each other at that point?

24 A No.

25 Q Had you kissed each other prior to that?

1 A No.

2 Q So you said that the defendant was penetrating
3 Deborah?

4 A Yes.

5 Q Where were you?

6 A On the bottom of her.

7 Q Okay. What direction were you facing?

8 A Upwards.

9 Q Okay. So were you laying on your stomach or on your
10 back?

11 A I was laying on my back.

12 Q What about Deborah?

13 A She was on all fours, her front facing me.

14 Q So you had indicated that the defendant wanted the
15 two of you to make out; is that right?

16 A Correct.

17 Q Did that happen?

18 A Yes.

19 Q When did that happen?

20 A Before.

21 Q Okay. Were you standing, kneeling?

22 A Standing.

23 Q Okay. And then he wanted to see the two of you
24 touch each other on the clitoris; is that right?

25 A Yes.

1 Q Did that actually happen?

2 A Yes.

3 Q When did that happen?

4 A After we were on our knees rubbing each other and us
5 licking each part -- each side of his -- his penis.

6 Q Okay. So did you actually touch Deborah's clitoris?

7 A I didn't want to. In the angle that we were in, it
8 would look like we did, but I didn't touch her clitoris.

9 Q Where were you touching her?

10 A In the pubic hairs.

11 Q Okay. Did you touch her between the lips of her
12 vagina?

13 A No.

14 Q Okay. Did you touch her in kind of the wet part?

15 A No.

16 Q Okay. Where did she touch you?

17 A Hers was a little bit on the outside of the lips and
18 out a little bit in the pubic hairs.

19 Q Okay. Were the two of you at the same angle in
20 reference the defendant? So could he see the same part of
21 both of you?

22 A No.

23 Q Okay. Was there one of you that he could see better
24 than the other?

25 A Yes.

1 Q Who could he see better?

2 A Deborah.

3 Q Did that mean anything for you?

4 A It just made me so mad.

5 Q Okay. Did you have to touch Deborah in a different

6 way than she had touched you?

7 A No. I just didn't want to touch it.

8 Q Okay. You said you didn't want to, but you said

9 earlier that it happened; is that right?

10 A Yeah. It was the pubic hair part.

11 Q Okay.

12 A But hers touched me on the outside of the lips.

13 Q Okay. So did you actually touch her between the

14 lips, though?

15 A Not that I recall. It's just the pubic hairs.

16 Q And that was before the defendant started to anally

17 penetrate Deborah?

18 A I don't know.

19 Q Or I'm sorry.

20 A I don't know the penetration for her.

21 Q Before he started to penetrate Deborah?

22 A Correct.

23 Q Okay. At some point, did the defendant stop

24 penetrating Deborah?

25 A Yes.

1 Q How did that stop?

2 A I don't know.

3 Q Okay. Were you laying underneath Deborah the entire
4 time?

5 A Yes.

6 Q At some point, did Deborah move?

7 A No. Only after he got done penetrating me, after he
8 got done penetrating her.

9 Q Okay. So walk us through how the defendant
10 penetrated you on that incident.

11 A I had to raise up my rear end a little bit, and she
12 had to raise up a little bit atop of me, and put a pillow
13 underneath my back so he could have access to me.

14 Q Was Deborah still in that same position?

15 A Yeah.

16 Q Did the defendant actually anally penetrate you on
17 that time?

18 A Yes.

19 Q What happened after that?

20 A He ejaculated, she got off of me, and I wanted to
21 cry. Chris left us there in the living room while he went to
22 go clean himself up in the bathroom. And Deborah was
23 apologizing to me still, gave me a hug and continued
24 apologizing, and then I got dressed, and she left to get
25 dressed.

1 Q What was your relationship like with Deborah after
2 that incident?

3 A It was awkward.

4 Q Okay. You talked earlier about the incident between
5 the defendant, Terrie, and yourself; do you remember that?

6 A Yes.

7 Q And you talked about hating Terrie after that.

8 A Yes.

9 Q Do you hate Deborah?

10 A I don't like what she did. There's still times
11 where I don't like what she did.

12 Q Okay. Was there something that was different
13 between Deborah and Terrie?

14 A Deborah apologized.

15 Q Were there ever any other times that something
16 sexual happened between the defendant, Deborah, and you?

17 A No.

18 Q Was there ever any time that something happened
19 sexually with Deborah and yourself where the defendant wasn't
20 there?

21 A No.

22 Q So we talked about a number of different sexual
23 encounters that happened with the defendant through your
24 school years.

25 A Correct.

1 Q Did that continue after you got out of school?

2 A Yes.

3 Q Was it more frequent, less frequent, or something

4 different after you graduated?

5 A It was less frequent because he wanted me to find a

6 job.

7 Q Okay. And you indicated -- were you looking for

8 work?

9 A I was looking for work.

10 Q But you weren't able to find anything until you were

11 21?

12 A Yeah.

13 Q Were there ever times from 18 until 21 where you

14 tried to move out of the house?

15 A No.

16 Q Why not?

17 A Because at the time when -- during the rape and

18 stuff going on, he was hurting my brothers, and he was

19 targeting my cousins.

20 Q Okay. So why did that affect whether or not you

21 could move out of the house?

22 A I didn't want to leave my brothers with him.

23 Q Why didn't you want to leave your brothers there?

24 A Because he was mean to them.

25 Q Okay.

1 A And more abusive.

2 Q Were there ever times where you did anything to try
3 to keep the defendant from picking on your brothers or being
4 mean to your brothers, yelling at them, hitting them,
5 anything like that?

6 A Correct.

7 Q What would you do?

8 A I would force myself to have sex with the defendant
9 to prevent him from hurting my brothers more.

10 Q How old were you when that was taking place?

11 A It started happening in high school.

12 Q Okay. In your mind, why would you having sex with
13 the defendant affect the way that he treated your brothers?

14 A When Chris is angry, he will take it out on anybody.
15 There is times where the defendant would hurt us to the point
16 that it has drawn blood, and I didn't want my brothers to get
17 hurt too bad, so I'd force myself to have sex with him so he
18 would stop doing that stuff to put him in a good mood, so he
19 wouldn't do that.

20 Q All right. After you would have sex with him, you
21 said you were trying to put him in a good mood, would his
22 mood change?

23 A Yes.

24 Q How would it change?

25 A He would be less mean.

1 Q Okay. Less mean to who?

2 A To my brothers.

3 Q So those times that you would force yourself to go
4 into the bedroom, was that something that you wanted to do?

5 A No.

6 Q Why would you do that?

7 A It's protecting and keeping my brothers alive and
8 safe.

9 Q All right.

10 MS. SUDANO: And then, can I publish, Your Honor?

11 THE COURT: What is it?

12 MS. SUDANO: It's Exhibit 33. It's been admitted.

13 THE COURT: Yes.

14 BY MS. SUDANO:

15 Q All right. So Anita, what are we looking at there
16 in Exhibit No. 33?

17 A A slip for -- a slip to put on a dick to put more
18 pleasure.

19 Q Okay. So is this some sort of an accessory for a
20 dildo or a vibrator?

21 A Dildo, vibrator, or the dick itself.

22 Q Okay. And where is this particular item?

23 A In my underwear drawer.

24 Q Okay. So this is in your bedroom?

25 A Yes.

1 Q Where did that particular item come from?

2 A The Love Store.

3 Q Okay. Who purchased it, if you know?

4 A I purchased it.

5 Q Any particular reason that you purchased that?

6 A Because he would like to see some of that stuff.

7 Q Who's he?

8 A Chris.

9 Q So that's something that you purchased at the

10 direction of the defendant?

11 A It would make him happy.

12 Q Okay. Was that part of that same attempt to make

13 the defendant happy?

14 A Yeah, but we never used it.

15 Q So you talked about trying to protect your brothers.

16 A Correct.

17 Q And then I think you had also mentioned your

18 cousins.

19 A Yes.

20 Q What cousins were you talking about?

21 A My cousin Erin and Tamara.

22 Q Okay. And we talked about them before. Those are

23 Terrie and -- or Terrie's nieces; is that right?

24 A Correct.

25 Q Was there a time where Tamara and Erin started

1 spending more time at the 6012 Yellowstone house?

2 A Yes, in the beginning of -- it was before I started
3 graduating from high school.

4 Q Okay. Would they both spend the night?

5 A They would both spend the night, but Tamara was less
6 -- coming over less and then it was just Erin.

7 Q Okay. So would there be nights that both of them
8 were there?

9 A Yes.

10 Q Nights that just Erin was there?

11 A And there would be nights just Erin was there.

12 Q And then nights just Tamara was there?

13 A Tamara stopped wanting to come over.

14 Q Okay. Did you ever hear the defendant make sexual
15 comments about either Erin or Tamara?

16 A Yes.

17 Q Okay. Starting specifically with Erin, what types
18 of things would the defendant say about Erin?

19 A He would ask me if I wanted to see him do the things
20 that he did to me to poor young Erin.

21 Q Okay. About how old were you when the defendant
22 started making those comments?

23 A The end of high school.

24 Q Okay. So you would have been 17, 18; is that right?

25 A Yes.

1 Q And I think you said earlier Erin is 18?

2 A She's 18 now.

3 Q Okay. So there's about ten years difference? Yes?

4 A Yeah, I think so. If math is right.

5 Q So if you were 17 or 18, Erin would have been seven

6 or eight; is that fair?

7 A Yeah.

8 Q Okay. Did you also hear the defendant making

9 comments about Tamara?

10 A Yes.

11 Q What types of things would he say about Tamara?

12 A He would ask me the same thing that -- same thing

13 like he did with Erin.

14 Q At some point, did the defendant's comments about

15 Tamara kind of change?

16 A Yeah, he was saying that Tamara was becoming fat and

17 unattractive.

18 Q Okay. When he said that Tamara was fat and

19 unattractive, did he stop making comments about her at that

20 point?

21 A Yeah.

22 Q Now, when Tamara or Erin would come over to the

23 house, would you be with them all of the time?

24 A I always tried to.

25 Q Were there things that would prevent you from being

1 with Tamara and Erin?

2 A Yes.

3 Q What type of things?

4 A Chris would give me stuff that he wanted me to do,
5 like go get him a drink, go make me a sandwich, you got the
6 house to clean up, go do -- go clean up the yard, go clean
7 out the pool, don't you have homework to do or don't you have
8 something that you're supposed to be doing right now.

9 Q Okay. So he would give you chores or tell you to go
10 do homework?

11 A Yeah.

12 Q What would happen with Tamara and Erin while you
13 were doing your chores or your homework?

14 A I don't know.

15 Q Where would they go, if you know?

16 A In the office with him.

17 Q Would there be anybody else in the office?

18 A Most of the time, no, but with Terrie on most
19 occasions.

20 Q Now, at some point, did you leave the defendant's
21 house?

22 A Yes.

23 Q Okay. When was that that you left?

24 A It was 2014.

25 Q Okay. About what month?

1 A June.

2 Q Was there something that happened that made you
3 leave the house?

4 A Yeah. A month or two prior, I was getting my bike
5 because I had broke the chain, and under the gazebo was
6 Brandon, and he was so upset.

7 Q Do you know why Brandon was upset?

8 A I went over there to ask him, and he told me that he
9 wanted to commit suicide.

10 Q Okay. Did he indicate why he wanted to commit
11 suicide?

12 A Yes. He told me Chris was --

13 MS. RADOSTA: Objection, Your Honor. Hearsay.

14 THE COURT: Sustained.

15 MS. SUDANO: I can lay more foundation, Your Honor.

16 BY MS. SUDANO:

17 Q All right. So you said when you walked up to
18 Brandon --

19 A Yes.

20 Q -- he was upset?

21 A He was upset.

22 Q How could you tell he was upset?

23 A His eyes were red, his cheeks were red, he was
24 frustrated.

25 Q Was he crying at that point?

1 A A little bit.

2 Q Okay. When you started talking to him, I don't want
3 you to tell me what he said yet, but what was his voice like
4 when he talked to you?

5 A Cracking.

6 Q Okay. Was he shaking or anything like that?

7 A A little bit.

8 Q Okay. And what was it that he said to you at that
9 point?

10 MS. RADOSTA: Objection, Your Honor. Hearsay.

11 MS. SUDANO: Your Honor --

12 THE COURT: Sustained. What's your basis?

13 MS. SUDANO: I think it's an excited utterance at
14 this point. I mean, it's also going to be effect on the
15 listener.

16 THE COURT: Because he was upset or like what he
17 was talking to her about?

18 MS. SUDANO: Yes, Your Honor.

19 THE COURT: Under the pendency of the -- overruled.
20 Go ahead.

21 MS. SUDANO: Thank you.

22 BY MS. SUDANO:

23 Q All right. So I apologize, what was it that Brandon
24 said to you at that point?

25 A He told me Chris was teasing him about wanting to

1 see Terrie's breasts, and that he couldn't do it anymore, and
2 that he was having sex with Terrie under Chris's supervision,
3 and that he wanted to commit suicide.

4 I was so mad. I wanted to hurt the defendant right
5 then and there.

6 Q Okay.

7 A And I knew that we couldn't stay there anymore.

8 Q Prior to that point, had you known that the
9 defendant was doing anything or causing anything to be done
10 to your brothers?

11 A No. Sorry. I don't [inaudible] of it.

12 Q Why were you so upset when you found that out?

13 A At that moment, I -- I thought I was protecting my
14 brothers. I was doing everything. I was giving -- I was
15 forcing myself to give myself to my father just to be enough
16 so he wouldn't do any of that stuff. It was commonsense that
17 it probably might have happened, but I didn't want to believe
18 it.

19 Q All right. You wanted to believe that your efforts
20 were enough and you were keeping everybody safe?

21 A Yes.

22 Q Okay. So once you found out from Brandon what had
23 been going on with him and Terrie, what did you do at that
24 point?

25 A I -- I was so mad, I -- Nova didn't want me to say

1 anything, so I went to Deborah, and I said Deborah, we need
2 to get out of here.

3 Q Why did you go to Deborah?

4 A Because she indicated that she was sorry the first
5 time when the incident at the age between me, her, and Chris.

6 Q Okay. So this time when this is all going on, when
7 you find out that there's stuff going on with Brandon, too,
8 how old were you?

9 A I was 23.

10 Q And how old was Brandon?

11 THE COURT: I didn't get her answer.

12 MS. SUDANO: 23.

13 THE WITNESS: 23.

14 THE COURT: 23? Okay.

15 BY MS. SUDANO:

16 Q How old was Brandon?

17 A At the time, I'm sorry, I'm all messed up. I can't
18 think right now.

19 Q You're okay. He's eight years younger than you?

20 A Yeah.

21 Q So he would have been 15?

22 A Yeah.

23 Q Okay. And Deborah is Brandon's biological mother;
24 is that right?

25 A Yeah.

1 Q Yes?

2 A Yes.

3 Q Okay. So after you told Deborah that you needed to
4 leave --

5 A We needed to leave.

6 Q -- we needed to leave, what happened after that?

7 A At first she didn't oblige with it, but I was
8 forceful, and I said we need to go, this can't keep going,
9 he's going to commit suicide.

10 Q Okay. So did you tell Deborah that you were going
11 to leave with Brandon with or without her?

12 A No. She kind of agreed with me after being
13 forceful.

14 Q Okay. What steps did you take towards leaving at
15 that point?

16 A I secretly bought a storage shed.

17 Q Okay.

18 A So we could take some stuff to it.

19 Q Do you know what, if anything, Deborah did at that
20 point?

21 A She told me that she will look into a safe place for
22 us.

23 Q Okay. Some sort of a shelter or a safe house?

24 A Shelter or safe house.

25 Q Okay. So you said you got a storage unit. What, if

1 anything, did you do with the storage unit?

2 A I filled -- we filled it up with some stuff that we
3 wanted to take with us.

4 Q Okay. How did you have the opportunity to go to the
5 storage unit to put stuff into it?

6 A In between work and home, no offense to those that
7 know the officers that died during the shooting of Cici's
8 Pizza, but that gave us the opportunity to start loading our
9 stuff in a storage unit when he was out on a gig to honor
10 those police officers.

11 Q Okay. So did the defendant do some sort of event
12 with the police related to the shooting at Cici's?

13 A Yes.

14 Q During that time is when you all went to the storage
15 unit?

16 A We grabbed what we wanted and put it in the storage
17 unit, our stuff that we wanted to slowly put in there. We
18 couldn't take everything because it would have looked too
19 suspicious because we weren't ready.

20 Q Okay. Now, did you do anything to save up money?

21 A I was working at Albertsons at the time.

22 Q Okay. Did you do anything to have money available
23 when you moved out?

24 A I couldn't save that much money. The majority of my
25 money went to -- to Chris's stuff, like his motorcycle or to

1 other stuff. I had to pay \$400 for rent or he would throw me
2 out.

3 Q Okay. Did he threaten to throw you out if you
4 didn't pay rent?

5 A A couple of occasions, but I had to stay there with
6 my brothers.

7 Q Okay. Now, was there a plan in place for how long
8 you were going to try to save money or put items in the
9 storage unit?

10 A We were trying to save money, but the incident in
11 the kitchen made it a lot faster than what we intended
12 because it was like walking around on eggshells with Chris.

13 Q Okay. So did something happen that caused you to
14 move out sooner than you meant to?

15 A Yes.

16 Q Okay. What was that incident that happened?

17 A I -- I was fixing my bike again with the chain, got
18 to love bikes, and my brother came up to me, Brandon, he
19 asked me if -- that I was going to be late. I told him yes.
20 So he was like I will make you dinner.

21 So he went to the house to make me dinner while
22 Chris was cleaning the pool. And then Chris asked me where's
23 my brother. I said he's in there making me dinner. And he
24 got upset about that, so he stormed into the house, and I
25 followed after him because I was afraid because he -- you

1 could tell that he was in a bad mood.

2 So as soon as he went into the kitchen, he started
3 yelling at Brandon saying, what are you doing, and Brandon
4 was like, I'm making my sister dinner, and he slapped him.
5 And says, what are you doing? Again, I'm making my sister
6 dinner. And he hit him again to the point that he was up
7 against the wall in the back door, and then he put up his
8 fists and he says, come on, come on, I'll get into a fight
9 with you right here and now. I'm sober this time.

10 Q If you know, did the defendant say anything about
11 why he was upset Brandon was making you dinner?

12 A Boys aren't meant to cook. It's a woman's job.

13 Q What did Brandon do in response to the defendant
14 kind of cornering him against the door?

15 A He was trying to defend himself.

16 Q Okay. How did that incident in the kitchen end?

17 A Chris -- no, go back. It was -- it all ended with
18 -- it was kind of a cool down because nobody said anything.
19 It was all silent, and then after a couple of minutes of
20 silence, he said that's what I thought before he -- before he
21 walked out.

22 Q Who said, what's what I thought?

23 A Chris.

24 Q What did you do after that incident?

25 A I was watching carefully and ready to grab a knife

1 if I need to.

2 Q Okay. You said you were outside trying to fix your
3 bike so that you could go to work; is that right?

4 A Correct.

5 Q Did you still go to work that day?

6 A I still went to work today -- that day.

7 Q What time did you have to work, if you remember?

8 A About 6:00.

9 Q 6:00 p.m.?

10 A 6:00 p.m.

11 Q Was Deborah home when that incident with Brandon
12 happened in the kitchen?

13 A Yes. She was in the kitchen also doing the dishes.

14 Q Okay. Did you have a conversation with Deborah
15 before you went to work?

16 A After he left out of there, we both agreed in a
17 silent agreement that we both needed to leave.

18 Q Okay. So that was what changed the original plan?

19 A Yes.

20 Q What time did you get back from work that night?

21 A Midnight.

22 Q What did you do when you got back from work?

23 A I went to bed. We didn't plan it after -- a few
24 days after that incident --

25 Q Okay.

1 A -- where she called out of work for two weeks.

2 Q Okay. So at some point you guys leave? Yeah?

3 A It was a weird leaving experience. Because of the
4 cameras, I -- we both agreed we would leave that -- the next
5 day. So I came home from work at midnight, Chris was
6 watching television, and I said I was going to bed. It was
7 right before Father's -- Father's Day.

8 So I went into the bedroom, everything was already
9 packed and ready, and I stayed up all night waiting for his
10 usual time when he went to bed, and I waited an extra hour
11 before I heard him snoring. That was when I decided to grab
12 some of the stuff and I crawled with the stuff past the
13 master bedroom underneath the dining room table close to the
14 right side of the wall where the camera hardly reached and
15 dropped the stuff off in front of the door in a blind spot
16 where the camera didn't see.

17 And I repeated to do this this -- that morning, and
18 then I waited until the lights were off from the front
19 because he had the boys' room blinds open at night for the
20 sensor light outside to turn off because it lights up the
21 whole living room.

22 And I crawled to my brother's bedrooms and I woke
23 Nova, Nova Brandon, and he kind of socked me in the face
24 because it scared him. But he helped me also crawl back and
25 forth grabbing the rest of the stuff out of my bed -- out of

1 my bedroom.

2 We were so busy with that, when the lights were the
3 bathroom turned on, we were both so scared because we would
4 know that we would get it.

5 Q Who did you think had turned the lights on in the
6 bathroom?

7 A Chris.

8 Q Okay. Was it actually Chris?

9 A No, it was Deborah.

10 Q All right. What did Deborah do once she turned the
11 lights on?

12 A She turned on the lights and went into the living
13 room. She didn't know we were underneath the table and she
14 was about ready to scream, and we told her to be quiet, it
15 was us.

16 Q What did Deborah do after she realized that you were
17 out there?

18 A She kept -- she didn't say anything. She went her
19 normal routine of getting ready for work even though she
20 wasn't going to work that day. She had to turn off the swamp
21 cooler to open up the door because the swamp cooler told
22 anybody in the house, including Chris, if anybody opened the
23 front door.

24 Q When you say the swamp cooler told, was it just the
25 air pressure?

1 A The air pressure.

2 Q Because you could tell if the door was opened if the
3 swamp cooler was on?

4 A Correct.

5 Q All right. So after she turned off the air -- the
6 swamp cooler, what did she do?

7 A She went to the alarm system and turned off the
8 alarm, and she opened the door for both me and Brandon, and
9 we both grabbed all the stuff and we start loading the --
10 loading the truck.

11 Q What did you do once you had the truck loaded?

12 A Both me and Brandon got into the truck. She soon
13 came after -- after locking up the house and turning on the
14 swamp cooler like it was a normal day. And then we took off.

15 Q About what time of the day was it when you left?

16 A It was early in the morning, really early in the
17 morning.

18 Q Where did you go when you left?

19 A We went straight to the storage unit, but we found
20 out that they weren't open at that time.

21 Q What did you do after that?

22 A We went to my work at Albertsons where I had turned
23 in my vest.

24 Q Okay. Had you given any notice to Albertsons that
25 you would be quitting?

1 A Yeah, but we left a lot earlier than my two weeks
2 notice.

3 Q Okay. So you had given two weeks notice, but you
4 just went in that morning and --

5 A Yeah.

6 Q -- outright quit?

7 A Yes.

8 Q Okay. Did you have to go back and get your last
9 paycheck?

10 A A lot later, but I didn't want to go back to that
11 side of town because Chris was sending us e-mails and trying
12 to look for us, sending us voice messages, e-mails. He even
13 went to Albertsons and was harassing my old boss almost every
14 day asking them where I went, even to the point where he
15 actually --

16 MS. RADOSTA: Objection, Your Honor. Speculation.

17 THE COURT: I'm going to sustain that objection.

18 MS. RADOSTA: Lacks foundation.

19 THE COURT: Yeah, the foundation issue is --
20 there's a -- yeah, sustained, I'm going to sustain your
21 objection.

22 MS. SUDANO: Thank you.

23 BY MS. SUDANO:

24 Q When you got your check, was there anything unusual
25 about that last check?

1 A Yeah, he left a note.

2 Q Who left a note?

3 A Christopher.

4 Q What did the note say?

5 A Come back home.

6 Q So after you dropped your vest off at Albertsons

7 that morning, what did you do?

8 A We just left. I didn't pick up my last check until

9 a couple of weeks later.

10 Q Where did you go after Albertsons?

11 A We went to McDonalds because nothing was still

12 opened, so we ate something while checking the cameras

13 constantly hoping that Chris wouldn't wake up.

14 Q When you say you were checking the cameras, how were

15 you checking the cameras?

16 A We still had access to the cameras on the phone

17 because during gigs, he wanted us to check the house when we

18 were with him. So we still had access to it.

19 Q Now, did you have your phone with you?

20 A Only my phone.

21 Q Okay. Did Deborah and Brandon have cell phones at

22 that time?

23 A They left their phones.

24 Q Why did Brandon and Deborah leave their phones

25 there?

1 A Because it had tracking devices in them.

2 Q Okay. How did you know that they had tracking
3 devices?

4 MS. RADOSTA: Objection, Your Honor. Speculation,
5 again.

6 THE COURT: Want to approach?

7 MS. SUDANO: Sure.

8 (Off-record bench conference.)

9 THE COURT: All right. I'm going to sustain the
10 objection.

11 BY MS. SUDANO:

12 Q All right. So Anita, you were the only one that had
13 kept your cell phone; is that right?

14 A Correct.

15 Q Now, did you pay for your cell phone on your own?

16 A Yes.

17 Q Okay. Were the other phones part of a family plan?

18 A Yes.

19 Q Now, at some point, you said you were watching the
20 cameras. What were you watching the cameras for?

21 A To make sure that he didn't get up to come after us.
22 We were so terrified.

23 Q All right. Now, at some point that day, do you stop
24 watching the cameras?

25 A Yes.

1 Q What makes you stop watching the cameras?

2 A When he got up.

3 Q Did you ever see the defendant leave the house on

4 the cameras?

5 A Yes, he left out of the house and into the office.

6 Q Okay. Did you ever see him leave the actual

7 property, though?

8 A We stopped watching after we saw him go into the

9 office.

10 Q Why did you stop watching?

11 A Because we were panicking, and by that time the

12 storage unit was open, so he hurried up to the storage unit

13 to drop off the rest of the stuff.

14 Q Where did you go from the storage unit?

15 A After that, we started driving around Vegas while

16 she -- and stopped at a parking lot while Deborah went ahead

17 and called Safe House, and Safe House sent us an agent to

18 come pick us up to -- to show us our Safe House destination.

19 Q Okay. And then did you stay in that Safe House for

20 a period of time?

21 A Yes.

22 Q How long were you in the Safe House?

23 A We were in the Safe House for two weeks.

24 Q Okay. While you were in the Safe House, was the

25 defendant attempting to contact you?

1 A Yes.

2 Q How was the defendant contacting you?

3 A He was trying to call me on his number and he sent
4 us e-mails, he left voice messages.

5 Q Did you actually listen to some of those voice
6 messages?

7 A I only listened to one.

8 Q The voice message that you did listen to, did you
9 recognize the voice as the defendant's voice?

10 A Yes.

11 Q What did he say in that particular message?

12 MS. RADOSTA: Objection, Your Honor. Hearsay.

13 THE COURT: Overruled.

14 BY MS. SUDANO:

15 Q What did he say in that particular message?

16 A He said --

17 MS. RADOSTA: Your Honor, could we approach for a
18 second?

19 THE COURT: This is a statement from the defendant?

20

21 MS. SUDANO: That's correct.

22 THE COURT: You can approach.

23 (Off-record bench conference.)

24 THE COURT: Go ahead, Ms. Sudano.

25 MS. SUDANO: Thank you.

1 BY MS. SUDANO:

2 Q So I just asked you if you listened to one of the
3 voicemails, and you recognized the voice as the defendant?

4 A Yes.

5 Q What did the defendant say in that voicemail?

6 A He was asking us if we were the woman and the two
7 children that the woman killed the two children and that she
8 killed herself and that if that was us, to make sure that
9 that wasn't us, and that he wanted to commit suicide as well.

10 Q Okay. Did you have any idea what he was talking
11 about?

12 A No.

13 Q But you did hear him say that he, himself, wanted to
14 commit suicide at that point?

15 A Yes.

16 Q Did he indicate to you why he wanted to commit
17 suicide or indicate in the voicemail, I guess?

18 A He wanted -- he wanted to know if -- if -- he pretty
19 much wanted to know where we were at.

20 Q Did you receive additional voicemails?

21 A Yes, but I didn't want to listen to them.

22 Q Why didn't you want to listen to them?

23 A Because that one about the suicide and the mom
24 killing the children stuff I didn't want to hear anymore.

25 Q What did you do with those voicemails that you

1 didn't want to listen to?

2 A I let Brandon or Deborah listen to them. I couldn't
3 stomach them.

4 Q So you, yourself, didn't listen to them?

5 A No.

6 Q Was the defendant making any other attempts to
7 contact you while you were at the Safe House?

8 A Mainly calls and e-mails.

9 Q Okay. Did you actually receive any e-mails?

10 A Yes.

11 Q Were those from e-mails that you recognized?

12 A Just the e-mail that he uses.

13 Q What was that e-mail, if you remember?

14 A Chris/Deborahcx10@cox.net.

15 Q Okay. Did you say something about zx10?

16 A Zx10.

17 Q What is zx10?

18 A It's the brand of his motorcycle.

19 Q Okay. Did you read any of the e-mails that the
20 defendant had sent?

21 A No.

22 Q At some point later, do you leave the Safe House?

23 A Yes.

24 Q To your knowledge, was the defendant still trying to
25 make contact with you at that point?

1 A Yes.

2 Q How was he doing so after you left the Safe House?

3 A Still by e-mails and -- and phone calls.

4 Q Were you answering any of the phone calls?

5 A I didn't want to answer any of them.

6 Q Was there ever a time where the defendant called

7 from a phone number you didn't recognize?

8 A Yes.

9 Q Tell us about that.

10 A Deborah bought another apartment in an area that

11 Chris wouldn't think that we were at, and I saw a number, and

12 I didn't recognize it, so I answered it, but as soon as I

13 heard his voice, I hung up immediately.

14 Q At some point, to your knowledge, were there

15 additional e-mails that were sent to Deborah?

16 A Yes.

17 Q Based on those e-mails, what, if anything, did

18 Deborah do?

19 A I don't know what Deborah did with those e-mails.

20 Q Okay. At some point, did Deborah try to go to an

21 attorney?

22 A Yes.

23 Q What was your understanding of why Deborah was going

24 to the attorney?

25 A To get a divorce.

1 MS. RADOSTA: Objection, Your Honor. Speculation.

2 THE COURT: Sustained.

3 BY MS. SUDANO:

4 Q At some point after Deborah went to the attorney,
5 did the police get involved?

6 A I -- it was a little bit afterwards that we went to
7 the police.

8 Q Okay. How did you actually get to the police
9 station?

10 A We went to the -- the place on Pecos and Bonanza.

11 Q Okay.

12 A The -- that place.

13 Q Not actually the police station, but you went
14 somewhere to meet with the detective; is that right?

15 A Correct.

16 Q And that was Detective Samples?

17 A Yes.

18 Q Did you actually interview with Detective Samples?

19 A Yes.

20 Q Okay. We talked about that a little bit before,
21 that was when you drew that diagram; is that right?

22 A Yes.

23 Q And that was September of 2014?

24 A I believe so.

25 Q Do you remember when you actually left the

1 defendant's house?

2 A We left one or two weeks before father's -- Father's
3 Day.

4 Q So it would have been June of 2014?

5 A Um-h'm.

6 Q All right.

7 MS. SUDANO: Court's indulgence, Your Honor.

8 (Pause in the proceedings)

9 BY MS. SUDANO:

10 Q Okay. So we talked about the defendant kind of
11 going to events for CiCi's or going to -- or the police after
12 the CiCi's shooting and things like that. Would there ever
13 be times where the police would come by the house?

14 A Yes.

15 Q What would be the police be doing when they came by
16 the house?

17 A Just to talk and hang out with Chris. We weren't
18 allowed to be -- be outside or in the office when they showed
19 up.

20 Q Okay. Who wouldn't let you be outside with the
21 officers?

22 A Christopher.

23 Q Would he ever tell you anything about what would
24 happen if the you were to call the police?

25 A Yes. He told me that he would break my legs or

1 paralyze me and that he had 45 minutes to do whatever the
2 hell he wants to me before police show up.

3 Q Okay.

4 A There was also times where he would threaten me with
5 cement shoes in Lake Mead.

6 Q What did he say about the cement shoes?

7 A That the mobs like to use it on snitches.

8 Q All right. So I talked to you a little bit earlier
9 about an incident that involved Deborah and the defendant; do
10 you remember talking about that?

11 A Yes.

12 Q Okay. And I think you said that you didn't want to
13 touch Deborah on her clit and Deborah didn't want to touch
14 you on your clit; is that correct?

15 A We didn't want to, but we -- yeah.

16 Q Okay. And I believe you said that you were touching
17 her sort of on the pubic area; is that correct?

18 A Correct.

19 Q Okay. Do you remember testifying in a preliminary
20 hearing for the defendant here in this case?

21 A For Deborah?

22 Q No, for the defendant or Chris.

23 A Yes.

24 Q All right. Do you remember testifying at that
25 hearing that you had rubbed Deborah between the lips of her

1 vagina?

2 A Yes.

3 Q And do you recall whether or not the defendant said
4 or told you to do anything while he was penetrating Deborah?

5 A He want us to rub each other's boobs up against each
6 other.

7 Q All right. Was there ever a time where the
8 defendant told you to play with yourself?

9 A Yes.

10 Q Was that during that same incident?

11 A Other incidents also, but same.

12 Q Okay. So during that incident with Deborah in the
13 living room, did the defendant tell you to play with
14 yourself?

15 A Yeah.

16 Q Were you doing that?

17 A What was that?

18 Q Were you doing that?

19 A Yes.

20 Q How were you playing with yourself?

21 A Just on the outside of the clit.

22 Q Okay. All right. So it was your testimony that you
23 do remember saying at that hearing that you had touched
24 Deborah between the lips of her vagina; is that right?

25 A Yeah.

1 Q Okay. So as you sit here today, do you remember
2 where you touched Deborah during that incident?

3 A It was on the outside on the pubic hairs. I must
4 have probably touched Deborah in the clit area.

5 Q Okay. So you would actually have touched Deborah
6 between the lips of her vagina?

7 A Yes.

8 Q Okay. All right.

9 MS. SUDANO: And may approach the witness in just a
10 moment, Your Honor?

11 THE COURT: Yes.

12 MS. SUDANO: All right. May I approach, Your
13 Honor?

14 THE COURT: Yes.

15 MS. SUDANO: Okay.

16 BY MS. SUDANO:

17 Q Okay. So Anita, I'm going to show you what's been
18 marked as State's Proposed 62 through 66. Can you go ahead
19 and look at those for me?

20 A Okay.

21 Q Did you recognize all of those?

22 A Yes.

23 Q All right. So the first one just generally, what
24 are we looking at there?

25 A A group picture of me and my brothers.

1 Q Okay. All three brothers?

2 A All three brothers.

3 Q And is that a fair and accurate depiction of you and
4 all three of your brothers?

5 A Yes.

6 Q About how old were you in this particular picture?

7 A I have no braces, so about 11 or 12 or 10.

8 Q Okay. So 10, 11, or 12. And then how old would
9 Tails have been?

10 A He's eight years younger than me, so pretty young.

11 Q Okay. Tails is eight years younger than you?

12 A No, he -- these two are eight years younger than me.

13 Q Okay.

14 A He's four years younger than me.

15 Q Okay. So if you're 10, 11, or 12, that would make
16 Tails --

17 A About six or seven.

18 Q Okay. And then that would make Ryan and Brandon how
19 old?

20 A About 3 or 2.

21 Q Okay.

22 A Or four would be my guess.

23 MS. SUDANO: Your Honor, at that time, I'd move for
24 admission of Proposed 62.

25 THE COURT: Any objection.

1 MS. RADOSTA: We'll submit it, Your Honor.
2 THE COURT: It will be admitted.
3 (State's Exhibit 62 admitted)
4 MS. SUDANO: All right.
5 BY MS. SUDANO:
6 Q And then 63 through 66, just generally, what are we
7 looking at there?
8 A All the -- all of school pictures.
9 Q Okay. Of you and your three brothers?
10 A Me and my three brothers.
11 Q Were these pictures somewhere in the house at 6012
12 Yellowstone?
13 A Yes.
14 Q Where were they?
15 A They were moved all over the place.
16 Q Where's --
17 A They were moved to the living room, the dining room,
18 and then in the office.
19 Q All right. And are these a fair and accurate
20 depiction of those pictures that were hanging in the wall in
21 Yellowstone?
22 A Yes.
23 MS. SUDANO: Your Honor, I'd move for admission of
24 63 through 66.
25 THE COURT: Any objection?

1 MS. RADOSTA: Submit it, Your Honor.
2 THE COURT: They'll be admitted.
3 (State's Exhibits 63 through 66 admitted)
4 MS. SUDANO: Thank you. May I publish?
5 THE COURT: Yes.
6 MS. SUDANO: All right.
7 BY MS. SUDANO:
8 Q So I want to show you first 62. Is that the
9 photograph of you and your three brothers?
10 A Yes.
11 Q All right. So you're the only girl, so you're the
12 one on the left?
13 A Yeah.
14 Q All right. And you said you're 10, 11, or 12 in
15 that particular picture?
16 A Yeah, I was pretty young in that picture.
17 Q And you can tell that because of the lack of braces?
18 A Lack of braces.
19 Q All right. And then Tails is on the far right?
20 A Yes.
21 Q And you said about six or so?
22 A Six or seven.
23 Q And then who's the person sitting next to you?
24 A That would be Ryan.
25 Q And then the other person?

1 A Brandon.

2 Q How old would be the boys be in that particular
3 picture?

4 A About three.

5 Q And I'm also going to show you Exhibit 63. And is
6 that the school picture of you that was hanging in the house
7 at Yellowstone?

8 A Yes.

9 Q How old were you in that particular picture?

10 A I was 12 or 11 because --

11 Q Okay.

12 A -- I didn't start getting braces until I was 13.

13 Q Okay. So same thing, no braces there in that
14 particular picture?

15 A Correct.

16 MS. SUDANO: Thank you, Your Honor. Nothing
17 further.

18 THE COURT: All right. Ladies and gentlemen, we're
19 going to take another break at this time.

20 During this recess, you're admonished not to
21 converse amongst yourself or with anyone else on any subject
22 connected with this trial, or read, watch, or listen to any
23 report or commentary on the trial by any person connected
24 with this case, or by any medium of information, including
25 without limitation, newspapers, television, Internet, or

1 radio.

2 You're further admonished not to form or express
3 any opinion on any subject connected with this trial until
4 the case is finally submitted to you.

5 It's now 25 after. Be ready to get started by a
6 quarter until. Okay? We'll at ease while the jury exits the
7 courtroom.

8 (Jury recessed at 3:26 P.M.)

9 THE COURT: Okay. We're outside the presence of
10 the jury. Anita, you can step down. Once again, you're
11 admonished not to discuss this with any -- anyone, your
12 testimony. Okay?

13 THE WITNESS: Yes, Your Honor.

14 THE COURT: All right. Go ahead and go with the
15 advocate or whoever is here with you.

16 (Witness exists at 3:27 P.M.)

17 THE COURT: Okay. We're outside her presence.

18 During the -- her testimony, the defense had
19 objected to a statement made on a voice message. What's your
20 objection?

21 MS. RADOSTA: First, Your Honor, we had objected to
22 just hearsay objection, and then which the Court overruled.
23 And then we objected to the fact that she's speaking about a
24 voicemail message, and yet, she does not -- as far as we
25 know, this voicemail message, I don't know anything about it.

1 So our objection would be best evidence rule.

2 If the voicemail exists, then it should be played
3 in court rather than have her describe what she says is on
4 the voicemail. It has not been provided to us in discovery.
5 We don't even know if it ever existed, let alone still exists
6 at this point in time.

7 THE COURT: Okay. Mr. Sweetin, Ms. Sudano, do you
8 want to address that?

9 MS. SUDANO: And, Your Honor, I mean, I think that
10 that goes to its weight, rather than its admissibility.

11 I would also note that during Anita's initial
12 statement to the detective, she explained not only that
13 voicemail, but a couple of other voicemails, so they are
14 contained in the discovery in that sense, so --

15 THE COURT: Okay. Well, here's the issue when you
16 look at the actual statute. The statute indicates -- and
17 there's an opinion with it afterwards -- that when you're
18 offering the actual statement, when you're introducing the
19 actual recording or you're introducing the actual writing and
20 then it becomes a question of authenticity with that.

21 Then for the best evidence rule requires that the
22 original be produced. At this point in time, I don't see
23 that they're offering the actual statement, the actual
24 recording or any document in that regard.

25 It's always subject to cross-examination. It's

1 what was -- what she heard. It's her testimony and what she
2 heard, what she recalls, so I overruled the objection on both
3 grounds. Okay?

4 MS. RADOSTA: But, then, Your Honor, based on the
5 representations just made by the State that at some point in
6 time when Anita was interviewed by Detective Samples in
7 September of 2014 --

8 THE COURT: Uh-huh.

9 MS. RADOSTA: -- she possessed the e-mails that --
10 or the voicemails at that point in time. She played them for
11 him, and yet, he made no attempt to actually maintain them as
12 he's interviewing her.

13 Based on that, Your Honor, I mean, it was in the
14 hands of the detectives and they did not maintain them. I
15 have no idea, once again, if they are still available. If --
16 I mean, at this point, it seems to be -- I'm sorry, I'm
17 trying to find in the statement if they actually just refer
18 to them or -- yeah, she -- there is something in here, but I
19 honestly cannot tell from this if it is Anita saying that's
20 what was on the voicemail or if they were actually being
21 played during the -- because this is just, obviously, Your
22 Honor, a transcript. I don't have the -- the audio with me
23 here in court of the statement, but --

24 THE COURT: Well, you'll have that opportunity to
25 cross-examine on that, and it goes to her credibility as to

1 what she remembers.

2 But to say that there's a requirement that the
3 actual -- unless they were going to put it in. If they had
4 something that they wanted to introduce the actual statement
5 itself, and there's a question about that, then the best
6 evidence rule applies that way.

7 It's not -- the best evidence rule is not applied
8 to prevent certain things that are being heard or what was
9 said or especially coming from your client. So I made my --

10 MS. RADOSTA: Purportedly from my client, Your
11 Honor. This --

12 THE COURT: I --

13 MS. RADOSTA: -- is Anita saying it's coming from
14 my client.

15 THE COURT: She said I heard him say there's no
16 difference between her standing there looking at him and
17 talking to him, than there is that says it was on a
18 recording. She heard it. So -- and that was coming -- and
19 it was from him to her phone, and so, I mean, you can
20 cross-examine on that, can you question on that, question her
21 veracity, challenge it all you want, but at this point in
22 time, the best evidence rule does not apply, and I've denied
23 -- denied the objection. Okay? Overruled the objection.

24 MS. RADOSTA: For -- thank you, Your Honor.

25 THE COURT: Okay. All right.

1 MS. RADOSTA: Couple -- just two other --
2 THE COURT: Okay.
3 MS. RADOSTA: -- quick things. I'm somewhat
4 concerned, and I've been noticing it throughout the afternoon
5 why there is a uniformed officer sitting up at the front of
6 the courtroom right next to Anita.
7 THE COURT: I have no idea why he's sitting there.
8 MS. RADOSTA: Okay. It gives the -- it gives the
9 impression possibly that she somehow needs an officer sitting
10 near her. I'm just -- I've never in all the trials I've
11 done, Your Honor, I don't think I've ever seen an officer
12 sitting up next to the witness. So I would ask at least from
13 this point forward that that not continue, unless there is
14 a --
15 THE COURT: Well, I don't get that impression. I
16 don't get that impression.
17 MS. RADOSTA: Well, we're in court all the time,
18 Your Honor.
19 THE COURT: But I don't get that impression.
20 MS. RADOSTA: Jurors --
21 THE COURT: He's sitting up here. I've always
22 wanted is being seated by that door because --
23 MS. RADOSTA: Okay.
24 THE COURT: -- there's three ways -- four ways that
25 your client could get out of here if he chose to go. One

1 he's not going to choose because that's the way he comes in.
2 That way the other way, the officers are back there. This
3 door right here and this door right here.

4 This way is blocked by my Marshal. That way
5 usually another uniform officer sits up there. But since
6 another Marshal's here assisting with this, I imagine that's
7 why he's seated where he is now.

8 MS. RADOSTA: For the -- did I miss it last week
9 that we had an officer sitting up there throughout all of
10 jury selection?

11 THE COURT: When I have two officers, we --

12 MS. RADOSTA: Because if it -- if so, I just missed
13 it, Judge.

14 THE COURT: Yeah, he usually sat right there in
15 that chair.

16 MS. RADOSTA: During the trial?

17 THE COURT: During the jury selection.

18 MS. RADOSTA: Okay.

19 THE COURT: During the trial. If I have two --

20 MS. RADOSTA: Okay.

21 THE COURT: If I have somebody in custody, and I
22 have two transport officers here, I always wanted one at that
23 door and one at that door. If they -- if I have another
24 Marshal here, and I imagine the other Marshal's there, that's
25 what my Marshal's doing. That's what they take care of.

1 Okay?

2 MS. RADOSTA: It's just that I -- it's nothing --
3 nothing -- it's just I never noticed it before, Judge. I'm
4 not even saying it's never happened. I just never noticed it
5 in a trial before --

6 THE COURT: Okay.

7 MS. RADOSTA: -- so I just wanted to bring --

8 THE COURT: All right. I know you're making a
9 record.

10 MS. RADOSTA: Yes, yes.

11 THE COURT: I always have -- it's usually we have
12 an advocate sitting here, but, I guess, the advocate's in the
13 court, so -- but I don't know if they're going to use an
14 advocate for the other individuals or not. I know she's 26
15 years old now, so I don't know. But -- so --

16 MS. RADOSTA: And the only other thing, Your Honor,
17 is -- I mean, it's -- well, I guess it's about 20 to -- 25
18 until. I'm not going to finish today, Your Honor --

19 THE COURT: No, I --

20 MS. RADOSTA: -- when we cross-examine.

21 THE COURT: -- I anticipated that.

22 MS. RADOSTA: So I'm not sure if -- I mean, I'm
23 kind of torn here. She's barely speaking the last about 10
24 to 15 minutes. Barely answering questions. I appreciate
25 this is difficult for her and emotional and everything else,

1 but --

2 THE COURT: If you can't hear --

3 MS. RADOSTA: -- if we have to bring her back

4 tomorrow, I'm tempted to ask to just break for the day.

5 THE COURT: No, we're going to come back at a

6 quarter until --

7 MS. RADOSTA: All right.

8 THE COURT: -- and we'll go until 5:00. And then

9 if you need additional time, we'll bring her back tomorrow.

10 MS. RADOSTA: All right.

11 THE COURT: And -- and -- you know, and if you

12 can't hear, tell her to speak up because I -- I understand.

13 I'm --

14 MS. RADOSTA: Judge --

15 THE COURT: -- having a hard time hearing her, too,

16 so --

17 MS. RADOSTA: -- it puts me in an awkward

18 situation, Judge --

19 THE COURT: Well, I'll --

20 MS. RADOSTA: -- to tell her to speak up.

21 THE COURT: Look at me. I'll tell her to speak up,

22 then, okay, if you --

23 MS. RADOSTA: And it's --

24 THE COURT: -- if you --

25 MS. RADOSTA: It's not just that she -- honestly,

1 Judge, I just think she's tired. I really do. I don't think
2 she's purposefully, you know, speaking quietly.

3 THE COURT: Well --

4 MS. RADOSTA: I think she's tired.

5 THE COURT: -- she might be, but, I mean --

6 MS. RADOSTA: She probably is. She's been on the
7 stand for four hours --

8 THE COURT: Um-h'm.

9 MS. RADOSTA: -- so --

10 THE COURT: Well, I understand.

11 MS. RADOSTA: Okay.

12 THE COURT: When she comes back, I'll ask her.

13 MS. RADOSTA: All right.

14 THE COURT: Okay? You know what I'll do, we'll
15 have her come in before -- before we get the jury back, and
16 I'll ask her if she wants to take a break for the evening.

17 MS. RADOSTA: Okay.

18 THE COURT: Okay?

19 MS. RADOSTA: I mean, I appreciate Your Honor
20 doesn't want to break as early as that, but at the same
21 time --

22 THE COURT: Well, we can't be doing that --

23 MS. RADOSTA: -- if she's got to come back --

24 THE COURT: -- all the time. I mean, I understand
25 certain victims and that, I do. And I want to -- I want to

1 show --

2 MS. RADOSTA: I --

3 THE COURT: -- them the compassion of the Court,
4 but I think she's probably wanting to get this over with --

5 MS. RADOSTA: I understand that.

6 THE COURT: -- because her -- she's been waiting
7 for this trial to go, and we've continued it so many times.

8 MS. RADOSTA: I understand that, but she's not
9 going to be done today, Your Honor.

10 THE COURT: I expected that. So let met -- I'll
11 ask her.

12 MS. RADOSTA: Okay.

13 THE COURT: Okay? All right.

14 MS. RADOSTA: Thank you.

15 THE COURT: Anything else?

16 MS. RADOSTA: Let me see. Wait.

17 MS. SUDANO: Oh, yes, Your Honor.

18 THE COURT: Okay.

19 MS. SUDANO: Never mind, I apologize.

20 THE COURT: Anything?

21 MR. SWEETIN: We're fine, Judge. No, we don't.

22 MS. SUDANO: No.

23 THE COURT: Okay. All right.

24 (Court recessed at 3:36 p.m. until 3:49 p.m.)

25 (Outside the presence of the jury.)

1 THE COURT: All right. We're back on the record in
2 the case of State of Nevada versus Christopher Sena in
3 C-311453.

4 We're outside the presence of the jury. Ms.
5 Radosta, during the break, I questioned my Marshal about the
6 other Marshal sitting in that chair instead of the chair by
7 the door

8 MS. RADOSTA: Okay.

9 THE COURT: And what was told to me, I had no idea
10 about it, but the victim had asked the Marshal that was up
11 here if he would -- if she -- if he would sit next to her
12 because he's afraid -- she's afraid of her dad.

13 MS. RADOSTA: Oh, okay.

14 THE COURT: So that's what was said. I had no
15 idea.

16 MS. RADOSTA: Okay.

17 THE COURT: And so the Marshal -- I wish they would
18 have let us know because we could have addressed it. But
19 initially he's seat the by that door for Court's reasons.

20 MS. RADOSTA: Okay.

21 THE COURT: And I -- I did see that he moved over
22 by the seat there. But I see your concern about it. I do --
23 I don't perceive it as something that particularly shows that
24 he's doing anything particularly in favor or against your
25 client. But I am going to have him continue to seat -- in

1 the seat he's in now.

2 He also informed me that he prefers seated in that
3 seat because he can't see the rest of the courtroom around
4 the jury's backs and stuff over there. So for purposes of
5 the Court. Okay?

6 MS. RADOSTA: Okay.

7 THE COURT: All right.

8 MR. SWEETIN: And just so the record's clear,
9 Judge, and I know there's JAVS, but we're talking about --
10 literally about three feet that he was moved a bit closer to
11 the witness stand. He was still sitting --

12 THE COURT: Yeah.

13 MR. SWEETIN: -- at least five or six feet away
14 from the witness stand.

15 THE COURT: Right.

16 MR. SWEETIN: It was merely at the front of the
17 court.

18 THE COURT: He was out in the -- kind of in the
19 well between the witness and the exit door and the witness
20 and the jury. He's there at my direction for purposes of
21 courtroom safety the back seat, but he moved over when he
22 heard what the victim -- so that's -- that's -- I mean,
23 that's where we're at. Okay? All right.

24 For the record -- do you want to make any further
25 record?

1 MS. RADOSTA: I'm just slightly concerned that just
2 -- I mean, that she makes a assertion that she's feeling in
3 fear of my client, who she hasn't had any contact with since
4 June of 2014, and changes --

5 THE COURT: Well --

6 MS. RADOSTA: -- are made to normal procedure in
7 the courtroom. That's my only concern.

8 THE COURT: Well --

9 MS. RADOSTA: I mean, I --

10 THE COURT: I understand what you're saying. I do.
11 Here's the issue with that, is I don't know to the extent of
12 how much fear she's in. I can tell you from what I just
13 listened to that she's saying that her dad was pretty
14 controlling and -- and I've heard in previous -- I mean,
15 arguments and previous motions that's been before this Court,
16 that's been the State's position all along, that Mr. Sena's
17 been pretty controlling. There was testimony about his heavy
18 handedness -- those are my words, heavy handedness -- with
19 his children and with his family, and that she would know
20 better than certainly myself or the State, maybe just you
21 from -- you'd hear from your client, his position he's in,
22 but if she's afraid, she's afraid.

23 And so if helps her get a little more comfortable
24 with her ability to address the Court and talk tot jury here
25 about what was going on there, then I don't see any harm with

1 it.

2 The -- I wished I would have known ahead of time.
3 That would have probably alleviated some concerns. But what
4 I'm going to do for the remainder of this trial is we're
5 going to have a Marshal seated in that seat for everybody.
6 Okay? All right? Okay.

7 So -- because these -- the juries don't know. I
8 mean, he's not -- they don't know what's going on in this
9 court with this, but -- so -- all right. So go ahead and
10 have Anita come back in.

11 I'm going to ask her -- go ahead, Ed. I'm going to
12 ask her if she wants to break for the evening or if she can
13 go for at least another hour.

14 MS. RADOSTA: I'm guessing she's going to say let's
15 start --

16 THE COURT: What's that?

17 MS. RADOSTA: I'm guessing she's going to say let's
18 start, hoping that it will end, but --

19 THE COURT: Well, I'll tell her I don't anticipate
20 that we'll be done tonight. So -- whether it would be better
21 for her to take a break. That's fine. If she wants to,
22 that's fine. No, I know, Ms. Radosta.

23 MS. RADOSTA: I'm still so old school, I don't even
24 type them out. I handwrite them.

25 THE COURT: That's fine.

1 MS. RADOSTA: That's how my brain works best. No
2 jokes, no jokes.

3 THE COURT: Oh, that's our old law school days,
4 yeah.

5 MS. RADOSTA: I was --

6 THE COURT: Everything's on the record.

7 MS. RADOSTA: No -- oh, our -- our law Clerk said
8 law schools are now not allowing laptops anymore.

9 THE COURT: Wow. Anita, want to come back up here
10 to where you were? All right?

11 THE WITNESS: Huh? Okay.

12 THE COURT: All right. I want to ask you something
13 when you come up. Okay?

14 THE WITNESS: Yes, Your Honor.

15 THE COURT: All right. Okay. Anita, it's now
16 about 5:00 o'clock -- I'm sorry, about 4:00 o'clock. I
17 usually stop at 5:00 o'clock.

18 THE WITNESS: Okay.

19 THE COURT: The defense attorney's going to be
20 asking questions of you now you on cross-examination, and I'm
21 anticipating we'll be stopping at 5:00. Do you want -- do
22 you want to go ahead and get started and finish at 5:00 or do
23 you want to take an evening break and come back tomorrow, and
24 we can get started tomorrow by 10:00 o'clock?

25 THE WITNESS: We could do this today.

1 THE COURT: You want to -- well, we're not going to
2 get done today.

3 THE WITNESS: Oh, so I'll still have to come back
4 tomorrow?

5 THE COURT: Yep, um-h'm. I'm going to give you
6 that option. What do you want to do?

7 THE WITNESS: I'll take the evening break.

8 THE COURT: Okay. All right. All right, Anita,
9 what I'm going to tell you is that you are instructed not to
10 discuss this with -- your testimony with anybody.

11 THE WITNESS: Yes, sir.

12 THE COURT: You -- I'm going to trust that you
13 won't, and we'll see you here tomorrow. Okay?

14 THE WITNESS: Yes, sir.

15 THE COURT: You need to be here by -- do you guys
16 have a place that --

17 MR. SWEETIN: We do.

18 THE COURT: Well, the advocate. Meet with your --

19 MR. SWEETIN: Yes.

20 THE COURT: -- meet with the advocate. Be ready to
21 get started by 10:00 o'clock. Okay?

22 THE WITNESS: 10:00 o'clock.

23 THE COURT: All right. Okay.

24 THE WITNESS: Yeah.

25 THE COURT: You have a good evening. Okay?

1 THE WITNESS: All right.

2 THE COURT: All right. Okay. Ed, you want to go
3 ahead and get the jury together? Go ahead, Anita.

4 THE WITNESS: Okay.

5 THE COURT: All right.

6 THE MARSHAL: All rise for the jury.

7 (Jury enters at 3:56 P.M.)

8 THE COURT: All right. Everybody go ahead and have
9 a seat.

10 All right. We're back on the record in the
11 presence of the jury in Case No. C-311453, State of Nevada
12 versus Christopher Sena.

13 I'd like the record to reflect the presence of the
14 defendant, his counsel, as well as the State and their
15 couple. Will the parties stipulate to the presence of the
16 jury?

17 MR. SWEETIN: Yes, Your Honor.

18 MS. RADOSTA: Yes, Your Honor.

19 THE COURT: Ladies and gentlemen, we're coming up
20 on the 4:00 o'clock hour. We've been here for quite a while.
21 The defense has some cross-examination of Ms. Sena, and it's
22 probably going to take, if not the same amount of time, but
23 longer, and I don't want to start in the middle of it and
24 stop with that. So what I'm going to do at this point in
25 time is we're going to take our evening recess.

1 I'll have you back here tomorrow by 10:00 o'clock.
2 And I apologize for the morning. I had a calendar that was
3 pretty bad and it went quite awhile, and I apologize. So it
4 wasn't the parties. They were here, they were all sitting
5 here watching, waiting for me to get done. But tomorrow my
6 staff says we should be done by, probably if I'm not talking
7 a lot, we'll be done by 10:00 o'clock, so I can get started
8 with that. Okay?

9 So once again, the admonishment. You're admonished
10 not to converse amongst yourself or with anyone else on any
11 subject connected with this trial, or read, watch, or listen
12 to any report or commentary on the trial, or by any person
13 connected with this case, or by any medium of information,
14 including without limitation, newspapers, television, the
15 Internet, or radio.

16 You're further admonished not to form or express
17 any opinion on any subject connected with this trial until
18 the case is finally submitted to you.

19 Once again, ladies and gentlemen, in anyone comes
20 to you, approaches you, and tries to speak to you about this,
21 you are under your admonition, but I want to know about that.
22 I want you to notify my Marshal. Okay?

23 Do you guys have any questions? All right. I'll
24 see you tomorrow at 10:00 o'clock. Okay? Have a good
25 evening. Okay? All right.

26 (Court recessed at 3:59 P.M., until Tuesday,
27 February 5, 2019, at 10:00 A.M.)

* * * *

INDEX

WITNESSES

<u>NAME</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
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STATE'S WITNESSES:

ANITA SENA	3			
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* * * *

EXHIBITS

<u>DESCRIPTION</u>	<u>ADMITTED</u>
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STATE'S EXHIBITS:

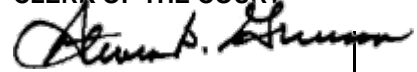
Exhibit 1.	13
Exhibit 2.	63
Exhibit 3.	13
Exhibits 38 through 51.	23
Exhibits 57, 58.	23
Exhibit 62.	164
Exhibits 63 through 66.	165

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

Julie Lord

JULIE LORD, TRANSCRIBER
VERBATIM DIGITAL REPORTING, LLC



RTRAN

DISTRICT COURT
CLARK COUNTY, NEVADA
* * * * *

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

BEFORE THE HONORABLE WILLIAM D. KEPHART, DISTRICT COURT JUDGE

TUESDAY, FEBRUARY 5, 2019

**RECORDER'S TRANSCRIPT OF HEARING
JURY TRIAL - DAY 7**

APPEARANCES:

FOR THE STATE:

JAMES R. SWEETIN, ESQ.
Chief Deputy District Attorney

MICHELLE L. SUDANO, ESQ.
Deputy District Attorney

FOR THE DEFENDANT:

VIOLET R. RADOSTA, ESQ.
DAVID E. LOPEZ-NEGRETE, ESQ.
Deputy Public Defenders

RECORDED BY: CHRISTINE ERICKSON, COURT RECORDER
TRANSCRIBED BY: VERBATIM DIGITAL REPORTING, LLC

1 LAS VEGAS, NEVADA, TUESDAY, FEBRUARY 5, 2019

2 [Case called at 10:00 A.M.]

3 (Outside the presence of the jury.)

4 THE MARSHAL: Please be seated.

5 MS. RADOSTA: Court's indulgence.

6 (Pause in the proceedings)

7 MR. SWEETIN: Can we approach real quick, Judge?

8 THE COURT: Sure.

9 (Off-record bench conference)

10 (Jury enters at 10:01 A.M.)

11 THE COURT: All right. Everybody go ahead and have
12 a seat.

13 We're back on the record in the case of State of
14 Nevada versus Christopher Sena in C311453. I'd like the
15 record to reflect presence of the defendant, his counsel, as
16 well as the State and their counsel.

17 (COURT CALLS ROLL OF THE JURY)

18 THE COURT: All members of the jury have answered
19 to the call. Will the parties stipulate to their presence?

20 MR. SWEETIN: Yes, Your Honor.

21 MS. RADOSTA: Yes, Your Honor.

22 THE COURT: Okay. Ladies and gentlemen, before we
23 took our break last night Ms. Siena -- I mean, Ms. Sena was
24 testifying. The defense had not crossed yet. So is she here
25 now?

1 MS. SUDANO: Yes, Your Honor.
2 THE COURT: Okay. Call Ms. Sena back.
3 Ms. Sena, I'll have you resworn, okay, since we were
4 overnight.
5 THE WITNESS: Okay.
6 THE COURT: Okay.
7 ANITA CHRISTINE SENA, STATE'S WITNESS, RESWORN
8 THE CLERK: Thank you. Please be seated. For the
9 record, just state your first and last name.
10 THE WITNESS: My name is Anita Christine Sena,
11 A-n-i-t-a. Sena, S-e-n-a.
12 THE COURT: Your witness, Ms. Radosta.
13 MS. RADOSTA: Thank you, Your Honor. I hope I
14 don't keep hitting the microphone. If I keep doing it I
15 apologize to your court recorder.
16 CROSS-EXAMINATION
17 BY MS. RADOSTA:
18 Q Good morning, Anita, how are you this morning?
19 A That's to be questioned.
20 Q Okay. My name is Violet. I have some questions for
21 you. I don't think I'm going to be as -- I don't think I
22 have as many questions as Ms. Sudano had. So let's just get
23 started. Okay?
24 A Okay.
25 Q I am going to have to ask you, though, I was having

1 some trouble hearing you yesterday. I think you're kind of
2 naturally soft spoken. So if you could just keep it in mind
3 to try to speak up a little bit so I don't have to ask you to
4 repeat yourself. Is that okay?

5 A Okay.

6 Q Okay?

7 A Okay.

8 Q Because right there I couldn't hear you, but -- all
9 right. Thank you.

10 So let's just talk a little bit up front about everybody
11 that was living in the house at 6012 Yellowstone. That is
12 the -- the diagram that we saw, the photographs that we saw,
13 those were all from your residence at the time, right, 6012
14 Yellowstone?

15 A 6012 Yellowstone.

16 Q I'm sorry?

17 A 6012 Yellowstone, yes.

18 Q Okay. Now, yesterday you did speak a lot about
19 Christopher, your father. But there were a lot of people
20 living in the house with you when you were a teenager,
21 correct?

22 A Correct.

23 Q Okay. Just to back up a little bit. For the first
24 about eight years of your life, it was just you and Tails
25 with your dad primarily, right?

1 A The first four was with Terrie.

2 Q Was with Terrie? Were you living exclusively with
3 Terrie or Terrie and your dad?

4 A Terrie and Chris.

5 Q Okay. And so -- and then there was some separations
6 and -- there were some separations between your parents,
7 correct?

8 A Correct.

9 Q There was a divorce that wasn't finalized and then
10 an actual divorce that went all the way to a divorce,
11 correct?

12 A Correct.

13 Q So in your mind, when you were your parents finally
14 divorced officially?

15 A About five or six.

16 Q When you were five or six years old?

17 A Yes.

18 Q Okay. So that would be about 1995, 1996; is that
19 right?

20 A Correct.

21 Q Okay. And it wasn't too long thereafter that you
22 met Deborah, correct?

23 A Correct.

24 Q Okay. While you were first -- first, right after
25 the divorce, you were living -- were you splitting time

1 between Chris and Terrie? Is that when you said you were
2 weekends with your mom and grandma, and weekdays with your
3 dad?

4 A Yes.

5 Q Okay. But then shortly thereafter Deborah came into
6 your life, right?

7 A Correct.

8 Q Was it maybe less than a year after the divorce
9 before Deborah was living in the house with you?

10 A No.

11 Q Longer or shorter?

12 A Shorter.

13 Q Shorter. Okay. So -- but Brandon -- was Brandon
14 born right away as well?

15 A No.

16 Q Okay. So for a short period of time it was you,
17 Deborah, Tails, and your dad in the house, right?

18 A If -- if you're --

19 Q If you don't understand my question, feel free to
20 tell me?

21 A I don't --

22 Q Okay.

23 A I don't understand.

24 Q No problem. So after your parents were divorced --

25 A Correct.

1 Q -- Terrie, obviously, your mom, was not living in
2 the house with you guys anymore, right?

3 A Yes.

4 Q And at some point Deborah came into your life and
5 your dad's life, right?

6 A Yes.

7 Q Was Deborah living in the -- at 6012 Yellowstone
8 with you and your dad before Brandon was born?

9 A No.

10 Q Okay. So Brandon is born in August of 1998; is that
11 right?

12 A About -- no, I think it's 1999.

13 Q 1999?

14 A Or 19 -- no, it's 1998.

15 Q 1998. Because he's eight years younger than you,
16 right?

17 A Yes.

18 Q And you're born in 1990?

19 A Um-h'm.

20 Q Okay. So sometime in that summer, maybe, is that
21 when Deborah moves into the residence?

22 A They got married without me knowing.

23 Q Okay. And so did Deborah move into the house after
24 the marriage or was she living there before the marriage?

25 A After the marriage.

1 Q Okay. And then shortly thereafter, then there's a
2 baby in the house, Brandon, right?

3 A Yes.

4 Q And then within another six to ten months, maybe, is
5 that Terrie's back in the house with Ryan as well, correct?

6 A Correct.

7 Q So within a year, you go from it just being you,
8 Tails, and your dad to then having an extra four people in
9 the house, two of them being toddlers -- not even, babies?

10 A Yes.

11 Q Okay. So you're the oldest of the kids, correct?

12 A Correct.

13 Q Okay. So then when Terrie came back into the house,
14 your grandfather was still alive at that point, right?

15 A Yes.

16 Q And that's Chris's dad?

17 A Yes.

18 Q And Chris's dad was actually living in the back at
19 that point in time, wasn't he?

20 A In the office.

21 Q In the office space. Okay.

22 So when Terrie moves back into the house with Ryan as a
23 baby, she's sleeping on the couch at that point, correct?

24 A Correct.

25 Q In the living room?

1 A Yes.

2 Q Okay. So -- and do you remember, if you remember,
3 how old you were when your grandfather -- your grandfather
4 lived there until he passed away?

5 A Correct.

6 Q How old were you when your grandfather passed away?

7 A Nine years old.

8 Q You were nine. Okay. At that -- and so -- so for
9 maybe a year he was living in that back -- in that back
10 office space, he being your grandfather?

11 A Yes.

12 Q Okay. At that point, weren't there some tenants
13 that moved into that office space as well?

14 A Short period of time.

15 Q Short period of time? Do you remember their names?

16 A No.

17 Q Okay. Were they family or just strictly tenants?

18 A I don't remember them.

19 Q Okay. You don't remember them being family?

20 A No.

21 Q Okay. So after -- you said the tenants were there
22 for a short period of time, and you were nine or ten at that
23 point; is that right?

24 A About right.

25 Q Okay. After the tenants moved out, did -- if you

1 remember, did Terrie move back to the office or did she stay
2 sleeping on the couch for a period of time?

3 A She moved to the office.

4 Q Okay. Because the couch in the living room, that's
5 where everybody sat and watched television and kind of hung
6 out, right?

7 A Correct.

8 Q So having Terrie sleep on that couch was not exactly
9 convenient for the whole family, right?

10 A Correct.

11 Q Okay. So at this point, though, the boys are
12 toddlers at best, two, three years old, right?

13 A Correct.

14 Q And just to be clear, Ryan and Brandon are about two
15 months apart in age, correct?

16 A Yes.

17 Q So you have two little brothers that are two, three
18 years old running around the house, and now Terrie moves back
19 to the office?

20 A Yes.

21 Q Okay. But she leaves Ryan -- well, actually does
22 she take Ryan back to the office with her or does she leave
23 him in the main part of the house?

24 A She lives in the main house.

25 Q Okay. Excuse me. Sorry, I have a frog in my

1 throat. Okay.

2 So -- and this living arrangement that we're talking
3 about right now with Terrie in the back office and the boys
4 in the -- the three boys were sharing a room, that stayed
5 that way for many years, correct?

6 A Correct.

7 Q Except for the points where Terrie moved in and out
8 of the house, correct?

9 A Correct.

10 Q And Terrie moved in and out of the house more than
11 once over the course of your teenage years?

12 A Yes.

13 Q And she took Ryan with her when she would leave,
14 correct?

15 A Correct.

16 Q Now, as you got into school, you were, as I already
17 asked you, you were the oldest in the family, correct?

18 A Correct.

19 Q So as you got older in school, you always came home
20 first from school, correct?

21 A Correct.

22 Q But Tails -- I believe you testified yesterday Tails
23 would get home about an hour after you from whatever grade he
24 was in?

25 A Yes.

1 Q Okay. Because he was usually not in the same school
2 as you because of the age gap; is that fair to say?

3 A Yes.

4 Q Okay. So you would get home at either 2:00 o'clock,
5 and he would get home at 3:00 or you would get home at 1:30,
6 and he would get home at 2:30 pretty consistently throughout
7 your teenage years, correct?

8 A Yes.

9 Q When -- actually, when Terrie was staying on the
10 couch before she moved back to the trailer, did she -- do you
11 remember, did she go to work every day?

12 A Like I said, she worked odd jobs.

13 Q She worked odd jobs. And at some point she decided
14 to go back to school; is that right?

15 A Yes.

16 Q Was that full-time school or --

17 A No.

18 Q Okay.

19 A It was part-time.

20 Q Did she go to school part-time? Okay.

21 So was part-time, did that mean she was going at night
22 or was she going to classes during the day?

23 A During night -- during the evening.

24 Q During the evening? Okay. I'm going to have to ask
25 you to try to talk up a little bit.

1 A Okay.

2 Q Do you remember how long she went to school for?

3 Was it a year? Was it two years?

4 A It was off and on.

5 Q For how many years?

6 A For quite a while.

7 Q She eventually, though, did complete school; is that

8 right?

9 A I don't even if she did complete school.

10 Q Okay. I believe you testified yesterday that she at

11 some point in time was working as a substitute teacher for

12 Clark County School District, correct?

13 A Correct.

14 Q Do you know if the degree that she was working

15 towards, was that her teaching degree or was that something

16 completely different?

17 A That was completely different.

18 Q Okay. All right. How old were you when Terrie

19 started teaching with the Clark County School District?

20 A After high school.

21 Q It was after high school? Okay.

22 So during -- from the ages of -- well, strike that.

23 From the time that she moved to the back trailer until

24 you graduated high school, she was doing odd jobs and going

25 to school part-time?

1 A Yes.

2 Q Terrie was?

3 A Yes.

4 Q So she didn't really have a consistent schedule if
5 she was working odd jobs; is that fair to say?

6 A That's fair to say.

7 Q And you did testify yesterday about a lot of -- a
8 lot of sexual acts that happened between you and Christopher.
9 Nobody was ever home during any of those alleged sex
10 acts, correct?

11 A Correct.

12 Q With the exception of the ones that you talked about
13 where Deborah was in the room or Terrie, your mother, was in
14 the room?

15 A Correct.

16 Q All the other ones, no one else was home, correct?

17 A Nobody was home.

18 Q Now, you also talked yesterday about an alleged
19 incident that you saw -- well, actually, an alleged incident
20 back in the office between you and your mom, Terrie, and your
21 father, correct?

22 A Correct.

23 Q And you -- you remember talking about at that
24 yesterday?

25 A Yes.

1 Q And you were approximately 14 years old?

2 A Yes. Approximately --

3 Q Approximately --

4 A -- 14, yes.

5 Q -- 14 years old.

6 Now, prior to -- well, let me back up for just a second.

7 When Deborah came into the home, you liked her right

8 away; is that fair to say?

9 A Yes.

10 Q She was -- your own mom was not around as much as

11 you may have wanted her to be around?

12 A Correct.

13 Q Your own mom being Terrie, sorry, biological mom.

14 She wasn't around as much as you would have wanted her to be

15 around?

16 A Correct.

17 Q And Deborah was somebody that you began to think of

18 as more than your mother than Terrie?

19 A Also correct.

20 Q Okay. And that you actually, over the years, is it

21 fair to say you felt like had you a closer relationship with

22 Deborah than you did with Terrie?

23 A Yes.

24 Q Okay. That you could tell Deborah things that you

25 couldn't tell Terrie?

1 A Yes.

2 Q Okay. And you felt protective of Deborah?

3 A For many reasons.

4 Q For many reasons, fair enough.

5 A For six reasons.

6 Q Okay. And the incident that you referenced

7 yesterday that you talked about involving you and Terrie and

8 Chris in the back bedroom, one of the things, I believe, you

9 testified to that after any sexual contact between you and

10 Chris was concluded, you actually saw Terrie and Chris begin

11 to kiss in front of you, correct?

12 A Correct.

13 Q And you actually saw them begin to have sexual

14 contact before you left the office, correct?

15 A Correct.

16 Q Okay. Did you actually see them having sex or was

17 it just sexual touching?

18 A It was sexual touching before I left the office.

19 Q Was it your impression -- or let me ask it to you

20 this way. Did you leave the office because you didn't want

21 to see anything else between the two of them?

22 A I left because I just got done being raped.

23 Q But you also saw something going on between your

24 father and your mother, correct?

25 A Correct.

1 Q And they were no longer married at that point,
2 correct?

3 A Correct.

4 Q He was married to Deborah at that point, correct?

5 A Correct.

6 Q Okay. Was this the first time that you had seen
7 your father and Terrie kiss in front of you?

8 A No.

9 Q Was this the first time that you saw them touch each
10 other in a sexual manner in front of you?

11 A No.

12 Q Did they do that in front of Deborah?

13 A They did it here and there even in front of Deborah.

14 Q Okay. When you -- after that had happened, did you
15 tell -- did you go and tell Deborah what you had just
16 experienced in the -- in the office?

17 A No.

18 Q Did you go tell her what you saw was happening
19 between Chris and Terrie before you left the office?

20 A No.

21 Q Okay. Was Deborah home at that point in time when
22 you went into the main part of the house?

23 A I don't believe so.

24 Q But at no point did you ever share the information
25 with Deborah that you saw your father cheating on her with

1 Terrie?

2 A It was common knowledge. He did it anywhere in
3 house.

4 Q Okay.

5 A Everybody knew.

6 Q Okay. So at this point, you're 14 years old when
7 this happening. And you say at that point it's already
8 common knowledge?

9 A It's common knowledge.

10 Q Okay. At what point did it become known to you that
11 that was happening in the house, that there was sexual
12 contact between Chris and Terrie?

13 A Ever -- ever since the beginning, even when they
14 were separated.

15 Q Okay. It was -- and I just want to make sure this
16 I'm not putting words in your mouth -- it was known to you
17 even before she came back in the house that they were still
18 having sexual contact?

19 A Yes.

20 Q And I just want -- I'm not -- they being your dad
21 and Terrie?

22 A Correct.

23 Q Okay. How do you know -- well, when was the first
24 time you saw something occur between Deborah -- or I'm sorry,
25 between Terrie and Chris that was in front of Deborah, if you

1 remember?

2 A I don't remember exact time.

3 Q Okay. But it was sometime before this alleged
4 incident in the office when you were 14?

5 A Yes.

6 Q Did you ever talk to any of your brothers about what
7 was common knowledge between Chris and Terrie?

8 A They saw it.

9 Q But did you ever have a conversation with any of
10 your brothers about it?

11 A No.

12 Q Just to go back for a second about your relationship
13 with Deborah.

14 A Okay.

15 Q You were about nine, ten years old when she came
16 into the house?

17 A Correct.

18 Q And you considered her to be the caregiver of the
19 family pretty quickly; is that fair to say?

20 A Yes.

21 Q And that she didn't just take care of you, she took
22 care of everybody in the family?

23 A Yes.

24 Q And your brother, Tails, she took care of him?

25 A Yes.

1 Q And your brother, Brandon, who is her biological
2 son, she took care of him?
3 A Yes.
4 Q And she also took care of Ryan as well?
5 A Yes.
6 Q Each though Ryan's not her biological son?
7 A Correct.
8 Q And even though Ryan's biological mother was living
9 in the household as well?
10 A Correct.
11 Q And you're not the only one who considered her to be
12 the caregiver of the family, correct?
13 A Yes.
14 Q All the boys considered her to be kind of the mother
15 of the household?
16 A Yes.
17 Q Now, you did reference yesterday the night that you
18 and Deborah and Brandon left the residence of 6012
19 Yellowstone. It was just you, Deborah, and Brandon, correct?
20 A Correct.
21 Q And Deborah -- I believe you testified yesterday
22 that you were the one insisting that you had to go.
23 A Correct.
24 Q And you -- Deborah was a little hesitant at first?
25 A Yes.

1 Q Is that fair to say?

2 A That's fair to say.

3 Q And that you kind, for lack of a better phrase, you

4 put your foot down and said, no, we got to get out of here

5 now.

6 A I wanted to live.

7 Q Okay. So -- and that was after a time when you saw

8 -- I'm sorry, it was after you had a conversation with

9 Brandon?

10 A Correct.

11 Q And that conversation worried you a lot?

12 A Yes.

13 Q And then so you were concerned about Brandon, and

14 you told Deborah you needed -- you three needed to leave the

15 house, correct?

16 A We needed to leave.

17 Q Okay. But you made the decision not to tell Tails

18 or Ryan that you were leaving the house, correct?

19 A Correct.

20 Q And you also made the decision not to tell your own

21 mother that you were leaving the house, correct?

22 A Correct.

23 Q You -- I believe you felt that if you told Terrie,

24 your mother, Terrie, that she may throw a wrench in the

25 plans? I'm sorry, do you know what I mean by that?

1 A By her telling Chris?

2 Q Yes. That she might reveal your plan to leave by
3 telling Chris?

4 A Yes.

5 Q If you recall, how long were you guys planning to
6 leave? Like, from the day that you said we got to get out of
7 here until the June 12th, I believe it was, 2014, was that a
8 week, two weeks, two days? Do you recall?

9 A It was about two weeks.

10 Q About two weeks. Okay. And so for two weeks you --
11 did you and Deborah and Brandon have a conversation about not
12 telling your mom, Ryan and Tails?

13 A No.

14 Q You just kind of all didn't tell them?

15 A We just had to get out of there.

16 Q Okay. But you -- you didn't tell them that you were
17 leaving, correct?

18 A Correct.

19 Q And them being your brothers Tails and Ryan or your
20 mom, Terrie.

21 And as far as you know, Brandon didn't tell them either,
22 correct?

23 A Correct.

24 Q And Deborah didn't tell them either?

25 A Correct.

1 Q And you didn't tell Ryan even though you were
2 worried about your brother, Brandon, you were also worried
3 about your brother, Ryan as well, correct?
4 A Correct.
5 Q But you decided not to tell him that you were
6 leaving, right?
7 A Correct.
8 Q Because you were worried he would tell his mom?
9 A Yes.
10 Q And then she would tell Chris?
11 A Yes.
12 Q Okay. And with Tails, were you and Tails
13 particularly close?
14 A In the end of the years, no.
15 Q In the end of the -- you mean, like when you were --
16 you're 23 at this point?
17 A Yes.
18 Q So when you're in your 20s, maybe, you and Tails
19 aren't particularly close?
20 A Yes.
21 Q Okay. So you knew that you were going to be
22 possibly making Chris very upset by leaving the house without
23 telling him, correct?
24 A Correct.
25 Q And you were leaving your two younger brothers back

1 there in the house?

2 A I had no choice. It would be considered kidnapping

3 with Ryan because he's not biologically Deborah's --

4 Q Okay.

5 A -- or mine.

6 Q Okay. What if Ryan wanted to go with you, would

7 that, in your mind, been considered kidnapping?

8 A It depends what the government would call it.

9 Q Okay. But you never have had a conversation with

10 Ryan and asked him if he wanted to come with you, correct?

11 A No.

12 Q Okay. You never considered even just waking him up

13 that morning, as you guys were going out the door, and

14 saying, hey, come on with us right now? You never considered

15 that, right?

16 A It would just still have been considered kidnapping.

17 Q Okay. Did you -- was that your information that it

18 would have been kidnapping or did someone tell you that?

19 A Nobody told me that.

20 Q That's just how you thought of the situation?

21 A How I thought of the situation.

22 Q Okay. Now, after you and Deborah and Brandon left

23 the house that weekend -- or I'm sorry, that morning, you

24 went to a Safe House, correct?

25 A Correct.

1 Q And you stayed there with Deborah and Brandon for a
2 couple of weeks?

3 A Yes.

4 Q And then you, Deborah, and Brandon got appear
5 apartment together, correct?

6 A Correct.

7 Q And you continued to live with Deborah and Brandon
8 until the day that Deborah got arrested, correct?

9 A Correct.

10 Q And that was sometime right before Christmas, if you
11 -- is that what you remember?

12 A Yes.

13 Q Okay. So for about six months after leaving the
14 house, you continued to live with Deborah?

15 A Yes.

16 Q And Brandon?

17 A Yes.

18 Q Okay. You were very upset when Deborah got
19 arrested, correct?

20 A Of course, I was.

21 Q Okay. You weren't expecting Deborah to be arrested,
22 correct?

23 A No.

24 Q Okay. You had actually been working -- or speaking
25 with Deborah's criminal defense attorneys prior to her being

1 arrested, correct?

2 A Correct.

3 Q And actually, she also had a divorce attorney as

4 well, correct?

5 A Correct.

6 Q And you were talking with the divorce attorney,

7 Deborah's divorce attorney?

8 A Correct.

9 Q Your -- so you were upset when Deborah was arrested.

10 You were not as upset when your own mom was arrested; is that

11 fair to say?

12 A That's fair to say.

13 Q That is fair to say?

14 A That is fair to say.

15 Q During that six-month period of time when you were

16 living with Deborah and Brandon, you were not having contact

17 with Terrie, correct?

18 A Wrong.

19 Q Okay. You had phone calls here and there with

20 Terrie?

21 A Yes.

22 Q Okay. And --

23 A And I was also there for her wedding.

24 Q Oh, I'm sorry. The -- she got married in October;

25 is that right?

1 A Yes.

2 Q And you did go to the wedding?

3 A Yes, I did.

4 Q Okay. Did Tails go to the wedding?

5 A I don't remember him there.

6 Q Okay. So you did have some minimal contact, big

7 events, weddings, with your mom Terrie?

8 A Correct.

9 Q But you were continuing to live with your step-mom

10 and your stepbrother through this whole --

11 A Yes.

12 Q -- process? Yes?

13 A Yes.

14 Q Okay. Now, you also -- after Deborah got arrested,

15 you actually wrote some letters on her behalf, correct?

16 A Correct.

17 Q You wrote letters to the press -- or to the Las

18 Vegas Review Journal?

19 A Correct.

20 Q Okay. And you were saying in those letters you did

21 not want Deborah prosecuted?

22 A I didn't believe her punishment should happen so

23 bad, even though what she did was still wrong.

24 Q So -- but you were upset about the way the process

25 was going for your step-mom Deborah?

1 A Correct.

2 Q Okay. And you took the step of actually contacting
3 -- or writing a letter to the Las Vegas Review Journal,
4 correct?

5 A Correct.

6 Q And did --

7 A But like I said, I have six reasons --

8 Q I understand.

9 A -- for why.

10 Q Okay. Did you give the -- did you intend for that
11 letter to be published in the paper when you wrote it?

12 A I wanted to share my experience.

13 Q Okay. So you wrote that letter with the intent of
14 it being published in the paper?

15 A Correct.

16 Q And in that letter you thoroughly defended Deborah,
17 correct?

18 A Of course I did.

19 Q And it was in your opinion that she was not
20 responsible for anything that she did?

21 A Chris would have hurt her.

22 Q Okay. You ended that letter to the Review Journal
23 with a request, a general request to let Deborah and your
24 mom, Terrie, out of jail, correct?

25 A Correct.

1 Q And -- but the letter did not have the desired
2 effect, correct?

3 A Correct.

4 Q Your mother and Terrie remained in jail?

5 A And they are still in jail.

6 Q Okay. After the letter to the Review Journal, you
7 wrote another letter to the District Attorney's Office,
8 correct? Do you remember writing a letter to Mr. Wolfson of
9 the District Attorney's Office?

10 A I believe so.

11 Q And actually, technically, the letter is signed you
12 and Brandon.

13 A Yes.

14 Q Okay. So do you recall writing that letter, you and
15 Brandon together?

16 A Yes.

17 Q Okay. And this was, again, before -- after your mom
18 was arrested but before she was sentenced, correct?

19 A Correct.

20 Q Okay. And you were upset with Mr. Wolfson, who is
21 the District Attorney for, again, prosecuting your mother?

22 MS. SUDANO: And Your Honor, I apologize, can we
23 just get foundation on who Ms. Radosta means when she's
24 talking about mother?

25 MS. RADOSTA: Oh, sorry.

1 BY MS. RADOSTA:
2 Q Do you --
3 MS. RADOSTA: Court's indulgence.
4 BY MS. RADOSTA:
5 Q Just to back up for just a second. In the process
6 of your mother's -- your mother and your stepmother's
7 criminal cases, your mother's case, Terrie's, moved quicker
8 through the system than Terrie -- strike that and let me
9 start that one all over again.
10 Your mother's criminal case moved quicker through the
11 system than Deborah's did. Is that how you recall it?
12 A Yes.
13 Q That your mother's case, she -- her sentencing
14 hearing was almost a year before your stepmother's sentencing
15 hearing, correct?
16 A Correct.
17 Q Okay. You did not write a letter on your mother's
18 behalf for her sentencing hearing, did you?
19 A It went too fast.
20 Q Okay. But you did not write a letter for your
21 mother, correct?
22 A I could have, if I knew about it.
23 Q Okay. So it's you -- you were not made aware of
24 when your mother's sentencing date was?
25 A Correct.

1 Q Okay. You did not reach out to her defense
2 attorneys to ask them when her sentencing date was, correct?

3 A I didn't know who her attorneys were.

4 Q Okay. You knew that the case, though, was moving
5 through the system, correct?

6 A Correct.

7 Q Okay. And do you recall what year your mother was
8 sentenced?

9 A No.

10 Q Okay.

11 A It was too fast.

12 Q Okay. But it was pretty quick after she was
13 arrested. Is that your memory?

14 A Yes.

15 Q Maybe two, three months after she was arrested, she
16 was sentenced?

17 A Correct.

18 Q And she being Terrie?

19 A Yes.

20 Q Okay. But you wrote a letter, if you -- do you
21 recall writing that letter to Mr. -- or I'm sorry, to
22 Mr. Wolfson of the District Attorney's Office?

23 A I remember writing some letters.

24 Q Okay. Do you recall when, in that process, you
25 wrote the letter to Mr. Wolfson?

1 A I believe so.

2 Q Okay. Was it right before your stepmother's

3 sentencing hearing?

4 A It was before the sentencing.

5 Q Of Deborah?

6 A Of Deborah.

7 Q Okay. So you were asking in that letter that you

8 did not want your stepmother, Deborah, again, you did not

9 want her to be prosecuted, correct?

10 A Of course.

11 Q Okay.

12 A For six reasons.

13 Q Okay. And then in that letter you called Deborah

14 your protector, correct?

15 A She was.

16 Q Okay. You called her a role model -- excuse me,

17 role model, correct?

18 A Of course. She took my beatings for me when he gave

19 it to them.

20 Q All right. And you also called her a nurturer of

21 children in the letter, correct?

22 A Yes, because she helped try to make us better while

23 he was too busy telling us that we were too pathetic to do

24 stuff.

25 Q Okay.

1 A That we were too stupid. That we couldn't do
2 anything right.

3 Q Okay. But you ended the letter with, again, a plea
4 to Mr. Wolfson; do you remember that?

5 A Correct.

6 Q And you said, quote, "We ask you to help us get our
7 mothers back, then we will help you make sure our father dies
8 in prison." Do you recall writing that?

9 A I probably did.

10 Q Okay. And the letter was from you and Brandon,
11 correct?

12 A Correct.

13 Q But once again, the letter did not have the desired
14 effect, right?

15 A Correct.

16 Q Because Deborah is still in prison at this point in
17 time, correct?

18 A It doesn't matter if she's in prison.

19 Q Okay. But she is still in prison, correct?

20 A She's still did wrong.

21 Q Okay. And --

22 A After all these years, I know better that what she
23 did was still wrong.

24 Q Okay. And Terrie is still in prison as well?

25 A Correct.

1 Q At this point, you -- actually, you visit Deb up at
2 the women's prison, correct?

3 A Correct.

4 Q And you write her letters or call her -- or accept
5 phone calls from her?

6 A Yes, I do.

7 Q And do you visit Terrie?

8 A I'm unable to.

9 Q You're unable to visit Terrie?

10 A Yes.

11 Q Okay. And why is that?

12 A Because the warden won't let me.

13 Q They won't let you?

14 A The warden won't let me.

15 Q I'm sorry, I can't -- are you saying the warden,
16 warden?

17 A The warden won't let me.

18 Q Okay. Do you have any idea why? Just if you know.

19 A Because you're only allowed to visit one person in
20 jail.

21 Q Okay. And so did you know about that rule about you
22 started visiting Deborah?

23 A No.

24 Q Okay. But at this point in time, you've already put
25 Deborah as the person you want to visit, and so that's who

1 you're visiting?

2 A Yes.

3 Q Have you been informed in you can change and visit
4 Terrie instead of Deborah?

5 A Yes. It will be a six months process.

6 Q Okay. So at this point in time, you're still
7 deciding that you just want to visit Deborah?

8 A Of course. I still write also letters to Terrie.

9 Q Okay. So although you can't visit Terrie, you are
10 allowed to have contact -- writing letters to her?

11 A And phone calls.

12 Q And phone calls. So Terrie calls you from the
13 prison?

14 A Yes.

15 Q Okay. You have never visited Christopher, correct?

16 A Correct.

17 Q You've never written him a letter, correct?

18 A Correct.

19 Q You've never received a phone call, accepted a phone
20 call from him?

21 A Correct.

22 MS. RADOSTA: Court's indulgence.

23 BY MS. RADOSTA:

24 Q Now, prior to moving out with Deb and Brandon, you
25 lived at home until you were almost 24 years old, correct?

1 A Correct.

2 Q You had your own job, correct?

3 A Correct.

4 Q And I think you were telling us yesterday a little

5 bit about how it was a little hard to get a job before the

6 age of 21, but after you were 21, you were worked pretty

7 steadily, correct?

8 A It wasn't steadily.

9 Q Okay. Here and there?

10 A Yes.

11 Q At the point that you left the house in June of

12 2014, you were working at Albertsons, correct?

13 A Correct.

14 Q Were you working full-time?

15 A No.

16 Q Okay. How many hours a week were you working?

17 A It all depended when I was scheduled.

18 Q Okay. Approximately, how many hours a week were you

19 working?

20 A About 20 to 25 hours.

21 Q Okay. Did you have a second job or was that your

22 only job?

23 A That was my only job.

24 Q Okay. But you -- did you ever want to move out of

25 the house?

1 A Not with my brothers still there.

2 Q Not with your brother still there? You felt that
3 you needed to protect your brothers, correct?

4 A Correct.

5 Q And that being Tails and Ryan as well as Brandon?

6 A Yes.

7 Q After you left without Ryan or Tails, how long was
8 it before you had contact with Ryan, after you left on the
9 morning of June 12, 2014?

10 A After Chris was arrested.

11 Q Okay. And Chris was arrested almost three months
12 later, correct?

13 A Correct.

14 Q So for the three-month period of time you did not
15 have any contact with your youngest brother -- younger
16 brother, Ryan?

17 A Correct.

18 Q How long was it before you had contact with Tails?

19 A Quite a while.

20 Q Okay. So -- and was the lack of contact your choice
21 with Ryan?

22 A Yes.

23 Q All right. And the lack of contact with Tails was
24 also your choice?

25 A Correct.

1 Q Because you did not want them to know where you were
2 living?

3 A I didn't want anybody to know where I was living.

4 Q Okay. So you at that point were protecting yourself
5 and Deborah and Brandon, correct?

6 A Correct.

7 Q Okay. Instead of having contact with your other
8 brothers?

9 A I was also keep them safe. As long as they didn't
10 know where I was at, Chris wouldn't harass them or bother
11 them or give them threats.

12 Q Okay. Now, like the same day that you and Deborah
13 and Brandon left the house, Ryan and Terrie were essentially
14 kicked out of the house, correct?

15 A If I was heard right, yes.

16 Q Did you -- you were monitoring the feed on your
17 phone, correct?

18 A No.

19 Q No? Okay. So the morning that you all left the
20 house on June 12, 2014, did you look at the feed of the
21 activities inside the house on Yellowstone on your phone?

22 A The only time we checked that feed was when we were
23 escaping, and after that, we stopped.

24 Q Okay. You did not check it again at all that
25 morning?

1 A No.

2 Q You weren't concerned that maybe Chris was coming to
3 find you?

4 A Chris was going to come to find us.

5 Q Okay. So you were not monitoring the --

6 A I told you --

7 Q -- feed?

8 A -- I was monitoring -- we were monitoring the feed
9 when we were escaping.

10 Q So while you were still -- okay. I apologize if I
11 am not understanding you.

12 When you say, when we were escaping, do you mean when
13 you were walking out the door of your house or after you were
14 in the car and driving away?

15 A After we were in the car and driving away.

16 Q Okay. So I was misunderstanding you. I apologize
17 for that.

18 How long did you monitor the feed that morning?

19 A For a couple of hours until we were safe in Safe
20 House.

21 Q Okay. During that point in time, did you see any
22 activity in the house that told you that Terrie and Ryan were
23 no longer living there?

24 A No.

25 Q You didn't see anything that showed you that they

1 were being kicked out of the house by Chris?

2 A No.

3 Q So as far as you knew, as of that morning, Ryan was

4 still living at the residence with Chris?

5 A Correct.

6 Q And Tails was still living at the residence with

7 Chris?

8 A I didn't know Tails was there.

9 Q You didn't know Tails was at the house?

10 A No.

11 Q He wasn't sleeping on the couch at that point in

12 time?

13 A I didn't know he was sleeping on the couch.

14 Q Okay.

15 A Because he was gone for a while before he supposedly

16 came back that day. Because he wasn't there when I came home

17 from -- from work that night when I stayed up.

18 Q Okay. Just to make sure I'm understanding you. You

19 guys leave on the morning of June 12th. Prior to that, was

20 Tails living at home?

21 A No.

22 Q Okay. So it's -- you -- it's your understanding

23 that Tails came home after you, Deborah, and Brandon left the

24 residence?

25 A Correct.

1 Q Okay. And at that point in time, he began to sleep
2 on the couch?

3 A I didn't know.

4 Q Okay. You don't have any information as to where
5 Tails was sleeping?

6 A I didn't know Tails was there.

7 Q Okay. At what point in time did you find out that
8 Tails was back at the house with your dad?

9 A When I got contact from Tails, when he was angry at
10 me.

11 Q Okay. And was that sometime -- was that shortly
12 after you guys had left or was that around the time Chris got
13 arrested?

14 A Around when Chris got arrested.

15 Q Okay. And so Tails was angry with you, yes?

16 A Yes.

17 Q Okay. And was he angry with you for leaving the
18 house or was he angry with you for something completely
19 unrelated?

20 A It had something to do with the SWAT team.

21 Q With the SWAT team?

22 A Correct.

23 Q Okay. The SWAT team that came to the residence --

24 A To arrest Chris.

25 Q -- to arrest Chris? Okay. Do you -- other than

1 remembering it was something about the SWAT team, do you have
2 any other memory about that conversation with Tails?

3 A No.

4 Q Okay. Did you -- after you moved out of the house,
5 within the first few days after moving out of the house, did
6 you -- you received phone calls from your mom, Terrie,
7 correct?

8 A It was -- yes, but I figured it was Chris trying to
9 contact me.

10 Q Okay. So you did not answer those phone calls?

11 A No.

12 Q You don't have any memory of Terrie trying to
13 convince you and Deborah and Brandon to come back into the
14 house?

15 A No. We didn't answer the phone calls.

16 Q Okay. And you actually did not -- I believe you
17 testified yesterday you only listened to one voicemail call
18 from Chris?

19 A One voicemail.

20 Q Okay. And the other voicemail calls, do you recall
21 how many of them there were?

22 A I don't know how many there were, but I didn't
23 listen to any of them.

24 Q Okay. But you said Brandon -- you gave your phone
25 to Brandon and said you can listen to them or something to

1 that effect?

2 A I couldn't -- I couldn't stomach it.

3 Q I'm sorry?

4 A I couldn't stomach it.

5 Q Okay. But you did -- you didn't just delete the

6 voicemail messages, correct?

7 A Correct.

8 Q You gave your phone to Brandon and said, if you want

9 to listen to, go ahead?

10 A I gave them to Deborah.

11 Q You gave them to Deborah? Okay.

12 Do you remember when you made that decision to give

13 those voicemail messages to Deborah?

14 A After the first voice message.

15 Q Okay. And you received the first voicemail message

16 shortly after leaving the house. Did you listen to it right

17 away?

18 A No.

19 Q Okay. You waited several -- at least several days,

20 maybe even several weeks to listen to the voicemail message,

21 correct?

22 A Several hours.

23 Q Several hours? Okay.

24 And then you just handed over your whole phone to

25 Deborah?

1 A Correct.

2 Q Okay. And did you ever get the phone back from
3 Deborah?

4 A Yes.

5 Q Okay. Were the voicemail messages still on there?

6 A They were still on there.

7 Q Okay. Do you know if Deborah listened to them?

8 A I don't know if she did.

9 Q Okay.

10 A She left the room.

11 Q Okay. She left the room? She just had your phone
12 for a few minutes?

13 A Yes.

14 Q Okay. Did she seem upset when she came back and
15 handed you back the phone?

16 A Yes.

17 Q Yes. And you just didn't care so you didn't ask?

18 A I didn't want to.

19 Q Okay. But the voicemail message that upset you so
20 much was a -- was your father saying that he was thinking
21 about committing suicide, correct?

22 A Yes.

23 Q And that did upset you?

24 A Suicidal is what upsets me.

25 Q Okay. So you actually thought that there -- there

1 -- there was some truth to what he was saying?

2 A It was a lie to try to get me to come back.

3 Q Okay. So you didn't think -- you didn't believe him
4 when he said that, that he was possibly suicidal?

5 A Correct.

6 Q Okay. You thought that this was just a trick to try
7 to get you to come back?

8 A Correct.

9 Q Were you mad at him for trying to manipulate you
10 that way?

11 A He's always been manipulative. Of course, I am.

12 Q In that specific instance, were you mad at him for
13 trying to manipulate you?

14 A Yes.

15 Q I want to ask you a few questions about the incident
16 that you talked about yesterday of the time that it was --
17 you came home from school, you were about 17 or 18 years old
18 right before high school graduation. Do you know the
19 incident that I'm talking about?

20 A Yes.

21 Q Okay. Now, you have previously -- you've talked
22 about all of this quite a few times, fair to say?

23 A Fair to say.

24 Q You initially, about three months after leaving the
25 house, you sat down with detectives and were interviewed by

1 Las Vegas Metropolitan Police, correct?

2 A Correct.

3 Q And that was a fairly -- I mean, that was a lengthy
4 interview, correct?

5 A Correct.

6 Q At least an hour, maybe longer?

7 A Yes.

8 Q Okay. And then after that, you also were called as
9 a witness to testify during Deborah's preliminary hearing,
10 correct?

11 A Correct.

12 Q And that was maybe a year and a half after your
13 interview with the police?

14 MS. SUDANO: Objection.

15 BY MS. RADOSTA:

16 Q No, I'm sorry, I might have had the date wrong. My
17 apologies.

18 Do you remember testifying at Deborah's preliminary
19 hearing?

20 A Yes.

21 MS. RADOSTA: Court's indulgence.

22 BY MS. RADOSTA:

23 Q And at Deborah's, that was -- I'm sorry, it was
24 about six months after your interview with the police. Do
25 you recall that?

1 A Yes.

2 Q And you did not want to be testifying against
3 Deborah at that particular hearing, correct?

4 A Correct.

5 Q And then you also testified at Christopher's
6 preliminary hearing, which was about six months after
7 Deborah's, correct?

8 A Correct.

9 Q Give or take?

10 A Yes.

11 Q Give or take. Okay.

12 MS. RADOSTA: So, Your Honor, may I approach
13 just --

14 THE COURT: The bench?

15 MS. RADOSTA: No, to the witness.

16 THE COURT: For what?

17 BY MS. RADOSTA:

18 Q Well, you do recall that at -- sorry. You do recall
19 that the interview with police, you were told it was being
20 audio recorded, correct?

21 A Correct.

22 Q And you've had a chance to review that transcript,
23 correct, before coming to court today?

24 A Yes.

25 Q Okay. And you were aware that when you were in

1 court, as you are today, that all of the court proceedings
2 are also recorded, correct?

3 A Correct.

4 Q And so when you're at Deborah's preliminary hearing,
5 you were sworn under oath and that your testimony there was
6 recorded, and a transcript created, correct?

7 A Correct.

8 Q You have a chance to review your testimony at
9 Deborah's preliminary hearing?

10 A No.

11 Q Before -- okay. Before testifying here?

12 And what about the testimony at Chris's preliminary
13 hearing? Did you have a chance to review that?

14 A No.

15 Q Okay. But you do recall that they were all
16 transcribed?

17 A Yes.

18 Q Okay.

19 MS. RADOSTA: Court's indulgence, Judge.

20 BY MS. RADOSTA:

21 Q Let me know, if you need to take a look at any of
22 your prior statements. Okay?

23 A Okay.

24 Q So this incident -- alleged incident when you were
25 17, almost 18 coming home from school, you have discussed it

1 with the detective, correct?

2 A Correct.

3 Q You talked about it at Deborah's preliminary
4 hearing, correct?

5 A Correct.

6 Q And you talked about it at Chris's preliminary
7 hearing, correct?

8 A Correct.

9 Q And then, of course, you also testified about it
10 yesterday when you were here in court?

11 A Yes.

12 Q Okay. Now, do you -- do you recall that you've
13 always said that it happened in the living room, correct?

14 A It happened in the living room.

15 Q Okay. And when you talked to the detective, you
16 said it happened in the living room, correct?

17 A It happened in the living room.

18 Q And same thing at Deborah's preliminary hearing, you
19 said it happened in the living room?

20 A It happened in the living room.

21 Q And at Chris's preliminary hearing, same thing?

22 A It happened in the living room.

23 Q Okay. I'm just making sure that you recall that
24 that's -- that you've said the exact same thing at all other
25 times when you've been asked that particular question. Okay?

1 A Correct.

2 Q Okay. And yesterday you said that this particular
3 alleged incident happened in the living room, correct?

4 A Correct.

5 Q Okay. And you've also said that aside from you and
6 Deborah and Chris, nobody else was home, correct?

7 A Correct.

8 Q At all the other times that you've talked about this
9 particular incident?

10 A Correct.

11 Q Okay. And you've also always said it was right
12 around your 18th birthday, correct?

13 A Somewhere around there.

14 Q Yeah. You're not sure if it -- you've consistently
15 sure if it was after your 18th birthday or right before your
16 18th birthday?

17 A Correct.

18 Q And -- but it was high school graduation, so that's
19 why you have a memory of this alleged incident, correct?

20 A Correct.

21 Q Okay. Now, you also have always said that Chris
22 came out from the master bedroom, allegedly, and he was
23 already naked, correct?

24 A He was already naked.

25 Q Okay. And you said that yesterday as well when you

1 testified about this, correct?

2 A Correct.

3 Q Okay. And you've also always testified that you

4 took off your own clothes, correct?

5 A I was told to take off my clothes.

6 Q But you took off your own clothes, correct?

7 A Correct.

8 Q Chris did not take them off, correct?

9 A Correct.

10 Q Deborah did not take them off, correct?

11 A Correct.

12 Q Now, yesterday do you recall testifying that Deborah

13 came into the room and she was already naked?

14 A She was already naked.

15 Q Okay. Do you recall that when you spoke to

16 Detective Samples that you told him that Deborah came into

17 the room and she was told to undress and then she did?

18 A I don't remember.

19 Q Okay. Would it help you to -- would it refresh your

20 recollection to look at your statement? In other words,

21 sorry, just talked a lot like a lawyer there, if I show you

22 had your statement and gave you an opportunity to look at it,

23 would that help refresh your memory as to what you told

24 Detective Samples?

25 A Yes.

1 Q Okay.

2 MS. RADOSTA: Your Honor, may I approach the
3 witness?

4 THE COURT: Yes.

5 BY MS. RADOSTA:

6 Q Now, just for your -- just for your information,
7 Anita, just to be a little bit easier on you, the statement
8 that you gave to Detective Samples is the one on top, it has
9 a big A on it.

10 A Okay.

11 Q So just so you -- it's easier for you. So I'd ask
12 you to turn to, I believe it's Page 33 of that statement.

13 MS. SUDANO: And Your Honor, can we have
14 clarification on what statement she has?

15 THE COURT: She --

16 MS. RADOSTA: This is the Metro's statement. I'm
17 sorry, September 17th.

18 MS. SUDANO: Is that the only one she has?

19 MS. RADOSTA: Yeah. The only Metro statement.

20 (Pause in the proceedings)

21 THE COURT: My understanding was that the testimony
22 and the question had to do with the statement that was made
23 to the Metropolitan Police Department, the statement for her
24 testimony and Deborah's sentence -- preliminary hearing, and
25 a statement of her testimony in Christopher's sentence --

1 preliminary hearing. Those are was the only three statements
2 that -- that I believe that she's been talking about.

3 MS. SUDANO: Thank you. I just wanted to clarify
4 which statements were up there with her currently.

5 THE COURT: The one she's asking her about is the
6 one involving the detectives, the statement to the detective.

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

8 BY MS. RADOSTA:

9 Q Just to back up just a little bit. You spoke to
10 detectives more than one time, correct?

11 A Yes.

12 Q Okay. And the first time that you recall talking to
13 detectives was the longest time that you spoke to detectives,
14 correct?

15 A Correct.

16 Q And that was, if I were to tell you September 17,
17 2014, does that sound about right?

18 A It somewhat rings --

19 Q Okay. Sometime in September; is that --

20 A Somewhere in September.

21 Q You also went back and had at least one and maybe
22 two other conversations with detectives, correct?

23 A Correct.

24 Q They were much shorter in length, correct?

25 A Yes.

1 Q Okay. But the one that -- where you talked about
2 alleged incidents and your -- the family life and the home
3 life in detail was the first one, correct?

4 A Correct.

5 Q The first time you talked to detectives? The other
6 conversations were about other topics primarily?

7 A Correct.

8 Q Okay?

9 MS. RADOSTA: Court's indulgence.

10 BY MS. RADOSTA:

11 Q Now, I had just asked you if you recalled telling
12 Detective Samples that the time that Chris came out of the
13 bedroom naked, Deborah came out and she was fully clothed,
14 and took her clothes off in the living room. And you said
15 that you did not recall that, correct?

16 A Can you say that again?

17 Q You -- I had asked you if you recalled telling
18 Detective Samples, when we were talking about the incident
19 between you and Chris and Deborah, that you told him the
20 Deborah came into the living room with her clothes on, and
21 that she took her clothes off in the living room, correct?
22 Do you recall telling him that?

23 I'm sorry, my question is horrible.

24 A No, I don't recall.

25 Q Okay.

1 MS. RADOSTA: Court's indulgence. I think I gave
2 her a bad page number before. My apologies, Your Honor. I
3 had a page number written down, and it seems to be incorrect.
4 So if you could just give me a couple seconds.

5 I'll move on to something else, Your Honor, and try
6 to come back to that because I think -- I honestly think I
7 just wrote the page number down wrong.

8 (Pause in the proceedings)

9 BY MS. RADOSTA:

10 Q Now, yesterday when you were talking about this
11 particular incident, again, when you were about 18 years old
12 and you came out from the -- you came home from school, Chris
13 comes out from the master bedroom?

14 A Correct.

15 Q You testified yesterday that Chris was physically
16 dragging Deborah into the living room.

17 A By her arm.

18 Q By her arm. Okay. And do you recall that you --
19 that you've referred to that particular part of the --

20 MS. RADOSTA: Actually, Your Honor, I am going to
21 -- I'm going to move on to a different topic for a second,
22 Judge, because I apologize, as he said, a page number was
23 written down wrong, and it's just I can't -- sorry Anita.

24 BY MS. RADOSTA:

25 Q You also testified yesterday -- well, actually, let

1 me ask you about this.

2 Your father had guns in the house, correct?

3 A Multiple.

4 Q You knew that there were at least two in the house,
5 correct?

6 A Correct.

7 Q That there was a nine millimeter in the house,
8 correct?

9 A Correct.

10 Q And then there was some other type of like old
11 fashioned type of --

12 A It was --

13 Q -- gun, like a --

14 A It was a western gun that he pointed at my face.

15 Q Okay. And the western gun, that was kept in a safe
16 in the office, correct?

17 A Correct.

18 Q Okay. And now, the gun, the nine millimeter,
19 though, was kept in the bedroom, correct?

20 A It was under his mattress.

21 Q Okay. So you told the detectives about these
22 particular guns, correct?

23 A I knew with they were.

24 Q You knew they were. And as you just testified, one
25 of them was under the mattress in the master bedroom,

1 correct?

2 A Correct.

3 Q In the household that you lived in as well?

4 A Correct.

5 Q Okay. He did not hide these guns from you, correct?

6 A Of course, not.

7 Q Of course, not. You knew exactly where they were

8 located, correct?

9 A Correct.

10 Q And actually, as far as you know, Deborah knew where

11 these guns were located as well, correct?

12 A Correct.

13 Q And do you know if Terrie knew where the guns were

14 located?

15 A Yes.

16 Q Okay. What about Tails?

17 A Tails knew as well.

18 Q Tails knew as well. What about Brandon?

19 A I don't know.

20 Q Okay. What about Ryan?

21 A I don't know.

22 Q They were a little bit younger, so maybe it wasn't

23 -- maybe they weren't told where the guns were?

24 A Like I said, I wouldn't know.

25 Q Okay. You didn't tell them where the guns were,

1 correct?

2 A Correct.

3 Q Okay. Did you ever tell anybody else, your moms or
4 Tails where those guns were located?

5 A No.

6 Q You just -- but you made sure that the detectives --
7 because they asked you, you were made to tell them that there
8 were guns in the house?

9 A Yes.

10 Q Okay. You also testified yesterday about the first
11 alleged incident when you were about 11 years old. Do you
12 remember talking about that yesterday?

13 A Yes.

14 MS. RADOSTA: Court's indulgence.

15 (Pause in the proceedings)

16 BY MS. RADOSTA:

17 Q So yesterday when you were talking about the alleged
18 incident when you were 11 years old, I think your testimony
19 was pretty direct in that you said you came home and you went
20 to your bedroom and you saw your dad in the master bedroom,
21 correct?

22 A Correct.

23 Q And that he, at that point, had no clothes on,
24 correct?

25 A He doesn't wear clothes when he's in bed.

1 Q Okay. And he was in bed that point in time,
2 correct?

3 A Correct.

4 Q And that he asked you at that point to take your
5 clothes off, correct?

6 A Later on.

7 Q Later on. I believe you testified yesterday that at
8 that point when he was still in the master bedroom was when
9 he told you to take your clothes off. Is that not what you
10 recall you said yesterday?

11 A I know that he told me to take off my clothes.

12 Q Okay. Do you recall where that -- where that
13 request was made?

14 A It was both in the living room and in the master
15 bedroom.

16 Q Okay. Both in the living room and the master
17 bedroom. But you were at this point, when you first saw him,
18 he was in the master bedroom --

19 A Correct.

20 Q -- according to your testimony yesterday, correct?

21 A Correct.

22 Q And at that point in time, he did tell you to take
23 off some clothes, all clothes?

24 A Some clothes.

25 Q Okay. Do you recall what clothes he told you to

1 take off at that point in time?

2 A My shirt.

3 Q Okay. And then -- that then this was some touching
4 of your body in the master bedroom, correct? That's what you
5 said yesterday?

6 A Correct.

7 Q Okay. But do you recall when you testified at
8 Chris's preliminary hearing talking about this particular
9 incident at Chris's preliminary hearing?

10 A I recall.

11 Q Okay. Do you recall testifying at Chris's
12 preliminary hearing that the entire incident started in the
13 living room, not in the master bedroom?

14 A I said it also started in the master bedroom.

15 Q At the preliminary hearing?

16 A It should have been in the master bedroom.

17 Q Okay. Do you recall -- so it's your recollection
18 that you testified at the preliminary hearing that it started
19 in the master bedroom and moved into the living room?

20 A Every -- most of the time it started in the master
21 bedroom.

22 Q I'm not talking about most of the time. I'm talking
23 about the first alleged time something happened. Okay?

24 A Okay.

25 Q It's your recollection that you testified at the

1 preliminary hearing that it started in the master bedroom and
2 moved into the living room?

3 A It should have, yes.

4 Q Okay. Should have. But do you -- do you recall
5 that you actually testified that it started in the living
6 room?

7 A It started in the living room.

8 Q Okay. And that's what you testified to at the
9 preliminary hearing, correct?

10 A Yes.

11 Q Okay. And that he asked you to take your clothes
12 off at the -- sorry, let me rephrase that.

13 At the preliminary hearing, Chris's preliminary hearing
14 you testified that he asked you to take your clothes off in
15 the living room, not in the master bedroom?

16 A Pants.

17 Q Okay. So --

18 A It was still taking off the clothes.

19 Q Okay. So it's your recollection that what you said
20 at the preliminary hearing was that he asked you to take area
21 pants off in the --

22 A I said taking off my clothes.

23 Q Okay. That's what you testified to at the
24 preliminary hearing?

25 A Yes.

1 Q And you're now saying that what you meant was just
2 pants?

3 A The pants.

4 Q Okay. And do you recall testifying at the
5 preliminary hearing that the touching of your body actually
6 occurred in the living room, not in the master bedroom?

7 A It started in both rooms.

8 Q Okay. But your testimony at the preliminary hearing
9 is that it started in the living room; do you recall that?

10 A Yes.

11 Q Okay. And do you recall testifying at the
12 preliminary hearing that while in the living room, Chris
13 unzipped his pants that he was wearing and pulled out his
14 penis?

15 A I had been raped so many times, it's hard to keep it
16 in track.

17 Q We're discussing the first time it allegedly
18 happened, and do you recall testifying that he was wearing
19 pants in the living room, and he unzipped his pants?

20 A I probably said that, yes.

21 Q Okay. And you testified that he was still wearing
22 clothes when he was in the living room, correct, at the
23 preliminary hearing?

24 A I can't recall.

25 Q Okay. If I were to show you your preliminary

1 hearing testimony, would that help you remember?

2 A If you want to.

3 Q Okay. Well, would --

4 A Yes.

5 Q -- that help you remember? Yes?

6 A Yes.

7 Q Okay.

8 MS. RADOSTA: May I approach the witness, Your
9 Honor?

10 THE COURT: Yes.

11 BY MS. RADOSTA:

12 Q Showing you -- I have a big C on it for -- just for
13 ease. Does that appear to be your preliminary hearing
14 testimony from Christopher Sena's preliminary hearing?

15 (Pause in the proceedings)

16 MS. SUDANO: Can we get a page, Your Honor?

17 MS. RADOSTA: Right now, she's --

18 THE COURT: She's not at any page right now.

19 MS. RADOSTA: -- not at any page.

20 BY MS. RADOSTA:

21 Q Can you read that Anita?

22 A Yes.

23 Q Okay. Does that appear to be your preliminary
24 hearing transcript from Christopher Sena's preliminary
25 hearing?

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CHRISTOPHER SENA,) No. 79036
)
 Appellant,)
)
 v.)
)
 THE STATE OF NEVADA,)
)
 Respondent.)
)

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I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 20 day of May, 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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BY /s/ Carrie Connolly
Employee, Clark County Public Defender's Office