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Respondent.

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Docket 79036 Document 2020-19247

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CHRISTOPHER SENA
Case No. 79036

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1 Q So in that scenario, then, you could view something
2 from the thumb drive and never find that in the forensics of
3 the computer; is that correct?

4 A Correct, correct.

5 MR. SWEETIN: Pass the witness, Judge.

6 THE COURT: All right. Ladies and gentlemen, we're
7 going to take about a 15-minute break. All right?

8 During this recess, you're once again, admonished
9 not to talk or converse amongst yourself or with anyone else
10 on any subject connected with this trial, read, watch, or
11 listen to any report or commentary on the trial or any person
12 connected with this case or by any medium of information,
13 without limitation to newspapers, television, Internet, or
14 radio, or further you're informed not to form or express any
15 opinion on any subject connected with this trial until the
16 case is finally submitted to you.

17 Let's just take 15 minutes. So be here at 15
18 after, and we'll get started. Okay? We'll be at ease while
19 the jury exits.

20 (Jury exits at 4:02 P.M.)

21 THE COURT: Okay. We're outside the presence of
22 the jury. 15 minutes. All right?

23 MS. RADOSTA: Thank you, Your Honor.

24 THE COURT: We're off.

25 (Court recessed at 4:03 p.m. until 4:18 p.m.)

1 (Outside the presence of the jury.)
2 (Pause in the proceedings)
3 THE MARSHAL: Come to order. Court is back in
4 session.
5 MR. LOPEZ-NEGRETE: I have something outside the
6 presence, Your Honor.
7 THE COURT: You do?
8 MS. RADOSTA: Just quickly.
9 MR. LOPEZ-NEGRETE: Just quickly. We can argue --
10 THE COURT: All right. Hold on, hold on. Let me
11 -- we're back on the record. Are we on the record?
12 THE COURT RECORDER: I've been trying to get on for
13 the last five minutes.
14 THE COURT: Okay.
15 THE COURT RECORDER: Of course, it's [inaudible].
16 THE COURT: Okay.
17 THE COURT RECORDER: Christine there's a lag, so I
18 tried to get on earlier, but it's still not --
19 THE COURT: Well, I'll tell you, to Christine's
20 defense, I'm glad you told me that because if you were to
21 said, oh, yeah, we're on, I would have been, okay, Christine,
22 we don't have a problem in the other courtroom.
23 (Pause in the proceedings)
24 THE COURT: Okay. We're on the record in the case
25 of State of Nevada versus Christopher Sena in C311453. We're

1 outside the presence of the jury. I'd like the record to
2 reflect the presence of the defendant, his counsel, as well
3 as the State and their counsel.

4 Mr. Negrete has indicated you need something on the
5 record?

6 MR. LOPEZ-NEGRETE: Yes, Your Honor. Just for the
7 record, this is an issue that's come up regarding the Court
8 deciding to close the court during the proceedings when a
9 witness is -- or any other member, I guess, if the Court is
10 addressing the jury.

11 And so we wanted to formally object to that under a
12 Supreme Court case 2017 --

13 THE COURT: You don't even know what I was going to
14 do before you're already making your objection. You have no
15 idea what I was planning on doing.

16 MR. LOPEZ-NEGRETE: From -- I mean, we started
17 already, right?

18 THE COURT: Okay.

19 MR. LOPEZ-NEGRETE: The practice started where the
20 Court said no one could come in while there's a witness on
21 the stand, right?

22 THE COURT: Okay.

23 MR. LOPEZ-NEGRETE: And that's what I was --

24 THE COURT: You're objecting to that?

25 MR. LOPEZ-NEGRETE: Yes, Your Honor.

1 THE COURT: You're objecting because it's
2 interrupting the Court when people come in and out, and
3 you're saying there's a Supreme Court opinion that says I
4 can't do that?

5 MR. LOPEZ-NEGRETE: Specifically, on this
6 particular issue, I don't know if the Court analyzed that,
7 but it did analyze the idea of closing a public trial. So --

8 THE COURT: Well, I have no intention of doing
9 that.

10 MR. LOPEZ-NEGRETE: Okay.

11 THE COURT: But when I start, I expect that
12 courtesy be shown to this Court --

13 MR. LOPEZ-NEGRETE: Sure.

14 THE COURT: When we have witnesses on the stand --

15 MR. LOPEZ-NEGRETE: I understand.

16 THE COURT: -- and I have -- all I have done is
17 stopped individuals from coming and going during the time
18 that the witness is on the stand. They're more than welcome
19 to come in here during the breaks and leave during the
20 breaks.

21 MR. LOPEZ-NEGRETE: Right.

22 THE COURT: But --

23 MR. LOPEZ-NEGRETE: And I understand that. And --

24 THE COURT: All right.

25 MR. LOPEZ-NEGRETE: -- according to the brief

1 research that I've done so far, obviously, I guess this would
2 -- you could categorize this as a partial closure, right?
3 The court is open at times, people can come in, but only
4 during certain times. So it's not a full closure, I
5 acknowledge that.

6 THE COURT: Okay.

7 MR. LOPEZ-NEGRETTE: But I still wanted to object
8 for the record under Weaver versus Massachusetts.

9 THE COURT: All right.

10 MR. LOPEZ-NEGRETTE: Th cite is 582 U.S., and I
11 don't have the second number, but it's a 2017 case.

12 THE COURT: All right. Your record's made.

13 MR. LOPEZ-NEGRETTE: Thank you, Your Honor.

14 THE COURT: Okay. Bring the jury in.

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

17 (Jury enters at 4:20 P.M.)

18 THE COURT: Okay. We're -- go ahead and have a
19 seat, everyone.

20 We're back on the record in the case of State of
21 Nevada, C311453, State of Nevada versus Christopher Sena.

22 I'd like the record to reflect we're in the
23 presence of the jury. Will the parties stipulate to the
24 presence of the jury?

25 MR. SWEETIN: Yes, Your Honor.

1 MS. RADOSTA: Yes, Your Honor.
2 THE COURT: Okay. Any cross?
3 MR. LOPEZ-NEGRETTE: Yes, please, Your Honor.
4 CROSS-EXAMINATION
5 BY MR. LOPEZ-NEGRETTE:
6 Q Good afternoon, Detective.
7 A Hi.
8 Q Congratulations on your retirement.
9 A Thank you.
10 Q So you obviously went through a lot of evidence in
11 this case, right?
12 A Correct.
13 Q Your entire review actually lasted a couple weeks,
14 right?
15 A Yes.
16 Q Okay. And you went through -- you went through a
17 number of diskettes, right?
18 A Yes.
19 Q A number of CDs, correct?
20 A Yes.
21 Q A number of DVDs?
22 A Yes.
23 Q Memory cards?
24 A Yes.
25 Q The VHS tapes you actually sent over for Detective

1 Samples to look at, right?

2 A Yes.

3 Q Okay. And then we were talking also about thumb
4 drives?

5 A Yes.

6 Q Cell phones also?

7 A Yes.

8 Q Even the computer tower from Mr. Sena's residence,
9 right?

10 A Yes.

11 Q Okay. And you were looking for, obviously, images
12 or video of child pornography, correct?

13 A Correct.

14 Q And other types of sexual abuse?

15 A Correct.

16 Q Okay. And what you found, obviously, you reported
17 that, correct?

18 A Yes, yes.

19 Q All right. You even went through the unallocated
20 space, correct?

21 A Correct.

22 Q Looking for files that had been deleted and the
23 like?

24 A Correct.

25 Q All right. Now, when we're talking about going

1 through the videos, you can obviously see what's on them,
2 right?

3 A Yes.

4 Q But then you can also hear the audio?

5 A Yes.

6 Q All right. And in that audio, you didn't hear
7 resistance from Deborah, for instance?

8 A No.

9 Q Okay. She seemed like a willing person?

10 A Yes.

11 Q And that's also the case with Terrie?

12 A Correct.

13 Q Didn't hear any resistance from her?

14 A No.

15 Q She seemed like a willing person as well?

16 A Correct.

17 Q Okay. And, in fact, in some of the videos between
18 Terrie and Ryan, you can see that Terrie is directing Ryan to
19 perform certain acts?

20 A Correct.

21 Q She is, for example, actually one time putting his
22 hand on her breasts?

23 A Yes.

24 Q And then moves a second hand to her breasts?

25 A Yes.

1 Q And this is a time when Mr. Sena is actually not
2 even in the frame of the video, correct?

3 A Correct.

4 Q And at one point Terrie's also holding Ryan's hips
5 as he's having -- she's having intercourse with Ryan?

6 A Yes.

7 Q Okay. And before Mr. Sena walked in, there was a
8 sexual activity already going on?

9 A Yes.

10 Q Okay. And when Mr. Sena is actually in the frame,
11 you don't see him using any force, right?

12 A No.

13 Q You don't see him yelling?

14 A No.

15 Q You don't see him threatening anybody?

16 A No.

17 Q And there were no weapons involved?

18 A No.

19 Q Okay. And obviously, you have no knowledge of what
20 happened outside of what was actually on the video, right?

21 A Correct.

22 Q So you have no idea who idea -- who had the idea to
23 perform these acts, right?

24 A No, no.

25 Q Okay. In one of the videos between Deborah and

1 Brandon, I believe it's the first one that you described, you
2 can actually hear her tell Brandon to stick your dick in me?

3 A I can't recall that, but I know that there was
4 communication. I just can't recall that.

5 Q Okay. Detective Samples also reviewed these videos,
6 correct?

7 A Correct.

8 Q Would it help you remember what's on the video if
9 you looked at his report?

10 A Sure.

11 MR. LOPEZ-NEGRETTE: May I approach the witness?

12 THE COURT: Yes.

13 THE WITNESS: Okay.

14 BY MR. LOPEZ-NEGRETTE:

15 Q Does that help you remember?

16 A Yes.

17 Q So you can actually hear Deborah telling Brandon to
18 stick your dick in me?

19 A I did not hear that, but my general practice --
20 probably because my general practice is since I review a lot
21 of child pornography, for it not to mess with you
22 emotionally --

23 Q Okay.

24 A -- and psychologically, we typically don't have
25 speakers connected. When I'm -- you know, after I've done

1 everything, I will listen to it, but it all depends, you
2 know, I mean, Mr. Samples might have had better speakers than
3 I do. I have little attachment that are about this big that
4 I put on.

5 Q Okay.

6 A So I did not hear that. If he heard it, then he
7 heard it. But I did not hear that.

8 Q You don't have any reason to dispute?

9 A No, no, I don't.

10 Q Okay. All right. And in another video where we're
11 talking about Terrie and Ryan, we're talking about actually
12 Terrie removing her clothes?

13 A Correct.

14 Q And then also removing Ryan's shirt?

15 A Yeah, she removes his clothes first --

16 Q Okay.

17 A -- he lays down, and then she removes hers.

18 Q Okay. She removes his pants and underwear?

19 A Yes.

20 Q Okay. And at one point she repositions his hands on
21 her breasts?

22 A Yes.

23 Q And she has him lay on his back, and positions him,
24 Ryan --

25 A Correct.

1 Q -- in between her legs and directs him to insert his
2 penis inside her vagina?

3 A When they're -- she's on her back, and she positions
4 him in between her missionary.

5 Q Thank you for clarifying that.

6 And at one point, even Terrie grabs Ryan by the hips --

7 A Yes.

8 Q -- correct? And pushes him into her, correct?

9 A Correct, correct.

10 MR. LOPEZ-NEGRETE: Court's indulgence. No further
11 questions. Thank you.

12 THE WITNESS: Thank you.

13 MR. SWEETIN: No questions, Judge.

14 THE COURT: All right. Okay. Detective, thank you
15 so much. You can step down. You're excused.

16 THE WITNESS: Thank you.

17 THE COURT: Okay. You want to approach?

18 (Off-record bench conference.)

19 THE COURT: All right. Ladies and gentlemen, we
20 did have another witness tonight. They anticipate that
21 witness would take a little bit longer than they -- than the
22 Court would allow, and the witness that they have planned for
23 tomorrow is coming from prison.

24 So the only we can accommodate for that is 1:00
25 o'clock. And the other issue is, is that one of the parties

1 has a matter they have to attend to between 10:30 and 1:00.

2 And so rather than have you come in -- I talked to
3 them about 6:30 tomorrow morning so we can get going, but I
4 don't know if you guys would all do that. But -- so I'm
5 going to have you come back tomorrow at 1:00; okay.

6 So go ahead and eat lunch again like you do at
7 home, and, you know, take the -- do what you got to do.
8 You're free to go all the way until 1:00 o'clock. All right?
9 Okay.

10 Once again, ladies and gentlemen, I need to
11 admonish you, and I know you're probably sick of it. Many of
12 you would probably be able to recite it back to me.

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

21 Any questions? All right. We'll see you tomorrow,
22 1:00 o'clock. Have a good evening. Okay?

23 (Jury exits at 4:31 P.M.)

24 THE COURT: Okay. All right. We're outside the
25 presence of the jury.

1 I had an opportunity to read the Weaver versus
2 Massachusetts case cited by the defense previously in an
3 objection to a closure of the courtroom.

4 The closure in this case had to do with the --
5 during jury selection there wasn't sufficient enough room to
6 allow individuals that weren't in the potential jury pool in
7 the courtroom. So the Court excluded anybody that wasn't in
8 the jury pool.

9 And defendant was later convicted of murder and a
10 related charge. He filed a motion for a new trial arguing
11 that his attorney was ineffective for failing to object to a
12 courtroom closure.

13 The Court indicated he was entitled to the relief,
14 and they go on to discuss it further. They upheld the
15 decision of the Court.

16 However, the circumstances in this matter, I think,
17 are a little different in this matter. I have not closed the
18 court. What I have done is I have made it clear that -- and
19 we've put signs up, that no one is to enter or leave while a
20 witness is on the stand and we're in session.

21 They're more than to welcome to come here at any
22 time, and they could stay here the whole time. I've not --
23 and the only one question that it would even have possibly on
24 a first amendment issue would be the newspaper individual,
25 but I allowed him to leave and come -- he's actually been

1 here a couple times.

2 He showed up, I think, the third day during a
3 witness, and I gave him a little bit of a look, and he looked
4 back at me, but he was here.

5 So I understand you've made your record. I
6 appreciate it. And so with -- is there anything else that
7 needs to be said before tomorrow?

8 MR. SWEETIN: Not from the State.

9 MR. LOPEZ-NEGRETTE: No.

10 THE COURT: All right. And, all right, have your
11 witness ready by 1:00 o'clock. Everybody enjoy their
12 evening. We'll see you at 1:00. Okay? Have a good night.

13 MS. RADOSTA: Thank you, Judge.

14 THE COURT: Okay.

15 MS. SUDANO: Thanks, Judge.

16 (Court recessed at 4:33 P.M., until Thursday,

17 February 7, 2019, at 1:07 P.M.)

* * * * *

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WITNESSES

<u>NAME</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
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STATE'S WITNESSES:

TAMARA GRISHAM	28	67	73	74
MELISSA CLARK	80	120	135	140
VICENTE RAMIREZ	170	253		

* * * *

EXHIBITS

<u>DESCRIPTION</u>	<u>ADMITTED</u>
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STATE'S EXHIBITS:

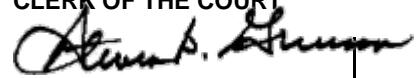
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* * * * *

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

THURSDAY, FEBRUARY 7, 2019

**RECORDER'S TRANSCRIPT OF HEARING
JURY TRIAL - DAY 9**

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, THURSDAY, FEBRUARY 7, 2019

2 [Case called at 1:07 P.M.]

3 (Outside the presence of the jury)

4 THE COURT: All right. We're back on the record in
5 the case of the State of Nevada versus Christopher Sena in
6 C311453.

7 I'd like the record to reflect the presence of the
8 defendant, his Counsel, as well as the counsel for the State.

9 We're outside the presence of the jury. Before we
10 get started, I need to make a record with regards to your
11 objection yesterday.

12 MR. LOPEZ-NEGRETTE: All right.

13 THE COURT: Is there anything that you want to make
14 or expand on the record at all?

15 MR. LOPEZ-NEGRETTE: Your Honor, I was able to do a
16 little bit more research, and so I wanted to also include the
17 case of Waller versus Georgia. It's a 1984 U.S. Supreme
18 Court case, 467 U.S. Reports 39.

19 Basically, it's talking about the rights of public
20 trial as a first amendment, but also sixth amendment concern.

21 Obviously, we would object under both grounds. And
22 I think that basically we need to -- obviously, we're
23 objecting, and we're saying that at some point, even though
24 the Court may have allowed witnesses to come in -- or excuse
25 me, members of the public to come in and leave at certain

1 times, the fact that they can't come in during the testimony
2 is, our position, does constitute a closure.

3 From my understanding, there were at least one
4 attorney that tried to come in, and was turned away. So I
5 think that there was actual, you know, barring of people
6 coming into the court.

7 THE COURT: Okay. An attorney? Somebody from your
8 office?

9 MR. LOPEZ-NEGRETTE: Correct.

10 THE COURT: Okay. Not yet. All right. So is that
11 the extent of your -- of what you want to make for the
12 record?

13 MR. LOPEZ-NEGRETTE: Yes.

14 THE COURT: Okay. Is there anybody that you know
15 of been not allowed in the courtroom with respect -- other
16 than that attorney that you've indicated?

17 MR. LOPEZ-NEGRETTE: Personally, I'm not aware.

18 THE COURT: Anybody with regards to your case?
19 Anybody with regards to your client?

20 MR. LOPEZ-NEGRETTE: As far as I know, that's the
21 own person I know. I haven't gone and asked.

22 THE COURT: Okay.

23 MR. LOPEZ-NEGRETTE: I'll say that.

24 THE COURT: All right. I would say that I want to
25 make it clear that I'm -- the trial started a little over a

1 week ago. It's been now, we're in our ninth day. On
2 February 6th, the eighth day of the trial, is when defense
3 had lodged an objection to what they perceived as a violation
4 of their client's sixth amendment right to a public trial.

5 Their basis was premised on the Court's procedural
6 rule that required any spectator remain inside the court
7 while the court was in session, namely, while there were
8 witnesses on the witness stand giving testimony before the
9 jury.

10 And that spectators not be allowed to come in
11 during the timeframe when individuals are on the witness
12 stand, and that was related to anybody that was in the court.

13 Many individuals that are here now, including the
14 press, that's been in the court on multiple days, have
15 adhered and have no concern with that procedure.

16 Because of the nature of this case and of the
17 sensitive emotional nature of the victim's testimony, I had
18 asked that spectators not enter or leave the courtroom while
19 individuals were giving their testimony.

20 They were free to observe the testimony and were
21 always welcome for this trial. I've just attempted to
22 express upon any spectator how potentially disruptive their
23 moving in and out of the court during the testimony could be,
24 and simply asked them to accommodate the Court's procedure.

25 If anyone wished to attend, they could come and go

1 during the breaks, just as counsel for the parties have
2 throughout this proceeding, and many of the individuals,
3 including the press.

4 Many members of the media have attended, and have
5 not been prevented from attending any of the proceedings.
6 When we talk about a public trial, question is how much more
7 public can you get, then when the public is being notified
8 via the social -- I mean, via media. And the media's been
9 here and been welcome every day.

10 The Court has witnessed that they have simply
11 adhered to the Court's direction, and as a matter of fact, no
12 disruptions have been witnessed by those who have followed my
13 directive.

14 I am going to lodge with the court the note that I
15 put -- I had instructed my staff to put on the door outside,
16 and it reads: "Please note, if you come in to listen to the
17 trial, you must wait until the break in order to leave the
18 courtroom as to not disrupt the proceedings and/or draw
19 attention. Thank you for your cooperation."

20 I'm going to lodge that with the court as a court
21 exhibit.

22 I will note that the Court has not closed the court
23 to the public. The public and anyone wishing to attend has
24 just been ask today remain in the foyer if they come during
25 the time when a witness is on the stand, and they will remain

1 there until a break.

2 Here, they could still witness the trial through
3 the glass in the doors and they could also hear the testimony
4 and questions through the door.

5 For the record, the Court has determined that by
6 proceeding in this manner, it was ensuing a fair proceeding
7 by seeking to discourage perjury and continue to encourage
8 witness to come forward.

9 Throughout, the Court has recognized its grave
10 responsibility and for protecting the rights of the parties
11 by maintaining the values that the right to a public trial
12 serves.

13 I want to cite for the record cases in the Ninth
14 Circuit that has quoted to a Second Circuit case. The Second
15 Circuit case is Peterson versus Melvin Williams, and it is 85
16 F.3d 39. It's out of the United States Court of Appeals
17 Second Circuit.

18 And the Ninth Circuit -- the reason why I'm citing
19 to it is because the Ninth Circuit decision cited directly to
20 it, and the Ninth Circuit is more closely to who we would be
21 dealing with. Okay?

22 And that case is United States versus David Rivera.
23 That is 682 F.3d 1223. And in both those cases it talks
24 about the -- if, in fact, what I have done is considered a
25 closure, and then determine whether or not it's trivial or

1 not, there's certain factors you would look at. And they're
2 cited in there, which includes the manner in which it's
3 proceeded, the purpose of it, and that's what I thought I --
4 that's what I've placed on the record at this time.

5 I do recognize the objection that was made. I
6 think it was properly lodged, because there's an issue
7 involving whether or not it would be treated as a ineffective
8 assistance claim at a later date or as a -- the term used --
9 I lost the term, but it -- I know you -- I think you just
10 mouthed it. It's a procedural error whether or not it would
11 be a --

12 MR. LOPEZ-NEGRETTE: A structural error?

13 THE COURT: -- structural error. And that's why
14 you've lodged that. And so I recognize it, and that's why I
15 wanted to make my record. Do you have anything further that
16 you want to --

17 MR. LOPEZ-NEGRETTE: No, Your Honor. Obviously, we
18 brought it up because, you know, we saw the ineffective
19 assistance of --

20 THE COURT: Right.

21 MR. LOPEZ-NEGRETTE: -- counsel claim, and wanted to
22 make sure we were being effective, and that is our duty, and
23 that's why we lodged the objection.

24 THE COURT: Okay. All right. Okay. With that
25 being said, does the State want to add anything to the record

1 that I made?

2 MR. SWEETIN: No, Your Honor.

3 THE COURT: All right. Okay. So at this point in
4 time, are the parties prepared to go forward? Anything you
5 need to put on the record?

6 MR. SWEETIN: I don't believe so.

7 THE COURT: All right. So get the jury in.

8 MR. LOPEZ-NEGRETTE: Judge, can we approach just
9 real quick?

10 THE COURT: Sure. Okay.

11 (Off-record bench conference.)

12 THE COURT: All right. Ms. Sudano, you want to --
13 hey, Ed?

14 THE MARSHAL: Yes.

15 THE COURT: Ed, come here a minute. Ms. Sudano?

16 (Off-record bench conference.)

17 THE COURT: All right. So Mr. Negrete, in light of
18 the fact that -- I mean, I know if I want to address the
19 previous issue some more --

20 MR. LOPEZ-NEGRETTE: Sure.

21 THE COURT: -- I forgot to have my marshal --

22 MR. LOPEZ-NEGRETTE: Okay.

23 THE COURT: My marshal was the individual who
24 contacted the attorney that, I think, it's the attorney from
25 your office.

1 MR. LOPEZ-NEGRETE: Okay.

2 THE COURT: Yeah. And he wanted to -- I wanted him
3 to make a record as to what was said --

4 MR. LOPEZ-NEGRETE: All right.

5 THE COURT: -- and what he told you. So this --

6 THE CLERK: Do you want me to swear him in?

7 THE COURT: Yeah.

8 EDWARD KUNZ, MARSHAL FOR DEPARTMENT 19, SWORN

9 THE CLERK: For the record, state your full name
10 and spell your first and last name.

11 THE WITNESS: Edward Kunz, K-u-n-z.

12 THE COURT: Okay.

13 EXAMINATION

14 BY THE COURT:

15 Q Mr. Kunz, you're my marshal in Department 19; is
16 that correct?

17 A Yes.

18 Q And you had been monitoring the back doors, based
19 on the Court's direction; is that right?

20 A Yes.

21 Q Now, the -- Mr. Negrete had indicated that he felt
22 that there was at least one attorney that attempted to come
23 in and that was turned away.

24 Can you answer to that?

25 A Yes. Two people came in. One said he was an

1 attorney, he came to observe. He did tell me that he was on
2 the same team as you guys, I believe he said. And I said,
3 well, we don't want people coming in and out of the courtroom
4 while the young lady was testifying. And I offered him to
5 sit in the side room, and they did.

6 Q Okay.

7 A They sat there. I think maybe 10, 15 minutes
8 later, I heard the door slam so they must have left. So I
9 never refused them. They left on their own.

10 THE COURT: Okay. All right. All right. There's
11 -- do you have any questions?

12 MR. LOPEZ-NEGRETE: No.

13 THE COURT: All right. All right. Thank you. I
14 just wanted to make that the record.

15 THE WITNESS: All right.

16 THE COURT: Okay. Thanks. Okay. So get the jury,
17 Ed.

18 THE MARSHAL: All rise for the presence of the
19 jury.

20 (Jury enters at 1:21 P.M.)

21 THE COURT: All right. Everybody, go ahead and
22 have a seat. Good afternoon, everyone.

23 This is a continuation of the jury trial in
24 C311453, the State of Nevada versus Christopher Sena.

25 The record will reflect the presence of the

1 defendant, his counsel, as well as the State and their
2 counsel.

3 (COURT CALLS ROLL OF THE JURY)

4 THE COURT: All members of the jury have answered
5 the call. Will the parties stipulate to their presence?

6 MR. LOPEZ-NEGRETE: Yes, Your Honor.

7 MS. SUDANO: Yes, Your Honor.

8 THE COURT: All right. Ladies and gentlemen,
9 before we took our evening break, the State was still in
10 their case-in-chief. Do you have any further witnesses?

11 MR. SWEETIN: We do, Your Honor. We'd call Terrie
12 Sena.

13 THE COURT: Okay.

14 TERRIE SENA, STATE'S WITNESS, SWORN

15 THE CLERK: Thank you. Please be seated. Please
16 state your full name, spelling your first and last name for
17 the record.

18 THE WITNESS: Terrie Sena, T-e-r-r-i-e, S-e-n-a.

19 THE COURT: Your witness.

20 MR. SWEETIN: Thank you, Judge.

21 DIRECT EXAMINATION

22 BY MR. SWEETIN:

23 Q Good afternoon, Ms. Sena.

24 A Good afternoon.

25 Q Ms. Sena, are you familiar with an individual by the

1 name of Chris Sena?

2 A Yes, sir.

3 Q Do you see him in the courtroom today?

4 A Yes, sir.

5 Q What I'd like you to do is tell the Judge and best
6 you can point out to where he is in the courtroom today.

7 A Sitting at the defense table, the last one.

8 Q Okay. You said the very end of this table next to
9 me?

10 A Yes, sir.

11 MR. SWEETIN: May the record reflect the witness
12 identified the defendant?

13 THE COURT: Does he have a jacket on?

14 THE WITNESS: I can't see that far. He's in a
15 shirt and tie.

16 THE COURT: Okay. Yeah, the record will reflect
17 that she's identified the defendant.

18 BY MR. SWEETIN:

19 Q How are you familiar with the defendant?

20 A He's my ex-husband.

21 Q Do you have any children in common with him?

22 A Yes.

23 Q Who would those be?

24 A Anita Sena, and Terry Tails Sena.

25 Q Okay. What's your date of birth, Ms. Sena?

1 A 10/26/1970.

2 Q And that would make you about 48 now?

3 A Yes, sir.

4 Q Do you know what the defendant's date of birth is?

5 A Yes.

6 Q And what's his date of birth?

7 A 11/10/66.

8 Q Would that make him about 52 years old?

9 A Yes, sir.

10 Q Now, are you familiar with what the defendant is
11 being prosecuted for here in this case?

12 A Yes, sir.

13 Q And were you, in fact, charged with some of the
14 crimes with which he's currently charged?

15 A Yes.

16 Q And did you, in fact, enter into a Plea Agreement to
17 resolve those charges?

18 A Yes.

19 Q I'm going to show you what's marked as State's
20 Proposed Exhibit 105, a certified copy of the Amended
21 Information, Guilty Plea Agreement, and Judgment of
22 Conviction.

23 Do you recognize those documents? Take a look at
24 them and let me know when you're done.

25 A Yes, sir.

1 Q And I'm also showing you what's marked as State's
2 Proposed Exhibit 106, an Agreement to Testify.

3 Do you recognize that document?

4 A Yes, sir.

5 Q Are, in fact, your signature affixed to the Guilty
6 Plea Agreement as well as the Agreement to Testify?

7 A Yes.

8 MR. SWEETIN: State for the admission of what's
9 been marked as State's Proposed Exhibits 105 and 106.

10 THE COURT: Any objection?

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

12 THE COURT: They'll be admitted.

13 (State's Exhibits 105 and 106 admitted)

14 BY MR. SWEETIN:

15 Q Now, in regards to your guilty plea in this matter,
16 do you recall pleading guilty to a count of sexual assault?

17 A Yes, sir.

18 Q And did you, in fact, receive a sentence of ten
19 years to life in prison as a result of that plea?

20 A Yes, sir.

21 Q As part of negotiations we talked about the
22 Agreement to Testify that you signed; is that correct?

23 A Yes.

24 Q Did you agree to testify truthfully here?

25 A Yes.

1 Q And you know that that agreement that you made to
2 receive essentially one count of sexual assault is dependent
3 upon you testifying truthfully here today; is that correct?

4 A Yes, sir.

5 Q Now, I want to talk to you a bit about how you met
6 the defendant initially. You indicated that you were
7 somewhat married and had two children in common; is that
8 right?

9 A Yes.

10 Q Yes. When is it that you initially met the
11 defendant?

12 A I was a senior in high school, so I was about 17.

13 Q That would have been about 1987?

14 A Yes.

15 Q How old was the defendant at that time? Is he -- I
16 think he's a little older than you; is that right?

17 A He's four years. He was 21.

18 Q Could you describe exactly -- you indicated you met
19 him at that time. Exactly how did you come to meet him?

20 A Mutual friends. My friend was the sister of his
21 friend, her brother.

22 Q And where were you living at the time that you met
23 the defendant?

24 A My parent's house.

25 Q Is that here in Las Vegas?

1 A Yes, sir.

2 Q And when you say, your parents, who are you
3 referring to?

4 A Penny Clark, Nobel Clark [phonetic].

5 Q And is that the same household that other siblings
6 that you had have lived long past, including Melissa and
7 Kimberly?

8 A It was just Melissa at the time.

9 Q Okay. Now, in regards to your initial contact with
10 the defendant, how does your relationship develop?

11 A I met Chris when he was married to his first wife,
12 and we started going out, hanging out, and we started dating.
13 And then my mom stopped our relationship at one point because
14 she said that she --

15 MS. RADOSTA: Objection, Your Honor. Hearsay.

16 THE COURT: Sustained.

17 BY MR. SWEETIN:

18 Q Okay. So you had -- you began dating the defendant;
19 is that correct?

20 A Yes, sir.

21 Q As you were dating the defendant, did he have
22 occasion to meet your parents that you made reference to?

23 A Yes.

24 Q And you also made reference that Melissa was living
25 at the residence at that time as well; is that right?

1 A Yes.

2 Q And Melissa is your sister?

3 A Yes.

4 Q Would that be Melissa Clark?

5 A Yes, sir.

6 Q And at that time, about how -- was Melissa younger
7 than you or older than you?

8 A She's younger than me.

9 Q About how much younger?

10 A By almost 11 years.

11 Q Okay?

12 A '70 to '81.

13 Q So at the time that the defendant began to see you
14 and met your parents, did he also meet Melissa?

15 A Yes.

16 Q At some point, did your relationship progress to a
17 point where you began living with the defendant?

18 A Yes.

19 Q About how old were you then?

20 A I moved out shortly when I was 18. It was '89. I
21 was -- yes.

22 Q Okay.

23 A '89.

24 Q At the time that you moved out and you began living
25 with the defendant --

1 A Yes.

2 Q -- did you have any children at that point?

3 A No.

4 Q Did you ever have children after you began living
5 with the defendant?

6 A Yes.

7 Q And about when was that?

8 A Later on in '89.

9 Q And who would that child be?

10 A Anita Sena.

11 Q At some point in time, did you and the defendant
12 actually get married?

13 A Yes.

14 Q And about when was that?

15 A September 17th, 1990.

16 Q Okay. Now, you indicated that you -- when you moved
17 -- started living with the defendant, you had moved out of
18 your residence; is that correct?

19 A Yes.

20 Q So at that point, you and the defendant were living
21 together; is that correct?

22 A Yes.

23 Q Where were you living, here in Las Vegas?

24 A Yes, we were at Harbor Islands.

25 Q Okay. And is that sort of an apartment?

1 A That's a weekly.

2 Q As you begin to live with the defendant, do you live
3 at the same place or do you move around?

4 A We move around.

5 Q When you say, move around, can you be a little more
6 specific?

7 A We went from Harbor Islands to my parents' to
8 Pirates Cove to his dad's. We had a trailer, and we moved
9 through different trailer parks.

10 Q Okay. So you lived at various places, sometimes
11 just you and the defendant and Anita?

12 A Yes, sir.

13 Q And then other times with your family or the
14 defendant's family; fair to say?

15 A Yes.

16 Q Was your marriage problem-free as you began your
17 marriage?

18 A It started off okay, and then it got violent as it
19 progressed.

20 Q Did there come a point in time when you separated
21 from the defendant?

22 A Yes, sir.

23 Q And when was that?

24 A Late '93.

25 Q So that would have been 1993?

1 A Yes, sir.

2 Q After you separated from the defendant, where did
3 you go to live?

4 A My parents' house.

5 Q And these same parents you just talked about here in
6 Las Vegas; is that right?

7 A Yes, sir.

8 Q And what happened after that? Did you continue to
9 see the defendant?

10 A When I left him, no.

11 Q At some point in time, did you begin seeing him
12 again?

13 A Yes.

14 Q And about when was that?

15 A '94.

16 Q And as a result of that, did you, in fact, get back
17 together with the defendant?

18 A Yes.

19 Q And you said this was about 1994?

20 A Yes, sir.

21 Q At some point in time, do you move somewhere other
22 than Nevada?

23 A Yes.

24 Q And when would that be?

25 A It was 1994, we moved to Denver, Colorado.

1 Q And while you're in Denver, Colorado, do you just
2 have Anita?

3 A I was pregnant with Tails.

4 Q Okay. So you moved to Colorado with Anita, and you
5 get pregnant with another child; is that correct?

6 A Correct.

7 Q At some point, do you give birth to at that child?

8 A Yes.

9 Q And that child was Tails?

10 A Yes.

11 Q And approximately when did you give birth do him?

12 A December 2nd, 1994.

13 Q Okay. Subsequent to giving birth to Tails, does
14 your relationship, your marriage, continue, you being
15 together?

16 A Shortly after I had Tails, things were beginning to
17 happen, so I had my parents come out and get me in 1995.

18 Q So in about 1995, you said you had your parents get,
19 and you're referencing from Colorado; is that correct?

20 A Yes, sir.

21 Q And what happened after your parents got you from
22 Colorado?

23 A We came back to Las Vegas.

24 Q And at that point in time, did the defendant come
25 back with you to Las Vegas?

1 A No.

2 Q So you were separated from the defendant again; is
3 that correct?

4 A Yes.

5 Q Now, I want to take a step back, bringing us up to
6 this point. You mentioned earlier that the defendant, in
7 fact, met Melissa, your younger sister, early on when you
8 began to date and he came over and visited; is that right?

9 A Yes.

10 Q Do you recall whether or not, at some point, you
11 found out that defendant had a sexual interest in Melissa?

12 A Yes.

13 Q About when it was that you found out that he had a
14 sexual interest with Melissa?

15 A 1993. It was just before I left.

16 Q About how old would Melissa have been at the time?

17 A 12-and-a-half, getting ready to go on 13.

18 Q And you indicated that was right before you left for
19 Colorado; is that correct?

20 A That was shortly before I left him.

21 Q Okay.

22 A I left him for various reasons in '93.

23 Q Okay. And you indicated that you became aware that
24 he had a sexual interest in Melissa. What was it that caused
25 you to become aware of that?

1 A His actions and his -- he told me.

2 Q What did he say to you?

3 A He told me that Melissa was beginning to bloom and
4 look exactly like me.

5 Q As a result of that initial conversation or after
6 that initial conversation, did he continue to express his
7 interest, sexual interest, in Melissa or did he stop at that?

8 A He did it a couple more times.

9 Q Did there ever come a point in time when he
10 expressed his sexual interest for Melissa in ways other than
11 just saying that he had a sexual interest in her?

12 A Can you repeat that?

13 Q Sure. Were there ever times when you saw the
14 defendant physically express his sexual interest in Melissa?

15 A Yes.

16 Q And when did that start?

17 A She was getting ready to turn about 16.

18 Q What do you remember?

19 A He would do little things like touching her and
20 saying, come on, you know, just give me a little peek is what
21 he would say referring --

22 Q Did --

23 A -- referring into her breasts.

24 Q He would do this in your presence?

25 A Yes.

1 Q Did you have -- did you say anything about this when
2 he did those sorts of things?

3 A Yes.

4 Q What did you say?

5 A I told him that it was inappropriate.

6 Q Did there come a point in time when you observed him
7 do more than just sort of say he wanted to take a peek?

8 A Yes.

9 Q And how does that evolve?

10 A That was when we were in -- living at Hopkins here
11 in town in 1996, and she was over for the Super Bowl, and I
12 seen him actually grab her.

13 Q Okay. When you say, grab her, could you be more
14 specific?

15 A He grabbed her butt.

16 Q Okay.

17 A He went and put his hands on her breasts.

18 Q Now, when this happened, you said that you were
19 living in an apartment; is that right?

20 A Yes.

21 Q Did it happen at that apartment?

22 A Yes.

23 Q Who was present when it happened?

24 A It was a Super Bowl party, so he did it in the
25 kitchen. There was Chris, myself, his niece, my sister's

1 friend was over. It was a party, and when she went into the
2 kitchen to get some refreshments is when he did it.

3 Q Now, did there come a point in time when his sexual
4 conduct with Melissa progressed?

5 A Later, when -- at the 6012 Yellowstone address.

6 Q What do you remember happening at that residence?

7 A It was shortly after his father passed away, in
8 1999, is when he was physical with her.

9 Q Now, you said that he was physical with her. Did
10 you observe him be physical?

11 A Yes.

12 Q So as you recall, the incident that you're
13 recalling, where did it happen exactly?

14 A In the office.

15 Q So that would be at the Yellowstone residence in the
16 back in the office?

17 A Yes, sir.

18 Q Okay. And who was present in the office at the
19 time?

20 A It was Chris, myself, and Melissa.

21 Q Okay. And what happens? Well, let me ask you
22 before that, how did you all come to be back in that office
23 at that time?

24 A Melissa was visiting. I had just moved into the
25 house after his father died. I came to live in the

1 Yellowstone house and she came for a visit.

2 Q Okay. Now, you made reference previously about you
3 observing things involving Melissa and the defendant, sexual
4 touching and things of that sort, and him making comments
5 that he was sexually attracted to her; is that right?

6 A Yes.

7 Q Is that a yes?

8 A Yes.

9 Q Did you have concerns about Melissa being anywhere
10 around the defendant?

11 A Yes.

12 Q Explain those to me.

13 A Terrified.

14 Q You were terrified?

15 A Yeah.

16 Q Did you do anything to stop him from coming in
17 contact with Melissa?

18 A Oh yes, I did.

19 Q What did you do?

20 A I tried to come in between them, but he just kind of
21 would nudge me out of the way to the point knocking me down.

22 Q Could you have told Melissa don't come around
23 because he's looking at doing sexual to you? Could you have
24 done something like that?

25 A Yes.

1 Q Did you think about doing something like that?

2 A At that time, no.

3 Q Now, what happened on this occasion that you're
4 remembering in the office?

5 A Melissa came over to the house, everybody was in the
6 front house, and Melissa and I walked back in the office, and
7 at first it didn't start anything sexual. He was showing her
8 different games on the computer, and showing her -- it was
9 just a casual get-together with just me, him, and Melissa.

10 Q Okay.

11 A And then he started putting his hand on Melissa's
12 leg and reaching up, and he said, Melissa, you're looking so
13 beautiful. And he even had me and Melissa -- he wanted us to
14 see us kissing.

15 Q So he told you and Melissa at that time that he
16 wanted you to kiss each other?

17 A Yes.

18 Q What were you thinking when he said this?

19 A I didn't want to do it.

20 Q Did you do it?

21 A Yes.

22 Q Why did you do it if you didn't want to do it?

23 A He said it would be in my best interest if I did it,
24 and I knew what that meant because of what -- how he treated
25 me in the past.

1 Q So he says that while Melissa's there, that it would
2 be in your best interest or did he say that to you on the
3 side or what?

4 A In front of Melissa.

5 Q Okay. So what happens next?

6 A After he told me it would be in my best interest, he
7 told Melissa that if she didn't do it, she wouldn't -- have
8 no contact with me or my children.

9 Q So what happened next?

10 A So basically threatened her.

11 Q So what happened next?

12 A So I gave her a little kiss, and then he just kept
13 on, over and over again, raising his voice saying it would be
14 in your best interest, and he was telling Melissa that.

15 Q So what happens next?

16 A After that, it starts getting physical.

17 Q When you say, physical, what do you mean by that?

18 A He has me fondle Melissa's breasts and start kissing
19 her breasts. And then as I'm doing that, I can see him pull
20 his penis out and start stroking it and masturbating.

21 Q So at this time, do you and Melissa have your
22 clothes on or off?

23 A They're coming off.

24 Q What happens next?

25 A He forced himself on my sister. He put his penis in

1 her mouth.

2 Q What happens next?

3 A After he has Melissa give him oral sex, he does it,
4 then he puts it in her vagina.

5 Q What are you doing at this time?

6 A He has me put my vagina on her face.

7 Q And what happens next?

8 A He tells me to lean over, and he starts kissing me,
9 and then he has an orgasm, and it's over.

10 Q How does it end after that?

11 A He has a orgasm.

12 Q Do you and Melissa have your clothes off at that
13 time?

14 A Yes.

15 Q So do your clothes get put back on?

16 A Yes.

17 Q Is anything said?

18 A No.

19 Q So you and Melissa don't say anything to him?

20 A No. We were terrified.

21 Q Do you remember if he said anything to you?

22 A No.

23 Q Now, do you recall whether or not there are any
24 photos taken during that time that you've described?

25 A I don't recall that.

1 Q Were there other times where similar things were
2 done?
3 A Yes.
4 Q Were there times photos taking of those other things
5 that were done?
6 A Yes.
7 Q How long did the sexual contact between -- that you
8 knew about between the defendant and Melissa go on?
9 A I just knew about one time that I just described in
10 the office.
11 Q There were no other --
12 A Besides her at the Hopkins [phonetic] residence.
13 Q There were no other times when, in fact, you were
14 present during sexual contact?
15 A Just in the office.
16 Q So there were other times in the office?
17 A Just that one time.
18 Q Okay. So it was only that one time?
19 A Yes.
20 Q I'm going to show you what's marked as State's
21 Exhibits 88 through 93. Take a look at those and let me know
22 when you're through.
23 A (Witness complies).
24 Q Have you had a chance to look at those?
25 A Yes.

1 Q Do you recognize what those depict?
2 A Yes.
3 Q And what do those depict?
4 A The first one is a picture that Chris had taken.
5 The second one is --
6 Q Well, would it be fair to say this (indiscernible),
7 the first one, that's going to be State's Exhibit 88; is that
8 right?
9 A Yes.
10 Q That's a picture of, it appears to be you and
11 Melissa nude on a bed; is that correct?
12 A Yes.
13 Q Okay. Do you recall this picture being taken?
14 A Yes, Chris took it.
15 Q You said Chris took it?
16 A Yes.
17 Q Do you recall when it was taken?
18 A No, I do not recall when exactly it was taken.
19 Q So was this picture taken the same time as the time
20 you just described in the office or a different time?
21 A This was a different time. This was at the -- at a
22 different location. That was not the office.
23 Q Okay. So the point that I'm getting at, I'm trying
24 to understand, we're talking about sexual contact between the
25 defendant and Melissa, right?

1 A Yes.

2 Q That you were aware of?

3 A Yes.

4 Q So would you consider what's depicted in the photo
5 here, in State's Exhibit 88, to be sexual contact between him
6 and -- or defendant and Melissa?

7 A I just recall the picture being taken.

8 Q Okay. So the defendant took this picture; is that
9 correct?

10 A Yes.

11 Q And you recall this picture being taken, you said;
12 is that right?

13 A Yes.

14 Q What were the circumstances under which the picture
15 was taken?

16 A Fear.

17 Q You said --

18 A That he was going to hurt either one of us.

19 Q You said that it was taken at a location other than
20 the office; is that right?

21 A Yes.

22 Q Where was it taken?

23 A I don't recall --

24 Q Does it --

25 A -- the location.

1 Q Does it appear to be on bed sheets?

2 A Yeah. That's what I was looking at. I don't

3 recall.

4 Q And what's the apparent age of you and Melissa in

5 that particular photo?

6 A Melissa's 15-and-a-half, 16 in that picture.

7 Q All right. So do you know if this picture was taken

8 before or after the incident you've just described in the

9 office?

10 A This was before because the office -- the office is

11 a later time when she was older.

12 Q So the sexual contact, or at least the defendant

13 taking pictures of Melissa in the nude, happened actually

14 before the incident in the office; is that right?

15 A Yes, this one is.

16 Q Okay. So you're referring to the office is the

17 first sexual encounter where there was actually contact?

18 A Right.

19 Q Is that what you're referring to?

20 A Yes.

21 Q Well, let me ask you this. As far as the pictures

22 are concerned, you know there's one picture that was taken

23 before the office when she was, you said, Melissa was about

24 15-and-a-half to 16?

25 A Yes.

1 Q Were there pictures taken before that of Melissa in
2 the nude, that you're aware of?

3 A Earlier than this, yes, at the -- at the Tonopah --
4 at 2012 Tonopah house.

5 Q Okay. When you say, 2012 Tonopah house, would that
6 be in an apartment that you were in your parents' house?

7 A That's my parents' house.

8 Q Okay. So when is the earliest picture of Melissa
9 naked that you know the defendant to have taken?

10 A At 13.

11 Q 13 years old?

12 A Yes.

13 Q And do you remember the circumstances of that?

14 A Yeah, there were a lot of circumstances going on.

15 Q Do you remember where it was taken?

16 A It was at my parents' house.

17 Q Okay.

18 A The 2012 East Tonopah.

19 Q Okay. And you said that you observed this, you were
20 present; is that correct?

21 A Yeah. I was just coming home from work.

22 Q And the defendant was there; is that right?

23 A Yes.

24 Q And Melissa was there?

25 A Yes.

1 Q Was there anybody else there?

2 A No.

3 Q And at that time, what happens as you come home from
4 work?

5 A When I come home from work, Chris was there with
6 Anita. So actually, Anita was there, and she's younger at
7 the time.

8 Q When you say, younger, about how old?

9 A She was born in '90 -- she was three years old.

10 Q Okay. And what happens?

11 A So we weren't -- I was coming home from work, and at
12 the time Chris and were living somewhere else, but Chris and
13 Anita were over at my parents' house waiting for me. And he
14 had taken -- he was there with Melissa, and he was talking to
15 her, and then he took a picture of her naked holding
16 (indecipherable).

17 Q And you were present --

18 MS. RADOSTA: Objection, Your Honor. Can we
19 approach?

20 THE COURT: Sure.

21 (Off-record bench conference.)

22 THE COURT: For the record, I'm going to sustain
23 the objection, and I'm going to ask the State to lay a better
24 foundation with this.

25 MR. SWEETIN: Okay.

1 BY MR. SWEETIN:

2 Q And Terrie, let's goes back. You made reference to
3 a photo. The photo that we're talking about is detailed here
4 in State's Exhibit 88; is that correct?

5 A Yes.

6 Q And you remember that particular photo; is that
7 right?

8 A Yes.

9 Q It's actually a photo that contains both you and
10 Melissa in the nude; would that be accurate?

11 A Yes.

12 Q Okay. Now, you remember -- you have a memory of how
13 that picture was taken, and you had indicated that you were
14 coming home from work; is that correct?

15 MS. RADOSTA: Your Honor, could I just --

16 THE WITNESS: This --

17 MS. RADOSTA: I'm sorry. Could I just approach to
18 see what specifically --

19 THE COURT: Yeah.

20 MS. RADOSTA: -- she's looking at --

21 THE COURT: Yes.

22 MS. RADOSTA: -- because I am not sure --

23 THE COURT: Yes.

24 MS. RADOSTA: -- which exhibit it is. I know there
25 are [inaudible].

1 THE COURT: I think you have five exhibits there,
2 right?

3 MR. SWEETIN: I do, Judge. And, you know, they're
4 admitted, and I can publish.

5 THE COURT: Maybe that would be better --

6 MR. SWEETIN: And that's fine.

7 THE COURT: -- so we know what we're talking about.
8 Can she identify all of them?

9 MR. SWEETIN: She indicated, and I'll run through
10 that before we get into the --

11 THE COURT: Okay. All right.

12 MR. SWEETIN: -- publishing.

13 BY MR. SWEETIN:

14 Q Okay. Let's go through these one at a time. We're
15 looking at State's Exhibit 89. Do you recognize that?

16 A Yes.

17 Q And what is that?

18 A Myself and Melissa in the nude, and I'm pregnant
19 with Ryan.

20 Q You said you're pregnant with Ryan. Does that cause
21 you know approximately when this picture was taken?

22 A '98.

23 Q And in regards to the two of you being present in
24 this picture, was there anybody else present when the picture
25 was taken?

1 A No.

2 Q Was the defendant there?

3 A Well, yeah, he took the picture.

4 Q Okay. So the defendant took the picture. So it was
5 just three of you --

6 A Yes.

7 Q -- is that right?

8 A Yes.

9 Q Okay. I'm showing you what's marked as State's
10 Exhibit 90. Do you recognize that?

11 A Yes.

12 Q Okay. And what is that?

13 A That's the office. That's when me and Melissa --

14 THE COURT: Can you speak up a little bit because
15 you're talking that way, we're not picking you up.

16 THE WITNESS: Oh, I'm sorry.

17 THE COURT: That's okay.

18 THE WITNESS: It's Melissa and I.

19 BY MR. SWEETIN:

20 Q Okay. So this is a picture of you and Melissa. You
21 don't have any clothes on; is that right?

22 A Yes.

23 Q Do you have any idea approximately when this picture
24 was taken?

25 A That's the incident I was describing earlier in '99,

1 that I didn't know that was taken.

2 Q Okay. So you recall this as actually being the
3 incident that you were describing?

4 A Yes.

5 Q That happened in the office?

6 A Yes.

7 Q And there appears to be sexual contact between you
8 and Melissa in this; is that correct?

9 A Yes.

10 Q I'm showing you what's marked as State's Exhibit 91.
11 Do you recognize that?

12 A Yes.

13 Q Do you -- were you present when this picture was
14 taken?

15 A No.

16 Q So you don't know when this picture was taken or --

17 A No.

18 Q Showing you what's marked as State's Exhibit 92. Do
19 you recognize that picture?

20 A Yes.

21 Q What do you recognize that to be?

22 A That's the incident I described earlier where Chris
23 is making Melissa give him oral sex.

24 Q So that would be the incident you described in the
25 office?

1 A Yes.

2 Q And showing you what's marked as State's Exhibit 93.

3 Do you recognize that?

4 A Yes.

5 Q And what's that?

6 A That's the incident I described earlier where he had

7 me lean over kissing me while I was on Melissa's face.

8 Q Okay. Now, there's all three of you are in that

9 picture; is that right?

10 A Yes.

11 Q Okay. Were you aware of anyone taking the picture

12 at this time?

13 A No, because there was just me, Chris and Melissa.

14 Q All right.

15 MR. SWEETIN: So first, I want to just publish for

16 the members of the jury what's marked as State's Exhibit 90.

17 BY MR. SWEETIN:

18 Q Now you indicated that this is the photo of the

19 first incident you described or the incident you described in

20 the office; is that right?

21 A Yes.

22 Q And this is sexual contact between you and Melissa;

23 is that right?

24 A Yes, yes.

25 Q And you indicated that, in fact, the defendant took

1 this picture; is that right?

2 A I don't know who took that picture.

3 Q Okay.

4 A I wasn't aware.

5 Q And I'm showing you what's marked as State's Exhibit
6 93. Do you recognize that?

7 A Yes.

8 Q Okay. And that, in fact, is the picture you just
9 described as being the three of you in the picture, and your
10 vagina is over Melissa's mouth; is that correct?

11 A Right.

12 Q Okay. Now, these particular incidents you indicated
13 happened just after moving into the Yellowstone residence; is
14 that correct?

15 A This happened after his dad passed away because he
16 didn't transform the office -- what's actually the office
17 until after his dad passed away in '99.

18 Q Okay. And now I'm showing you what's marked as
19 State's Exhibit 88.

20 And you recognize that to be a picture of you and
21 Melissa; is that correct?

22 A Yes.

23 Q And you indicated that this was taken at a different
24 location than the office?

25 A Yes.

1 Q And it was taken by the defendant?

2 A Yes.

3 Q And you said that Melissa was approximately what age
4 here?

5 A Between 15-and-a-half and 16.

6 Q And then you have a -- what's marked as State's
7 Exhibit 89; is that right?

8 A Yes.

9 Q And what is that?

10 A Melissa and I, when I was pregnant with Ryan.

11 Q You said Melissa and you on the bed --

12 A Yes.

13 Q -- naked; is that correct?

14 A Yes.

15 Q And you're pregnant in this; is that right?

16 A Yes, with Ryan.

17 Q And sow know that this was taken approximately when?

18 A 1998, just before I gave birth to Ryan.

19 Q Okay. I think I neglected to show you what's marked
20 as State's Exhibit 92.

21 And what is that?

22 A The incident I described where Chris is forcing
23 Melissa to give him oral sex.

24 Q Okay. And that would have been in the office; is
25 that correct?

1 A Correct.

2 Q Okay. Now, just to be clear, in discussing the
3 initial sexual contact between the defendant and Melissa, you
4 indicated that it started with this sexual conversation and
5 progressed to these photos; is that correct?

6 A Yes.

7 Q Besides the photos that we've seen, are there other
8 instances in which you observed the defendant photograph
9 Melissa in the nude?

10 A Yes.

11 Q Okay. A number of other incidents?

12 A A couple other incidents, yes.

13 Q Okay. Now, so the question that I have for you is,
14 did you want to do any of these things?

15 A Absolutely not.

16 Q Why did you do them?

17 A I was in fear. He's always made me fearful of him.

18 Q Okay.

19 A Always.

20 Q You left him a few times, right?

21 A Yes.

22 Q So you walked out and went and lives with your
23 parents; is that right?

24 A Yes.

25 Q You indicated before that it was possible that you

1 could have basically just told Melissa, hey, don't go around
2 this guy because something bad's going to happen; is that
3 right?

4 A Yes.

5 Q But you didn't do any of those things, right?

6 A No, because I was afraid.

7 Q Okay.

8 A Because of what Chris would have done.

9 Q Now, let's go back to basically 1994. We were
10 talking about when -- after Tails was born, you come back to
11 Las Vegas, and you're separated from the defendant; is that
12 right?

13 A Yes.

14 Q Do you recall at that time whether you subsequently
15 went back or talked to the defendant or you remained
16 separated from him? What happened at that point?

17 A I remained separated from him for a while.

18 Q Was there any talk of divorce at that time?

19 A Not at that time.

20 Q What happens eventually?

21 A In 1996, is when I went back.

22 Q Okay. So you go back in 1996, and now you are sort
23 of reunified with him; is that right?

24 A Yeah, at his dad's house. Yes.

25 Q So you're living together?

1 A Yes.

2 Q You indicated that you had Anita previously, you
3 have Tails at this point?

4 A Yes.

5 Q You're all living together?

6 A Yes.

7 Q And this is about the time when you become aware of
8 actual sexual conduct between him and Melissa; is that
9 correct?

10 A Yes.

11 Q Is that a yes?

12 A Yes. Right.

13 Q Okay. So what happens after you return to him on
14 this occasion? Do you stay with him or is there a point
15 where you split again?

16 A We split again.

17 Q And approximately when is that?

18 A 1997.

19 Q And when you split at that time, who files for
20 divorce?

21 A Chris does.

22 Q The defendant?

23 A Yes, sir.

24 Q Okay. Is there any discussion in the course of
25 filing for divorce as to custody of your two children at that

1 point, Anita and Tails?

2 A There was discussion that he was going to have
3 Anita, and I was going to have Tails. And then it stayed
4 that way for months. And then I didn't have the financial
5 means, because I can hear Chris in my mind saying you can't
6 take care of them, I can take care of them better than you,
7 so just give me both kids.

8 So with me not being financially stable, I chose to
9 give custody to Chris, and it was, again, at that point
10 joint. He would have physical, but we would have joint
11 custody of both of the kids.

12 Q Okay. Now, you mentioned at that at this point
13 there had been a number of incidents that had happened with
14 your younger sister, Melissa, and the defendant; is that
15 correct?

16 A Yes.

17 Q So now, at this point you're discussing custody of
18 your daughter, Anita, and your son, Tails; is that correct?

19 A Yes.

20 Q So did the issues that you had already seen, the
21 defendant doing things to Melissa, which you said you didn't
22 want to see happen, did you think about that when you were
23 talk being custody of your other children?

24 A I didn't think that he would harm Anita or Tails.

25 Q Why?

1 A Because he -- he wasn't physical with them at that
2 time.
3 Q How old were they at that time?
4 A Anita was seven, and Tails was three; seven and
5 three.
6 Q You mentioned that you had concerns in regard to
7 finances and being able to take care of the kids; is that
8 right?
9 A Yes.
10 Q Did you have a job at that time?
11 A Yes.
12 Q Where were you working?
13 A I was a Keno runner at Silver Nugget.
14 Q So you didn't make much money?
15 A No.
16 Q Did the defendant have a job at that time where he
17 made more money?
18 A Yes.
19 Q Where was he working at that time?
20 A He was working with his dad at Clutches Plus, I
21 believe.
22 Q And what sort of work did he do there?
23 A Transmission work.
24 Q So he was a mechanic?
25 A Yes.

1 Q So he made more money than you?

2 A Yeah, a lot more.

3 Q So ultimately, is the divorce made final?

4 A August 1997.

5 Q Okay. In the course of the divorce, did you ever

6 bring up any information in regards to what had been going on

7 between the defendant sexually with you and Melissa?

8 A Can you repeat that?

9 Q Sure. In the course of the divorce, did you ever

10 bring what had been -- what the defendant had been doing to

11 you and Melissa that you previously testified to?

12 A No.

13 Q Why not?

14 A Let me find out to whom are you -- to tell who?

15 Q To tell the Judge, the lawyers in the divorce

16 proceeding.

17 A Oh. I did not say anything to anybody because we

18 had filed a divorce in '94, and I was very fearful because he

19 not only did that to my sister, but he did that to me, and I

20 knew what he was capable of.

21 If he could hurt me, he could hurt Melissa if I

22 said anything.

23 Q Did you think that if you went to the police and you

24 told the police, that the police would help you?

25 A In '93, I did go to the police. I did get a

1 restraining order. There was a restrain -- restraining order
2 against Chris.

3 Q Well, let me be clear. In '93, did you say anything
4 in that restraining order about sexual contact you just
5 described?

6 A No, I just described the violence that he was doing
7 with me.

8 Q All right. So you never said anything about sexual
9 contact at that point?

10 A No.

11 Q Was the sexual contact occurring at that point?

12 A No.

13 Q Okay. So the divorce becomes final; is that
14 correct?

15 A Yes.

16 Q Okay. And what is your connection with the
17 defendant after that divorce and you indicated that was about
18 in what year?

19 A It was August 1997.

20 Q Okay. So what's your connection or your contact
21 with the defendant at that point?

22 A My connection was just me picking up the kids for
23 visitation.

24 Q Did you subsequently become familiar with a lady by
25 the name of Deborah?

1 A Yes.

2 Q I'm showing you what's marked as State's Exhibit
3 104, and ask if you recognize this?

4 A Yes.

5 Q And what is that?

6 A That's a picture of Deborah Sena.

7 Q How did you become familiar with her?

8 A She became familiar to me. She was actually dating
9 Christopher while the proceedings of or divorce.

10 Q Okay. Did your relationship with the defendant --
11 you indicated that relationship being just basically picking
12 up the kids and exchange kids -- did that change at some
13 point in the course of the divorce proceeding or after the
14 divorce?

15 A After.

16 Q About how long after?

17 A It took a few months to actually see my kids because
18 he was keeping them from me. He -- because Deborah was in
19 the picture, and he was pushing my kids on her, and hardly
20 letting me see them.

21 Q Okay. And at that time, the divorce decree allowed
22 him to control the custody of the children; is that correct?

23 A Yes.

24 Q So he had the right to do that, if he wanted to?

25 A We had joint, and I --

1 Q So you had --

2 A -- was supposed to get them on the weekends, yes.

3 Q So you had some visitation rights that weren't being
4 fulfilled?

5 A Correct.

6 Q All right. You indicated that the relationship
7 between you and the defendant changed at some point after the
8 divorce; is that right?

9 A Yes.

10 Q What happens?

11 A He would come and see me at my parents' house.

12 Q Now, at the time that he was doing this, we talked
13 about Deborah; is that right?

14 A Yes.

15 Q So was he seeing Deborah, in a relationship with
16 her? What did you know about his relationship with Deborah
17 at that point?

18 A He was seeing Deborah in the summer of 1997. That's
19 when it started, and that's when I found out about the
20 relationship.

21 Q Okay. And you said after the divorce was final in
22 August of 1997, it was a couple months later, and he began
23 coming over to your residence; is that correct?

24 A Yes, to my parents' house.

25 Q Okay. To your parents' house. And what was the

1 status of his relationship with Deborah as he began to do
2 that?

3 A He -- it progressed and she got pregnant with
4 Brandon.

5 Q Do you know whether or not they were living together
6 at that time?

7 A At that time, she was staying in the apartment with
8 Chris, then moved away, and then he went after her when he
9 found out that she was pregnant.

10 Q Okay. So she was living with him, got pregnant,
11 moved, and then she returned?

12 A Correct.

13 Q So where in that span did you -- he begin coming
14 offer to your residence again?

15 A Shortly after he brought her back.

16 Q So she got pregnant, he brought her back, and then
17 that was when he began coming over to your residence?

18 A Yes.

19 Q When he would come over to your residence, what was
20 the purpose of him coming over, and how did that change your
21 relationship?

22 A At first he would just occasionally come over and
23 show me things that Deborah was buying for him. She brought
24 him -- bought him a motorcycle, and he would come over to my
25 parents' house and show me the motorcycle that she helped him

1 buy, and --

2 Q Okay. And did he continue to visit you even after
3 he was showing you the motorcycle?

4 A Yes.

5 Q And did his visits change in some way?

6 A Yes.

7 Q How?

8 A Shortly after she got pregnant, they came back, he
9 was coming over, and then in 1998, Deborah and Chris got
10 married, and then later on, he wanted -- and after they moved
11 out of the apartment and got into the 6012 Yellowstone house
12 that his dad helped him get, he wanted me to come live there.

13 Q Okay. So I want to go back to 1998. You indicated
14 that Deborah is pregnant; is that right? And she ultimately
15 gives birth to a child; is that right?

16 A Yes.

17 Q And what's the name of that child?

18 A Brandon Sena.

19 Q Okay. Around this same period of time, do you get
20 pregnant?

21 A Yes.

22 Q Is it -- do you get by the pregnant or somebody
23 else?

24 A No, someone else.

25 Q Okay. And you give birth to a child; is that right?

1 A Yes.

2 Q And what's that child's name?

3 A Ryan Sena.

4 Q Okay. And when is Ryan born; when is Brandon born?

5 A Ryan was born June 14th, 1998, and Brandon was born

6 August 13th, 1998.

7 Q Okay. About this time, after you've given birth to

8 Ryan, and about the time that Deborah's going to birth to

9 Brandon, does your -- do you begin to have a sexual

10 relationship with the defendant?

11 A Yes.

12 Q Okay. So you've gotten divorced from him; is that

13 right?

14 A Yes.

15 Q And now he's got a new girlfriend, who's pregnant;

16 is that right?

17 A Yes.

18 Q And it's at that time that you begin having a sexual

19 relationship with him?

20 A Yes.

21 Q Do you have discussions about your relationship at

22 that particular time, as you begin that sexual relationship?

23 A No.

24 Q Does he talk to you about whether he's happy with

25 Deborah or not?

1 A Yes.

2 Q So you do have a discussion about your relationship?

3 A About him and -- about him and Deborah's

4 relationship.

5 Q Okay. So what does he say about that?

6 A He said that he wasn't expecting her to get

7 pregnant, that he didn't want to be with her. He was begging

8 and pleading for me to come back to him because he loved me,

9 and that --

10 Q Did he indicate to you that he had a plan?

11 A Yes.

12 Q And what was his plan?

13 A He found out during the course of Deborah's

14 pregnancy with Brandon that she came into some money because

15 her father passed away.

16 Q Okay. And so what was his plan?

17 A His plan was that he wanted to get back together

18 with me, and he said give him a couple years, and he said

19 that he wanted to save all the money that he could get from

20 her so we can be together, divorce her, and then that we

21 could be together.

22 Q Okay. Well, what did you think about this plan?

23 A I didn't want the plan.

24 Q Did you tell him you didn't want the plan?

25 A Yes.

1 Q You told him, I don't want to do this?

2 A Right.

3 Q What did he say?

4 A He convinced me, he goes, come on, give me a chance,
5 you know.

6 Q So now, just to be clear, Terrie, I mean, at this
7 point, you have been split with him on a number of occasions,
8 you're divorced from him, you're -- indicated you're
9 terrified of him because of the incidents that happened with
10 Melissa and you; is that right?

11 A Yes.

12 Q So why would you even consider this plan that we
13 have when he's saying, oh, give me another chance. I don't
14 -- can you -- let the jury know what were you thinking?

15 A Well, the reason what I was thinking that he was not
16 letting me see my kids, so in order to -- for me to see my
17 kids, I moved into the Yellowstone address.

18 Q So you indicated that part of that conversation was
19 he wanted you to actually move into the residence he was
20 living in?

21 A Yes.

22 Q At that time, do you know where that residence was?

23 A Yes.

24 Q Do you remember the address?

25 A 6012 Yellowstone.

1 Q Okay. And do you know who was living at that
2 residence at that time when he wanted you to move in?

3 A At that time -- first, before I moved in, I started
4 babysitting first for Brandon, Tails, and Anita. That was
5 before I moved in. And his dad was living there at the time,
6 and his niece was living there at the time because Deborah
7 and Chris actually had his niece watch the kids first before
8 I came into the picture. And then I started babysitting
9 them.

10 And then shortly after his father passed away in
11 '99, that's when I moved into the home.

12 Q Okay. And when you moved in, the niece left; is
13 that correct?

14 A Yes.

15 Q And father passed away?

16 A Yes.

17 Q All right. Now, I'm going to show you what's sort
18 of a family diagram here. Have you seen -- do you recognize
19 this, the individuals that are listed on this particular
20 diagram?

21 A Yes.

22 Q Okay. So now, as you move into the residence there
23 located on Yellowstone, Christopher Sena's living there; is
24 that correct?

25 A Yes.

1 Q Deborah Sena is living there; is that correct?
2 A Yes.
3 Q Brandon Sena is living there?
4 A Yes.
5 Q Anita Sena is living there?
6 A Yes.
7 Q And Terrie Sena is living there; is that right?
8 A Yes.
9 Q Now, you indicated you had a son by the name of Ryan
10 Sena?
11 A Yes.
12 Q When you move in, does he come with you?
13 A Ryan does, yes.
14 Q So essentially, everyone over on this side was
15 living at that residence; is that correct?
16 A Yes.
17 Q When you move? All right.
18 Now, when you first move into that residence -- showing
19 you what's marked as State's Exhibit No. 1 -- how is
20 everybody situated? Where do they sleep within the
21 residence? And I guess I should ask you, do you recognize
22 what State's Exhibit 1 depicts?
23 A Yes.
24 Q And what is it?
25 A It's the 6012 Yellowstone address.

1 Q Okay. And it would be fair to say there's a couple
2 buildings there, essentially, sort of a trailer house and
3 then a smaller house out in back?

4 A Yes.

5 Q Okay. So where did everyone stay, as you move into
6 that residence?

7 A When I first moved in, Anita had the back bedroom.

8 Q So that would be this bedroom here?

9 A Yes.

10 Q Okay.

11 A Chris and Deborah in the master.

12 Q That would be this bedroom here?

13 A Yes. All three boys was in the front bedroom.

14 Q When you say, all three boy -- and this would be
15 this bedroom here; is that right?

16 A Yes.

17 Q When you say, all three boys, that's going to be
18 Tails, Brandon, and Ryan?

19 A Yes.

20 Q Okay.

21 A And then in the living room --

22 Q Here?

23 A Yes. At the time, the couch was close to the front
24 door, and that's where I was initially?

25 Q Okay. And how long do you stay on that couch for?

1 A From 1999 until roughly 2005.

2 Q So a long time you're sleeping on the couch?

3 A Yes.

4 Q And then where do you go from there?

5 A The back office.

6 Q And that's back here?

7 A The guest house, yes.

8 Q Okay. So at the time when you first moved in there,

9 what's the back office used for or do you know?

10 A Chris had his computer set up, along with Deborah,

11 and he would do his work back there.

12 Q Okay. So no one was sleeping back there for a

13 period of time?

14 A Right.

15 Q Okay. Until you moved back?

16 A Actually, no. His brother had lived back there at

17 one point before I moved back there.

18 Q All right. Was that --

19 A And I was in the front house when his brother lives

20 back there.

21 Q All right. You indicated, just to be clear, that it

22 was about 1998, then, when you move in?

23 A 1999.

24 Q About 1999?

25 A Yeah.

1 Q Okay.

2 A Because it was after his dad died because when I was

3 babysitting, I was actually taking care of his father --

4 Q Okay.

5 A -- that was sick.

6 Q And how long do you stay, essentially, at that

7 residence, living at the residence?

8 A From 1999 until May 2013.

9 Q Okay. And over that period of time, from 1999 to

10 May of 2013, are there times when you leave the residence for

11 periods of time?

12 A A couple times, yes.

13 Q Okay. And how long are you gone during those

14 periods of time?

15 A Maybe two -- between two or three hours.

16 Q So not a long time?

17 A No.

18 Q And then you mentioned May of 2013. You leave the

19 residence for a period of time then?

20 A Yes.

21 Q And how long are you gone?

22 A May of 2013 until January 9th of 2014.

23 Q Okay. And then you return to the residence?

24 A Yes.

25 Q And again, it's the same sleeping arrangement. At

1 that point you're in the back --

2 A Yes.

3 Q -- office here, and Ryan is --

4 A Yes.

5 Q -- up in the bedroom?

6 A Yes.

7 Q When you left the residence, did Ryan always leave
8 with you or did he stay there?

9 A No, he was always with me.

10 Q Okay. And when you return to the residence January
11 of 2014, did there come a point in time when you leave the
12 residence again?

13 A June 12th, 2014.

14 Q Okay. Now, let's go back to when you first moved
15 into the residence.

16 What was the atmosphere in the residence as you first
17 move into the residence in 1999?

18 A Awkward.

19 Q When you say awkward, what do you mean by that?

20 A Awkward between me and Deborah.

21 Q A little awkward because you're the ex-wife and
22 Deborah's the current wife; would that be why it would be
23 awkward?

24 A It was awkward because -- not only that, because
25 another woman was taking care of my children.

1 Q Okay. And that would be Deborah?

2 A Yes.

3 Q All right. Now, besides that awkwardness, was there
4 other things that started happening off a sexual nature as
5 you moved back into that residence -- or moved into that
6 residence?

7 A Yes.

8 Q Are you having sex with the defendant when you move
9 into the residence?

10 A Yes.

11 Q And do you know if Deborah is aware that you're
12 having sex with the defendant when you moved into the
13 residence?

14 A Yes.

15 Q How do you know that?

16 A Chris wouldn't hide it. He would have sex in front
17 of her with me.

18 Q Okay. In fact, the defendant had her watch while
19 you were having sex; is that correct? You were having sex
20 with the defendant?

21 A Yes.

22 Q Were there times when you were caused to watch the
23 defendant have sex with Deborah?

24 A Yes.

25 Q Now, when this happened, did you want to -- did you

1 want to be involved in those sort of sexual situations?

2 A No.

3 Q You're saying no?

4 A No.

5 Q Okay. Did you tell the defendant that?

6 A Yes.

7 Q You told him that you did not want to be involved?

8 A Right.

9 Q And so what did the defendant say in response to

10 that?

11 A He basically told me that I was going to do it

12 anyway.

13 Q When you --

14 A Forcing me.

15 Q -- had these conversations, was Deborah present?

16 A Yes.

17 Q Did you ever see Deborah in any way show that she

18 did not want to be involved in these sexual situations?

19 A Yes.

20 Q What was it --

21 A She --

22 Q -- caused you to believe that she didn't want to be

23 involved?

24 A She voiced it. She voiced it, and she had

25 expressions that she didn't want no part of it.

1 Q So there was expressions on her face --
2 A Yeah.
3 Q -- which would cause you to believe that she did not
4 want a part of it?
5 A Right.
6 Q But she participated as well?
7 A Yes.
8 Q So were there times when there was sexual contact
9 between you, the defendant, and Deborah all at once?
10 A Yes.
11 Q You didn't want to do that either?
12 A No.
13 Q But you did it. And you did it --
14 A Yes.
15 Q -- why?
16 A Because I was terrified of Chris. I was afraid that
17 I would never see my kids again. I was afraid he was going
18 to hurt me. And I didn't comply, the -- at that point, the
19 kids would suffer. He would take it out on the kids.
20 Q Did this sexual contact that we're talking about,
21 did it start as soon as you moved into the residence?
22 A No.
23 Q How long did it take before it started?
24 A It started around 2004. So it was a -- a big gap.
25 Q Now, do you recall when you did have sexual contact

1 with the defendant whether or not the defendant asked you it
2 say anything or fantasize about anything?

3 A Yes.

4 Q Could you describe that to the members of the jury?

5 A In order for Chris to have an orgasm, he would tell
6 me to talk about having sex with the boys. He had to --
7 order for him to have a orgasm, he had --

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

9 MR. SWEETIN: And that's fine. I can clean it up,
10 Judge.

11 THE COURT: Okay. I'm going to sustain the
12 objection.

13 MR. SWEETIN: Okay.

14 BY MR. SWEETIN:

15 Q You indicated that the defendant wanted you to speak
16 particularly about the boys as you described; is that right?

17 A Yes.

18 Q Which boys are you talking about?

19 A Any one of the three of them.

20 Q Okay. So that would be --

21 A With Brandon, Tails, or Ryan.

22 Q Okay. And when he described that he wanted to --
23 you to talk about them, did he indicate why he wanted you to
24 talk about them?

25 A He told me that he wanted to hear them because he

1 wanted me to actually do it -- to actually engage in that.

2 Q Okay. Now, when did these conversations or did
3 these things the defendant said to you, when did they start
4 being said?

5 A 2004.

6 Q Did he tell you specifically what he wanted you to
7 say or do?

8 A He would tell me how he wanted me to touch the boys.

9 Q What did he say?

10 A He told me that he wanted to see me put my mouth
11 around their penis. He told me to say it. He would tell me
12 -- he said, you know you would like it.

13 Q And when he told you to say those things, did you
14 say those things? Is that a yes?

15 A Yes. Sorry.

16 Q Besides saying those things about the boys, did he
17 talk to you about saying those things about anyone else?

18 A Not that I recall, no.

19 Q Did he ever say anything to you about Anita?

20 A No.

21 Q Now, we -- on this family diagram that we made
22 reference to, State's Exhibit 3, you talked about the
23 individuals that were living at the house. There was
24 actually a couple other nieces that you had, Tamara and Erin;
25 is that correct?

1 A Yes.

2 Q And they visited the house from time to time?

3 A Yes. Time to time, yes.

4 Q Do you recall do you recall whether or not he ever
5 wanted you to say anything about either of them in this thing
6 as you were having sex?

7 A No.

8 Q You don't remember that?

9 A No, I don't recall that.

10 Q Is there a time when the fantasy in regards to
11 Brandon and Ryan became a reality for you?

12 A In 2012.

13 Q Do you recall a time when Brandon and Ryan were
14 about five years old, when something happened?

15 A They were -- they were almost six, yes.

16 Q And what happened?

17 A Chris had Deborah and I bring the boys in the master
18 bedroom, and Brandon was laying on one side, Ryan was laying
19 on the other side. Brandon was laying on Chris's side, Ryan
20 was laying on Deborah's side. And he told Deborah and I that
21 he wanted to see me and Deborah put our mouths on their
22 penis.

23 Q At that time, did you do what he said?

24 A Deborah and I, yes.

25 Q Was that over their clothes or under their clothes?

1 A It was out of their zipper.

2 Q Okay. So at that time, you put your mouth on one of
3 the children; is that right?

4 A Brandon.

5 Q And did you observe Deborah as well?

6 A Yes.

7 Q And what does Deborah do?

8 A Put her mouth on Ryan's.

9 Q And where is the defendant when this happens?

10 A He's standing directly behind me.

11 Q Okay.

12 A On his side of the bed.

13 Q Now, did the defendant tell you why he wanted you to
14 do that?

15 A He said he wanted for us to do it -- he wanted us to
16 do it, and then after we had done that, he had the boys leave
17 the room and then he had Deborah and I engage in oral sex
18 with him.

19 Q Did you want to do that?

20 A No.

21 Q But you did it; is that right?

22 A Yes.

23 Q Why did you do it?

24 A I was terrified.

25 Q Now, do you recall at some point the defendant, sort

1 of, bragging to you about something having to do with Anita?

2 A Yes.

3 Q And about when was this, do you remember? About how

4 old would Anita have been?

5 A 12.

6 Q And what did the defendant say to you?

7 A He said that he was having sex with Anita, and he

8 indicated that she was better in bed.

9 Q Better in bed than -- than you?

10 A In general, anybody. I assume.

11 Q Where were you when he told you this?

12 A We were in the office.

13 Q How did you respond to that?

14 A Mortified.

15 Q Well, did you say something to him?

16 A Yes.

17 Q What did you say?

18 A I said how could you be saying that, that's our

19 daughter. How could you be doing that to her? And he said

20 that that was his daughter, and he can do whatever he wanted

21 with her, and it wasn't up to me. That he had full custody

22 of her.

23 Q So now at this point, he has caused you to having

24 sexual contact with Deborah, and you didn't want to do that;

25 is that right?

1 A Correct.

2 Q He's caused you to have sexual contact with Brandon,
3 and to be present as Deborah had sexual contact with your
4 son, Ryan; is that right?

5 A Yes.

6 Q And now you hear from the defendant when your
7 daughter's tender age of 12 that he's having sex with her and
8 commenting about how good she is in bed; is that right?

9 A Yes.

10 Q So now what are you thinking? What -- what are you
11 thinking at this point?

12 A I was disgusted. I wanted to get her -- get them
13 out, and I was afraid I couldn't get them out. I didn't
14 begin to know how, as a mother, to get them out because I've
15 tried before.

16 Q Now, speaking of Anita did it come a point in time
17 when you became more aware that the defendant was having
18 sexual contact with Anita?

19 A Yes, when she was in high school.

20 Q Do you remember about how old she was?

21 A 16.

22 Q And what happens at that causes you to recognize
23 that the defendant is having contact with Anita?

24 A Because I was in the -- I was in the room and he
25 forced me to engage.

1 Q Okay. Where did that happen?

2 A In the living room.

3 Q And that would be the Yellowstone residence?

4 A Yes. 6012 Yellowstone address, yes.

5 Q Do you remember anything particular about that day,

6 who else was present at the residence, was it night or day,

7 or do you remember any of that stuff?

8 A It was during the day at the Yellowstone address.

9 Anita only had half -- she would only go for half the day,

10 and she would come home after 12:00, and I would already be

11 home from work. So it was just me, Chris, and her.

12 Q Okay. So you're saying when she would go, she was

13 going to school half a day, the other children were in school

14 at the time?

15 A Yes.

16 Q So was -- and Deborah was living there as well. Do

17 you know where Deborah was?

18 A She was working.

19 Q Okay. So at that point, it would just be you, the

20 defendant, and Anita within the residence?

21 A Yes.

22 Q What happens as this incident starts?

23 A I come home from work, I go to the office, like I

24 normally do, and Anita came home, and Chris came and got me

25 from the office and said come up front.

1 So I went up front to the living room, and he told
2 Anita to come out of her room. And he moves an ottoman.
3 There was an ottoman in the living room, and he moves the
4 ottoman over, and he tells me to sit on the couch.

5 And I sat on the couch, and Anita and I are looking
6 at him like, what's going on, and shortly after that he has
7 sexual contact with Anita.

8 Q Okay. When Anita comes out of the room, she has her
9 clothes on; is that right?

10 A Yes.

11 Q And when you come back from the back office into the
12 living room, you have your clothes on as well --

13 A Yes.

14 Q -- is that right?

15 When you come into the living room, does the defendant
16 have his clothes on as well?

17 A Yes.

18 Q You indicated that you were caused to sit on a
19 couch; is that right?

20 A Yeah, he told me to sit down on the couch, yes.

21 Q When the -- Anita comes into the room, said that at
22 some point she is leaned over an ottoman; is that correct?

23 A Yes.

24 Q At the time that she's leaned over the ottoman, does
25 she have her clothes on?

1 A Yes.

2 Q So she has all of her clothes on at that time?

3 A Yes.

4 Q Okay. Does the defendant have all his clothes on?

5 A Yes.

6 Q And what happens when she's leaned over the ottoman?

7 A He tells her to stand up a minute, and he undresses

8 her.

9 Q And when you say, he undresses her, does he take all

10 of her clothes off?

11 A He takes her shirt and her bra off, and he tells her

12 to remove her pants. And then he tells me to get up and

13 remove my top.

14 Q Did you do that?

15 A Yes.

16 Q Did you say anything about what was going on?

17 A I asked him, I was like, what's going on, and he

18 just gave me that look, like shut up. And he leaned Anita

19 over on the ottoman, and he had me kneel in front of her, and

20 he -- he put his penis up her rectum.

21 Q At the time that he did that, were you able to

22 observe Anita face to face?

23 A Her head was down.

24 Q What did you observe as he put his penis in her

25 anus?

1 A Her head was down. I could hear her mumbling
2 something, and then Chris tells her to lean her head up, and
3 he tells Anita to put her mouth on my breast. And she went
4 towards me, and I leaned back, and she put her head back
5 down, and I heard her say, ouch.

6 Q Besides her putting her hands on her breasts, was
7 she caused to put any her part of her body on your breasts?

8 A She went to go put her mouth on it, and I leaned
9 back.

10 Q Do you recall her touching your breasts with any
11 part of her body?

12 A One hand. And I don't recall which hand because I
13 think she was supporting herself.

14 Q Do you recall whether or not you touched her
15 breasts?

16 A Yes.

17 Q How did you touch her breasts?

18 A With my right hand.

19 Q Do you remember putting your mouth on her breasts as
20 well?

21 A I don't recall that.

22 Q Do you remember telling the police that you put your
23 mouth on her breasts?

24 A I don't recall.

25 Q Now, besides that incident with Anita, do you recall

1 whether there were other incidents with Anita and the
2 defendant that you were involved with?

3 A No.

4 Q Do you remember talking to the police and saying
5 that it happened on other occasions?

6 A I don't recall that.

7 Q Could it have happened on other occasions?

8 A It could have, but I don't recall.

9 Q Now, besides the sexual contact with Anita -- and
10 just to be clear, you indicated -- I'm not sure if you did
11 indicate exactly when this happened. About how old was
12 Anita?

13 A 16.

14 Q Okay. Was there sexual contact that you had with
15 any other children in the residence?

16 A Yes.

17 Q And who would those children be?

18 A Brandon Sena and Ryan Sena.

19 Q Okay. Let's talk about Brandon first.

20 Do you remember how many times you had sexual contact
21 with Brandon?

22 A That I remember, yes, three.

23 Q Three times?

24 A Three.

25 Q And where did the sexual contact happen in each of

1 those times?

2 A Office.

3 Q And that's the office there at the Yellowstone

4 residence --

5 A Yes.

6 Q -- is that right?

7 A Yes.

8 Q And about how old was Brandon during each of those

9 incidents?

10 A 14.

11 Q Do you remember each of those incidents?

12 A Yes.

13 Q What do you remember about each of those incidents?

14 A They happened all the same way. Chris had me go in

15 the front, get Brandon, and we would come back, and he -- he

16 would torment Brandon.

17 Q When you say, torment --

18 A Yeah.

19 Q -- what do you mean?

20 A He would threaten Brandon. He said, I'm going to

21 show you how to be a real man. And he would sit on his chair

22 and scoot it up, and he told Brandon to take off my top. And

23 he said, I want you to put your hand on her breasts. I'm

24 going to teach you how to have sex with a woman.

25 Q What would happen next?

1 A He had me remove Brandon's clothes, and then he
2 would tell me to give Brandon oral sex, and then he had me
3 lay flat on the floor in the office. And he told Brandon to
4 place his penis in my vagina. And he was telling Brandon,
5 doesn't that feel good, Brandon? Do you like it?

6 Q You remember all those things happening back in that
7 office; is that correct?

8 A Yes.

9 Q Is that a yes?

10 A Yes.

11 Q Do you remember that on each of those three
12 incidents did all those things happen or did just some of the
13 things happen on some of the incidents?

14 A It happened that same way every time.

15 Q And that's your memory?

16 A Um-h'm. I remember, yes.

17 Q You remember it being at least three times?

18 A Yes.

19 Q Now, I want to ask you a couple questions in regards
20 to that office back there. You made some comments as you
21 were describing about a chair; is that right?

22 A Yes.

23 Q I'm showing you what's marked as State's Exhibit 39.
24 Do you recognize that?

25 A Yes.

1 Q Okay. And what is that?

2 A The office.

3 Q Now, as we're looking at this diagram, where would
4 the front door to the office be?

5 A Past this way on the drums.

6 Q So it would be to the left, as we're looking face on
7 to the diagram --

8 A Yes.

9 Q -- is that right? All right.

10 Now, just in regards to that desk area that we have
11 there to the right of this diagram, there is sort of a space
12 between the drums, that you made reference to, to the left by
13 the front door, and the desk in the back; is that right?

14 A Um-h'm.

15 Q While you were living at the residence, was there a
16 different sort of partition that would have been there
17 separating that area?

18 A There was actually two different partitions. One --
19 one while I was living there, and after I come back in
20 January, I don't remember this set up when I came back in
21 January 2014.

22 Q The partition that was there when you were there and
23 during the incidents that we're describing, how is it
24 different than what we see here?

25 A Right where the synthesizer and the two-door -- yes,

1 right there, there was a brown partition.

2 Q And when you say --

3 A Like a cubicle --

4 Q Okay.

5 A -- from there to over the other way, where the drums
6 are.

7 Q And when you say partition, did it go as high as
8 this partition or did it go higher?

9 A It went high where the light is.

10 Q Okay. So it went much higher? So there was sort of
11 a wall dividing and separating out this desk area --

12 A Yeah, the --

13 Q -- would that be accurate?

14 A Yes.

15 Q Okay. Now, you make mention that when you were told
16 or you brought your son, Ryan, back to that office, you
17 mentioned that the defendant was sitting in a chair; is that
18 right?

19 A Yes.

20 Q And would that, in fact, be the chair that we see
21 here?

22 A Yes.

23 Q All right. And you indicated that you were told to
24 do certain things, and you did certain things, to your son,
25 Ryan; is that right?

1 A Yes.

2 Q And where would those things have occurred in this
3 room?

4 A That's a total different setup, so the partition was
5 there.

6 Q Here?

7 A Yeah, the partition was there, and it would be to
8 the right where his chair is. Yes, right there.

9 Q In this area?

10 A Yes.

11 Q All right. Now, just to be clear, these incidents
12 that you've described, how do they end?

13 A After the three incidences with Brandon and three
14 incidences with Ryan, it stopped.

15 Q I'm just going to refer to the incidents with
16 Brandon. You described that you would bring Brandon -- I'm
17 sorry, I hope I said Brandon before -- Brandon back to the
18 office, and the acts, sexual acts, that you described would
19 occur; is that correct?

20 A Yes.

21 Q And then what would happen? How would it end?

22 A After Brandon had an orgasm, he would get up after
23 it was done, and then he would get dressed. He got dressed,
24 and then Chris looked at him and said, we don't discuss this
25 with anybody, we don't tell anybody, and if you tell anybody,

1 I'll break your legs. You will not see your mom again ever.

2 Q Subsequent to that, what happened?

3 A Brandon would leave.

4 Q When he left, did you remain in the office with the

5 defendant?

6 A Yes.

7 Q And what happened then?

8 A He would -- after Brandon left, he would force

9 himself upon me.

10 Q When you say, forced himself upon me, can you be

11 more specific?

12 A He would force me to have anal sex with him.

13 Q And do you remember that that happened on each of

14 the three occasions or can you remember?

15 A On all of the occasions.

16 Q Now, you also mentioned that there was incidents

17 that happened with Ryan; is that correct?

18 A Yes.

19 Q So we were talking about Brandon. I might have

20 misspoke and mentioned Ryan before. But we were talking

21 about Brandon previously; is that correct?

22 A Yes.

23 Q Okay. So now we're talking about Ryan. And Ryan is

24 your biological son; is that right?

25 A Yes.

1 Q Okay. And Brandon's the son of Deborah?

2 A Yes.

3 Q In regards to Ryan, do you remember there being

4 incidents of sexual conduct involving you with Ryan?

5 A Yes.

6 Q And how many were there?

7 A Three.

8 Q I'm sorry?

9 A Three as well.

10 Q Okay. And could you describe those incidents to us?

11 A Two of the occasions were sexual where his penis was

12 inside of me, and then the other time was oral.

13 Q Okay. And where did each of those three occasions

14 happen?

15 A In the office.

16 Q So same office we were just talking about?

17 A Yes.

18 Q Would it be in the same area of the office --

19 A Yes.

20 Q -- as we just discussed?

21 A Yes.

22 Q Okay. Do you remember any incidents happening

23 outside of those three incidents in the office with Ryan?

24 A Oh, hold on, let me back up. Two of the incidences

25 happened in the office, and one in the master bedroom.

1 Q Okay.

2 A So --

3 Q So let's talk about the incidences in the office

4 first. Okay? About how old was Ryan during these incidents?

5 A 14.

6 Q Okay. And you made mention about Brandon, and I'm

7 not sure we were clear, all of the incidents you described,

8 did they happen during -- about the same time when he was

9 about 14?

10 A Yeah, both of them.

11 Q Okay.

12 A They all occurred within --

13 Q Or the three incidents in regards to Brandon; is

14 that correct?

15 A Yes.

16 Q All right. And Ryan, we're talking about the same

17 thing, about 14; is that accurate?

18 A He was about 14-and-a-half, yes.

19 Q 14-and-a-half?

20 A Yes.

21 Q Okay. So let's talk about the office first. Do you

22 recall those incidents in the office?

23 A Yes.

24 Q Could you describe those to us?

25 A Chris had me go get Ryan from the front house, and I

1 would bring him in the office. And he sat Ryan on the stool
2 in the office, and I was in front of Ryan and Chris was to
3 the right of me in his chair, and he would basically tell
4 Ryan the same thing, that he wanted to show Ryan how to have
5 sex with a woman. That he was going to teach him, that he
6 wanted him to learn.

7 And then he had me stand Ryan up and unbuckle his
8 shorts, remove his clothes, and then had Ryan step in front
9 of the safe amplifier, and he told me to give oral sex to
10 Ryan.

11 And then while I was giving oral sex to Ryan, Chris
12 pulled out his penis and had me give him oral sex at the same
13 time.

14 Q Okay. So just --

15 A So he had me going back and forth.

16 Q Okay. So just to be clear, you would put your mouth
17 on Ryan's penis, and then you'd stop, take your mouth off,
18 put your mouth on the defendant's penis --

19 A Yeah, that's --

20 Q -- and go back and forth; is that correct?

21 A Right. That's what he told me to do --

22 Q All right.

23 A -- yes.

24 Q Now, you made mention of a -- sort of, a drum seat
25 or a seat that Ryan was sitting on; is that right?

1 A The -- the drum stool, yeah, and I was over on the
2 other side at that point.

3 Q When you say, the drum stool, we can see some stools
4 here, are you talking about this?

5 A Yes.

6 Q And that was actually over here in this area; is
7 that what you're saying?

8 A Yes.

9 Q Okay. And you made mention that he had Ryan
10 standing in front of the safe. Do you see the safe that
11 you're talking about in this picture?

12 A Yes.

13 Q Is that the safe back here?

14 A Yes.

15 Q And this is the desk area here?

16 A Yes.

17 Q And this is the amplifier that we're talking about
18 there?

19 A Yes.

20 Q Okay. Now, besides that incident in the office,
21 were there other incidents in the office?

22 A One other time.

23 Q Do you recall that?

24 A Yes.

25 Q Could you describe that to us?

1 A The same thing happened with Ryan as Brandon, where
2 I'd bring him in the office, and Chris would make me remove
3 his clothes, and the same area with Brandon, he had Ryan put
4 his penis in my vagina.

5 Q Okay. On that occasion, do you recall whether or
6 not you put Ryan's penis in your mouth?

7 A Yes. Yes.

8 Q You indicated before that in regards to Brandon, you
9 put Brandon's penis in your mouth --

10 A Yes.

11 Q -- and then he put his penis in your vagina; is that
12 right?

13 A Brandon placed it in there. I didn't, he did.

14 Q Okay.

15 A Yeah.

16 Q Did that also happen in regards to the incident with
17 Ryan?

18 A Yes.

19 Q Okay. Now, I want to show you what's marked as
20 State's Exhibits 77 through 77BB.

21 I'm going to ask you if you recognize these. Go
22 ahead and take a look through them and let me know when
23 you're done.

24 A (Witness complies).

25 Q Have you had a chance to look through those?

1 A Yes.

2 Q Did you recognize those?

3 A That refers to the incident, but I never seen those.

4 Q Would it be fair to say that these are all pictures;
5 is that correct? They appear to be sort of frames of a video
6 of what happened out there in the office, that you've
7 described.

8 A Yeah. He -- from my recollection, I remember that
9 he was recording it from the computer.

10 Q Okay. You knew that he was recording on that
11 occasion?

12 A An incident, but I don't know if it was this
13 incident.

14 Q Okay. But you know that one of the incidents in the
15 office you recall that he was recording?

16 A Yes.

17 Q And you knew that?

18 A Yes.

19 Q Did you say anything to him about that?

20 A Yeah.

21 Q What did you say?

22 A I asked him why he did that.

23 Q And what did he say?

24 A He said that -- that he was going to use it against
25 me if I told anybody, and he threatened Ryan the same way.

1 He said, if -- that if he or I told anybody, that he would
2 put Ryan through hell.

3 Q All right. So these exhibits, you've referenced two
4 incidents that happened back in the office. Which incident
5 would this particular set of photos or frames document?

6 A The oral one.

7 Q Where there was just oral sex and you were going
8 back between the defendant and your son Ryan?

9 A Right.

10 Q Now, the first photo that we have here is actually a
11 photo of Ryan. It looks like he's doing something with his
12 foot. Do you remember anything about that?

13 A Ingrown toenail.

14 Q What do you mean by that?

15 A Chris was fixing Ryan's ingrown toenail.

16 Q Okay.

17 A He was taking it out for him because he was having
18 problems with it.

19 Q And then after the defendant assisted with his
20 ingrown toenail, the incident that you described involving
21 the penis of the defendant and your son being in your mouth
22 happened; is that what you're saying?

23 A Yes.

24 Q Okay. Now, you mentioned, besides the incidents
25 that happened back in the office, that there was also an

1 incident that happened somewhere else; is that right?

2 A Yes.

3 Q I'm sorry, involving Ryan.

4 A Yes.

5 Q And where was the other place that the incidents or
6 the sexual contact with Ryan occurred?

7 A Master bedroom.

8 Q When you say, master bedroom, again, looking at
9 what's marked as State's Exhibit 1, there's a label here of
10 master bedroom. This is what we're talking about?

11 A Yes.

12 Q And do you know whose bedroom that was in this
13 residence?

14 A Christopher and Deborah's.

15 Q Okay. Do you remember anything about the day when
16 this occurs as to whether or not there's anybody else around
17 the house or anything of that sort?

18 A I don't recall exactly when it took place. Chris
19 and I had actually been drinking on that occasion when the
20 master bedroom incident happened.

21 Q Okay. Do you remember where you were prior to Ryan
22 coming into that bedroom?

23 A I don't recall --

24 Q Do you --

25 A -- because this incident Chris brought him in.

1 Q Do you remember whether you had a conversation with
2 Chris before he brought Ryan into the bedroom?

3 A No.

4 Q Could you have had a conversation with him before he
5 brought him in the bedroom?

6 MS. RADOSTA: Objection, Your Honor. Asked and
7 answered.

8 THE COURT: Sustained.

9 BY MR. SWEETIN:

10 Q You indicated that you don't recall that happening;
11 is that correct?

12 MS. RADOSTA: I think that -- Your Honor,
13 objection. Misstates the testimony.

14 THE COURT: Well, he's trying to ask the question.

15 MS. RADOSTA: Your Honor --

16 THE COURT: Overruled. Go ahead.

17 BY MR. SWEETIN:

18 Q You indicate that you don't recall having a
19 conversation with before this incident with the defendant?

20 A Correct.

21 Q Is it possible that you did have a conversation?

22 A It's possible.

23 Q Now, what do you recall happening on that particular
24 incident?

25 A Bits and pieces. I recall bits and pieces of it

1 because I had been drinking whiskey.

2 Q Okay. What do you remember?

3 A I remember Chris bringing Ryan in. Chris told Ryan
4 to lay on the bed. He had me go on Deborah's side of the
5 bed. He told me to undress, and he told Ryan to pull his
6 pants down.

7 He had me get on the bed and give Ryan oral sex.
8 And I recall him coming up from behind me, and he told me to
9 sit on Ryan's penis. So when I went and sat, I put my hand
10 down there, and Chris came up from behind me and was trying
11 to get me to do double penetration where I was inside Ryan
12 and then he would be in my rectum at the same time.

13 Q Okay. So did Ryan's penis penetrate your vagina?

14 A No, my hand was down there.

15 Q So you don't recall his penis penetrating your
16 vagina?

17 A No, I don't recall that. I recall my hand being
18 down there.

19 Q Do you remember talking to the police previously and
20 telling them or testifying in a proceeding previously saying
21 that Ryan's penis went inside your vagina?

22 A I don't recall.

23 Q Would it refresh your recollection to look at your
24 prior testimony?

25 A Yes.

1 Q You're looking at the preliminary hearing testimony
2 of August 27, 2015. A condensed transcript of that, pages 35
3 through 36. I'm sorry, 35 through 38.

4 I'm showing you here pages 35 through 38. Take a
5 look at those. Let us know when you're done.

6 THE COURT: Mr. Sweetin, would this be a good time
7 for a break?

8 MR. SWEETIN: Yes, Judge.

9 THE COURT: All right. Ladies and gentlemen, 15
10 minutes good? All right.

11 So you're admonished not to converse amongst
12 yourself or with anyone else on any subject connected with
13 this trial, read, watch, or listen to any report or
14 commentary on the trial by any person connected with this
15 case or by any medium of information, including without
16 limitation, newspapers, television, Internet, or radio.

17 You're further admonished not to form or express
18 any opinion on any subjected connect with this case until the
19 case is finally submitted to you.

20 It's now, according to the clock in the courtroom
21 here, it's about 20 after. So if we're ready to get started
22 by 25 until, that would be good. Okay?

23 All right. We'll be at ease while the jury exits
24 the courtroom.

25 (Jury recessed at 3:17 P.M.)

1 THE COURT: Okay want we're outside the presence of
2 the jury. You need to use restroom or anything?

3 THE WITNESS: No, sir.

4 THE COURT: All right. Do you need to use the
5 restroom? All right. You can take him. Go ahead and just
6 remain where you're at.

7 Is there anything that needs to be put on the
8 record? All right. Okay. So be ready to get started by 25
9 until.

10 (Court recessed at 3:18 p.m. until 3:33 P.M.)

11 (Outside the presence of the jury.)

12 MS. RADOSTA: Judge, before we go -- well, we might
13 be on the record already. But -- okay. I just -- I wanted
14 to remind the Court that I had a prior engagement on Tuesday.
15 I had mentioned it to you before we started --

16 THE COURT: Yeah, you sent me --

17 MS. RADOSTA: -- with my mom.

18 THE COURT: -- a notice and stuff. I have that.

19 MS. RADOSTA: Yeah. I just wanted to remind you as
20 we were getting closer. I --

21 THE COURT: Okay.

22 MS. RADOSTA: I apologize. I tried to get my -- I
23 tried to see if we could move it because it's like a 1:45,
24 and it's like the middle of the day appointment. I tried to
25 see if we could get it at 9:00 so that maybe we could do the

1 afternoon, and the doctor is just, nope, sorry.

2 THE COURT: Can we do any morning?

3 MS. RADOSTA: Depends on your calendar, Judge. I

4 mean, I need to drive out to

5 THE COURT: So it's a Tuesday.

6 THE CLERK: We have civil pretrials that day.

7 THE COURT: Oh, civil? Oh, okay.

8 MS. RADOSTA: And I need to drive out to Boulder

9 City --

10 THE COURT: Yeah, I know.

11 MS. RADOSTA: -- to get her, so, yeah. I

12 apologize --

13 THE COURT: All right.

14 MS. RADOSTA: -- that I couldn't make it work

15 better, Judge.

16 THE COURT: Okay. Just so the record is clear,

17 we're back on the record in Case No. C311453, State of Nevada

18 versus Christopher Sena. I'd like the record to reflect the

19 presence of the defendant, his counsel, as well as the State

20 and their counsel. We're outside the presence of the jury.

21 Can we bring the jury back in?

22 THE MARSHAL: Yes. Ready?

23 THE COURT: Yeah.

24 (Pause in the proceedings)

25 THE MARSHAL: All rise for the presence of the

1 jury.

2 (Jury reconvenes at 3:34 P.M.)

3 THE COURT: All right. Everybody go ahead and have
4 a seat.

5 For the record, in Case No. C311453. We're in the
6 presence of the jury. Will the parties stipulate to the
7 presence of the jury?

8 MR. SWEETIN: Yes, Your Honor.

9 MS. RADOSTA: Yes, Your Honor.

10 THE COURT: All right. I want to remind you, Ms.
11 Sena, that you're still under oath. All right?

12 THE WITNESS: Yes, sir.

13 THE COURT: Go ahead.

14 BY MR. SWEETIN:

15 Q Ms. Sena, before we left, I provided you with a
16 portion of the transcript to look at and see if it refreshed
17 your recollection in regards to the incident with Ryan in the
18 bedroom that you were describing as to whether Ryan's penis
19 went into your vagina.

20 Did that help refresh your recollection?

21 A Yes.

22 Q It does?

23 A Yes.

24 Q Did Ryan's penis go into your vagina that?

25 A Yeah.

1 Q Is that a yes?

2 A Yes. Sorry.

3 Q Now, on that occasion, do you recall whether or not

4 Ryan in any way touched your breasts in the course of that

5 incident?

6 A Yes.

7 Q Is that a yes?

8 A Yes.

9 Q Okay. And I'm not sure that I can is asked you, but

10 going back to the incidents you described in the office with

11 Brandon, on those incidents, did the defendant -- or I'm

12 sorry, did Brandon touch your breasts?

13 A Yes.

14 Q And just to be clear, in all these incidents, the

15 defendant was there at all times; is that correct?

16 A All times, yes.

17 Q All right. Now, I'm going to show you what's marked

18 as State's Exhibit 76, and ask you if you recognize this?

19 A Yes, it's the master bedroom.

20 Q Okay. And who's in the master bedroom?

21 A Ryan and me.

22 Q And does Ryan have any clothes on?

23 A No.

24 Q Okay. Do you have any clothes on?

25 A No.

1 Q Are you in the process, it appears, of taking your
2 clothes off? Would that be accurate?

3 A Yes.

4 Q Is this a still from -- or essentially a picture of
5 something that happened in that bedroom as you've described
6 it here to the jury?

7 A Yes.

8 Q Okay. Now, I just want to be clear because I showed
9 you some other exhibits in regards to an incident that
10 happened with Ryan out of the office, right?

11 A Right.

12 Q And now I've showed you a still from the other
13 incident, which happened in the bedroom; is that right?

14 A Yes.

15 Q Have you ever been shown the actual video of these
16 incidents?

17 A No.

18 Q So you're testifying from memory here?

19 A Yes.

20 Q Now, we've talked before about -- showing you again,
21 what's marked as State's Exhibit 3. We talked about -- at
22 this point, we've talked about incidents involving Anita,
23 we've talked about incidents involving Ryan, we've talked
24 about incidents involving Brandon; is that right?

25 A Yes.

1 Q Were there ever any sexual incidents you were
2 involved with involving Tails?

3 A No.

4 Q And just to be clear, in regard to the sexual
5 incidents that you've described with each of these three --
6 would it be fair to say that the defendant --

7 THE COURT: Hold on.

8 BY MR. SWEETIN:

9 Q -- was --

10 THE COURT: Hold on, Jim. Hold on.

11 (Pause in the proceedings)

12 THE COURT: All right. Go ahead, proceed.

13 BY MR. SWEETIN:

14 Q And just to be fair, would it be appropriate to say
15 that in regards to the incidents regarding Brandon, Anita,
16 and Ryan, that the defendant was present at all relevant
17 times during those incidents that you've described it?

18 A Every time.

19 Q Okay. And, in fact, you described his involvement
20 in some detail; is that correct?

21 A Yes.

22 Q Now, you've also discussed incidents involving
23 Melissa Clark, who's your younger sister, about 11 years
24 younger than you; is that right?

25 A Yes.

1 Q Earlier we discussed Tamara and Erin Clark.

2 A Yes.

3 Q Or I'm sorry, Erin Clark and Tamara Grisham?

4 A Yes.

5 Q I want to talk about them just a bit. Were you

6 familiar -- or how were you familiar with both of those

7 individuals?

8 A They're both my niece.

9 Q As you were living at the residence on Yellowstone

10 over the period of time we described, did you have occasion

11 to see your nieces at that residence?

12 A I would go pick them up and bring them over, yes.

13 Q All right. Over what period of time would each of

14 them visit the residence or do you recall? About how old

15 were they?

16 A Erin was about 13, from my recollection, and Tamara

17 was about 16.

18 Q Okay. Did they visit the residence over a period of

19 a number years or was it just for a short time, like a given

20 year?

21 A Here and there. Not all the time.

22 Q So they came over a more extended period?

23 A Yes.

24 Q Okay. So period of years?

25 A Yes.

1 Q When they would come over, would they just visit or
2 would they sometimes stay overnight or what was the normal
3 course?

4 A They would come on the occasions birthday party,
5 pool parties, movie nights. Erin spent the night a couple
6 times.

7 Q Okay. Would they ever spend the weekend?

8 A I don't recall that.

9 Q Okay.

10 A I just remember them spending the night.

11 Q Okay. Now, you've talked about a lot of different
12 things that were happening inside the residence; is that
13 right?

14 A Yes.

15 Q Had these things been happening during the time or
16 even previous to you bringing over Tamara or Erin to the
17 residence?

18 A That happened after they were coming over.

19 Q What do you mean, what happened after?

20 A When they were coming over, nothing was happening at
21 that point.

22 Q Well, you made reference to --

23 A I --

24 Q -- an incident that involved Brandon and Ryan when
25 they were five years old, right?

1 A Yes.

2 Q That happened before they came over; would that be
3 correct?

4 A Yeah. Just that one time, yes.

5 Q Okay. So are you making reference then to the
6 incidents involving -- involving who, is happening after?

7 A Brandon and Ryan.

8 Q Okay. So you made reference also to an incident
9 involving Anita that happened sometime previous; is that
10 correct?

11 A Yes.

12 Q That would have been previous to you bringing them
13 over to the residence; is that right?

14 A Yes.

15 Q Okay. So -- and Ms. Sena, the reason that I ask you
16 this is I'm trying to understand what you were thinking when
17 you brought your two nieces over to the residence knowing
18 what was going on inside the residence?

19 MS. RADOSTA: Objection, Your Honor. Relevance of
20 what Mr. Sweetin's thought process is at this point.

21 THE COURT: Well, he's wanting to know what she's
22 thinking.

23 MR. SWEETIN: Yeah.

24 THE COURT: He said, I'm curious to what you're
25 thinking.

1 MR. SWEETIN: Once again, he's curious, Your Honor.
2 That would be our objection.
3 THE COURT: Okay. Just ask the question, then.
4 What were you thinking.
5 MR. SWEETIN: There you go.
6 BY MR. SWEETIN:
7 Q What were you thinking, Terrie?
8 A I don't have an answer to that.
9 THE COURT RECORDER: I'm not picking her up.
10 THE WITNESS: I don't have an answer to that.
11 THE COURT RECORDER: Thank you.
12 THE WITNESS: I don't know what I was thinking.
13 BY MR. SWEETIN:
14 Q As you sit here, do you feel bad about what you did?
15 A Absolutely.
16 Q All right.
17 A Every day.
18 Q Let's talk about Tamara first. You recall her
19 coming to the residence, and you said sometimes she would
20 spend the night; is that right?
21 A Tamara never spent the night. It was Erin.
22 Q Okay. So you don't believe Tamara ever spent the
23 night?
24 A Not that I recall, no.
25 Q All right. She did come to the residence; is that

1 right?

2 A Yes.

3 Q Do you recall any occasions when she would take a
4 shower while she was at the residence?

5 A One time, yes.

6 Q You just remember one time that she took a shower?

7 A Yes.

8 Q Okay. And how many showers are there in the
9 residence? Showing you what's marked as Exhibit -- State's
10 Exhibit 1.

11 A There is one in the main house, and one in the guest
12 house.

13 Q So would this be the one in the main house?

14 A Yes.

15 Q And then you said there's one in the guest house or
16 the back office?

17 A Yes.

18 Q Right there?

19 A Yes.

20 Q Okay. Do you recall which shower that Tamara took a
21 shower in?

22 A The office.

23 Q So that would be the shower back here?

24 A Yes.

25 Q Okay. Do you remember about how old she was at the

1 time?

2 A 16.

3 Q Now, I want to ask you in regards to the shower back
4 here. There's sort of an opening here that appears to be a
5 door on State's Exhibit 1 going into the bathroom; is that
6 right?

7 A It's an accordion door.

8 Q Okay.

9 A Yes.

10 Q If you could, just explain a little bit about this
11 particular accordion door, how it's situated and what holds
12 it shut, things like that.

13 A The accordion door you just pull over, and it
14 latches by a latch, like a magnet type.

15 Q Okay. So that door, is it flush closed at the top
16 or on the side just like you would a normal door, a wood door
17 that opens and close?

18 A No, there's a gap at the bottom and gap at the top.

19 Q Okay. Now, you indicated that you remembered Tamara
20 taking a shower on at least one occasion back in that
21 bathroom in the office; is that right?

22 A Yes.

23 Q Do you remember anything about that occasion, about
24 what was going on or anything like that?

25 A Yes. She came over to the house because she wanted

1 me to dye her hair.

2 Q Okay. Sand it for that reason that she was in that
3 bathroom?

4 A Yes. She was rinsing off the hair dye, yes.

5 Q Okay. Now, at the time that Tamara was in the
6 bathroom rinsing off the hair dye, as you were dyeing her
7 hair, where were you located?

8 A I was sitting on my bed towards the front door.

9 Q Okay. And you made reference to your bed. I think
10 there's a drum set that's kind of up here; is that right?

11 A Yeah.

12 Q Was that where your bed was?

13 A Yes.

14 Q Okay. So that would be on the other side of this
15 big divider that we -- used to be there?

16 A Yeah, the partition, yes.

17 Q All right. And was there anybody else in the office
18 at that time?

19 A Yes, Chris was.

20 Q Okay. The defendant?

21 A Yes.

22 Q All right. Now, as Tamara was taking a shower in
23 that bathroom, do you recall anything happening at that time?

24 A Yes.

25 Q Could you describe that to the members of the jury?

1 A Yes. While Tamara was taking a shower in the
2 bathroom, Chris had came from his side where he was sitting
3 at his computer desk, walked over, locked the door, and
4 reached for my remote on my TV, and turned the volume up to
5 23.

6 Then he grabbed a gray Sony hand camcorder, and
7 went in the kitchen, got a stool, and took the stool over to
8 where the accordion door was, set it down, stepped on top of
9 it, and took the camcorder, and aimed it through the gap of
10 the accordion door down into the bathroom.

11 Q Okay. Let me stop you there for a minute. You
12 indicated that he locked the door. You're referring to the
13 door that leads into the office right here?

14 A The front door, yes.

15 Q All right. Now, while he's doing these things,
16 moving the stool around, and getting the recording device,
17 and all of that, is he saying anything to you or --

18 A No.

19 Q No?

20 A Not at that point, no.

21 Q So you're just sitting there?

22 A I'm sitting there at that -- at that point --

23 Q Okay.

24 A -- when he's doing that, yes.

25 Q Are you wondering what he's doing?

1 A Yes.

2 Q Yes? Do you say anything to him or ask him what
3 he's doing?

4 A Yes, I ask him. He didn't answer me at first, and
5 then he didn't acknowledge until he put the camcorder through
6 the bathroom and told me to come over here, over towards him.
7 And he told me to unbuckle his pants and unzip him, and he
8 told me to give him oral sex.

9 Q Okay. At the time he tells you to do this, do you
10 say anything to him?

11 A Yes.

12 Q What do you say?

13 A I asked him what he was doing and --

14 Q And he told you to unzip his pants and perform oral
15 sex? Are those the words he used or what words did he use?

16 A He used exactly -- he told me after I unzipped him,
17 he said, get down there on your hands and knees and --

18 Q What did he say?

19 A It's going to be --

20 Q Go ahead. You need to tell us.

21 A Okay. He told me to get on my knees and suck his
22 cock.

23 Q All right. When he told you that, did you respond
24 to him?

25 A I -- I did what he told me to do.

1 Q So you did what he told you to do without asking him
2 why or I don't want to or I want to? You didn't say anything
3 to him?

4 A No, I didn't say anything.

5 Q What were you thinking when he told you to do those
6 things?

7 A I was thinking back what he had done to me in the
8 past if I don't do what he said, that he was going to hurt
9 me.

10 Q So you did you perform oral sex on him at that time?

11 A Yes. As I was giving him oral sex, he reached
12 around and grabbed me with his hand -- grabbed a full hand of
13 hair, and he was forcing my head down to the point where I
14 would gag.

15 Q Okay. What happens next?

16 A After that happened, he heard the shower go off, so
17 he hurried up and got down and told me to -- he said, go over
18 there and sit down. And so I went over there and sat down,
19 and then he went on the other side and sat down, and then
20 Tamara came out of the --

21 Q Do you recall the defendant ejaculating on that
22 occasion?

23 A My recollection, I think he did, yes.

24 Q That he did?

25 A Yes.

1 Q So what happens after Tamara gets out of the shower?
2 A She gets out of the shower and comes out to me, and
3 she just asked me to make sure that if she had got all the
4 hair dye out.
5 Q Okay. And what happens next?
6 A Then she stays talking to me for a couple more
7 hours, and we take her home.
8 Q I'm going to show you what's marked as State's
9 Exhibit 79. I'm going to ask you if you recognize what's
10 depicted there?
11 A Tamara.
12 Q That's Tamara?
13 A Yes.
14 Q Do you recognize where Tamara is?
15 A In the shower.
16 Q Is that the shower that you just described where
17 she --
18 A In the office.
19 Q -- took a shower on that day?
20 A Yes.
21 Q And does she have any clothes on as she's in the
22 shower?
23 A No. And she's rinsing her hair.
24 Q Now, you mentioned that you saw the defendant record
25 this; is that right?

1 A Yes.

2 Q Did you ever have the occasion to see him replay
3 that or to watch the actual video of what he recorded?

4 A No. This is the first time I'm seeing this.

5 Q Now, you mentioned that Erin also came over to the
6 residence; is that right?

7 A Yes.

8 Q Do you recall her spending the night on occasion?

9 A Yes.

10 Q Okay. And do you remember her ever taking showers
11 while she was there at the residence?

12 A Yes.

13 Q Do you remember where she would take a shower?

14 A It was the office in the bathroom.

15 Q Do you remember her taking a shower in this bathroom
16 as well; is that right?

17 A Yes.

18 Q Okay. Do you remember an occasion -- do you
19 remember if it was just once she took a shower back there or
20 it was more than once or do you remember?

21 A It was just the one time that I recall.

22 Q You only remember one time?

23 A I only remember one time, yes.

24 Q Okay. And on the time that you remember, do you
25 remember anything unusual happening or strange happened --

1 happening as she took a shower?

2 A It -- the same thing happened.

3 Q Okay. When she took a shower back here, who was --
4 you were present in this office as well when she was taking a
5 shower?

6 A Yes.

7 Q Was there anyone else present at that time?

8 A Christopher was.

9 Q The defendant?

10 A Yes.

11 Q Anyone else?

12 A No.

13 Q And what happens on that occasion? Do you recall
14 anything specific in regards to her reasons why she was
15 taking a shower back there?

16 A Yeah. The specifics were not only Erin, but my kids
17 as well had lice, so Deborah was helping Ryan and Tails in
18 the front, and I was helping Erin because they had lice in
19 their hair.

20 Q Okay. And what happens?

21 A I take Erin in the bathroom, and I put the lice
22 medication on her head, and we had to wait. So she had a bag
23 over her hair. So we're sitting there watching TV, as we're
24 sitting there waiting for it to be time for it to wash out.

25 Once the timer went off, I had Erin go into the

1 bathroom and take a shower to wash the medication out of her
2 hair.

3 Q Okay. At the time she went in the bathroom, still
4 the same people present, just you and the defendant in that
5 office in back?

6 A Yes.

7 Q What happens next?

8 A After she goes in the shower, she yells at me, and I
9 had to go in because she didn't know how to start the shower.
10 So I went in there, and I started the shower, and I came back
11 out, and I went into the kitchen to get me a drink, and I
12 came back out, went back, and sat in my chair waiting for her
13 to -- for her to finish taking a shower.

14 Q What happens next?

15 A Chris comes over again, and he already had at this
16 point everything in his hand, and he locks the door, turns my
17 TV up, and has me go over there, and he stands on the stool
18 and records her.

19 And before I could say anything, he told me to come
20 over, and he was telling me to give him oral sex, and he
21 would force me and -- and pull my head towards while she was
22 taking a shower.

23 Q Same as before?

24 A Yes.

25 Q Okay.

1 A Exact same way that he did Tamara, yes.

2 Q All right. Again, did you say anything to him?

3 A At that time, no, because he already had his penis
4 in my mouth.

5 Q Okay. What happens next?

6 A After she gets done taking the shower, he hears the
7 water, and he hurries up, unlocks the door, runs over to his
8 computer desk and sits there. She comes out, and she has me
9 check her hair, and I'm sitting there combing through it.
10 And then she leaves to go in the front, and Chris prompts me
11 to come over there, and at that time, he plays back the
12 video, and he has me sit onto his computer desk, and while
13 watching the video of Erin, he is having sex with me as he's
14 watching. And that's how he had his orgasm.

15 Q Okay. Showing you what's marked as State's Exhibit
16 81. Do you recognize this?

17 A Yes.

18 Q And what is that?

19 A Erin.

20 Q Is that Erin in the shower?

21 A Yes.

22 Q Okay. Is she nude?

23 A Yes.

24 Q Is that the shower that we've been discussing in the
25 back office?

1 A Yes.

2 Q You mentioned that in this particular case, that the
3 defendant actually played the video as he was having sex with
4 you; is that correct?

5 A Yes.

6 Q Did you have occasion to view the video?

7 A No.

8 Q So you can't say --

9 A I didn't watch it.

10 Q -- that this is a frame from that video?

11 A I can say this is a frame from the video, but I --

12 Q How can you say that?

13 A Because I was there when he camcordered it.

14 Q And this is what was being camcordered?

15 A Yes.

16 Q Now, I wanted to talk just generally about the
17 atmosphere within the residence as it related to the children
18 there on Yellowstone as you were living there. Okay?

19 So as you were living at the Yellowstone residence,
20 and now we remember that you previously testified that Anita
21 was living there, Tails was living there, Ryan and Brandon
22 were all living there; is that correct?

23 A Yes.

24 Q In the course of them living there, was there
25 violence in the home directed at the children?

1 A Yes.

2 Q And was that directed by, in fact, the defendant?

3 A Yes.

4 Q Did the defendant yell at the children?

5 A Constantly, yes.

6 Q Did he make threats to the children?

7 A Constantly.

8 Q Did he call the children names?

9 A Yes.

10 Q How did the children respond to the things that he

11 was doing? Did they fight back or talk back to him?

12 A They wouldn't. They were afraid of him. They were

13 terrified of him because every time that he would be violent

14 with them, he would flare up to them and say, what are you

15 going to do about it? I'm not drunk now. What are you going

16 to do about it? Is your mom going to help you? No, your

17 mom's not going to help you.

18 And he would always tell them to look at him, not

19 us, Deborah or I.

20 Q I want to turn your attention to June 12 of 2014.

21 Do you remember that day?

22 A Yes.

23 Q How do you remember that day?

24 A That's the day that Deborah, Anita, and Brandon left

25 the home.

1 Q Okay. And how did you become aware of that on that
2 day?

3 A I had woken up, like a normal day, to get ready for
4 work, and Chris had sugar gliders in the office, and one of
5 them had got stuck. So I went to the --

6 Q Let me stop you there for a minute. What's a sugar
7 glider?

8 A It's like a flying squirrel, I guess --

9 Q Okay.

10 A -- to describe it. And he had like eight of them,
11 so he was kind of breeding them.

12 So it got stuck, so I couldn't get it unstuck. So
13 I went in the main house, woke up Chris, and told him that
14 one of them was stuck. He went back there to get it unstuck.
15 He went back to the front house, and that's when he realized
16 that Anita, Brandon, and Deborah were gone.

17 Q Okay. And how did he come to that realization. Did
18 you see that?

19 A Things were gone; stuff in the front house, some of
20 Anita's belongings were gone, the PlayStation in the front
21 room was gone, certain things that were missing were gone.
22 And then he went back to rewind the security camera, and
23 noticed that they were crawling around in the room before
24 they left.

25 Q Okay. Did you, in fact, see that footage of the

1 security cameras you made reference to?

2 A Yes.

3 Q Okay. How long had those security cameras been
4 around?

5 A He would buy security cameras throughout. He didn't
6 have them all at once. So simultaneously he would buy extra
7 cameras.

8 Q Okay. And over the course of you living there, did
9 you observe him to take care or to watch the children on
10 those particular video cameras?

11 A He watched all of us on the video cameras, yes.

12 Q How did you know that he was watching all of you on
13 the video cameras?

14 A Because he would call us and tell us where they were
15 or where they weren't, and when they were supposed to be
16 somewhere.

17 Like, if he looked out at the front and didn't see
18 our car, he would call us and ask us where we were.

19 Q Okay. Were there rules that all the kids had to
20 live by as to exactly when they were supposed to be home?

21 A Yes. He gave them five minutes to get home from
22 school.

23 Q And if they violated those rules, then some of the
24 incidents we had talked about of violence, yelling,
25 threatening would happen?

1 A The consequences, yes. He would take their phones
2 away. He would not let their friends come over, yes.

3 Q Were there act of violence as well?

4 A Yes.

5 Q All right. Now, on that day, we've been looking at
6 pictures of the -- the office in back. I'm showing you
7 what's marked as State's Exhibit 52. Do you recognize that?
8 Is there a safe depicted in this photo?

9 A Yes.

10 Q Okay. Are you familiar with that safe being back in
11 that office?

12 A Yes. I'm the one that purchased it.

13 Q Okay. Do you know who had the -- who had access to
14 that safe?

15 A Christopher, Deborah, and I.

16 Q Also, there was on the -- showing you what's marked
17 as State's 39. There was on the desk a lap -- or I'm sorry,
18 a desktop computer; is that correct?

19 A Yes.

20 Q Okay. Was that the only desktop computer in the
21 house?

22 A In his office, yes.

23 Q Okay. Were you familiar with e-mail addresses
24 associated with the defendant?

25 A E-mails.

1 Q E-mail addresses associated with him; are you
2 familiar with the e-mail address of
3 christopherzx10@gmail.com?
4 A Yes.
5 Q And how are you familiar with that address?
6 A That's the one he used.
7 Q Okay. So that's the e-mail address from which he
8 sent e-mails?
9 A Yes.
10 Q How about chris@nightimaging.com?
11 A Yes. Very familiar with that one.
12 Q Okay. And what is that?
13 A That was Chris's business --
14 Q Okay.
15 A -- that he had started up.
16 Q And that's where sent e-mails from as well; is that
17 correct?
18 A Yes.
19 Q Okay. And in regards to christopherzx10, does that
20 zx10 have any significance?
21 A Zx10 was the motorcycle he owned.
22 Q Okay. Now, you mentioned that when the defendant
23 got up, he became aware that Deborah, Brandon, and Anita were
24 gone; is that right?
25 A Yes.

1 Q Did he have a discussion specifically with you in
2 regards to that?

3 A Yes.

4 Q And what was the discussion he had with you?

5 A He asked me if I knew anything, why they left, or if
6 I knew anything about it.

7 Q Now, when he had the discussion with you, was it a
8 casual discussion, calm discussion, hey, do you know anything
9 about this, or what was his demeanor as he was talking to
10 you?

11 A He was angry.

12 Q Did he ask you to do anything particularly at that
13 time?

14 A Yeah. He told me and Ryan to get our things, and he
15 asked -- he looked at Tails, and told Tails to -- he said,
16 help your mother.

17 Q When you said, get your things, what do you mean by
18 that?

19 A He told me to get my belongings and leave so he
20 could get Anita back.

21 Q So what was the connection between you leaving and
22 Anita coming back?

23 A He was angry and violent and saying that it was my
24 fault that they left.

25 Q And based upon that, he told you to leave?

1 A Yes.

2 Q Now, Ryan was also living there at that time; is
3 that right?

4 A Yes.

5 Q And Ryan was still in the residence?

6 A Yes.

7 Q Does he tell you to take Ryan with you or what
8 happens?

9 A I leave with Ryan, yes.

10 Q So you and Ryan left at that time?

11 A Yes.

12 Q After you left, did you continue to have contact
13 with the defendant?

14 A No.

15 Q Do you recall the defendant ever asking you to
16 attempt to coax those who had left the residence to come back
17 to the residence?

18 A Yes.

19 Q When did that happen?

20 A A couple days later.

21 Q So that was after he threw you out of the residence?

22 A Yes.

23 Q So after he throws you out of the residence, how
24 does he contact you?

25 A He texted me, and then he would have Tails call me.

1 Q And what does he -- in the course of his
2 communications with you, what does he want you to do?

3 A He tells me to tell Anita that I'm out of the house
4 and that she can come home.

5 Q Do you remember him telling you, be a mother and get
6 Anita back here?

7 A Yes. For once, be a mother and get your daughter
8 back here, yes.

9 Q Well, you know, you detailed, you know, quite a
10 history here, and you've just gotten thrown out of this
11 house. Do you do what he wants you to do and try to contact
12 Anita and have her come home?

13 A I texted her on Facebook a few times, and then I
14 called Tails, and Tails even asked me if I contacted Anita to
15 get her back home.

16 Q And when you said you contacted her on Facebook,
17 what did you say to her?

18 A I told her that I was sorry, and if it was my fault,
19 that the reason why you left, I just wanted you to know
20 whatever your decision is, that I'll stand behind you.

21 Q So why are you contacting Anita and trying to get
22 her, or even giving her a choice in any way suggesting that
23 she return to that residence?

24 A At that time, I -- Chris asked me, and I texted her,
25 and at that same time, I was not only -- I was worried about

1 her, and I didn't want to -- her to go back. I was afraid
2 that he would go after her because he's come after us in the
3 past when we have left the house. And he would be more
4 violent every time I left the house.

5 Q After you left the house, did Ryan ever talk to you
6 about anything that he experienced of a sexual nature in the
7 house besides what you were involved with prior to you coming
8 down and talking to the police?

9 A He didn't tell me until prior going to the police
10 because once he left the house that day on June 12, 2014, I
11 knew that Chris knew where I was going to go, so I didn't
12 want him to be at -- know that we went to my parents' house.
13 So I had Ryan go to his dad's house.

14 And it wasn't until he came back living with me
15 that he told me, and when he told me, then it already had
16 come out full blown.

17 Q When he told you, he had been to talk to the police
18 yet?

19 A No.

20 Q And you hadn't been to talk to the police yet?

21 A No.

22 Q And when he told you, did he tell you of other
23 sexual incidents that you were not involved with that you
24 didn't know about?

25 A I can't recall.

1 Q Is there any reason why you didn't go to the police
2 at that time?

3 A Yeah.

4 Q What's that?

5 A I was afraid. I was afraid. I didn't which way to
6 turn, and it's hard when someone threatens. I had Anita one
7 way somewhere, I had Tails with him, and I told Tails to come
8 with me, and Ryan at his dad's, and him hurting my family
9 because he's threatened every member of my family.

10 Who am I going to save? I can't pick any one of
11 them because I want to save them all, and I can't.

12 Q Did there come a point in time when you became aware
13 that Ryan did go and speak to the police?

14 A I believe Ryan didn't speak to the police until
15 after there was a no-contact order that I --

16 Q Where were you at -- where were you living when Ryan
17 spoke to the police?

18 A When he went to -- I think I was already arrested at
19 that point.

20 Q Was there a time when you went to California?

21 A Yes.

22 Q And what were you doing in California?

23 A I was in Fontana getting my CDL license.

24 Q Okay. That's a truck driver's license, essentially;
25 is that right?

1 A Yes, sir.

2 Q Okay. And was it at that time that Ryan ended up
3 talking to the police?

4 A He was removed from my home, yes, when I was in
5 California.

6 Q Subsequent to that time, you had occasion to talk to
7 the police; is that right?

8 A Can you repeat the question, please?

9 Q Subsequent to that time, you had occasion to talk to
10 the police; is that right?

11 A In October, CPS came to see me, and then November
12 6th, a Detective Ramirez (phonetic) asked me to come down and
13 talk to him, which I went down, and I never seen anyone until
14 December 10th.

15 Q And at that time, you talked to the police; is that
16 right?

17 A Yes.

18 Q And as the police talked to you, they talked to you
19 about some videos that they had reviewed; is that correct?

20 A Detective Samples, yes.

21 Q And as a result of that, did you tell them what had
22 been going on in the house?

23 A Yes.

24 Q Okay. Did you tell it in the same detail as you
25 told us here today?

1 A Yes.

2 Q It was as much of detail as we talked about here
3 today or was it less detail?

4 A Less.

5 Q Okay. You've been here testifying for quite a
6 while; is that right?

7 A Yes.

8 Q You haven't talked -- you didn't talk to them that
9 long, did you?

10 A No.

11 Q And after that interview, what happens to you?

12 A After the interview with Detective Samples, I went
13 back to the apartment.

14 Q Okay. At some point in time, are you arrested?

15 A The next day, yes, December 11th.

16 Q The next day?

17 A Yes.

18 Q Now, we've talked, and I've asked you some questions
19 about how you felt or why you did what you did throughout
20 this. There have been a number of questions like that; is
21 that right?

22 A Yes.

23 Q I want to ask you today, do you recognize that what
24 you did was wrong?

25 A Absolutely.

1 Q How so?

2 A I'm ashamed that I hurt the people I love.

3 Q The sexual conduct you've described; is that right?

4 A Yes. Yes.

5 Q Do you take responsibility for that?

6 A Yes.

7 Q Would you have done any of this but for the ideas of

8 the defendant?

9 A I wouldn't have done it. He had to threaten me in

10 order for me to do any of it.

11 Q Whose idea was it to do the events that you've

12 described here, the sexual events?

13 A The defendant, Christopher.

14 Q Okay. Would you have done any of these things but

15 for directions given to you by the defendant?

16 A I wouldn't have done anything in any such nature.

17 Q Would you have done any of this without the

18 defendant guiding you and describing things to do?

19 MS. RADOSTA: Your Honor, I'm going to object.

20 Asked and answered. I think this is the third time.

21 THE COURT: Overruled.

22 THE WITNESS: I wouldn't have done any of it.

23 BY MR. SWEETIN:

24 Q Would you have done any of this without the

25 defendant's assistance?

1 A I wouldn't have done any of it.

2 Q You know what you did was wrong?

3 A Yes.

4 Q When you talked to the police, in fact, you talked
5 about there were times when you were sexually aroused; is
6 that correct?

7 A I said that.

8 Q Is that true?

9 A No.

10 Q You weren't sexually aroused?

11 A No.

12 Q Why did you say that to the police if it's not true?

13 A I was in a place. I was worried about everything,
14 and I kept on going back and listening to the words that
15 Chris was telling me in my head. And I was going from the
16 words that he implanted in my head. He made me believe that
17 I was. He's the one that would make me fantasize about the
18 boys. He told me when he had me do these things that he
19 wanted it done, that he threatened me to do.

20 Q But you did them, didn't you?

21 A Yes, sir.

22 Q You made the choice, didn't you?

23 A Yes, sir.

24 Q And you take responsibility for that today?

25 A Yes, sir.

1 Q And you entered a plea, as a matter of fact; is that
2 correct?

3 A Yes, sir.

4 Q And as you sit here, you're in a jail uniform and in
5 handcuffs, and you're serving a sentence in prison; is that
6 correct?

7 A Yes.

8 MR. SWEETIN: Nothing further, Judge.

9 THE COURT: You want to approach?

10 (Off-record bench conference.)

11 THE COURT: All right. Ms. Radosta, do you have
12 any cross-examination?

13 MS. RADOSTA: Yes, Judge.

14 THE COURT: Okay.

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

16 (Pause in the proceedings)

17 CROSS-EXAMINATION

18 BY MS. RADOSTA:

19 Q Good afternoon, Terrie. How are you?

20 A Good afternoon. Fine, thank you.

21 Q So in your mind, fair to say, you consider yourself
22 to be a victim of this whole entire process, right?

23 A Yes.

24 Q Okay. You didn't want to have sex with Deborah,
25 correct?

1 A Correct.

2 Q You didn't want to have sex with Ryan, correct?

3 A Correct.

4 Q You didn't want to have give a blow job to Ryan,
5 correct?

6 A Correct.

7 Q Or to Brandon?

8 A Correct.

9 Q You didn't want to have any type of sexual contact
10 with Anita?

11 A Correct.

12 Q You didn't want to give oral sex to Brandon when he
13 was five years old, right?

14 A Correct.

15 Q And when you were in the master bedroom with Ryan,
16 you didn't actually -- or wait, did you put your hands -- did
17 you grab his hands and put them on your breasts? Do you
18 remember doing that?

19 A Yes, I recall that.

20 Q And do you remember putting your hands on his hips
21 as he was inside you with his penis and moving his hips when
22 he was inside you?

23 A I don't recall that.

24 Q Okay. But do you remember having intercourse with
25 Ryan on the -- in the master bedroom on the master bed?

1 A For a brief -- yes.

2 Q For a brief period of time? But you remember also

3 you took off your clothes as you went into the master

4 bedroom, correct?

5 A Yes.

6 Q You took off Ryan's clothes as you went into the

7 master bedroom, correct?

8 A I don't recall that.

9 Q Okay. You remember taking off your top when you

10 went into the office with Ryan and Christopher, correct?

11 A Yes.

12 Q Before the incident of the blow job to Ryan and the

13 blow job to Christopher, you remember you took off your own

14 top, correct?

15 A Yes.

16 Q And you took off Ryan's pants, correct, or at least

17 pulled them down?

18 A Yes.

19 Q Okay. But you didn't want to do any of that,

20 correct?

21 A No, ma'am.

22 Q But you ended up pleading guilty in this case,

23 correct?

24 A Yes.

25 Q You pled guilty, not no contest, you pled guilty,

1 correct?

2 A Yes.

3 Q And you accepted a negotiation, correct?

4 A Yes.

5 Q And you pled guilty to sexual assault; do you
6 remember that? Do you remember being in court and pleading
7 guilty to the charge of sexual assault?

8 A Yes.

9 Q And that the people mentioned in the -- in your Plea
10 Agreement, do you recall who they were?

11 A Brandon and Ryan.

12 Q Brandon and Ryan. Okay. Anita was not mentioned,
13 correct?

14 A Correct.

15 Q And when you pled guilty, you recall there was
16 nothing in your Plea Agreement about Chris making you do any
17 of these actions, correct?

18 A Correct.

19 Q Your Plea Agreement said you did these actions, and
20 you're pleading guilty to them, right?

21 A Yes.

22 Q Also, you acknowledge that you freely were accepting
23 the Plea Agreement, correct?

24 A Yes.

25 Q And you were doing it voluntarily, correct?

1 A Yes.

2 Q And you were doing it knowingly, correct?

3 A Yes.

4 Q Okay. You signed the document yourself in court,

5 right?

6 A Yes.

7 Q And you actually also -- you signed the document

8 that said those things about freely, voluntarily, and

9 knowingly, right?

10 A Yes.

11 Q And then you also spoke to a Judge and pled guilty,

12 correct?

13 A Yes.

14 Q And then verbally told the Judge, yes, I'm doing

15 this freely, correct?

16 A Yes.

17 Q And yes, I'm doing this voluntarily?

18 A Yes.

19 Q And yes, I'm doing this knowingly?

20 A Yes.

21 Q You ended up getting a negotiation from the

22 prosecutor's office, correct?

23 A Correct.

24 Q And it was a negotiation where you're doing a

25 minimum of ten years in prison, correct?

1 A Yes, yes.

2 Q But you were -- well, when you made that negotiation
3 you were represented by on attorney, correct?

4 A Yes.

5 Q So you were fully advised of your rights and the
6 consequences of taking the deal, right?

7 A Yes.

8 Q And your rights and consequences if you did not
9 accept the deal, correct?

10 A Yes.

11 Q That you could have a jury trial if you wanted to
12 have a jury trial, right?

13 A Yes.

14 Q You knew, though, that other charges, the other
15 charges that were facing, were going to be dismissed as part
16 of your Plea Agreement, correct?

17 A Yes.

18 Q And other than that one charge that you pled guilty
19 to, you were actually facing a total of 15 other counts,
20 correct? Or I'm sorry, a total of 15 counts. Does that
21 sound about right?

22 A I think so.

23 Q Okay. And those counts, many of them carried more
24 time than the ten year to life sentence that you got when you
25 pled guilty, correct?

1 A I wasn't -- I didn't understand how what worked.

2 Q Okay. You were not advised by your attorney that

3 you were looking at more time in prison if you did not accept

4 the deal if you were found guilty at trial?

5 A No.

6 Q Okay.

7 A That part he didn't discuss.

8 Q Okay. So you were not advised of the potential

9 penalties for the other charges that you were facing?

10 A No.

11 Q Okay. So you just decided, regardless of knowing

12 what the other charges were that were being dismissed, you

13 still decided to take the deal of ten to life?

14 A I took the deal, yes.

15 Q You still thought that was a good idea and in your

16 best interest, correct?

17 A It was in my best interest, and plus, I didn't want

18 to put my children through a trial.

19 Q Okay. But as part of the deal, you agreed to

20 testify against Christopher, correct?

21 A Yes.

22 Q You did not have an option to take the deal and not

23 testify against Christopher, right?

24 A Yes.

25 Q You had to do -- if you did one, you had to do the

1 other, right?

2 A Yes.

3 Q Okay. So prior -- the idea that you consider
4 yourself to be a victim, let's talk about that a for a
5 second.

6 When you went to talk to Detective Samples, you were
7 just talking about that with Mr. Sweetin, you -- you went
8 down to where Detective Samples was, correct?

9 A Yes.

10 Q He didn't come to you, you went to him?

11 A Yes.

12 Q Okay. Was it -- your understanding, it was a police
13 station that you were going to?

14 A I didn't know where I was going because I was
15 advised to go to Family Court first before I talked to him.

16 Q Okay. And you ended up going to the Children's
17 Advocacy Center or the Children's Advocate Center? Does that
18 sound familiar on Pecos?

19 A The Family Services, yes.

20 Q Family Services. Okay. And you ended up sitting
21 down, Detective Samples met you at the front door, introduced
22 himself, fair to say?

23 A Yes.

24 Q Okay. Pretty early on -- well, let's back up a
25 second. You knew that Chris had already been arrested,

1 correct?

2 A Yes.

3 Q And he had been arrested about three months prior to
4 this, right?

5 A Yes.

6 Q Were you aware that Deborah had already spoken to
7 the police?

8 A I was aware that -- the only thing I was aware of
9 that she filed for divorce. That's all I recall.

10 Q Okay. So when you go down to talk to Samples, this
11 is December, I think you said December 10th?

12 A Yes, ma'am.

13 Q Of 2014?

14 A Yes.

15 Q So at that point in time, you did not have the
16 knowledge that Deborah had had a interview with the police?

17 A No, I didn't.

18 Q And did you know that Anita had had an interview
19 with the police?

20 A No.

21 Q Did you know that Brandon had had an interview with
22 the police?

23 A No.

24 Q Did you know that Tails had had an interview with
25 the police?

1 A No.

2 Q So none of your -- well, your own children, Anita
3 and Tails, didn't tell you that they had been interviewed by
4 the police?

5 A No.

6 Q Okay. But when you get into the room with Detective
7 Samples, do you figure out pretty quickly that you might be
8 in trouble?

9 A Yes.

10 Q Because he read you your Miranda rights, correct?

11 A Yes.

12 Q And that's not something that's ever happened to you
13 before, correct?

14 A Right.

15 Q You've never been asked to come down and speak to a
16 police officer and got in a room and had your Miranda rights
17 read to you, correct?

18 A Never.

19 Q So and you'd seen things like that on television, so
20 you kind of had an idea of what those were?

21 A Yes.

22 Q And that generally speaking, somebody who's read
23 their Miranda rights, is somebody who's at least the police
24 are interested in talking to?

25 A Interested, yes.

1 Q Maybe not somebody that the police are considering a
2 victim, correct?

3 A Right.

4 Q Now, I -- the -- Mr. Sweetin asked you about the
5 length of time of your interview with Detective Samples. Do
6 you recall how long you were talking with him?

7 A Two-and-a-half hours.

8 Q Two-and-a-half hours. Okay. So that was quite a
9 lengthy interview that you had with Detective Samples.
10 And he's an easy guy to talk to, right?

11 A I was -- I was intimidated by him.

12 Q Okay. But did you feel that if you had more to say
13 to him, he would listen to you? If you wanted to explain
14 yourself, he would listen to you?

15 A I didn't get that from him, no.

16 Q You didn't get that feeling from him at all?

17 A No.

18 Q Okay. But you were talking to him for two-and-a-
19 half hours?

20 A Yes.

21 Q Okay. You also had another conversation, another
22 interview with Detective Samples about six weeks later,
23 right? And that's when the prosecutors were also in the room
24 with you.

25 A January 22nd, yes.

1 Q Okay. And we'll come back to that in a minute, but
2 you didn't feel that Detective Samples was an easy person to
3 talk to, that's -- okay.

4 A No.

5 Q But you --

6 A I was intimidated.

7 Q I'm sorry?

8 A I was intimidated.

9 Q Okay. But you -- you did tell him that you were
10 turning to alcohol during this period of time, correct?
11 During this whole period of time that we've been talking
12 about so far here today, you were turning to alcohol.

13 A Yes.

14 Q Yeah. And you told him that there was some --
15 times that you were suffering physical abuse at the hands of
16 Chris, correct?

17 A Yes.

18 Q And you told him that there were threats to you?

19 A Yes.

20 Q By Christopher.

21 A Yes.

22 Q And you told him that there were -- that you felt
23 that at times you were being blackmailed by Christopher?

24 A Yes.

25 Q And you told him over and over and over again that

1 you were made or forced to do these things, correct?

2 A Yes.

3 Q And you don't feel that Detective Samples was an
4 easy person to talk to?

5 A No.

6 Q He let you tell him all of those things. He didn't
7 cut you off in mid sentence, did he?

8 A No.

9 Q He let you explain yourself, correct?

10 A Correct.

11 Q Okay. So you end up arrested the next day.

12 A Yes.

13 Q You weren't surprised by that, were you or were you?

14 A I was.

15 Q You were surprised by that. Okay.

16 Because you had just explained everything to
17 Detective Samples that you had been forced, right?

18 A Yes.

19 Q And that there had been threats, right?

20 A Yes.

21 Q So you thought you had explained the whole scenario
22 to Detective Samples?

23 A Yes.

24 Q You didn't think you were going to get arrested?

25 A Yes.

1 Q All right. After that, you are booked into the
2 Clark County Detention Center, and you get an attorney,
3 right?

4 A Yes.

5 Q Okay. We've talked about this a little bit. You
6 went through the decision to plead guilty, correct?

7 A Yes.

8 Q You did not decide to fight the charges, correct?

9 A Correct.

10 Q You did not decide to enter a not guilty plea and
11 have a jury trial, correct?

12 A Correct.

13 Q But if you're truly a victim, a jury shouldn't
14 convict you of anything, correct?

15 A Correct.

16 Q Okay. You did not want to take that chance with the
17 jury, though, did you?

18 A I didn't want to put my children through that.

19 Q But if you're truly a victim, what would you be
20 putting your children through? They would be wanting to help
21 you and explain the situation, wouldn't they?

22 A Yes.

23 Q The Agreement to Testify, your agreement -- or your
24 Plea Agreement was ten years to life, correct?

25 A Correct.

1 Q And parole is something that you are looking forward
2 to trying to achieve, correct?

3 A Yes.

4 Q You're actually eligible for parole in 2024,
5 correct?

6 A Yes.

7 Q About five years from now?

8 A Yes.

9 Q And you're -- are you worried about getting parole?

10 A Repeat the question.

11 Q Are you in any way worried about being granted
12 parole in 2024?

13 A No, not I'm not worried.

14 Q Okay. But your performance here in court, your
15 testimony here in court could impact whether or not you're
16 granted parole, correct?

17 A Yes.

18 Q You're well aware of that fact?

19 A Yes.

20 Q If the prosecutors do not feel that you are honoring
21 the agreement that you signed, your parole could be in
22 jeopardy in 2024, correct?

23 A Correct.

24 Q So you're also concerned about your family. You've
25 mentioned them already a few times since we've been talking.

1 But it's your kid, correct? You're worried about them?

2 A Yes, yes.

3 Q You're worried about Anita -- sorry, Anita?

4 A Yes.

5 Q And Ryan and Tails, right?

6 A And Brandon.

7 Q And Brandon. Okay. Fair enough.

8 You want to have a relationship with your children,

9 right?

10 A Absolutely.

11 Q You want to have a relationship with your own

12 extended family, your mother, and your sisters, and your

13 nieces, correct?

14 A Absolutely.

15 Q And so it's very important to you that they

16 understand that you are, in your mind, not responsible for

17 your own behavior here, correct?

18 A Repeat the question.

19 Q You want them to believe that you were a victim in

20 all of this, correct?

21 A They know I'm a victim.

22 Q Okay. Because you've told them that, correct?

23 A They've experienced it with me.

24 Q Okay.

25 A So they know.

1 Q Right now, are any of your children visiting you at
2 the prison?

3 A Yes.

4 Q Okay. Who? Which children are visiting you?

5 A Tails and Ryan.

6 Q Okay. But Anita is not currently visiting you?

7 A No, she's currently on the contact list for Deborah
8 and --

9 Q Okay.

10 A -- she can only see one of us at a time.

11 Q Okay. But Tails and Ryan are not on the visiting
12 list for Deborah, correct?

13 A Correct.

14 Q Because then they wouldn't be able to visit you?

15 A Correct.

16 Q Now, you've been up at the -- I say up, it's
17 actually like across -- across at the women's prison here in
18 town. You've been there for, geez, about four years now? Is
19 that about right?

20 A June -- June 2015.

21 Q June 2015. Okay. So about three-and-a-half years.
22 And Anita has still not gotten off of Deborah's
23 visitor's list in that amount of time, correct?

24 A To my knowledge.

25 Q Okay. So she continues to go visit Deborah and not

1 you?

2 A I don't know if she is or not.

3 Q Okay. When -- so are you and Deborah housed

4 together at the prison?

5 A We were, but I was moved so --

6 Q Okay. So you don't have any idea when Deborah's

7 getting visits or not getting visits at this point?

8 A Correct.

9 Q Okay. Do you -- you still, though, write letters to

10 Anita?

11 A Yes, I write letters, she writes back, I talk to her

12 on the phone, yes.

13 Q Okay. All right. And same thing with Tails and

14 with Ryan?

15 A Yes.

16 Q Very important to you that you have a relationship

17 with your children?

18 A Absolutely.

19 Q I am assuming your other family members, your

20 mothers, your sisters, your nieces, do they come visit you?

21 A My mom, my dad does, yes.

22 Q Okay. Okay. So as part of the deal that you made,

23 you ended up doing a second interview with Detective Samples.

24 You mentioned the date before, January 22nd?

25 A Yes.

1 Q 2015. That was after you had pled guilty or before
2 you pled guilty, if you recall?

3 A That was in negotiations.

4 Q If I were to tell you that you entered your plea on
5 February 6th, 2015, does that sound about right in
6 relationship to when you had -- you did the interview with
7 Detective Samples, second interview?

8 A Yeah, I had the second January 22nd in --

9 Q About two weeks later you --

10 A I signed a Plea Agreement that day.

11 Q Okay.

12 A And then on June 6th, I signed another one.

13 Q Okay. And I'm sorry, June -- February 6th?

14 A February 6th.

15 Q Okay. I thought I heard you say June.

16 During the second interview with Detective Samples,
17 there were prosecutors in the room as well, correct?

18 A Yes.

19 Q Mr. Sweetin was one of them, correct?

20 A Yes.

21 Q And then there was another prosecutor who's not in
22 the room right now?

23 A Yes.

24 Q Right? Okay.

25 And you understood that this interview was to talk

1 about Chris, correct? They wanted --

2 A Yes.

3 Q -- to know everything that you knew about Chris,

4 right?

5 A Chris and Deborah.

6 Q Chris and Deborah. Okay.

7 Because at that point in time, Deborah had not yet

8 made a decision to plead guilty?

9 A Correct.

10 Q Okay. She, as far as you know, made that decision

11 at a later date, correct?

12 A Correct.

13 Q About a year later maybe?

14 A That sounds right.

15 Q Okay. So it was your understanding that you needed

16 -- that you were there to talk about Chris and Deborah and

17 tell the --

18 A Yes.

19 Q -- detectives and the prosecutors everything that

20 you knew about them?

21 A Yes.

22 Q In relationship to these events that we've been

23 talking about?

24 A Yes.

25 Q You were still intent, though, to make sure that

1 they understood that this was all Chris's fault, right? You
2 wanted to make sure they understood this was all Chris's
3 fault?

4 A Yes.

5 Q Okay. You did not watch any of the videos prior to
6 that meeting? Prior to that sit-down --

7 A No, I --

8 Q -- with the prosecutors?

9 A -- hadn't seen nothing.

10 Q Okay. But you were aware at that point in time that
11 the police had confiscated or found some videos, correct?

12 A Yes.

13 Q You were aware of that through contact with your own
14 attorney in your own --

15 A Yes.

16 Q -- in your own case?

17 A Yes.

18 Q You had been made aware that there were pieces of
19 physical evidence that could potentially be used against you
20 if you wanted to go to trial?

21 A Yes.

22 Q Okay. And you knew that you were actually on some
23 of those videos, correct?

24 A Correct.

25 Q And you knew that Ryan was actually on some of those

1 videos, correct?

2 A Yes, the one.

3 Q Because you were in a video with Ryan for sure?

4 A Yes.

5 Q So when you were -- when you first moved into the

6 house at 60 -- is it 6012 --

7 A Yes, ma'am.

8 Q -- Yellowstone?

9 A Yes.

10 Q 6012 Yellowstone -- you and Chris had already

11 rekindled your sexual relationship prior to you moving in the

12 house, correct?

13 A We had sexual encounters, yes.

14 Q Okay. So let's just back up for a second. You move

15 into the house in 1999?

16 A Yes, shortly after his father died, yes.

17 Q Shortly after his father died. So Brandon -- I'm

18 sorry, Ryan is born in June of '98?

19 A Yes.

20 Q Was Ryan a year old when you moved into the

21 Yellowstone address?

22 A He was a little over a year.

23 Q Little over a year. So summertime 1999 you move

24 back into the house?

25 A Yes.

1 Q You and Chris had been split up when he was -- when
2 you get pregnant with Ryan?

3 A Yes.

4 Q Okay. So at what point after you get pregnant with
5 Ryan do you and Chris rekindle the sexual part of your
6 relationship?

7 A The first time we had a sexual encounter is after he
8 brought Deborah back from Maryland.

9 Q Okay. Were you pregnant with Ryan at that time?

10 A Yes.

11 Q Okay. Do you remember about how pregnant you were?

12 A About a month.

13 Q Okay. So late '97, maybe Thanksgiving, around that
14 time is when you guys maybe started back up again?

15 A Um-h'm.

16 Q He and Deborah end up getting married in February of
17 '98, correct?

18 A Yes.

19 Q And you are already -- well, Chris is actually
20 cheating on Deborah with you at that point, correct?

21 A Well, yeah.

22 Q I mean, he gets married to Deborah in February of
23 '98 --

24 A Um-h'm.

25 Q -- but four months prior, he's already rekindled the

1 sexual relationship with you, correct?

2 A Yes.

3 Q And it continues on until how -- how do you -- do
4 you continue the sexual relationship right up until Ryan is
5 born?

6 A Yes.

7 Q Okay. And then Ryan is born. You don't move in,
8 though, for almost a full calendar year, correct?

9 A Correct.

10 Q Brandon is born in August, correct?

11 A Yes.

12 Q And are you continually sleeping with Chris, even
13 though you're not living at the Yellowstone address?

14 A Chris came over to my mom's house and had sex with
15 me the day Brandon was born.

16 Q Okay. So -- and was that the only time before you
17 moved back in that you and Chris had sex or was it here and
18 there, once a month, once a week?

19 A It was here and there.

20 Q Okay. So when you moved back into the -- or when
21 you moved into the Yellowstone address in the summer of '99,
22 you fully expected the that you and Chris were going to be
23 continuing your sexual relationship, correct?

24 A No.

25 Q No? Why did you believe that that was not going to

1 continue on when you moved into the house?

2 A I just wanted to be there for my kids.

3 Q Okay. When was the last time you had sex with Chris

4 before moving into the house?

5 A The day Brandon was born.

6 Q Oh, okay. Okay. So from August of '98 until almost

7 the entire -- almost the entire year in that summer, you

8 don't have any sexual relationship with --

9 A No.

10 Q -- with Chris? Did he come over to your parents'

11 house in that period of time wanting to have sex with you?

12 A No.

13 Q Okay.

14 A Not at that time.

15 Q So you move back in. So you move into the -- the

16 Yellowstone address, he's married to Deborah at that point in

17 time, right?

18 A Yes.

19 Q But at some point in time you do rekindle a sexual

20 relationship with Chris once you're in the house, correct?

21 A Yes.

22 Q And he's married to Deborah until 2014, correct?

23 A Yes.

24 Q Okay. Did you -- when you moved into the house, you

25 were moving in -- you had Ryan with you, right?

1 A Yes.

2 Q And you -- he had Anita and Tails with him at the
3 Yellowstone address, correct?

4 A Yes.

5 Q You did not have them with you at your parents'?

6 A No.

7 Q But you were seeing them on the weekends? Did you
8 have them on the weekends and he had them during the week or
9 was it flip flopped?

10 A I had them on the weekends.

11 Q So do you recall, though, telling Detective Samples
12 and the prosecutors that he made you move back into the
13 house --

14 A Yes.

15 Q -- because he was keeping the kids from you?

16 A Yes, he did.

17 Q Okay. So despite the fact that you had them on the
18 weekends, you were telling Detective Samples that he was
19 withholding the kids from you, right?

20 A He was withholding the kids prior to me moving in.
21 He kept them away from me when he moved Deborah back.

22 Q Okay.

23 A And they were living in the apartment that was
24 before the Yellowstone address. That was into the reference
25 why he wasn't keeping me -- he was keeping me away from the

1 kids. He was having Deborah doing everything and didn't let
2 me have access to my kids.

3 Q So was he not bringing them to you on the weekends
4 anymore?

5 A No.

6 Q Okay. When did he stop bringing them to you on the
7 weekends because you just said a second ago that you had him
8 on the weekends?

9 A Prior -- prior to our divorce, that's when I got the
10 kids, before Deborah was even in the picture.

11 Q Okay. But during the year after Ryan was born, I --
12 and correct me if I'm misunderstanding you, I believe you
13 just testified that after Ryan was born and you were living
14 at your parents', you had Anita and Tails on the weekends,
15 and he had them up during the week for that year before you
16 moved into Yellowstone.

17 A I had them sometimes, yeah.

18 Q Sometimes?

19 A Yes.

20 Q But you told Detective Samples that the reason you
21 moved in is because Chris made you in order to see the kids,
22 correct?

23 A Yes, he would stop having me see the kids, yes.

24 Q Okay. You were still making sure that Detective
25 Samples knew that you weren't responsible for any of your own

1 behavior, correct?

2 A Correct.

3 Q You didn't even want to move into Yellowstone. That

4 was not your decision.

5 A No.

6 Q You had to do that?

7 A I did not want to do that, no.

8 Q Well, let me ask you a couple questions about not

9 getting access to the kids.

10 You guys had a custody agreement, correct?

11 A Yes.

12 Q A formal custody agreement filed with the courts,

13 correct?

14 A Yes.

15 Q You were living at home with your parents, correct?

16 A Yes.

17 Q So if you weren't getting to see the kids on the

18 weekend, your parents were getting to see their grand kids on

19 the weekend, correct?

20 A Correct.

21 Q I'm guessing they were pretty upset about that,

22 rite?

23 A Yes.

24 Q And you did not make any effort to go to the court

25 to try to fix this problem with custody, not getting to see

1 your kids?

2 A Absolutely I did.

3 Q You did go to the courts?

4 A I was going to the courts, yes.

5 Q Okay.

6 A And he said if I went to the courts to readjust the
7 custody, that he would make sure that I would never see them
8 again.

9 Q So did you actually go to the court or did you just
10 tell Chris you were going to go to the court?

11 A I told Chris I was going to go to the courts.

12 Q Okay. But you didn't actually go to the court?

13 A No, because he told me, don't bother because I'm
14 financially stable, that I won't allow you to get them back.

15 Q But you also had your parents, you were staying with
16 your parents, correct?

17 A Correct.

18 Q You could have asked them for some financial help,
19 correct --

20 A They didn't have it.

21 Q -- to get your kids? To get your -- to get -- to
22 resolve a custody issue with your children.

23 A They didn't have the --

24 Q What about --

25 A -- funds at that time.

1 Q -- one of your four sisters? Could you have asked
2 any of them for financial help to try --
3 A No.
4 Q -- to get your kids back?
5 A No, they weren't working.
6 Q Okay. Could you have gone to Legal Aid to ask them
7 for help to try to get your kids back?
8 A Yes.
9 Q And you did not do that?
10 A No.
11 Q Now, it's my understanding, Terrie, that at some
12 point in time you started working for the School District,
13 correct?
14 A Yes.
15 Q You're a substitute -- you were a substitute teacher
16 for the Clark County School District, correct?
17 A Yes.
18 Q So you got your Bachelor -- Bachelor of Arts Degree,
19 I'm assuming?
20 A I've got the Associate's, Bachelor's, and Master's,
21 yes.
22 Q Okay. Associate's degree, and what is that in?
23 A Paralegal.
24 Q And your Bachelor's Degree, what is that in?
25 A Criminal Justice.

1 Q And your Master's Degree, what is that in?
2 A Criminal Justice.
3 Q Okay. And at what point did you start your
4 schooling to get your Associate's Degree?
5 A 2004.
6 Q Okay. And when did you --
7 A I think.
8 Q When did you actually get your Associate's Degree?
9 When did you graduate?
10 A 2005/2006, somewhere around there.
11 Q Okay. And then did you roll right into getting your
12 bachelor's degree for --
13 A 2008, yes.
14 Q And is that when you started it or that when you
15 completed it?
16 A That's when I started it, and then in 2010, I
17 finished, and then 2010 and then 2012, I got my Master's.
18 Q Okay. All right. So back when we're talking about
19 this 1999, you hadn't yet gone and gotten those degrees, but
20 you --
21 A Correct.
22 Q I'm sorry?
23 A Correct.
24 Q Okay. But you had a signed custody agreement that
25 said you had custody of the kids on the weekend, and just

1 were not getting the kids on the weekend, right?

2 A Correct.

3 Q So you thought the only solution was you had to move
4 into the house with Chris and Deborah who were already
5 married, correct?

6 A Yes, in order to see them, yes.

7 THE COURT: Will this be a good time to take --

8 MS. RADOSTA: Yeah, that's fine, Judge. I was just
9 -- I was like I was just about to --

10 THE COURT: All right. Ladies and gentlemen, we're
11 going to take our evening recess at this time.

12 Can you start at 8:30 tomorrow?

13 UNIDENTIFIED SPEAKER: Sure.

14 THE COURT: Everybody? Okay. All right. So
15 during the overnight recess, you're admonished not to
16 converse amongst yourself or with anyone else on any subject
17 connected with this trial, or read, watch, or listen to any
18 report or commentary on the trial, any person connected with
19 this case or any medium of information, including without
20 limitation, to newspapers, television, or radio or form or
21 express any opinion on any subject connected with this trial
22 until the case is finally submitted to you.

23 We'll see you tomorrow at 8:30. Is that okay? Is
24 it all right, guys, for 8:30? We'll see you tomorrow at
25 8:30. Okay? We'll be at ease while the --

1 (Jury recessed at 4:51 P.M.)
2 THE COURT: Okay. All right. We're outside the
3 presence of the jury. Before we take our evening recess, do
4 you need to put anything on the record before tomorrow?
5 MR. SWEETIN: Not from the State.
6 THE COURT: Ms. Radosta?
7 MS. RADOSTA: Not -- there was something, Judge,
8 but I can't remember what it is now. So if there is, I'll
9 bring it up in the morning.
10 THE COURT: Okay. I'll talk to them tomorrow when
11 we're done, about Tuesday. Okay? So they'll know -- we're
12 going to go ahead and go dark all next Tuesday, give Ms.
13 Radosta an opportunity to get things squared away with her
14 parents.
15 MS. RADOSTA: I'll double check with my mom
16 tonight, Judge, to make sure that the appointment hasn't been
17 canceled or moved.
18 THE COURT: Okay.
19 MS. RADOSTA: But I'll double check.
20 THE COURT: Okay. All right. That's fine. All
21 right. So can you have her here by 8:30 tomorrow?
22 THE CORRECTIONS OFFICER: Yes.
23 THE COURT: All right. Okay. Thank you. We're
24 off the record. Okay.
25 (Court recessed at 4:53 P.M., until Friday,
26 February 8, 2019, at 8:31 A.M.)

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WITNESSES

<u>NAME</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
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COURT'S WITNESS:

ED KUNTZ, MARSHAL	9			
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STATE'S WITNESSES:

TERRI SENA	11	130		
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EXHIBITS

<u>DESCRIPTION</u>	<u>ADMITTED</u>
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STATE'S EXHIBITS:

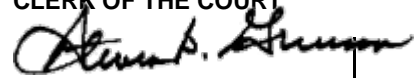
Exhibits 105 and 106.	14
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ATTEST: I hereby certify that I have truly and correctly transcribed the audio/visual proceedings in the above-entitled case to the best of my ability.



JULIE LORD, 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

FRIDAY, FEBRUARY 8, 2019

**RECORDER'S TRANSCRIPT OF HEARING
JURY TRIAL - DAY 10**

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, FRIDAY, FEBRUARY 8, 2019

2 [Case called at 8:31 A.M.]

3 (Outside the presence of the jury.)

4 THE COURT: All right. We're on the record in the
5 case of State of Nevada versus Christopher Sena in C-311453.
6 I'd like the record to reflect the presence of the defendant,
7 his counsel, as well as the State and their counsel.

8 And in the courtroom as well on the witness stand
9 is Terrie Sena. We're outside the presence of the jury. Do
10 the parties have anything they need to put anything on the
11 record before we get started?

12 MR. SWEETIN: Not from the State.

13 MS. RADOSTA: No, Your Honor. Just so that the
14 Court knows, I did double check with my mom, and the
15 appointment is still set for Tuesday, so.

16 THE COURT: Okay. All right. Go ahead and get the
17 jury in.

18 THE Marshal: All rise for the presence of the
19 jury.

20 (In the presence of the jury.)

21 THE COURT: All right. Everybody, go ahead and
22 have a seat. Good morning, ladies and gentlemen.

23 We're back on the record in the case of State of
24 Nevada versus Christopher Sena in C-311453.

25 (COURT CALLS ROLL OF THE JURY)

1 THE COURT: The jury's all 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, good
6 morning. Before we took our break last night, Ms. Sena was
7 still testifying. Ms. Radosta was in the middle of her
8 cross-examination.
9 And I'm going to have you resworn, all right, Ms.
10 Sena? Could you please stand up again.
11 TERRIE SENA, STATE'S WITNESS, RESWORN
12 THE Clerk: Thank you. Please be seated.
13 THE COURT: Okay.
14 THE Clerk: For the record, please state your full
15 name.
16 THE WITNESS: Terrie Sena, T-e-r-r-i-e, S-e-n-a.
17 THE COURT: Ms. Radosta, did you have any further
18 cross?
19 MS. RADOSTA: Yes, Your Honor. Thank you.
20 THE COURT: Okay.
21 MS. RADOSTA: Court's indulgence for just a second.
22 Thank you, Judge.
23 CROSS-EXAMINATION (RESUMED)
24 BY MS. RADOSTA:
25 Q Good morning, Terrie.

1 A Good morning.

2 Q How are you doing this morning?

3 A Fine. Thank you.

4 Q I'm going to need ask you to speak up a little bit.

5 A Yes, ma'am.

6 Q Some people I know in the morning their voice maybe

7 isn't quite there as much, but if you speak up, then I don't

8 have to ask you to repeat yourself. Okay?

9 A Okay.

10 Q So you went through a lot of alleged incidents

11 yesterday with Mr. Sweetin, things going on in the house

12 between you and Brandon sexually, correct?

13 A Correct.

14 Q Between you and Ryan sexually, correct?

15 A Correct.

16 Q That you were present and participated minimally

17 with Anita, correct?

18 A Yes.

19 Q Sexually? You also testified that there were some

20 threesomes between you and Debra earlier on in the -- in the

21 relationship, correct?

22 A Yes.

23 Q And you -- throughout all of this, you were in that

24 household for about 15 -- 14, 15 years?

25 A Yes, ma'am.

1 Q Okay. And at no point in time did you ever go
2 outside the house and tell anybody what was happening
3 allegedly inside the house sexually, correct?

4 A Correct. I was afraid.

5 Q Okay. You were afraid.

6 But it was common knowledge in the house, within the
7 house, what was going on, correct?

8 A Correct.

9 Q So you knew things that were happening between
10 Deborah and the kids, correct?

11 A No.

12 Q No? Well, you testified --

13 A I was informed.

14 Q You were informed?

15 A Yes.

16 Q Okay. And as far as you know, if you know, Deborah
17 was aware of things that were happening between you and the
18 kids, correct?

19 A Yes.

20 Q Okay. Was it -- and Anita was also an adult in the
21 household. She was aware of things that were going on in the
22 household?

23 MR. SWEETIN: Objection. Calls for speculation.

24 MS. RADOSTA: If she knows.

25 THE WITNESS: I don't recall; no, sir.

1 MS. RADOSTA: Sorry, Judge. I was clarifying my
2 question.

3 THE COURT: All right. Your question was, as far
4 as you knew, she knew. That calls for speculation. I'm
5 sustaining the objection.

6 MS. RADOSTA: Thank you, Judge.

7 BY MS. RADOSTA:

8 Q Tails was also an adult for a period of time inside
9 the home, correct?

10 A Yes.

11 Q He turned 18 when?

12 A December 2nd.

13 Q Of? He was born in '94?

14 A Yes.

15 Q So we'll have to do some math. He turned 18 in
16 2012?

17 A Yes.

18 Q No -- yeah, 2012?

19 A Yes.

20 Q So -- and you didn't leave for about two years after
21 that, correct?

22 A I left May of 2013.

23 Q Were you -- do you know if Tails knew what was going
24 on inside the house?

25 A I was --

1 MR. SWEETIN: Objection. Calls for speculation as
2 to what someone else knew.

3 THE COURT: Sustained.

4 MS. RADOSTA: I'm asking if she knew.

5 THE COURT: How would she know that? One, that
6 would call for hearsay or it would be speculation. You can
7 ask did you see Tails doing this kind of thing, so then
8 obviously, he'd know.

9 MS. RADOSTA: That's not the -- thank you, Your
10 Honor.

11 THE COURT: Okay.

12 MS. RADOSTA: Thank you.

13 BY MS. RADOSTA:

14 Q Were you aware that things were happening with Tails
15 and Deborah inside the house sexually?

16 A No, I wasn't aware.

17 Q So you were not informed of that?

18 A Right.

19 Q Okay. But you are -- you did tell detectives that
20 it was common knowledge within the household that there was
21 sexual activity happening between the adults in the household
22 and the children in the household?

23 A Yes.

24 Q For what period of time was it common knowledge?
25 When did you become aware?

1 A Can you repeat the question, please?

2 Q You told Detective Samples that it was common
3 knowledge that there was sexual activity going within the
4 house between the adults and the children, correct?

5 A Correct. I was referring to myself and the
6 children.

7 Q Okay. But what you -- do you recall talking to
8 Detective Samples about this particular topic?

9 A I don't recall. There was a lot of questions, a lot
10 of things going on.

11 Q Okay. Would it refresh your recollection if I were
12 to show you your statement to Detective Samples?

13 A Yes, please.

14 MS. RADOSTA: If I could have this -- may I
15 approach the Clerk, Your Honor, and have this marked for
16 identification?

17 THE COURT: Yes.

18 MS. RADOSTA: May I approach the witness, Judge?

19 THE COURT: Yes.

20 BY MS. RADOSTA:

21 Q Terrie, I'm showing you what has been marked for
22 identification purposes as Defense Proposed F. Do you see
23 that right down there?

24 A Yes.

25 Q Do you recognize this transcript? Have you ever

1 seen it before?

2 A I have not seen this transcript until later on.

3 Q Okay. But you have seen it prior to today?

4 A No.

5 Q Okay.

6 A Oh, I'm sorry.

7 Q No, no.

8 A Until today? Yes, when the State came and saw me,

9 yes.

10 Q Okay. So you have had a chance -- you were aware

11 that this transcript existed prior to today?

12 A Correct.

13 Q And this is a transcript dated January -- I think

14 it's January 22nd, twenty --

15 A Yes.

16 Q -- fifteen?

17 So to the best of your memory, this is the second

18 time that you spoke to Detective Samples, correct?

19 A Yes.

20 Q Okay. I direct your attention to page 51. And, of

21 course, I have the wrong page number on that.

22 A Okay.

23 Q I'm going to come back to that. Oh, no, wait a

24 minute. I picked up the wrong transcript. So did you have a

25 chance to read page 51 to yourself? Because I didn't really

1 tell you to do that.

2 If you could read it to yourself, and let me know
3 when you're done.

4 A (Witness reading). I'm finished.

5 Q Okay. So does that refresh your recollection that
6 you informed Detective Samples that you, Chris, and the kids,
7 and Chris, Deborah, and the kids were all kind of actively
8 engaging in sexual intercourse, it was known between
9 everybody?

10 A I --

11 MR. SWEETIN: And, Judge, I'm going to object. I
12 think that's a misstatement of the transcript.

13 MS. RADOSTA: I've --

14 THE COURT: Can you approach?

15 (Off-record bench conference.)

16 THE COURT: Mr. Sweetin?

17 MR. SWEETIN: Yeah, I withdraw my objection.

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

19 BY MS. RADOSTA:

20 Q Just to -- I honestly, Terrie, I'm not sure if you
21 answered the question or not.

22 Did you have a chance -- did you answer my question
23 before the objection?

24 A No.

25 Q Okay. Does that refresh your recollection that you

1 told Detective Samples that throughout the whole time, you,
2 Chris, and the kids, and Chris, Deborah, and the kids were
3 kind of actively engaging in sexual intercourse with each
4 other, and Chris was engaging in sexual intercourse with some
5 (indecipherable) of the kids; it was known between everybody.

6 A I had --

7 Q Does that refresh your recollection --

8 A Yes.

9 Q -- that that what you told Detective Samples?

10 A Yes.

11 Q Okay. And it was kind of like nobody talked about
12 it, correct?

13 A Correct. We were told never to --

14 Q Okay.

15 A -- tell anybody.

16 Q So at what point in time did you become aware of
17 Deborah and the kids and Chris?

18 A After this happened.

19 Q After what?

20 A After --

21 Q What is this?

22 A After Chris got arrested. Let me clarify that.

23 Q When you were speaking to Detective Samples there,
24 though, you were speaking as when you were living in the
25 house, everybody in the house knew, correct?

1 A I misspoke when he was asking me this question.
2 Q So you --
3 A I was just referring to the knowledge of Chris,
4 myself, and the kids, Chris, myself, and Deborah engaging.
5 Q Okay. But you --
6 A -- in sexual --
7 Q -- you see what the question is --
8 A Right.
9 Q -- what he asked you?
10 A Right.
11 Q And your answer was, everybody in the house knew?
12 A Right.
13 Q Okay. I want to back up for a second, and ask you
14 about your relationship with Chris. You and Chris were
15 married in 1990, right?
16 A September 17th, 1990, yes.
17 Q And right around then, Anita was born, correct? She
18 was actually born before you guys got married.
19 A She was actually born May '90.
20 Q A few -- okay. A few months before.
21 And you -- shortly Anita was born, around the time you
22 guys got married, you actually moved into the Harbor Islands
23 apartments, correct?
24 A I was pregnant with Anita when we were living at New
25 Harbor Islands Apartment.

1 Q Okay. And you were actually living with a friend or
2 a mutual friend from work named Kathy Fox (phonetic),
3 correct?

4 A That was later after Harbor Islands.

5 Q Okay.

6 A Because we could not pay the rent, so we had had to
7 go to my parents', and then from my parents', after we got
8 married, went to Kathy Fox.

9 Q And was Kathy Fox at Harbor Islands or not?

10 A No.

11 Q Okay. Where was Kathy Fox at?

12 A Pirate's Cove.

13 Q Okay. But you did tell detectives -- or Detective
14 Samples that there was physical abuse in the relationship
15 back then, correct?

16 A Yes.

17 Q And that your friend, Kathy Fox, actually saw it
18 happen, correct?

19 A Yes.

20 Q And that that's one of the reasons why she
21 eventually asked you and Chris to move out of her apartment,
22 correct?

23 A Not Kathy. Her boyfriend, Steve. It was a mutual
24 between the both of them, yes.

25 Q Okay. But did Steve actually see some of the --

1 A No.

2 Q Okay. But you were asked to leave because of those
3 alleged physical abuse back in 1991?

4 A Yes.

5 Q At that point, you -- where did you go after leaving
6 Kathy Fox's apartment?

7 A We went --

8 Q Did you go to his dad's at that point?

9 A Yes.

10 Q Okay. About what year was that, that you moved to
11 Chris's dad's?

12 A Later of the year '91. It was in the --

13 Q All right.

14 A -- '91 area.

15 Q So from late '91 until sometime in '93 you and Chris
16 are together, right?

17 A Yes.

18 Q But then in 1993, you guys separated, right?

19 A Yes. I left him, yes.

20 Q All right. Because you had enough of the abuse at
21 that point, right?

22 A Yes.

23 Q And you took Anita and you went to your parents'
24 house?

25 A Correct.

1 Q And Chris knew where your parents lived, right?

2 A Correct.

3 Q He'd been there many, many times when you guys were

4 dating, right?

5 A Yes.

6 Q They hadn't moved, hadn't relocated?

7 A No. He -- they were at the same house.

8 Q Okay. So after you and Chris separated in '93, you

9 -- there were -- there was communication between you and

10 Chris, correct?

11 A No. At that time, I had a restraining order against

12 Chris.

13 Q In '93 you had the restraining order?

14 A Yes, ma'am.

15 Q Okay.

16 A When I left.

17 Q Let's back up a second. When you -- the first time

18 that you -- when you moved out from Kathy Fox's and you go to

19 your parents', you didn't go back to Chris at that point? He

20 wasn't telling you you better come back and bring Anita back?

21 A That was -- when I had put the restraining order on

22 Chris --

23 Q Um-h'm.

24 A -- when we went back to court so I can get an

25 extension of that, he granted Chris visitation. He took

1 Anita on that day, and then he took her out of state with
2 her.

3 Q Okay. I'm going to get to that in a minute. I'm
4 talking about before that. Okay? And if I mis -- if I have
5 misinformation here, just let me know.

6 But after you guys separated in '93, did you
7 reconcile before divorce proceedings were started?

8 A No, it was after. It was in January of '94.

9 Q Do you recall telling Detective Samples and the
10 prosecutors that after you separated in '93, you did go back
11 to Chris before the TPO was filed?

12 A No, I filed a TPO before.

13 Q Would it refresh your recollection to look at what
14 you told the detectives and the --

15 A Yes, because --

16 Q -- prosecutors? Okay.

17 A -- there was a lot of stuff that's going on.

18 Q Okay. Turn to page 9 of the transcript you have in
19 front of you. If you could read it to yourself. And into
20 the middle of page 10.

21 A (Witness reading). Okay.

22 Q Does that refresh your recollection as to this part
23 of your conversation with Detective Samples about after the
24 separation in 1993?

25 A Yes, and I had the year wrong.

1 Q Okay. But you did tell Detective Samples that after
2 1993, that there were some threats, that there was a threat
3 that he was going to -- that he, being Chris, was going to
4 commit suicide, and that he wanted Anita back, correct?
5 That's what you informed Detective Samples?

6 A Yes. And I -- I --

7 Q And that as a result --

8 A -- and I said that I left -- I left out that I was
9 not aware that he was suicidal. His -- before he threatened,
10 his sister also called me after his threat and said that he
11 was at Lake Mead, that he did try to commit suicide --

12 Q Okay.

13 A -- at Christmastime.

14 Q Okay. But you were aware of that in some form back
15 in 1993, that he was --

16 A Yes.

17 Q -- threatening or actually had attempted suicide?

18 A Yes.

19 Q And that he was also telling you he wanted Anita and
20 you back, correct?

21 A Correct.

22 Q And that you then went back to him? And there's no
23 mention -- I'm sorry, that you went back to him, correct?

24 A In 1994.

25 Q There's no mention in this part right here of the

1 TPO, correct? You did not talk about the TPO right there to
2 Detective Samples?

3 A No. But there was one in place.

4 Q Okay. And I -- we'll get there.

5 Do you recall after you go back to Chris sometime
6 early '93, Christmastime '93, early '94, you then leave
7 again, but you left Anita with Chris?

8 A No. I left with Anita, and he came and picked up
9 Anita and left with her.

10 Q Okay. So you gave him Anita?

11 A Yes.

12 Q Okay. And he took her out of state?

13 A Correct.

14 Q And that point in time, you guys were once again,
15 you had left the relationship, correct?

16 A Yes.

17 Q And at that point, you -- you were not aware that he
18 was planning on taking Anita out of state, correct?

19 A Correct.

20 Q So you went to the police?

21 A Yes.

22 Q And you tried to file a complaint with the police?

23 A Yes, I did.

24 Q Told them that your child had been kidnaped?

25 A Yes.

1 Q And you told them about the physical abuse that had
2 been happening in the relationship as well?
3 A Yes.
4 Q And they told you, can't do anything about it, can't
5 help you?
6 A They couldn't do anything about it because there was
7 no custody arrangements, and that he had just as much rights
8 to Anita as I did.
9 Q Even though you were telling the police that there
10 was physical abuse in the relationship?
11 A Yes, between me and him, yes.
12 Q So eventually Chris comes back to town with Anita,
13 correct?
14 A Yes.
15 Q Phone call from your brother or something to that
16 effect, and he comes back into town?
17 A Not from my brother, from his brother.
18 Q From his brother. Okay.
19 A Yes.
20 Q And so he comes back into town and he brings Anita?
21 A Yes.
22 Q And you guys reconcile again at that point, correct?
23 A There was a meeting first.
24 Q There was a meeting first? Okay.
25 A Yes.

1 Q Was the meeting -- are you speaking of the meeting
2 before you guys filed for divorce papers or is it a different
3 meeting?

4 A When his brother informed me that Chris wanted to
5 talk to me, that he did bring Anita back, and he told me to
6 meet him and Chris at his brother's location.

7 So I took my sister with me --

8 Q Okay.

9 A -- so there would be like a third party present --

10 Q Okay.

11 A -- in case anything happened.

12 Q So you have a meeting, you have some type of family
13 meeting, and after that family meeting, you and Chris
14 reconcile again, correct?

15 A Yes.

16 Q And you make the decision to try for a second child,
17 correct?

18 A Yes.

19 Q And that second child is -- eventually is Tails,
20 correct?

21 A Tails, um-h'm.

22 Q So Tails is born in December of '94, so this is
23 early '94 you and Chris reconcile and decide to start trying
24 to have another child?

25 A Right.

1 Q Okay. After -- now, Tails is actually born in
2 Denver, Colorado, correct?

3 A Correct.

4 Q So sometime in '94 you all move up to Denver?

5 A Yes.

6 Q You, Anita, Chris, well, and Tails, obviously, since
7 you're pregnant with him.

8 A Right.

9 Q While you're up in Denver, there are some --
10 somewhat unrelated problems to your relationship with Chris,
11 with -- that cause you to want to leave Colorado, correct?

12 A Part of it, yes.

13 Q Part of it. There was a cousin up there that
14 thought he was owed money, and there was a conflict with that
15 cousin, correct?

16 A Yes.

17 Q And you decided you wanted to leave Colorado?

18 A Yes. That was part of it, and --

19 Q And --

20 A -- another reason was his cousin was telling me to
21 get far away from Chris.

22 Q Okay. Did you share that particular piece of
23 information with Detective Samples, that the cousin was
24 advising you to get --

25 A No.

1 Q -- far away?
2 A No.
3 Q No? But you shared that cousin was slashing
4 tires --
5 A Yes.
6 Q -- correct?
7 A Yes.
8 Q And thought he was owed money that -- for rent that
9 hadn't been paid?
10 A Yes.
11 Q So when you're up in Colorado, you get in touch with
12 your parents, correct?
13 A Yes.
14 Q And they come and get you or send you money and help
15 you come back down to Vegas?
16 A They actually came out and got me.
17 Q And they got you, Anita, and Tails, correct?
18 A Yes.
19 Q And you, once again, left Chris up in --
20 A Denver.
21 Q Well, not once again, but you left Chris up in
22 Colorado?
23 A Yes.
24 Q At this point in your mind are you guys still in a
25 relationship, or you just didn't like Colorado, or are you

1 moving back in with your parents at this point?

2 A I'm moving back in with my parents at this point.

3 Q So eventually Chris comes back to Las Vegas and

4 divorce paperwork is filed, correct?

5 A No.

6 Q No?

7 A Not until '96.

8 Q You didn't file for a divorce in '94 along with the

9 TPO?

10 A The first divorce was January of '94, and it was

11 mutual.

12 Q Okay.

13 A But Chris filed first.

14 Q Okay.

15 A And then he filed again.

16 Q But that time --

17 A In '96, '97.

18 Q That time when divorce paperwork was filed, and now

19 you're saying it's early '94?

20 A It was January of '94. There was two filings of

21 divorce.

22 Q Okay. In relationship to that filing of divorce,

23 the one in '94, you filed a TPO? You've mentioned it a

24 couple times already this morning.

25 A Before.

1 Q Okay. Before the paperwork for the divorce was
2 filed, you filed the TPO?

3 A Yes.

4 Q Okay. And you -- you filed the TPO -- and I'm
5 sorry, Temporary Protective Order. That's what you
6 understand TPO to be, right?

7 A Yes.

8 Q You filed a Temporary Protective Order against
9 Chris?

10 A Yes.

11 Q You did not want him to come around you, and at that
12 point it was just you and Anita, right?

13 A Correct.

14 Q And there -- at some point in time, you believed
15 that you had violated the Temporary Protective Order,
16 correct?

17 A Yes.

18 Q Because you answered a phone call from Chris.

19 A Yes.

20 Q And Chris convinced you that because you answered
21 his phone call, you were in violation of the TPO?

22 A Yes.

23 Q So you went to court after that, correct?

24 A Yes.

25 Q And asked that the TPO be lifted, correct?

1 A Correct.

2 Q You told them that there was no threat from Chris at
3 that point, correct?

4 A Yes.

5 Q That's what you said in court, correct?

6 A Correct.

7 Q To a Judge?

8 A Correct.

9 Q Because you were worried that you were going to get
10 it trouble maybe for violating the TPO?

11 A Yes.

12 Q And -- but that point in time, Chris was a threat to
13 you, correct?

14 A Yes.

15 Q You told the Judge he was not a threat to you?

16 A Yeah.

17 Q And that was in early 1994?

18 A Yes.

19 Q And then shortly thereafter is when you and he
20 decided to start trying for Tails, correct?

21 A Correct. Tails would have been the fourth child.

22 Q I'm sorry?

23 A Tails would have been the fourth child.

24 Q Okay.

25 A There was two in between Anita and Tails.

1 Q Okay. I'm sorry, miscarriages or --
2 A A miscarriage and Chris forced me to get an
3 abortion.
4 Q Okay. Have you shared that information about the
5 abortion with any of the detectives?
6 A I never have. I never have.
7 Q Okay.
8 A I never told anybody that.
9 Q But at this point in time, you and he were
10 reconciled and wanting to grow your family, fair statement?
11 A Yes.
12 Q So after Tails is born -- I'm sorry, let me rephrase
13 that.
14 After you come back from Colorado, at what point did
15 you -- how old was Tails when you came back from Colorado?
16 A Tails was born December 2nd, 1994. We came back in
17 January of '95.
18 Q Okay. So he was little?
19 A Yes.
20 Q Where --
21 A Not even a month old.
22 Q But the second divorce was not filed until 1997?
23 A Correct.
24 Q So from '95 to '97, you and Chris are reconciled
25 again?

1 A Later in '95.

2 Q Later in '95.

3 A Yes.

4 Q Okay.

5 A Later in '95.

6 Q And there's some other movements, you go to San
7 Antonio for a while, correct, during that period of time?

8 A 1996, yes.

9 Q And that doesn't work out, and you eventually come
10 back to Vegas, and do you and Chris come back to Vegas
11 together from San Antonio?

12 A Yes.

13 Q And when you get back to Las Vegas, Christopher
14 initiates divorce proceedings against you, correct?

15 A Yes.

16 Q You were able, though, at this point, to sit down
17 with him and have a somewhat rational conversation about your
18 relationship, correct?

19 A Yes.

20 Q That this just wasn't working out between the two of
21 you?

22 A Correct.

23 Q And that -- at what point do you go back to living
24 at your parents' in '97; Is it before this rational
25 conversation with you and Chris?

1 A Yes.

2 Q So you are living with Anita and Tails at your
3 parents' house, correct?

4 A Correct.

5 Q Chris comes over or you meet somewhere, and you guys
6 decide like adults, you know, this is just not a good
7 relationship, it's not working for either one of us?

8 A Correct.

9 Q Chris files for divorce proceedings. He takes the
10 first steps and files for divorce proceeding, correct?

11 A Correct.

12 Q And you're away from him now, right?

13 A Yes.

14 Q The divorce goes through, right?

15 A Yes.

16 Q You're living at another location, at your parents'
17 house?

18 A Yes.

19 Q And he gets custody of the kids, though, right?

20 A Yes.

21 Q Did he get custody of Anita only or both of them?

22 A Both.

23 Q He got custody of both of them.

24 You shared the history of your relationship with the
25 Judge, though, correct? The history of physical abuse in

1 your relationship, correct?

2 A There was no proceedings. It was just a signed
3 divorce. It wasn't through court means.

4 Q So how was the custody decided, then, about the
5 kids? Did you just agree to give him Anita and Tails if
6 there was no Judge involved?

7 A Correct.

8 Q Okay. So you are away from Chris, living at your
9 parents', and you make the decision to let him have the kids,
10 correct?

11 A That and other reasons, yes.

12 Q At this point in time, you're also learning that
13 there is another woman in the picture, correct?

14 A I found out about Deborah before the divorce was
15 final.

16 Q Before the divorce was final. And the divorce was
17 final, if you remember, what month in '97?

18 A August.

19 Q Okay. So sometime before August of '97, you find
20 out about Deborah. In what capacity?

21 A He -- when I was living at my parents', I found out
22 about Deborah because he would bring me the kids, and he
23 had Deborah with him.

24 Q Okay. You actually suspected that they were already
25 starting a sexual relationship before you were divorced from

1 Chris, right?

2 MR. SWEETIN: Objection. Calls for speculation as
3 to what she thought might have been going on.

4 THE COURT: Sustained.

5 BY MS. RADOSTA:

6 Q Did you have any information that they were already
7 involved before you were divorced?

8 A No. In 1997, the only recollection is -- that I
9 have is that they were skating together.

10 Q Oh.

11 A That's all I knew.

12 Q Okay. You -- do you recall telling Detective
13 Samples that you thought that they were sleeping together
14 before you were divorced from Chris?

15 A Yes.

16 Q You -- fair to say you didn't like Deborah from the
17 beginning?

18 A Repeat the question.

19 Q Is it fair to say that you did not like Deborah from
20 the beginning when you first met her?

21 A I had nothing against Deborah. I had not known her,
22 so I could not judge who she was.

23 Q She was another woman taking care of your kids, and
24 you were okay with that?

25 A That part I was not okay with.

1 Q Okay. And you have described the beginning of your
2 relationship with Deborah as bitter, correct?

3 A Yes.

4 Q The -- so you eventually move back -- you move into
5 Yellowstone, correct?

6 A In '99, yes.

7 Q In '99, and this is because you were not seeing your
8 kids?

9 A Correct.

10 Q Right. The kids that you had voluntarily given to
11 Chris?

12 A I didn't voluntarily give them up. I -- even though
13 I signed the divorce to give him custody, he threatened if I
14 wouldn't.

15 Q So it wasn't your fault that you gave up your kids?

16 A No. I wanted my kids with me more than anything,
17 but I knew I couldn't pay for the divorce like he had.

18 Q You had previously filed a Temporary Protective
19 Order against him, correct?

20 A Correct.

21 Q Back in 1994, correct?

22 A 1993, late '93.

23 Q 1993, '94?

24 A Yes.

25 Q So now fast forward to 1997, and you feel now that

1 you were in danger, correct?

2 A Yes. He threatened me.

3 Q Okay. You didn't go and file another Temporary
4 Protective Order, correct?

5 A No.

6 Q You didn't go to the police and file a report and
7 say, I think my kids are in danger, he's threatening me,
8 correct?

9 A Yes.

10 Q You didn't --

11 A He's threatened that he would never let me see them
12 again.

13 Q Okay. My question is, though, did you go to the
14 police and tell the police that?

15 A No.

16 Q Did you go to the courts and file paperwork
17 objecting to the custody arrangement that you had signed?

18 A I didn't know how.

19 Q You didn't know how. You knew how to file a
20 Temporary Protective Order, correct?

21 A Yes.

22 Q You knew how to file a police report, correct?

23 A Yes.

24 Q So you -- your decision was then to move into what
25 -- Yellowstone? That was your way to solve the problem?

1 A Yes.

2 Q And you moved into Yellowstone because you wanted to
3 move into Yellowstone, correct?

4 A I moved in because I felt I didn't have no choice.
5 That's the only way I would see my kids.

6 Q So again, not your fault that you moved into
7 Yellowstone?

8 A No.

9 Q There are -- you've had two different conversations
10 with Detective Samples leading up to today's testimony,
11 correct?

12 A Correct.

13 Q They were a long time ago back in --

14 A Yes.

15 Q -- late '90 -- late 2014, early 2015, correct?

16 A Yes.

17 Q But you've testified previously in Christopher's
18 preliminary hearing, correct?

19 A Yes.

20 Q And you've had the opportunity to explain yourself a
21 couple of different times, correct?

22 A Correct.

23 Q And to explain your actions in all of this, correct?

24 A Correct.

25 Q And it's really important to you that you're

1 believed to be not at fault for any of this, correct?

2 A Correct.

3 Q And that your family believes that this was not your
4 fault, correct?

5 A Correct.

6 Q And that this was -- well, let's -- you've told
7 police that you were heavily using alcohol while you were
8 inside the Yellowstone address, correct?

9 A When I made that statement, I was referring to the
10 second time when I went back. I was using heavy alcohol
11 between January 2014 until -- all the way up to the date of
12 June 2014.

13 Q Okay. So prior to that, you weren't really drinking
14 that much?

15 A No.

16 Q Okay. But you've told us here and you've previously
17 told detectives that Chris was physically violent with you?

18 A Yes.

19 Q So it wasn't your fault that you had sex with your
20 kids, correct?

21 A Correct.

22 Q You've detectives that Chris threatened you on
23 numerous occasions, correct?

24 A Yes.

25 Q So it wasn't your fault that you had sex with your

1 kids, correct?

2 A Correct.

3 Q You said that Chris had blackmailed you

4 occasionally, correct, or threatened to blackmail you.

5 A He threatened me. I wouldn't use the word

6 blackmail.

7 Q Okay. But he threatened you, so it wasn't your

8 fault that you had sex with your kids?

9 A He threatened me, yes.

10 Q Okay. But -- so it wasn't your fault that you had

11 sex with your kids, right?

12 A Right.

13 Q You said at one point that Chris turned Anita

14 against you, correct?

15 A Yes.

16 Q And so you had to move back home because he was

17 turning Anita against you, correct?

18 A Yes.

19 Q So it wasn't your fault that you had to move back

20 home?

21 A Correct.

22 Q You -- Chris had threatened to be physical with Ryan

23 -- I'm sorry, let me rephrase that.

24 Chris had threatened physical abuse towards Ryan,

25 correct?

1 A He actually hurt Ryan.

2 Q But he also threatened to you that he would hurt
3 Ryan?

4 A Yes.

5 Q And so you had to stay in the home, it wasn't your
6 fault, correct?

7 A Correct.

8 Q He threatened you that you wouldn't see Anita or
9 Tails again if you didn't do what he wanted you to do,
10 correct?

11 A Correct.

12 Q So you had to do what he had to do, it wasn't your
13 fault, correct?

14 A Yes.

15 Q He also even threatened to take Ryan from you,
16 correct?

17 A Yes.

18 Q Okay. You're Ryan's biological mother, correct?

19 A Correct.

20 Q Chris is not Ryan's biological father, correct?

21 A No.

22 Q Ryan's biological father is in Ryan's life, correct?

23 A I don't know, my knowledge.

24 Q Okay. Fair enough. At the time you were living at
25 Yellowstone, his -- Ryan's father was around, correct?

1 A No.

2 Q Wasn't around at all? He wasn't visiting with Ryan?

3 A He visited him a couple times, and that was it.

4 Q Okay. But you believed that somehow Chris was going

5 to be able to take Ryan from you, even though he was not his

6 biological father?

7 A Yes.

8 Q Okay. And this is after you had gone to school for

9 criminal justice and gotten a bachelor's degree --

10 A It was before.

11 Q -- and a master's degree?

12 A Before.

13 Q Okay. And you got those degrees -- so Ryan was

14 little, then, when those threats were made, correct?

15 A Yes.

16 Q And you stayed for another ten years after those

17 threats were made, correct?

18 A Yes.

19 Q You talked somewhat yesterday with Mr. Sweetin about

20 your younger sister, Melissa. She's quite a bit younger than

21 you, correct?

22 A Correct.

23 Q But she's your next -- I mean, she's the -- there's

24 you and then there's Melissa. There's no other siblings in

25 between you guys in age, right?

1 A No, there's Melissa and me and that's it.

2 Q Excuse me. You -- when Melissa was younger, what
3 apartment were you living in when you would bring Melissa
4 over to your apartment, or was there more than one? I
5 apologize, I've got a frog in my throat. What apartment was
6 it? What apartment was it?

7 A When Melissa was younger?

8 Q When you would bring Melissa over to the house when
9 Chris was home.

10 A The only apartment that I brought Melissa to was
11 when we lived on Hopkins.

12 Q Okay. And Melissa was how old at that point?

13 A 15-and-a-half.

14 Q Okay. So you knew already, I think you've
15 previously testified, that Christopher was at least
16 physically attracted to Melissa at that point in time when
17 she's 15?

18 A Yes.

19 Q And yet, you're inviting Melissa over to your
20 apartment?

21 A Yes.

22 Q When Chris is home, correct?

23 A Correct.

24 Q You testified yesterday about some sexual
25 interactions between Chris and Melissa, naked photos, things

1 of that nature, correct?

2 A Correct.

3 Q You were present when those things were happening,

4 correct? At least some of them?

5 A Some of them.

6 Q Some of them. And you participated in some of them,

7 correct?

8 A The office incident, yes.

9 Q The office incident, which was not at the Hopkins

10 apartment, that was at --

11 A The Yellowstone --

12 Q -- Yellowstone?

13 A -- address in the office.

14 Q So that's at least a few years later?

15 A Yes.

16 Q So in that one -- and actually, that was -- there

17 was a photograph of that particular incident, correct, that

18 you were shown yesterday?

19 A I was shown it yesterday, but I was not aware that

20 it even existed.

21 Q Okay. But you acknowledge that it was a photo from

22 that --

23 A Incident.

24 Q -- incident where it was you, Melissa, and

25 Christopher engaging in a sex -- various sex acts --

1 A Yes.

2 Q -- at the same time?

3 A Yes.

4 Q You were aware -- you may not have been aware that
5 particular photograph, but you were aware that there were
6 other photographs that were taken of Melissa, correct?

7 A Yes.

8 Q At that point in time?

9 A Yes.

10 Q You didn't destroy those photographs, correct?

11 A I -- from after that time that it had been taken by
12 Christopher, I never seen them again.

13 Q But you, yourself, did not destroy them when you saw
14 them the first time, correct?

15 A I didn't destroy anything.

16 Q Okay. And these are photographs of your baby
17 sister, correct?

18 A Correct.

19 Q And they're naked photos of your baby sister,
20 correct?

21 A Yes.

22 Q And actually, regarding the sexual -- the photograph
23 of the sexual interaction between you and Melissa and
24 Christopher, you actually enjoyed that particular sexual act
25 with your sister, Melissa, correct?

1 A No.

2 Q You don't recall telling Detective Samples that you
3 enjoy -- you actually enjoyed it with Melissa while it was
4 happening?

5 A No.

6 MS. RADOSTA: May I approach the Clerk, Your Honor?

7 BY MS. RADOSTA:

8 Q If I were to show you your statement to Detective
9 Samples, your other statement to Detective Samples, would
10 that refresh your recollection? Yes?

11 A I think, yes.

12 MS. RADOSTA: May I approach the Clerk, Your Honor?

13 THE COURT: Yes.

14 MS. RADOSTA: May I approach the witness?

15 THE COURT: Yes.

16 BY MS. RADOSTA:

17 Q I'm showing you now what's been marked for
18 identification purposes as Defense Proposed G.

19 Now, have you ever seen this particular transcript?
20 I know it looks very similar to the other one, but have you
21 ever seen the first statement that you gave to Detective
22 Samples?

23 A Was this December of '14?

24 Q Yes.

25 MS. RADOSTA: And just -- just for the record, Your

1 Honor, the transcript itself has a date that I believe is
2 inaccurate. It says September 9th, 2014, but I believe
3 that's a typographical error, just for the record. And I
4 think the State would agree with that.

5 THE COURT: All right. You've made your record.

6 MS. RADOSTA: Thank you.

7 BY MS. RADOSTA:

8 Q So you were aware that you gave a statement to
9 Detective Samples day before you were arrested, correct?

10 A December 10th, yes.

11 Q December 10th. So do you recognize that transcript
12 in front of you as a transcript of that particular interview?

13 A Yes.

14 Q Okay. I'd direct your attention to page 66. If you
15 could read page 66 to yourself, and let me know when you're
16 done.

17 A (Witness reading). Okay.

18 Q Does that refresh your recollection that you began
19 to get attracted to your sister as you were performing the
20 sexual acts on her?

21 A Can you repeat that question, please?

22 Q You've had a chance to read that section --

23 A Yes.

24 Q -- of the transcript, correct?

25 A Yes.

1 Q Does that refresh your recollection as to the fact
2 that you told Detective Samples that you didn't get attracted
3 to your sister until later on, but you -- it began to turn
4 you on as you were performing, yes?
5 Do you see that on the page?
6 A Yes.
7 Q Okay. And then it goes on that -- that -- and then
8 you started -- a little further down the page it says, "And
9 then you started to enjoy it," and you said, "Yes."
10 A I see it.
11 Q Do you see that it's on the page?
12 A I see it's on the page, but --
13 Q You don't recall -- you don't recall saying it, but
14 you acknowledge --
15 A No.
16 Q -- that it's part of the transcript?
17 A Yes.
18 Q And that this transcript is a recording of the
19 statement that you gave to Detective Samples, to the best of
20 your knowledge?
21 A Correct. To the best of my knowledge, yes.
22 Q Okay. That's fine.
23 So it's fair to say that regarding Melissa, you knew
24 that there were photos taken, and you never destroyed them,
25 correct?

1 A Correct.

2 Q So in that instance, you did not protect your
3 younger sister?

4 A I didn't know what he did with the photos.

5 Q Okay. But as I -- I've already asked you, you
6 yourself did not destroy them, correct?

7 A I didn't destroy them because I didn't know where
8 they were at.

9 Q Okay. Did you go look for them in an effort to
10 destroy them?

11 A Yes.

12 Q You didn't find them?

13 A No.

14 Q Okay. How many times did you look for them?

15 A A few times.

16 Q Okay. Then years later you would bring Melissa's
17 daughter, Erin, over to your residence, correct?

18 A Yes.

19 Q When she was about 12 years old, correct?

20 A Yes.

21 Q You would go pick her up and bring her over to the
22 residence, correct?

23 A Yeah.

24 Q And this was after Chris had made comments to you
25 about Erin, correct?

1 A No.

2 Q No? Chris never made comments to you about Erin?

3 About wanting to see Erin naked or anything like that?

4 A No. He just wanted me to pick up Erin for a visit.

5 Q Okay. But this -- when you're picking up Erin to

6 bring her to your house, there had already been sexual

7 activity between you and Ryan, correct?

8 A I don't recall.

9 Q Well, how about you and Anita?

10 A I don't recall that either.

11 Q Okay. Well, let's just go back for a second. If

12 Erin is coming to the house and she's 12 years old, how old

13 would Anita be when Erin is 12?

14 A I don't know the -- how old Anita was at the time.

15 Q Anita is born in 1990 --

16 A Right.

17 Q -- correct? And do you recall that Erin is born in

18 2000?

19 A Okay. So Anita was 10.

20 Q So if -- there's a ten-year age gap between them; is

21 it that sound about right, if Anita is born in 1990 and

22 Erin --

23 A Yes.

24 Q -- in 2000? Okay.

25 So if Erin is coming to the house, and she's 12

1 years old, Anita would be 22, correct?

2 A 22, yes.

3 Q And you've --

4 A Sorry.

5 Q -- previously testified that there was sexual

6 activity between you and Chris and Anita when Anita was 16

7 years old?

8 A Yes.

9 Q So when Erin's coming to the house at the age of 12,

10 there's already been sexual activity occurring between you

11 and Anita and Christopher, correct?

12 A Correct.

13 Q Okay. Were you in any way worried about Erin coming

14 over to your house?

15 A Yes.

16 Q And yet, you would go and pick her up and bring her

17 over to your house?

18 A Yes.

19 Q You did not call your sister up and say, hey, you

20 know what, I don't think Erin should be coming over to my

21 house anymore; I don't think it's a good idea, correct?

22 A Correct.

23 Q You didn't warn Melissa about what was happening at

24 your house?

25 A No.

1 Q And so that they could possibly protect her own
2 child, correct?

3 A Correct.

4 Q You were aware that --

5 MS. RADOSTA: Court's indulgence.

6 BY MS. RADOSTA:

7 Q Tamara, it's the same type of situation, correct?
8 She's your niece, correct?

9 A Yes.

10 Q Your sister's child?

11 A Yes.

12 Q And you actually were -- I believe you said
13 yesterday, you were actually helping her wash her hair in the
14 shower, correct?

15 A I was helping her dye her hair.

16 Q Dye her hair, sorry. I thought she was like washing
17 the color out in the shower. Is that what she was doing?

18 A Yes.

19 Q And you were in there helping her with that?

20 A No.

21 Q No?

22 A No.

23 Q You were never inside the shower with Tamara?

24 A No.

25 Q Okay. Were you ever inside the shower with Erin?

1 A No.

2 Q Do you recall telling Detective Samples regarding
3 Tamara that you were inside the shower with her to begin
4 with?

5 A No, I don't recall that.

6 Q Would it refresh --

7 MR. SWEETIN: Just foundation in regards to inside
8 the shower. Is she saying inside the bathroom or inside the
9 shower itself?

10 THE COURT: Well, the question was shower, so --

11 MS. RADOSTA: And I can rephrase.

12 BY MS. RADOSTA:

13 Q Do you recall telling Detective Samples that you
14 were helping Tamara wash her hair inside the shower or --

15 A I was helping her put the dye in her hair --

16 Q Okay.

17 A -- in the bathroom.

18 Q Okay. Were you -- when that was happening, were you
19 inside the shower or were you just in the bathroom?

20 A Just in the bathroom.

21 Q Okay. Do you recall seeing a light over the door
22 that indicated there was a recording going on?

23 A No.

24 Q Okay. Do you recall telling Detective Samples that
25 you saw a light?

1 A No.

2 Q And is it possible that at some point in time, you
3 actually maybe confused the two times -- the time with Tamara
4 and the time with Erin and dyeing one of their hair and
5 having the lice treatment on the other one's hair, that maybe
6 you got those flipped around at some point in time?

7 A No.

8 Q Okay. You don't recall actually telling Detective
9 Samples that it was Erin who was dyeing her hair?

10 A No, I've always said it was Tamara. Erin wasn't old
11 enough to dye her hair, and I knew better.

12 Q Okay. And the one that has the date of January 22nd
13 on it, I'm directing your attention to page 85. If you could
14 read the page 85 to yourself and let me know when you're
15 finished.

16 A (Witness reading). Okay.

17 Q Does that refresh your recollection that you told
18 Detective Samples that it was Erin, actually, that wanted her
19 hair dyed?

20 A Yeah, the two of them were back to back with each
21 other. Tamara is the one that I dyed her hair, and Erin was
22 the one with the lice.

23 Q Okay. So in this situation, if you said this was
24 happening with Erin, it was just you were just mistaken?

25 A Right.

1 Q Just got the two situations confused?

2 A Yes.

3 Q Because do you recall telling Detective Samples that

4 it was Tamara that had the lice and had to have the lice

5 washed out of her hair? I'd direct your attention to page

6 82. Actually, 81. Sorry, 81.

7 A Okay.

8 Q And does that refresh your recollection that you, in

9 this situation, told Detective Samples that it was Tamara

10 what had the lice on page 81?

11 A Yes.

12 Q Okay. It's just possible that you just got confused

13 between the two incidents, correct?

14 A Right. Because --

15 Q Because as you just said --

16 A -- it was a while ago.

17 Q -- a moment ago, Erin was too young to have her hair

18 died, and you certainly wouldn't have done that --

19 A Right.

20 Q -- because that's something that her mother wouldn't

21 have wanted you to do?

22 A No.

23 Q Okay. But with the exception of Tamara and Erin, do

24 you recall telling Detective Samples that you were in the

25 shower with whoever had the lice situation, and that you

1 looked up and saw the camera recording, the light from the
2 camera recording?

3 A I don't recall me telling him that.

4 Q I'd direct your attention to page 82 toward the
5 bottom of the page.

6 A Okay.

7 Q Does that refresh your recollection that you saw the
8 light when you were inside the bathroom with, as you said
9 there, Tamara, you saw the light from the camcorder?

10 A I remember on that, yes.

11 Q Okay. That you told him that because you could see
12 the light --

13 A I told him that.

14 Q Okay.

15 A But I didn't know -- I just saw lights.

16 Q Okay. And that -- do you recall just prior to that
17 telling Detective Samples that you knew Chris was going to be
18 videotaping it before you went into the shower -- or before
19 you went into the bathroom with, in this --

20 A No.

21 Q -- situation, Tamara?

22 A No.

23 Q Do you recall tell -- that he -- that you told
24 Detective Samples that Chris wanted you to stay -- to keep
25 her in there as long as possible?

1 A I don't remember any of that. Like I said, there
2 was a lot of things going on --
3 Q But you --
4 A -- during that interview.
5 Q -- acknowledge that you did tell Detective Samples
6 that, correct?
7 A Yeah.
8 Q Okay. And when you gave this statement in January
9 2015 and the -- that was much closer in time to all of these
10 events than today, correct?
11 A Correct.
12 Q And your memory of those events would have been
13 better back then than it is today?
14 A Correct.
15 Q And the same would go for the statement about a
16 month earlier, six weeks earlier, in December of 2014?
17 A Yes.
18 Q That your memory was better of the events back then
19 than it is now?
20 A Right.
21 Q Now, afterwards, you said Erin came back two
22 weekends in a row, that you recall.
23 A Yes.
24 Q Two weekends in a row. Is that the only time Erin
25 came over as far as you can recall?

1 A That I recall, yes.

2 Q You don't recall her coming over almost every
3 weekend for the better part of a year?

4 A I don't recall.

5 Q And you going and picking her up every single
6 weekend and taking her home afterwards?

7 A I don't recall that.

8 Q I want to talk to you just a little bit about Anita.
9 I believe you testified yesterday about the incident in the
10 living room between you, Anita, and Christopher.

11 A Yes.

12 Q And that there was -- that you and Anita were in
13 other parts of the house, and were called into the living
14 room? Was that how you recall it?

15 A Yes, from what I recall, yes.

16 Q Were you in the back office?

17 A Yes.

18 Q Okay. And you were told -- or called into the
19 house, to the living room?

20 A Yes.

21 Q And that at first there was some sexual activity
22 between Chris and Anita, correct?

23 A Yes.

24 Q And she was 17 years old at the time?

25 A Yes.

1 Q Okay. At first you were just sitting on the couch
2 watching?

3 A I was watching -- he had me sit on the couch, and I
4 was watching, and then he told me to move over in front of
5 her.

6 Q Okay. And at some point in time, you took off your
7 own clothes, correct? Or at least your shirt.

8 A He told me to take off my shirt.

9 Q And you did it, correct?

10 A Yes.

11 Q And there was some sexual contact between you and
12 Anita in that incident in the living room, correct?

13 A Correct.

14 Q Kissing each other's breasts?

15 A From what I recall, from what I said yesterday, her
16 hands came on my breasts, and when she -- when Chris forced
17 her to put her mouth on my breasts, it came towards it, and
18 it touched, but I leaned back.

19 Q And when you leaned back, Chris saw you do that?

20 A Yes.

21 Q And he didn't say anything to you, correct?

22 A Yes, he did.

23 Q Oh, he did? What did he say to you?

24 A He said don't move.

25 Q So did you move forward again, then?

1 A I moved forward, yes.

2 Q And so was then Anita able to actually kiss your
3 breasts at that point in time?

4 A No.

5 Q So at first you were willing to not fully involve
6 yourself in this sexual activity by leaning backwards,
7 correct?

8 A Correct.

9 Q But when you thought that you were maybe going to
10 get in trouble, you changed your mind and decided to
11 participate, correct?

12 A No, I was afraid he was going to hurt Anita.

13 Q Oh, okay. So at this point in time, he's having
14 some type of sexual interaction with Anita, correct?

15 A Anal sex, yes.

16 Q Okay. And you thought that perhaps he might hurt
17 her if you didn't full participate?

18 A Yes.

19 Q Now, do you recall -- there was more than one
20 incident with Anita, correct?

21 A Only the one that I recall was in the living room.

22 Q Okay. There were four times. You told Detective
23 Samples four times with Anita. Do you recall telling him
24 that?

25 A I don't recall me telling that. I only remember the

1 one incident.

2 Q Okay.

3 A Like I said, there was a lot of things going on in
4 the house.

5 Q Sure, sure. But we're talking about a sexual
6 interaction with your biological daughter. You only have one
7 biological daughter, correct?

8 A Correct.

9 Q Okay. I'd direct your attention to the first
10 statement, the one that is technically from December 9th,
11 2014, but says September 9th, 2014 on it, to page 45 and 46.

12 A Okay.

13 Q Do you recall telling Detective Samples that there
14 were four separate incidents with you, Chris, and Anita?

15 A Yes.

16 Q And there were two times that you were just
17 watching, correct?

18 A Yes.

19 Q And two times that you were participating?

20 A Correct.

21 Q You did not share with Detective Samples this detail
22 that you pulled -- physically pulled back from the
23 interaction, correct?

24 A No.

25 Q And you did not share with Detective Samples that

1 there was any threat to you that you'd better participate
2 from Chris, correct?

3 A Yes, I have.

4 Q But you -- in this, right, what you just --

5 A In this --

6 Q -- reviewed right now --

7 A -- no.

8 Q -- you did not share that with Detective Samples?

9 A No.

10 Q It's your memory, though that you did tell Detective
11 Samples about that?

12 A Not everything in general, that I was threatening --
13 not everything.

14 Q I'm speaking specifically, though --

15 A Oh, no.

16 Q -- that you never have shared the fact that there
17 was in the middle of this sexual interaction a threat to you
18 to participate?

19 A Correct.

20 Q You -- that -- you've never told anybody that
21 before? I just want to --

22 A I've never told anybody.

23 Q After you recounted that -- this first time that
24 we've talking about with you, Chris, and Anita, that you
25 witnessed, in your opinion, Chris having anal sex with Anita,

1 correct?

2 A Correct.

3 Q And yet, four -- three other times after that, you
4 either watched or participated in another sexual act with
5 Chris and Anita, correct?

6 MS. RADOSTA: Court's indulgence.

7 BY MS. RADOSTA:

8 Q You testified yesterday that at some point in time
9 Chris had come to you years before this incident, when
10 Anita's 16, 17 years old, that he had made some type of
11 comment to you about Anita and sex.

12 Do you remember talking about yesterday?

13 A Yes.

14 Q She was 12, 13, 14 years old something, something
15 like that?

16 A She was 12.

17 Q She was 12. And he made a comment to you about
18 Anita being better at sex?

19 A Yes.

20 Q Do you recall that you told Detective Samples that
21 he actually said she was better than you at sex?

22 A I don't recall.

23 Q After that comment, did you go have a conversation
24 with Anita? Did you go check on your daughter to see what he
25 was talking about? To see if there was any truth to what he

1 was saying?

2 Is that a no?

3 A No.

4 Q Okay. Did you ask him, did you ask Chris, are you
5 serious? Are you telling me you are having sex with our
6 daughter?

7 A Yes, I asked him.

8 Q You did ask him that?

9 A Yes.

10 Q And did he answer?

11 A No.

12 Q And this was about four years before this alleged
13 incident happened, correct?

14 A Yes.

15 Q So you had four years to check on your daughter to
16 see if she was being sexually abused by your husband -- or by
17 your ex-husband, correct?

18 A Yes.

19 Q And you never checked in on her, correct?

20 A Correct.

21 Q You never saw any evidence that something was
22 happening, correct?

23 A Right.

24 Q Because if you had seen evidence, you would have
25 gone and asked her about it, right?

1 A Yes.

2 Q You wanted to be protective of your child?

3 A Yes.

4 Q I think you talked a little bit yesterday about the
5 whole living arrangement at Yellowstone, that for a period
6 you were sleeping on the couch in the living room.

7 A Yes.

8 Q Not in the back office?

9 A Correct.

10 Q I think yesterday you testified that you were there
11 until about 2005? Does that -- do you recall that?

12 A Yes. In the front house.

13 Q If the boys were born in 1998, that would have made
14 them about seven years old, the boys being Brian --

15 A Yes.

16 Q -- Brandon and Ryan?

17 A Ryan, yes.

18 Q Do you recall telling Detective Samples that you
19 were on that couch until the boys were in sixth grade?

20 A I had misspoken then for Tails. Tails was actually
21 in middle school --

22 Q Okay.

23 A -- at that time.

24 Q So --

25 A Yes.

1 Q -- when you said that the boys were in sixth grade,
2 you actually meant Tails was in sixth grade?

3 A Yes.

4 Q So when -- the period time that you were living in
5 -- at Yellowstone, you and Ryan moved in and out of
6 Yellowstone on multiple occasions, correct?

7 A Yes. Not very long.

8 Q But you would leave for a few days, a few weeks, a
9 month, any number of times during that 15 years, correct?

10 A Yes.

11 Q And every time you would leave, you would take Ryan
12 with you, correct?

13 A Yes.

14 Q You would usually go to your parents' house,
15 correct?

16 A Yes.

17 Q And after a period of time, two days, two weeks, two
18 months, you would come back --

19 A Yes.

20 Q -- to the Yellowstone address?

21 A Yes.

22 Q Approximately how many times do you recall leaving,
23 packing up your things, and leaving the Yellowstone address?

24 A Three or four.

25 Q Three or four times.

1 A Yes.

2 Q Is that in your mind counting the time that was for
3 like eight months in 2013 to early --

4 A The fourth time was the --

5 Q That's the fourth time. Okay.

6 So never would leave Ryan behind, correct?

7 A Correct.

8 Q But you would leave Anita and Tails behind, correct?

9 A Yes.

10 Q The first time that you moved out of the house, how
11 old was Ryan?

12 A I don't recall the age, how old he was.

13 Q Was he in school?

14 A Yes.

15 Q Okay. Was he first grade or sixth grade?

16 A I don't recall the age.

17 Q What about the second time?

18 A Same. Ryan was in third grade.

19 Q Okay. So he's maybe nine?

20 A Yes.

21 Q Eight, nine years old, something like that?

22 A Yes.

23 Q So if he's eight or nine, then Tails is 13?

24 A Yes.

25 Q And Anita is 17?

1 A 17.

2 Q The second time that you moved out and took Ryan
3 with you?

4 A Yes.

5 Q But you left the other kids behind?

6 A Right.

7 Q And the third time, if you recall, how old was
8 Tails?

9 A I don't recall.

10 Q Or, I'm sorry, how old was Ryan?

11 A I don't recall.

12 Q Okay. But the fourth time that you moved out was
13 May of 2013, correct?

14 A Correct.

15 Q So it was right before Ryan's 15th birthday?

16 A Correct.

17 Q And you actually left for an extended period of time
18 that time, correct?

19 A Yes.

20 Q You were gone until January of 2014?

21 A Yes.

22 Q And you actually moved to your parents' --

23 A Yes.

24 Q -- again?

25 A Yes.

1 Q The reason that you left that time is because Ryan
2 asked you to leave, correct?

3 A Yes.

4 Q It was Ryan's idea to leave that time, correct?

5 A Yes.

6 Q He told you that he didn't like living at
7 Yellowstone, right?

8 A He was tired of the abuse.

9 Q And that he said he couldn't take it anymore,
10 correct?

11 A Correct.

12 Q So you packed up your stuff and Ryan's stuff and
13 relocated to your mom's house?

14 A I didn't take all of my things. I just grabbed what
15 I could because I left with -- nobody knew that I was
16 leaving --

17 Q Okay.

18 A -- at that point.

19 Q You didn't give Chris a heads-up that you were
20 leaving?

21 A No.

22 Q You didn't give Deborah a heads-up that you were
23 leaving?

24 A No.

25 Q Do you think Deborah was happy that you were

1 leaving?

2 A Yes.

3 Q Because you and Deborah really never got along,
4 correct?

5 A Right. It's because of the kids.

6 Q It's an odd dynamic that you guys were living in,
7 two women with their kids in the same household, right?

8 A Correct.

9 Q Kind of hard to figure out who's the mom to which
10 kids and things of that nature, who has the authority?

11 A Correct.

12 Q Who's the nurturer?

13 A Right.

14 Q So it was kind of a confusing situation for
15 everybody?

16 A Yes.

17 Q So you move out, go to your parents', and you're
18 there for about eight months. Chris never comes looking for
19 you, correct?

20 A I knew he wouldn't come look for me because he knew
21 where I was at.

22 Q Okay.

23 A Because that's the only place I could go.

24 Q Okay. But he knew where you were at, and he didn't
25 come looking for you, correct?

1 A No.

2 Q And he didn't threaten you; you had better come back
3 home, correct?

4 A He didn't do that until later on, until January.

5 Q Okay. But isn't it true that you said that -- that
6 the reason you returned was because Anita and Tails were
7 texting you and asking you to come home?

8 A Text -- Tails was texting me.

9 Q Anita was texting you as well?

10 A She was instant messaging me on Facebook.

11 Q And they were saying they wanted you to come home,
12 correct?

13 A Correct.

14 Q Your children were asking you to come home?

15 A Yes.

16 Q Chris -- do you -- well, so you make the decision to
17 return to Yellowstone in December or January of 20 -- well,
18 December of 2014, January -- no. December of 2013 or January
19 of 2014, correct?

20 A It was January of '14.

21 Q And you -- split second decision or well thought out
22 decision to return to Yellowstone at that point?

23 A It was a quick decision.

24 Q And you told Ryan, though, that you were going back
25 to Yellowstone, right?

1 A I informed him we were going back, yes.

2 Q Yeah. You just -- you told Ryan you and he were
3 going back to Yellowstone, right?

4 A I informed him, yes.

5 Q Yeah. You didn't give him a choice to stay with the
6 grandparents, correct?

7 A Correct.

8 Q You -- and this was after he had told you eight
9 months earlier he didn't want to live there anymore, correct?

10 A Yes.

11 Q Because he didn't like the abuse, correct?

12 A Right.

13 Q And you just made the decision on your own you were
14 going back?

15 A It was not my decision. It was the threats from
16 Chris while my kids were texting me at the same time.

17 Q Okay. So your older children, Anita's 23, correct,
18 at this point in time?

19 A Yes.

20 Q She's asking you to come home, correct?

21 A Yes.

22 Q And your other son, Tails, is 19 at this point in
23 time, and he's asking you to come home?

24 A Yes.

25 Q And you're saying that there were also threats by

1 Chris at this point this time?

2 A In January, yes.

3 Q Okay. And you, though, have your youngest child
4 with you in a safe environment at that point in time,
5 correct?

6 A Yes.

7 Q You are at your grandparents' -- or at your parents'
8 house, correct?

9 A Yes.

10 Q And you make the decision to take him back to
11 Yellowstone?

12 A Yes.

13 Q You could have left him at your parents' house,
14 correct?

15 A Correct.

16 Q And you didn't do that?

17 A No.

18 Q Despite the fact that he had already told you he did
19 not want to live there anymore, right?

20 A Right.

21 Q When you were out of the house for that eight-month
22 period of time, all the abuse that you had previously
23 testified to, the physical and the sexual abuse that you
24 testified to, you did not report that to anyone, correct?

25 A Correct, nobody.

1 Q You did not make a phone call to Child Protective
2 Services, correct?

3 A Correct.

4 Q About the children that were still in that home when
5 you were out of that home, correct?

6 A Correct.

7 Q Because you knew Brandon was a similar age to Ryan,
8 correct?

9 A Right.

10 Q And you told us that the things had allegedly
11 happened with Brandon, correct?

12 A Correct.

13 Q So you knew Brandon was potentially in danger at
14 that house?

15 A Yes.

16 Q You knew Anita was potentially in danger at that
17 house, even though she was an adult?

18 A All of them, yes.

19 Q And you did not make an anonymous phone call to
20 Child Protective Services?

21 A No, I was too afraid to.

22 Q Too afraid to. Because you were worried about
23 yourself, correct?

24 A No, I was worried about everybody.

25 Q But you were also worried that if Chris found out

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CHRISTOPHER SENA,) No. 79036
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 Appellant,)
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 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:

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

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BY /s/ Carrie Connolly
Employee, Clark County Public Defender's Office