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Respondent.

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**ARMANDO VASQUEZ-REYES**  
**Case No. 80293**

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1 Remember, first in regards to his -- in regards to as soon as  
2 that interview starts. The interview's about 20 minutes  
3 long. The police are not confronting the defendant with  
4 complex questions during this interview. Detective Pretti is  
5 not yelling at the defendant. Detective Pretti is asking  
6 very straight forward questions in a calm and consistent  
7 manner.

8           Now, defense counsel has made reference to  
9 Dr. Harder, and Dr. Harder contends that the defendant has  
10 this 61 IQ and memory impairment. Dr. Roley questions the  
11 methods of that assessment.

12           But one thing that Dr. Harder does admit is that  
13 even if there was an impairment, that does not mean that the  
14 defendant could not confess to his conduct. In other words,  
15 he's not a victim of suggestibility just because he has an  
16 arguably low IQ or memory issues. You have to look at the  
17 statement itself.

18           The key -- the State submits that the key is to  
19 look at this statement, the overall statement that's given.  
20 To look to see if there's suggestive questions that are being  
21 made, if he's parroting back what's being said to him, or if  
22 these things are his ideas.

23           And to get there, we first start with this  
24 framework that he does not know anything about the  
25 accusations. Remember when he -- when he starts this

1 interview with the police in the very beginning, he's asked,  
2 okay -- okay, Armando, first of all, do you know why we're  
3 talking today? He responds, no. He does not know why  
4 they're talking. And then as the interview progresses, he's  
5 asked, there's some accusations or allegations against you by  
6 Guadalupe, and then he says, I want to know what they are.  
7 He has no idea what they're talking about.

8           Detective Pretti then says the following about the  
9 allegations; all he say is this; he says they're very  
10 serious. He says Guadalupe alleges that he had been abusing  
11 her since she was a little girl. That's what he says.

12           Now, this is all the defendant knew about the  
13 allegations as the interview begins. He knows that it  
14 involved Guadalupe. He knows that it occurred over an  
15 extended period. So what are we talking about? Are we  
16 talking about physical abuse, mental abuse, him withholding  
17 food? What are we talking about? The defendant wants to  
18 know.

19           Now, as the interview progresses Detective Pretti  
20 says essentially that Guadalupe is saying something happened  
21 and that the defendant was not, so what am I supposed to  
22 believe, and how does the defendant respond to that? He  
23 says, yes, it's true, I did -- or I touched her. That's how  
24 he responds.

25           There's no mention about touching, nothing like

1 that. That's how he responds. Detective Pretti asks where  
2 defendant touched her, and he indicates on her breasts and  
3 her legs. Detective Pretti said he knew from talking to  
4 Guadalupe that there was more. The defendant indicates one  
5 time there was penetration. And that's when the defendant is  
6 asked exactly what happened to Guadalupe, and how does the  
7 defendant respond to that?

8 Defendant responds by telling about one interaction  
9 that he had with Guadalupe. He says one time I went into her  
10 bedroom, and she was masturbating and then he continues, I  
11 was with her. Detective Pretti then asks, so what did you  
12 do? And he says, I was with her, and then he continues, but  
13 I did not rape her, like it's a rape, but not forced.

14 MR. FELICIANO: I'm sorry, may we approach briefly?

15 THE COURT: Yes.

16 MR. FELICIANO: I have an objection.

17 (Bench conference begins)

18 MR. FELICIANO: I mean, I get this is rebuttal, but  
19 I don't think he's allowed to read the entire statement into  
20 the record. I think at this point we're going line by line  
21 into every single word that was spoken.

22 THE COURT: You're not going to read the entire  
23 statement?

24 MR. SWEETIN: No, I'm reading the parts where he  
25 basically says he raped the poor girl.

1 THE COURT: Okay. You may proceed.

2 (Bench conference concluded).

3 MR. SWEETIN: And Detective Pretti then asked the  
4 defendant, so then what did you do to her? And he replies, I  
5 just penetrated her. And then he indicates, Detective Pretti  
6 asks if the defendant penetrated Guadalupe with his penis, he  
7 says yes, and then Detective Pretti gives him a choice. He  
8 says where did you penetrate her in the vagina, her anus, or  
9 something else? He responds, just in her anus.

10 Detective Pretti then asked the defendant, how old  
11 Guadalupe would have been when this happened. He indicated  
12 eight years old.

13 So in this statement it was defendant who brought  
14 up essentially every descriptive word. Ladies and gentlemen,  
15 every descriptive word as you look at that statement. And  
16 the State would submit there's seven huge descriptions,  
17 phrases, or words that he brings up. He brings up touch, he  
18 brings up breasts and legs, he brings up penetration, he  
19 brings up masturbation, he brings up I was with her, he  
20 brings up rape, he brings up that she was an eight-year-old  
21 child.

22 And additionally, it's noted that Detective Pretti  
23 asks the defendant if he penetrated Guadalupe in the vagina,  
24 in the anus, or something else? He picked the middle one,  
25 which was the anus. And now we know that Guadalupe testified

1 to you that majorly that's essentially what happened.

2 This is not the defendant being fed answers. This  
3 is the defendant being fairly specific in this disclosure.  
4 But there are other things in this interview that can give  
5 you indicia of its reliability.

6 You were told earlier in regards to jury  
7 instruction number 25, and that's the common sense  
8 instruction. Essentially, all that says is hey, you don't  
9 check your common sense at the door. You bring your common  
10 sense in here with you.

11 Now, think about over the course of this interview.  
12 The defendant begins to get a bit emotional, and think about  
13 where he gets a bit emotional in this interview. First of  
14 all, why is he getting emotional? Now, just after the  
15 defendant discloses that there has been this penetration,  
16 that's when he's asked by the Detective Pretti about the  
17 penetration.

18 How does he respond? He says, I'm embarrassed, I  
19 feel terrible because of what I've done. It's at this point,  
20 that the State submits he gets tears in his eyes. Detective  
21 Pretti indicated that he had tears in his eyes.

22 Now, on the video --

23 MR. FELICIANO: Objection. Those are facts not in  
24 evidence.

25 THE COURT: Overruled.

1 MR. SWEETIN: He --

2 THE COURT: You may proceed.

3 MR. SWEETIN: Detective Pretti testified to you  
4 that he was tearing up. But beyond that, as you look at the  
5 video itself, you can see him on the video during this  
6 portion raising his hand up wiping repeatedly his eyes. You  
7 can hear his voice crack as he discusses the penetration of  
8 Guadalupe.

9 The defendant says referring to Guadalupe, hey, we  
10 need to give her help. This is what the defendant is doing.  
11 And this is his thought process in the -- according to this.  
12 Subsequently, defendant's asked exactly what happened to  
13 Guadalupe, and that point, he details walking into the  
14 bedroom and sexually penetrating her.

15 Why does the defendant get emotional? First, I  
16 would note that he's only emotional for a bit. You know,  
17 he's not emotional for the whole interview. Right when he's  
18 discussing this specific incident with Guadalupe, he's  
19 emotional. But at the end of the interview, as Detective  
20 Pretti's asking him additional questions, the defendant  
21 ultimately says that he doesn't want to talk anymore. He  
22 says it without emotion.

23 The State submits that when he stops talking about  
24 this specific abuse of Guadalupe, he loses his emotion. The  
25 State submits the reality of what he did to Guadalupe hit him

1 during this interview in an emotional way, and it bears out  
2 his knowledge of what he's saying and the heartfelt words  
3 that he was actually using in that interview to describe what  
4 he did to young Guadalupe.

5 Now, jury instruction 24 discusses the  
6 voluntariness of a statement, and I just want to read it very  
7 quickly: The State has the burden of proving the  
8 voluntariness of a confession. You are instructed that  
9 before you can consider any alleged confession of the  
10 defendant as evidence against him, you must believe that such  
11 alleged confession was freely and voluntarily made.  
12 Voluntariness is a question of fact to be determine from the  
13 totality of the circumstances on the will of the accused. A  
14 voluntary confession must be the product of a rational  
15 intellect and free will. Unless you believe that the alleged  
16 confession was freely and voluntarily made by the defendant  
17 with knowledge of its meaning, then you must disregard such  
18 confession entirely from your consideration.

19 Ladies and gentlemen, in this case, we not only  
20 have the defendant certainly not being spoon fed,  
21 volunteering all these words, but we have him actually  
22 beginning to tear up and become emotional as he describes the  
23 conduct that he caused upon young Guadalupe.

24 Remember that the defendant clearly knew what the  
25 repercussions of his statement was. He knew what he was

1 saying because remember what he says at the end of that  
2 statement? If he have to pay for it, I will pay for it.

3 Now, I just wanted to touch on the medication that  
4 defense counsel made reference to, and I think that we've  
5 already mentioned this, but I wanted to be sure. Defense  
6 counsel indicates that there was some -- a request for  
7 medication in the course of the interview. What is that  
8 medication? Well, you know, Rosalba said that she went to  
9 the -- the doctor with the defendant, and he was being  
10 treated for diabetes.

11 But that medication is taken once in the morning.  
12 On that day, he had already taken that medication. And if  
13 you look at the video, the State would submit the video is  
14 very telling in regards to defendant's ability to  
15 communicate. He's -- he's basically very calm in the video.  
16 He's talking. He is not in distress in any way.

17 What about the defendant's blood pressure as he was  
18 arrested? Is that even an issue? You know, you heard from  
19 -- you heard in regards to the blood pressure being high.  
20 But that's not unusual. So at what moment is that. And what  
21 was his blood pressure at the time of the interview? Who  
22 knows. All we know is what we see on the -- on the video.

23 We know that when his blood pressure was high, he  
24 was able to ask very -- or answer very detailed questions  
25 about his medical care with no problems.



1           Ladies and gentlemen, you've heard a lot of  
2 evidence in this case. You've heard the testimony of two  
3 young victims. You've heard a statement given by the  
4 defendant. Ladies and gentlemen, the State submits that the  
5 evidence clearly shows that the defendant committed the  
6 crimes that he's been charged with and we ask you to return a  
7 verdict of guilt on all charges. Thank you.

8           THE COURT: Thank you very much. At this time, I'm  
9 going to ask -- I'm going to ask the Clerk to swear the  
10 officers of the court who will take charge of the jury panel.

11           (CLERK SWEARS OFFICERS TO TAKE CHARGE OF THE JURY)

12           THE COURT: Thank you. At this time, Ms. Lynn  
13 Dunton-Snider and Ms. Tolliver-Haywood, you have been  
14 selected to be our alternate jurors, so I'm not going to  
15 require you to stay at the courthouse. What I'm going to  
16 have you do is see Ms. Rocha. She's going to meet you out in  
17 the hallway. She's going to collect your notebooks, your  
18 jury instructions, and your badge. These also going to take  
19 your phone number down.

20           I just ask that you don't go more than 45 minutes  
21 from the courthouse so that if we need you to come back for  
22 any reason, we can have you come back. You are not  
23 discharged from your service yet. However, I'm not -- I  
24 won't -- you're not going to deliberate with the jury, and so  
25 I won't require you to stay at the courthouse.

1           But again, I just want to make sure you don't go  
2 more than about 45 minutes if for whatever reason we need to  
3 call you to come back. So it's important that Ms. Rocha gets  
4 your phone number. You are not discharged yet, so you are  
5 still under the admonition not to discuss this case with  
6 anyone. And No. 13 and 14, you can step out. And Ms.  
7 Rocha's going to go out in the hallway. She'll collect your  
8 things, and if you need them for any reason, they will be  
9 here when you return to the courthouse.

10           If I don't see you, thank you very much for your  
11 service. Thank you.

12           Okay. At this time, ladies and gentlemen, you are  
13 going to be excused to deliberate upon your verdict. You can  
14 take your instructions, your notebook, and go with Officer  
15 Hawkes back into the -- Hawkes, will you bring -- I don't  
16 know what you have. I want to check before it goes back.

17           THE MARSHAL: Oh, this is my personal stuff.

18           THE COURT: Is that -- oh, okay. Sorry, sorry.  
19 Okay. You're excused.

20           THE MARSHAL: Thank you. All rise for the exiting  
21 jury, please.

22           (Jury retires to deliberate at 1:46 p.m.)

23           THE COURT: Are they gone?

24           MR. SWEETIN: The door's closing.

25           THE COURT: Okay. The record will reflect that the

1 hearing is taking place outside the presence of the jury  
2 panel.

3 Exhibit 3, the jury's going to need a laptop in  
4 order to view it if they -- oh, you're doing that right now?

5 MR. ROWLES: Switching to the clean profile.

6 THE COURT: Okay.

7 MR. FELICIANO: Well --

8 MS. HOJJAT: And so we're clear for the record, we  
9 would like a clean profile not to have anything associated  
10 with the Clark County District Attorney's Office or badges or  
11 things of that nature on it.

12 MR. ROWLES: Do you want to come take a look at it?

13 MS. HOJJAT: Yes, please.

14 MR. FELICIANO: So something outside the presence.  
15 There was an objection -- I made an objection when  
16 Mr. Sweetin was talking about Mr. Vasquez-Reyes crying or  
17 wiping his eyes, and that misstates the testimony, and it  
18 misstates what Detective Pretti said, what we actually saw on  
19 the video. I made contemporaneous objections, so we are  
20 moving for a mistrial at this point.

21 MR. SWEETIN: Well, and I would disagree. First of  
22 all, the video does detail him repeatedly wiping his eyes,  
23 his mouth -- his voice cracking, just as I described to the  
24 jury. And I believe that Detective Pretti did testify that  
25 his eyes began to water up, tear up, I believe he said.

1 MR. FELICIANO: And quickly, Mr. Vasquez-Reyes face  
2 isn't on the video.

3 THE COURT: I understand, but you understand  
4 Detective Pretti did testify to that?

5 MR. FELICIANO: He did not testify that he was  
6 wiping his eyes.

7 THE COURT: I don't recall that, but he did testify  
8 that the tearing up.

9 MR. FELICIANO: Well, Mr. --

10 THE COURT: So if there's movement in the video,  
11 that's simply argument.

12 MR. FELICIANO: Well, but it's assuming -- it's  
13 arguing facts that aren't into evidence. And Mr. Sweetin was  
14 saying he's wiping his eyes. Detective Pretti didn't say  
15 that to my recollection.

16 THE COURT: He didn't, but the jury does -- that I  
17 recall, but the jury has the video, and they can look at it,  
18 and both sides can make arguments regarding what that  
19 represents.

20 MS. HOJJAT: And the other thing is, Your Honor,  
21 Detective Pretti never said when he was -- his eyes were  
22 tearing up or anything of that nature, and the  
23 representations that were made to the jury were that he  
24 started tearing up at this time period, this is when he was  
25 crying, things of that nature, which Detective Pretti never

1 testified to those specifics.

2 THE COURT: The motion -- do you want to respond to  
3 the motion for mistrial? I mean, I think that both sides are  
4 permitted to comment on the evidence and the video and what  
5 it represents.

6 MR. SWEETIN: Yeah. And that's essentially would  
7 be the State's response. We were just basically arguing in  
8 regards to the statements made by Detective Pretti or  
9 testimony as well as what we observed on the video.

10 THE COURT: Thank you. Okay. Anything else?

11 MR. FELICIANO: Does the Court have our cell phone  
12 numbers?

13 THE CLERK: No, but I can get them.

14 THE COURT: Yeah, will you just make sure Pam has  
15 them?

16 MR. FELICIANO: I'll leave them.

17 THE COURT: You're going to -- I'm going to start a  
18 new trial as soon as you leave, so --

19 MR. FELICIANO: No break?

20 THE COURT: Well, we're going to -- I mean, yeah,  
21 my staff's going to take a break, of course.

22 MR. FELICIANO: Just concerned.

23 (Court recessed at 1:50 p.m. until 3:19 p.m.)

24 THE MARSHAL: All rise for the entering jury,  
25 please.

1 (In the presence of the jury.)  
2 THE MARSHAL: Thank you, everyone. Please be  
3 seated.  
4 THE COURT: Does the State stipulate to the  
5 presence of the panel?  
6 MR. SWEETIN: Yes, Judge.  
7 THE COURT: And the defense?  
8 MR. FELICIANO: Yes, Your Honor.  
9 THE COURT: Okay. Ms. Guzman, it's my  
10 understanding you've been selected to be the foreperson?  
11 JUROR NO. 12: Yes.  
12 THE COURT: Has the jury reached a verdict?  
13 JUROR NO. 12: Yes.  
14 THE COURT: Okay. You can hand the verdict form to  
15 Officer Hawkes. Okay. At this time, the Clerk will read the  
16 verdict out loud.  
17 VERDICT  
18 THE CLERK: District Court, Clark County, Nevada,  
19 State of Nevada versus Armando Vasquez-Reyes, Case No.  
20 C-16-316382-1, Department No. 12. Verdict.  
21 We the jury in the above-entitled case find the  
22 defendant Armando Vasquez-Reyes as follows:  
23 Count 1, lewdness with a child under the age of 14;  
24 guilty of lewdness with a child under the age of 14.  
25 Count 2, lewdness with a child under the age of 14;

1 guilty of lewdness with a child under the age of 14.

2 Count 3, sexual assault with a minor under 14 years  
3 of age; guilty of sexual assault with a minor under 14 years  
4 of age.

5 Count 4, sexual assault with a minor under 14 years  
6 of age; guilty of sexual assault with a minor under 14 years  
7 of age.

8 Count 5, sexual assault with a minor under 14 years  
9 of age; guilty of sexual assault with a minor under 14 years  
10 of age.

11 Count 6, sexual assault with a minor under 14 years  
12 of age; guilty of sexual assault with a minor under 14 years  
13 of age.

14 Count 7, sexual assault with a minor under 14 years  
15 of age; guilty of sexual assault with a minor under 14 years  
16 of age.

17 Count 8, sexual assault with a minor under 14 years  
18 of age; guilty of sexual assault with a minor under 14 years  
19 of age.

20 Count 9, sexual assault with a minor under 14 years  
21 of age; guilty of sexual assault with a minor under 14 years  
22 of age.

23 And count 10, sexual assault with a minor under 14  
24 years of age; guilty of sexual assault with a minor under 14  
25 years of age.

1                   Dated this 15th day of October by your foreperson,  
2 Ms. Guzman.

3                   Ladies and gentlemen of the jury, are these your  
4 verdicts as read?

5                   THE JURY: Yes.

6                   THE COURT: Okay. Does either side wish to have  
7 the jury panel polled? Does the State?

8                   MR. SWEETIN: No, Your Honor.

9                   THE COURT: Does the defense?

10                  MR. FELICIANO: Yes.

11                  THE COURT: Okay. At this time, ladies and  
12 gentlemen, the Clerk's going to ask you a question. I ask  
13 that you respond "yes" or "no".

14                  THE CLERK: Juror No. 1, Meivys Tutaj, is this your  
15 verdict as read?

16                  JUROR NO. 1: Yes.

17                  THE CLERK: Juror No. 2: Lidia De Jaime, is this  
18 your verdict as read?

19                  JUROR NO. 2: Yes.

20                  THE CLERK: Juror No. 3, Bernadette Bartolome, is  
21 this your verdict as read?

22                  JUROR NO. 3: Yes.

23                  THE CLERK: Juror No. 4, Beau William Bracks, is  
24 this your verdict as read?

25                  JUROR NO. 4: Yes.



1           THE CLERK: Juror No. 5, Patricia Carkeek, is this  
2 your verdict as read?  
3           JUROR NO. 5: Yes.  
4           THE CLERK: Juror No. 6, Veronica Rodriguez, is  
5 this your verdict as read?  
6           JUROR NO. 6: Yes.  
7           THE CLERK: Juror No. 7, Danyel Garrett, is this  
8 your verdict as read?  
9           JUROR NO. 7: Yes.  
10          THE CLERK: Juror No. 8, Estefania Caro, is this  
11 your verdict as read?  
12          JUROR NO. 8: Yes.  
13          THE CLERK: Juror No. 9, Kelly Lutz, is this your  
14 verdict as read?  
15          JUROR NO. 9: Yes.  
16          THE CLERK: Juror No. 10, Caroline Millsaps, is  
17 this your verdict as read?  
18          JUROR NO. 10: Yes.  
19          THE CLERK: Juror No. 11, Heriberto Benitez, is  
20 this your verdict as read?  
21          JUROR NO. 11: Yes.  
22          THE CLERK: And Juror No. 12, Belia Guzman, is this  
23 your verdict as read?  
24          JUROR NO. 12: Yes.  
25          THE COURT: Okay. At this time, the Clerk will

1 record the verdict in the official record of the court. And  
2 at this time, ladies and gentlemen, I am going to discharge  
3 you from your service.

4           You are no longer under the admonition to not  
5 discuss this case with anyone. You're free to discuss the  
6 case with whomever you want, but you're under no obligation  
7 to discuss the case with anyone.

8           I always do like to give the attorneys the  
9 opportunity to speak to the ladies and gentlemen of the jury.  
10 I think it's good for them to speak to you after a verdict  
11 has been rendered, and they can get good feedback. Both  
12 sides try a lot of cases in the courthouse, and I think it's  
13 always important for them to get feedback from the jury  
14 panel.

15           But again, it's up to you whether you want to  
16 discuss the case with anyone. You're going to be excused.  
17 You're going to go back to the jury deliberation room, at  
18 which time you'll be given further instructions and then you  
19 are -- you will be excused from the courthouse.

20           Before I do excuse you, though, I do want to thank  
21 you very much for your willingness to be here. I know it was  
22 a long trial. We went a little bit longer than we had  
23 anticipated. I appreciate your willingness to be here, your  
24 courtesy always being on time, and your willingness to listen  
25 to this case.

1           So at this time, ladies and gentlemen, you are  
2 discharged from your duty. Thank you.

3           THE MARSHAL: Thank you. All rise for the exiting  
4 jury.

5                       (Jury excused at 3:25 p.m.)

6                       (Outside the presence of the jury)

7           THE COURT: Okay. The record will reflect that the  
8 hearing is taking place outside the presence of the jury  
9 panel.

10           I am going to refer the matter to Parole and  
11 Probation. When the Clerk comes in, she'll set a sentencing  
12 date. Is there anything else?

13           MR. SWEETIN: Yes just ask he be remand out bail.  
14 I'm not sure what his bail setting is, Your Honor.

15           THE COURT: I'm not sure. Mr. Feliciano?

16           MR. FELICIANO: We'll just ask that it stay  
17 whatever it -- whatever it was and leave it at that.

18           THE COURT: Okay. Do you want to speak to the jury  
19 panel? I don't know where -- what the logistics of it will  
20 be because we've started a new trial, but if you -- I -- I do  
21 think it's important, I like to make the jury panel  
22 available. But if you guys want to, I mean, we can send them  
23 down to the first floor or the third floor.

24           THE MARSHAL: Well, they have to go to the third  
25 floor and get --

1 THE COURT: Okay.

2 THE MARSHAL: -- their checks.

3 THE COURT: So it would be the third floor. How  
4 about I do that, and then you all can decide whether you want  
5 to speak to them.

6 MR. FELICIANO: Perfect.

7 THE COURT: And we'll make sure they get the  
8 information that you'll be down on the third floor and -- she  
9 told me she was going to get the evidence. Sorry.

10 THE CLERK: December 10th at 8:30.

11 THE COURT: Thank you.

12 MR. ROWLES: Your Honor, is there a ruling on the  
13 defendant's custody status?

14 THE COURT: Oh, I'm sorry. Can you tell me what  
15 his bail is? Yeah, sorry about that.

16 THE CLERK: 250,000 [inaudible].

17 THE COURT: Okay. At this time, I'm going to  
18 revoke his bail status and hold him without bail pending  
19 sentencing on December 10th at 8:30.

20 MR. ROWLES: Thank you, Your Honor.

21 THE COURT: Thank you. Officer Hawkes, I'm just  
22 going to take a quick break.

23 THE MARSHAL: Yes, ma'am. Court will be in recess.

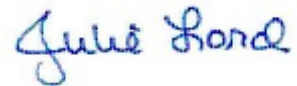
24 (Court adjourned at 3:28 P.M.)

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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.



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JULIE LORD, TRANSCRIBER  
VERBATIM DIGITAL REPORTING, LLC



1 RTRAN

2  
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4  
5 DISTRICT COURT  
6 CLARK COUNTY, NEVADA

7  
8 THE STATE OF NEVADA,  
9 Plaintiff,

CASE#: C-16-316382-1  
DEPT. XII

10 vs.

11 ARMANDO VASQUEZ-REYES aka  
12 ARMANDO VASQUIEZREYES,  
13 Defendant.

14 BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE  
15 TUESDAY, DECEMBER 10, 2019

16 **RECORDER'S TRANSCRIPT OF PROCEEDINGS:**  
17 **SENTENCING**

18 APPEARANCES:

19 For the State: WILLIAM ROWLES, ESQ.  
Deputy District Attorney

20 For the Defendant: MIKE FELICIANO, ESQ.  
21 Deputy Public Defender

22 Also Present: ALEX AVANTS  
23 Spanish Interpreter

24  
25 RECORDED BY: KRISTINE SANTI, COURT RECORDER

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TUESDAY, DECEMBER 10, 2019 AT 10:16 A.M.

THE COURT: Okay. State of Nevada versus Armando Vasquez-Reyes, case C316382. The Defendant is present, he's in custody. And this is on for sentencing. He is using the services of the interpreter.

Will the interpreter please state her name for the record?

THE COURT INTERPRETER: Alex Avants.

THE COURT: Thank you very much.

This is the date and time set for entry of judgment and imposition of sentencing. Is there any legal cause or reason why judgment should not be pronounced against you at this time?

[The Defendant speaks through the use of the Court Interpreter]

THE DEFENDANT: No, there is no cause.

THE COURT: By virtue of the jury verdict returned in this matter I hereby adjudicate you guilty of Counts 1 and 2, lewdness with a child under the age of 14 and Counts 3, 4, 5, 6, 7, 8, 9 and 10, sexual assault with a minor under 14 years of age.

Does the State wish to address the Court?

MR. ROWLES: Yes, Your Honor, I'll be very brief. First, I would note that Guadalupe Alvarez is here. She would like to speak, and I ask that she be allowed to speak last pursuant to statute.

Your Honor, this was a matter that went through the jury trial process. You heard the testimony of the victims, you heard the State's case in chief, so I won't repeat the facts because you know them. You



1 know what happened during that time period.

2 I will just be asking you to follow P and P's recommendation of  
3 the 70 to life, to have Count 1 and Count 10 run consecutive. I do  
4 believe that that's warranted because if you take into consideration what  
5 this man did to Guadalupe by himself --

6 THE COURT: Well, you understand P and P's recommending  
7 45 to life, not 70.

8 MR. ROWLES: My mistake.

9 THE COURT: Count 1 is a ten to life and Count 10 is a 35 to  
10 life.

11 MR. ROWLES: My apologies. Then, yeah, 45 to life.

12 THE COURT: Okay. I just wanted to make sure.

13 MR. ROWLES: Yeah, to run those consecutive. If you take  
14 into consideration what happened to Guadalupe by herself, the years of  
15 abuse that she suffered at the hands of this individual and the type of  
16 abuse that she suffered at the hands of this individual, I believe that that  
17 sentence is warranted here, but in this particular situation it's not just  
18 Guadalupe, it's her sister. I think each victim deserves a separate  
19 independent sentence that reflects what happened to them. And I agree  
20 with P and P's recommendation and I ask that you follow it.

21 THE COURT: Thank you.

22 Sir, do you wish to address the Court?

23 THE DEFENDANT: Nothing.

24 THE COURT: Okay.

25 Counsel?

1 MR. FELICIANO: Thank you for clearing the courtroom, Your  
2 Honor.

3 THE COURT: Sure.

4 MR. FELICIANO: So -- and I don't really have much to say.  
5 Mr. Vasquez-Reyes maintains his innocence. You heard trial, but I will  
6 note that he had no criminal history before this. There was no type of  
7 allegation like this in the past. He's 52 years old and there's -- usually  
8 by this age if something like this is going to happen it's usually -- usually  
9 comes out, so it's unusual in that because he's never had any type of  
10 allegation like this in the past.

11 So, there's not much -- as far as sentencing there's really not  
12 much we can do as far as argue for less than 35 years, so we are asking  
13 for the Court to impose a 35 to life sentence on one count and then run  
14 everything else concurrent. With that, we'd submit it.

15 THE COURT: Thank you very much.

16 You may call your first witness.

17 MR. ROWLES: Guadalupe.

18 THE COURT CLERK: Can you please raise your right hand?

19 **GUADALUPE ALVAREZ**

20 [having been called as a speaker and being first duly sworn,

21 testified as follows:]

22 THE COURT CLERK: Thank you. Please state your first and  
23 last -- state your name, spelling your first and last name for the record.

24 THE SPEAKER: My name is Guadalupe Alvarez, spelled  
25 G-U-A-D-A-L-U-P-E, Alvarez, A-L-V-A-R-E-Z.

1 THE COURT: Good morning.

2 THE SPEAKER: Good morning.

3 THE COURT: Guadalupe, go ahead.

4 THE SPEAKER: Your Honor, I -- personally, this has affected  
5 me a lot growing up and I hope that he gets the biggest penalty he could  
6 get because he has mentally and physically abused me and it was hard  
7 trying to overcome all of this for many years. He has stolen my  
8 childhood and my innocence when I have done nothing wrong.

9 I have saw him as a father figure growing up and I admired  
10 him, but I cannot forgive him for what he has done to me. And I hope he  
11 just -- he asks for God forgiveness because I cannot forgive him for  
12 anything and what he has done to my family and making my sister who I  
13 love so much and I see her as a big figure in my life.

14 I have trouble with a lot of male figures now. I don't trust  
15 people as much as I do. I still shut myself when -- I just have  
16 nightmares I can't overcome and it's just really hard. And I just hope he  
17 just gets the biggest penalty that you guys can give him to give me the  
18 justice I deserve.

19 THE COURT: Thank you, Guadalupe.

20 THE SPEAKER: Thank you.

21 THE COURT: And thank you very much for being here.  
22 Thank you for your testimony.

23 You may call your next witness.

24 MR. ROWLES: Court's brief indulgence. That would be it,  
25 Your Honor.

1 THE COURT: Okay.

2 In accordance with the law of the State of Nevada this Court  
3 does now sentence you as follows: In addition to the administrative  
4 assessment, the DNA fee and the collection fee, you'll be required to  
5 submit to genetic marker testing.

6 As to Count 1, the Court's going to sentence you to life in the  
7 Nevada Department of Corrections with parole eligibility beginning after  
8 a minimum of ten years has been served.

9 As to Count 2, life in the Nevada Department of Corrections  
10 with parole eligibility beginning after a minimum of ten years has been  
11 served to run concurrent to Count 1.

12 As to Count 3, the Court's going to sentence you to life in the  
13 Nevada Department of Corrections with parole eligibility beginning after  
14 a minimum of 35 years has been served; Count 3 to run consecutive to  
15 Count 2.

16 As to Counts 4 through 10, the Court's going to sentence you  
17 to life in the Nevada Department of Corrections with parole eligibility  
18 beginning after a minimum of 35 years has been served; 4 through 10 to  
19 run concurrent to Count 3.

20 Court's going to order, pursuant to statute, that you register as  
21 a sex offender and order, pursuant to statute, lifetime supervision. It's  
22 an aggregate sentence of 45 to life in the Nevada Department of  
23 Corrections.

24 How much credit does he have?

25 MR. ROWLES: One thousand three hundred and thirty-four

1 days, Your Honor.

2 MR. FELICIANO: Correct.

3 THE COURT: One thousand three hundred and thirty-four?

4 MR. ROWLES: Yes, Your Honor.

5 MR. FELICIANO: Yes.

6 THE COURT: Okay. Credit for time served. Thank you very  
7 much.

8 MR. ROWLES: Thank you, Your Honor.

9 MR. FELICIANO: Thank you.

10

11 [Proceedings concluded at 10:23 a.m.]

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

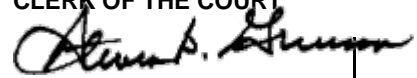
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Trisha Garcia  
Court Transcriber



RTRAN

DISTRICT COURT  
CLARK COUNTY, NEVADA  
\* \* \* \* \*

THE STATE OF NEVADA,	)	CASE NO. C-16-316382-1
	)	
Plaintiff,	)	DEPT. NO. XII
v.	)	
	)	
ARMANDO VASQUEZ-REYES,	)	
a/k/a ARMANDO VASQUIEZREYES,	)	
	)	
Defendant.	)	
	)	

BEFORE THE HONORABLE MICHELLE LEAVITT, DISTRICT COURT JUDGE

MONDAY, OCTOBER 7, 2019

**RECORDER'S PARTIAL TRANSCRIPT OF HEARING:  
JURY TRIAL - DAY 1**

**(PROCEEDINGS FROM 1:23:34 P.M. to 5:03:17 P.M.)**

APPEARANCES:

FOR THE STATE:	JAMES R. SWEETIN, ESQ. Chief Deputy District Attorney
	WILLIAM C. ROWLES, ESQ. Deputy District Attorney
FOR THE DEFENDANT:	MIKE FELICIANO, ESQ. NADIA HOJJAT, ESQ. Deputy Public Defenders

ALSO PRESENT:

BETTE BROOKS  
MARIA PERALTA de GOMEZ  
*Spanish Interpreter*

RECORDED BY: KRISTINE SANTI, COURT RECORDER  
TRANSCRIBED BY: VERBATIM DIGITAL REPORTING, LLC

1                   LAS VEGAS, NEVADA, MONDAY, OCTOBER 7, 2019

2                   \*     \*     \*     \*     \*

3                   (Transcript begins at 1:23:34 p.m)

4                   (Outside the presence of the prospective jury)

5                   THE COURT: Okay. All right. Will you state your  
6 appearances for the record?

7                   MR. FELICIANO: Sure. Mike Feliciano and Nadia  
8 Hojjat for Mr. Vasquez-Reyes.

9                   MR. SWEETIN: And James Sweetin and William Rowles  
10 for the State, Judge.

11                  THE COURT: Okay. And Mr. Vasquez-Reyes is present  
12 and in custody and he's using the services of the Interpreter.  
13 Will the Interpreter state her name for the record?

14                  THE INTERPRETER: Bette Brooks.

15                  THE COURT: Thank you. Thank you very much for  
16 being here.

17                  So there was two more motions. So we can do the  
18 first one, the State's -- it was the State's Motion in Limine.  
19 Okay. Did I --

20                  MR. SWEETIN: And Judge, I think in regards to this  
21 there was actually two motions filed, and this is proof that  
22 I'm going senile because there was a motion --

23                  THE COURT: Right. I thought they were the same.

24                  MR. SWEETIN: They are the same. And I think what  
25 the reason was, I think that I had a discussion with Mr.

1 Feliciano, I think, a long time ago about the first motion and  
2 there was some issues as to what he was going to agree to and  
3 what he wasn't going to agree to. And then as we came up to  
4 trial he wasn't sure whether he was going to agree to some  
5 redactions or not, so I put it in a motion.

6 But at any rate the -- the things that the State is  
7 looking at clearly making sure first of all are included in  
8 the statement would be that -- that to receive by the jury  
9 would be the statements in regards to the defendant's use of  
10 alcohol and drugs.

11 And the reason for that is that it appears that the  
12 defendant is going to challenge the voluntariness of his  
13 statement. And I say that because of -- in the Evidentiary  
14 Hearings that we've had thus far, the issue of whether the  
15 defendant remembered or didn't remember things was an obvious  
16 issue, was asked over and over again.

17 The State submits that his reference to the use of  
18 drugs and alcohol were actually in the context of the  
19 statement used to explain why he wasn't remembering. He  
20 basically says, well, you know, I don't remember that well. I  
21 used a lot of drugs and alcohol, essentially, back at the  
22 time.

23 So the State submits that it's very relevant for  
24 that purpose and it should come in.

25 I would also note that there's a reference in the



1 statement that clearly should not come in and that reference  
2 relates to the defendant making reference to the fact that  
3 here his allegation that the victim, in fact, made allegations  
4 against someone else of sexual assault.

5           The Defense has not filed a Motion in Limine to try  
6 to -- to try to bring that in. Obviously, this is -- it's  
7 rape shield prior sexual conduct material. They have not  
8 presented any reason why rape shield would not potentially  
9 apply in this case. And therefore, the State submits that it  
10 should not be brought in pursuant to -- to rape shield. It  
11 should be excluded from the statement.

12           THE COURT: Thank you.

13           MR. FELICIANO: Okay. As to the --

14           THE COURT: Well, do you plan on bringing in these  
15 allegations in the statement regarding this other person --

16           MR. FELICIANO: Um --

17           THE COURT: -- this other boy?

18           MR. FELICIANO: Yeah, we were going to ask that it  
19 not be redacted because that's -- we don't find that that's --  
20 that falls within rape shield. As I say in my Opposition  
21 that's a different issue. It's not going -- it's not going to  
22 be during her cross-examination. It's not used for consent.  
23 It's just part of his statement that we believe should be  
24 played for the jury.

25           THE COURT: But for what relevance purpose?

1 MR. FELICIANO: Um, I mean, it's -- it's another --  
2 I mean, if -- the State's arguing that it's -- that it's rape  
3 shield and we're arguing that it's not because it doesn't fall  
4 within the specific --

5 THE COURT: It still has to be relevant.

6 MR. FELICIANO: I mean, it's -- if he has  
7 information that somebody else possibly committed a crime, I  
8 think that's relevant. I mean, we should be able to get into  
9 it. We're not going to question her specifically about it.  
10 That's why we didn't file a motion on it.

11 We just think he should be able to get out whatever,  
12 you know, they shouldn't be able to pick and choose what they  
13 want to hear from Mr. Vasquez-Reyes as to that statement.

14 THE COURT: Okay.

15 MR. FELICIANO: As to the drugs and alcohol --

16 THE COURT: All right. My concern there is --

17 MR. FELICIANO: Sure.

18 THE COURT: -- because are you going to challenge in  
19 front of the jury panel the voluntariness -- I mean, I'm  
20 assuming you are --

21 MR. FELICIANO: Well --

22 THE COURT: -- the voluntariness of his statement?

23 MR. FELICIANO: -- the drug and alcohol talk was all  
24 -- it was Mr. Vasquez-Reyes talking about a time way before  
25 the interview.

1           THE COURT: Right. But he's saying, I can't recall  
2 that because during that time period I was doing a lot of  
3 drugs and alcohol.

4           MR. FELICIANO: But that doesn't go to  
5 voluntariness. Voluntariness goes to --

6           THE COURT: I one hundred percent agree.

7           MR. FELICIANO: Okay.

8           THE COURT: But if you get in front of the jury and  
9 say he didn't understand this, it wasn't, you know, freely and  
10 voluntarily given, you see, he doesn't remember all of these  
11 things; there could be another explanation for it.

12          MR. FELICIANO: Well, again --

13          THE COURT: I guess it depends on what you do  
14 whether I think it's relevant or not.

15          MR. FELICIANO: I mean, I really don't think it  
16 matters what we do as far as -- I mean, he's talking about  
17 using drugs way in the past. It has no bearing on whether --  
18 on his mental state at the time of the -- of the interview or  
19 the interrogation.

20                 So whatever we do, I don't think that -- the jury  
21 shouldn't really hear that.

22          THE COURT: Okay. Well, I think it could be come  
23 relevant. If you make -- if you make arguments to the jury  
24 that this wasn't a freely and voluntarily given statement  
25 because of his -- you see -- I mean, I -- I don't know what

1 you're going to argue yet.

2 MR. FELICIANO: Okay.

3 THE COURT: But I've heard things regarding his  
4 medical condition, could explain why he couldn't remember  
5 things. If you argue to this jury, see, he couldn't remember  
6 all these things because of something other than what he said,  
7 drugs and alcohol, it may become relevant.

8 MR. FELICIANO: So, I mean, well, that sounds like  
9 if we -- if we make any issue of his -- of his -- of his  
10 statement to police not being credible or he was possibly  
11 confused then it makes it relevant which we don't agree with.  
12 It just doesn't.

13 THE COURT: Okay.

14 MR. FELICIANO: So are you saying if we get into --  
15 if we say anything other than what he said was true to the  
16 detective that it becomes relevant? I'm just not sure -- if  
17 you're saying that it may become relevant, I just want to make  
18 sure we know the line.

19 THE COURT: Okay. Here's the thing; he testified in  
20 this statement that he couldn't remember all of these things  
21 because during that time frame he was using drugs and alcohol.

22 MR. FELICIANO: Okay.

23 THE COURT: Okay? If you want to argue to this jury  
24 that there's some other reason, his blood pressure medication,  
25 you know, I'm not -- you can do that, but then I'm going to

1 allow the State to bring in -- normally I wouldn't think that  
2 this drug and alcohol would even be relevant, but I think it  
3 depends on what you argue to the jury regarding his statement.  
4 Because he testifies pretty clearly in his statement that he  
5 can't remember these things because he was doing a lot of  
6 drugs and alcohol during that time period.

7 MR. FELICIANO: But again, I don't -- that doesn't  
8 go to the voluntariness of his statement.

9 THE COURT: It depends on whether you're going to  
10 use the fact that he couldn't remember these certain things  
11 and so that's evidence that his blood pressure was off and  
12 therefore it wasn't freely and voluntarily given. I think it  
13 really depends.

14 MR. FELICIANO: So -- Court's indulgence.

15 (Mr. Feliciano/Ms. Hojjat conferring)

16 MS. HOJJAT: And I want to make sure I'm clarifying.  
17 What I'm understanding the Court to say is it's not  
18 necessarily if we raise voluntariness that Your Honor is  
19 finding it relevant, it's if we specifically point to the "I  
20 don't remember" as proof that this wasn't voluntary and that  
21 there were these medical issues or something like that causing  
22 him not to remember.

23 THE COURT: I think that --

24 MS. HOJJAT: At that point --

25 THE COURT: -- would probably make it relevant.

1 MS. HOJJAT: -- that's what makes it relevant. So  
2 -- so merely raising voluntariness wouldn't make it relevant.

3 THE COURT: I don't believe --

4 MS. HOJJAT: Right.

5 THE COURT: -- just generally --

6 MS. HOJJAT: Okay.

7 THE COURT: -- that the fact that he mentioned that  
8 he was using drugs and alcohol during his statement and I  
9 don't think that generally would be relevant.

10 However, I mean, throughout this case I've heard  
11 lots of different things regarding this statement. I don't  
12 know what your position is going to be in front of the jury  
13 panel, but I don't think you can say -- you can cite to the  
14 statement and say, look, here's all these issues and they're  
15 relevant to this blood pressure, therefore, it wasn't freely  
16 and voluntarily given.

17 I guess if you raise an issue other than what he  
18 stated he doesn't recall all these things, other than drugs  
19 and alcohol, it may become relevant.

20 MR. FELICIANO: Okay. I guess, we'll see.

21 THE COURT: Okay. And then the -- I think the next  
22 issue was the -- did you want to say anything else regarding  
23 the allegation regarding the -- the other boy?

24 MR. FELICIANO: No, we'll submit.

25 THE COURT: Okay. I'm going to grant the motion as

1 to that. And then I guess as to the first one, the drugs and  
2 alcohol, I'm going to defer until the time of trial. I think  
3 generally it's not relevant, however, based on arguments that  
4 the defense makes it could become relevant.

5 All right. Then the next one is the propensity  
6 evidence. Mr. Sweetin?

7 MR. SWEETIN: Yes, Judge. And this -- this deals  
8 with the new statute that we have, 48.045, paragraph (3) which  
9 -- which it kind of lays out that in the prosecution of a  
10 sexual offense that evidence that a defendant committed  
11 another separate sexual offense is admissible evidence.

12 The Supreme Court's made clear it recognized that  
13 that's admissible and it's admissible as propensity evidence  
14 to commit sexual crimes.

15 Now, the State did file a motion in this case. I'm  
16 not sure the State needed to file a motion. I wanted to put  
17 it before the Court. As we were going through pretrials it  
18 became apparent that the victim in this case is going to make  
19 reference to certain of the charged acts and she's going to  
20 detail the circumstances or how those acts occurred.

21 She previously testified as to the actual acts. She  
22 didn't fill in the blanks or talk about each step in the  
23 preparation. And many of those steps included acts of  
24 fellatio, cunnilingus, digital penetration of the anus and  
25 vagina. So it was the actual acts that she's testifying to

1 that we're talking about.

2 And I would also note that in this case, you know,  
3 the evidence is clear, and it's always been clear that this  
4 sexual conduct happened sort of on a regular basis over an  
5 extended period of time. So there's a lot of activity that  
6 she's going to be testifying -- I think she previously  
7 testified that she was anally penetrated some 30 times.

8 And the State would seek certainly to allow her to  
9 give a framework of this continuing course. And also to talk  
10 about the last time that this occurred.

11 As The Court might know from some of the briefs,  
12 that was about five months prior to the police arriving at the  
13 residence. And in that occasion the defendant kissed her,  
14 grabbed her, touched her breasts, vagina and butt, took his  
15 and the victims' clothes off. He attempted to force his penis  
16 into the victim's vagina and then he put his penis in the  
17 victim's anus.

18 And he fought -- she -- the victim fought with the  
19 defendant, tried to push him off. She was more aggressive on  
20 this occasion and ultimately gave him an ultimatum on this  
21 occasion, you know, if you keep doing this I'm going to tell  
22 the police.

23 After that time the conduct uncharacteristically  
24 sort of stopped for a period of time, for several months. And  
25 about a week before the time when the police arrived the



1 defendant is walking through the kitchen while the victim's in  
2 the kitchen and no one else is around. He comes over and just  
3 sort of massages her -- her buttocks. And that told her that  
4 maybe this conduct hasn't stopped and it's going to start  
5 again, which kind of gives a lead in into one of the reasons  
6 why she disclosed to the police just a week later.

7           The State would submit that -- that all of this  
8 conduct is clearly sexual conduct that should come in under  
9 the statute.

10           Now, the most recent case, the Franks case is a case  
11 that's really instructive, the State would submit, in this.

12           And part of the reason for that, in the Franks case  
13 actually the evidence was presented in the course of a trial,  
14 because the way the statute, now 48.045, paragraph (3) is  
15 worded is essentially says that evidence of this sexual  
16 conduct in a sexual offense case is admissible, essentially.

17           And so that evidence was admitted in the case and  
18 subsequently the Supreme Court found that it was properly  
19 admitted, but they also gave in that Franks decision some  
20 guidelines to the Court and they instructed the prosecution to  
21 get prior approval of the Court before presenting that  
22 evidence.

23           And so the State would submit that as you go through  
24 the evidence in this case the -- there's a couple things, you  
25 know, to point out. First, I believe -- you know, first is to

1 determine that the acts are relevant. And the Franks decision  
2 essentially was a case where they had a circumstance where the  
3 defendant was essentially sort of -- supposedly tickling the  
4 victim in the case and ultimately pulled the victim's pants  
5 down and touched the vaginal area.

6           The other acts that came in the course of the trial  
7 were that he had touched the child over the clothes on prior  
8 occasions, on a number of prior occasions. And the Court  
9 found that that evidence was certainly relevant to come in to  
10 show the defendant's propensity to touch a child.

11           And similarly in this case the State would submit  
12 that the evidence surrounding each of these incidents as well  
13 as the course of conduct is very relevant here. It -- the --  
14 it would be -- the defendant is alleged to have basically  
15 brought this victim into a bedroom, laid her on a bed and put  
16 his penis in her anus.

17           There are a lot of steps that he goes through prior  
18 to that which would include sometimes -- essentially having  
19 the victim sort of get him -- touch his penis or to do things  
20 to try and excite the victim and her body that lead up -- that  
21 make a lot of sense and give context to the actual touching.

22           And as I indicated, some of the other incidents that  
23 we have clearly show a course of conduct and reasons why  
24 certain things happened in the case, as well as showing the  
25 defendant's propensity to act clearly, the State's submits

1 that it's relevant.

2           You also need to make a determination of whether it  
3 can be proven by a preponderance of the evidence. Now, in the  
4 Franks case, the Franks case came right out and they laid out  
5 that the finding of the Court that the jury could reasonably  
6 find by a preponderance of the evidence that the sexual  
7 offense occurred is the standard.

8           And in that case, in Franks they made reference to  
9 the testimony of the witness and that that clearly would  
10 provide the necessary evidence and that's what we have in this  
11 case.

12           Now, as far as sort of a third prong is a  
13 determination of the probative value as weight against the  
14 prejudicial effect. Now, I noticed defense counsel, in their  
15 Opposition they bring up the Braunstein decision. And I would  
16 note that Braunstein really has no relevance to this case.  
17 That predates NRS 48.045 and it relates to 48.045(2). So that  
18 really doesn't have precedential value.

19           But the LaMay factors which were referenced in the  
20 Franks decision do. First of all, the similarity of the prior  
21 acts to the acts charged. And the State submits that in the  
22 Franks decision they made reference to the similarity being  
23 the defendant acting out in a sexual way against the same  
24 victim under the same circumstances and clearly in this case  
25 that's exactly what we have.

1           I think -- the State would submit that the  
2 similarity of the events really relates to the actual sexually  
3 acting out. These other acts, actual sexual acts that were  
4 done clearly lead in and just further show the actual acts  
5 that are charged here.

6           Also, the closeness in time of the prior bad act to  
7 the acts charged. In this case, they're almost  
8 contemporaneous with the acts that are being charged here.

9           In regards to the frequency of the bad acts. The --  
10 in this particular case we have a course of conduct. And  
11 clearly, there is a showing of a continuing course of conduct  
12 in the performing of these acts.

13           In regards to the presence of lack of intervening  
14 circumstances, there are no intervening circumstances the  
15 State sees as with this continuing sexual conduct.

16           And finally, the necessity of the evidence beyond  
17 the testimonies already offered at trial. As I've indicated,  
18 you know, in this case the State submits that it's -- it's --  
19 it would be very misleading to the jury to have the victim --  
20 to tell the victim she could not talk about exactly what the  
21 defendant did to her that led into him putting his penis in  
22 her anus. The State submits it has great value and it also  
23 shows, the State would submit, his desire to sexually act out  
24 against this child.

25           And likewise, as I've indicated, the incidents

1 involving -- certainly at the -- at the end of the sexual  
2 abuse have great probative value in regards to showing why, in  
3 fact, the victim disclosed when she disclosed.

4           The State would submit that clearly under NRS  
5 48.045(3) that the evidence I've laid out should come in and  
6 we'd submit it on that.

7           THE COURT: Okay. But you also agree they said you  
8 need to have a hearing prior -- prior thereto. I know that  
9 the statute indicates that you don't have a hearing, but my  
10 belief is in Franks they said the Court should have a hearing.

11           MR. SWEETIN: So I -- you know, in Franks they're  
12 specific in regards to the evidentiary showing and I believe  
13 they say that the showing can be made by statements made by  
14 counsel. And the State would submit that the proffer that the  
15 State is making in regards to this evidence is sufficient to  
16 do that.

17           THE COURT: Do you want to make your proffer in the  
18 record or are you going to let it stand as to page five?

19           MR. SWEETIN: Well, my proffer would be that, that  
20 the testimony that we would expect to receive from the victim  
21 would be in regards to other sexual acts surrounding the  
22 actual acts that are charged to include the acts of  
23 cunnilingus, fellatio and digital penetration of the anus and  
24 the vaginal cavity as well as the last incident of sexual  
25 penetration that occurred at the end of 2015 and the touching

1 of the victim's buttocks about a week before the police arrive  
2 to -- and ultimately make contact with the defendant in  
3 regards to the offense.

4 THE COURT: So again, the victim is going to testify  
5 according to your pretrialing of the victim, that every time  
6 one of these things happened all of those different acts  
7 occurred, that they were part of it?

8 MR. SWEETIN: Yes. And I don't know that she would  
9 testify that all of those particular acts were part of every  
10 event.

11 THE COURT: Okay.

12 MR. SWEETIN: But she would testify that, you know,  
13 before the events there were other things that happened.  
14 There was touching that happened.

15 THE COURT: Okay.

16 MR. SWEETIN: There was other preparatory things  
17 that happened.

18 THE COURT: Okay.

19 MR. FELICIANO: So the first time we heard anything  
20 about this was late last week, I believe, Thursday, and this  
21 was filed on Friday. I don't even know if it was -- I think  
22 it was submitted in court because it was -- it's so late it  
23 couldn't even get filed.

24 As I state in my Opposition, NRS 174.125 and EDCR  
25 3.20 say this must be filed within 15 days before trial. And

1 it says there is a good cause exception that should be  
2 accompanied by an affidavit. That wasn't done. I've heard no  
3 reason as to why --

4 THE COURT: I'm not even sure the State would have  
5 been required to file a motion. I think if --

6 MR. FELICIANO: On bad acts?

7 THE COURT: -- the Franks decision says they need to  
8 request outside the presence of the jury panel but --

9 MR. FELICIANO: Well, I mean --

10 THE COURT: I would prefer it be in a motion and be,  
11 you know --

12 MR. FELICIANO: -- we --

13 THE COURT: -- provided to the Court.

14 MR. FELICIANO: I mean, we literally have a jury  
15 waiting outside and we're doing this. This is all last minute  
16 stuff. It should have been done well in advance of today.  
17 This case was filed in April of 2016. I presume that G.A. was  
18 pretried at the time of the Preliminary Hearing. They even  
19 filed an Amended adding charges. None of this stuff came up  
20 for three-and-a-half years.

21 THE COURT: Didn't you say they amended it like  
22 three times? And I am going to ask the State, because that  
23 was very curious to me, because I think it would be very  
24 strange to tell a witness, you can testify to this jury about  
25 what happened, but you can -- you can only testify about these

1 specific things and not these other things.

2 But I don't understand why the State did not know  
3 that prior to today.

4 MR. FELICIANO: Well --

5 THE COURT: That's mind boggling.

6 MR. FELICIANO: Well, okay, so it came at -- it was  
7 originally four or five charges --

8 THE COURT: Um-h'm.

9 MR. FELICIANO: -- just involving G.A. They put it  
10 on for an amended -- for a Prelim adding a few more charges so  
11 it made a total of nine. And then they added D.A. down the  
12 road about a month later. That's it.

13 We have one statement, a voluntary statement that  
14 G.A. gave at the beginning of the case and we have her  
15 Preliminary Hearing testimony. Three-and-a-half years later  
16 we're getting new stuff on the eve of trial that adds about a  
17 million more allegations that we have no -- we have no  
18 information.

19 THE COURT: Well, they didn't add any charges.

20 MR. FELICIANO: Well, I'm sorry, allegations.

21 THE COURT: Yeah.

22 MR. FELICIANO: But they're saying that -- I mean, I  
23 don't know why we're getting this so late. We have nothing to  
24 -- we have nothing to really judge the credibility of these  
25 statements other than what Mr. Sweetin is saying. And if they



1 pretrial this child before you would think that some of this  
2 stuff would've come out and this would have been addressed  
3 previously. But a few days before trial, it's a bit  
4 ridiculous to go through it now.

5 So we submit that it's untimely. But if it's not  
6 untimely it still doesn't meet the test set out in Franks.

7 So --

8 THE COURT: But the Court -- I mean, do you agree  
9 the Court would have to conduct a hearing?

10 MR. FELICIANO: No. First of all, I think it's  
11 late. But if you think --

12 THE COURT: If -- if -- yes.

13 MR. FELICIANO: If, yes, yes.

14 THE COURT: Yeah.

15 MR. FELICIANO: So but we don't think it's necessary  
16 here. I mean, we're getting -- all we have here is what Mr.  
17 Sweetin is saying. He's provided no other statements of G.A.  
18 to us, no other information, not -- nothing. This the first  
19 time we're hearing about this last week.

20 So I don't know how they can say this is proven  
21 beyond -- by a preponderance of the evidence.

22 So a hearing would be necessary if the Court is even  
23 entertaining allowing this in to see what the -- what they  
24 say.

25 THE COURT: But I do agree, this is strange to me

1 that the State would only find these allegations out when  
2 you're pretrialing the witness. How did this happen? I mean,  
3 she testified at Preliminary Hearing. And again, this case  
4 was set for trial 12 times.

5 MR. SWEETIN: Yeah.

6 THE COURT: And -- and over a year ago, I think it  
7 was at least a year ago, we were ready to go. We were --

8 MR. FELICIANO: Yes.

9 THE COURT: -- we were going.

10 MR. FELICIANO: And I did a file review on --

11 THE COURT: Right.

12 MR. FELICIANO: -- one day and I believe G.A. and  
13 D.A and mother were at the DA's Office pretrialing. I'm  
14 pretty sure they were there the same day I was there about a  
15 year ago. So they've met several times. And now we're  
16 getting this.

17 MR. SWEETIN: Now, and to be, you know, completely  
18 clear with the Court, I believe -- my knowledge of pretrials  
19 have been just at the very beginning and now.

20 THE COURT: Okay.

21 MR. SWEETIN: I know they did come to our office.  
22 But as the Court might -- might understand, when we have a  
23 victim of sexual abuse --

24 THE COURT: Yeah.

25 MR. SWEETIN: -- it's very delicate to talk about

1 it.

2 THE COURT: Right.

3 MR. SWEETIN: And we don't do it unless we  
4 absolutely have to. Now, I will tell you, and the Court will  
5 see when G.A. testifies, she is a -- she's a very -- a quiet  
6 girl who is obviously affected by this and moves into tears  
7 rather quickly as she starts to talk about it.

8 She doesn't want to talk about it. My course when I  
9 prepare a victim to come in and testify is I tell them, I have  
10 to know everything. You have to give me each step that you  
11 remember. I know that when the Preliminary Hearing was put on  
12 another deputy DA, Jenny Clemons, put on the -- the case, and  
13 I'm not sure exactly how she pretrialed the victim in the  
14 case.

15 But as I asked her to detail each step it took quite  
16 some time but she did -- she did detail out what happened.  
17 And that's when I found out that there was other things that  
18 were happening and that's why I had to bring this motion.

19 THE COURT: Okay. Anything else?

20 MR. FELICIANO: And we've made our record. I don't  
21 think any of it should come in.

22 THE COURT: Okay. Well, I'm going to grant a  
23 hearing, so prior to any of this coming in we'll have a  
24 hearing outside the presence of the jury panel.

25 MR. FELICIANO: But that would be before we open as

1 well? Maybe at the time that do the immigration and monetary  
2 benefits, same witnesses?

3 THE COURT: Yeah. Probably -- we probably could do  
4 it at that time.

5 MR. FELICIANO: We would request that it be done  
6 before opening statements.

7 MR. SWEETIN: And just so the Court knows, if we are  
8 going to go through it, it might take awhile with the victim.

9 THE COURT: Okay.

10 Okay. Does everyone -- everyone has their lists?

11 MR. FELICIANO: We do.

12 THE COURT: Do we have everyone, Officer Hawkes?

13 THE MARSHAL: Yes, ma'am.

14 THE COURT: Are you -- is everybody ready to bring  
15 them in? Are you guys ready to bring them in?

16 MR. FELICIANO: We are.

17 THE COURT: Is the State ready?

18 MR. SWEETIN: Yes, Your Honor.

19 THE COURT: Okay. Let's bring them in.

20 THE MARSHAL: Are we doing our 32?

21 THE COURT: Yes. Qualifying 32, yeah.

22 MR. FELICIANO: Oh, oh --

23 THE COURT: Two alternates.

24 MR. FELICIANO: -- and your standard preliminary  
25 voir dire, I talked to Mr. Sweetin and we're asking that you

1 ask the sex abuse questions if they've ever been charged with  
2 it or anybody close them ever been charged with sex abuse or  
3 been --

4 THE COURT: Oh, you want me to --

5 MR. FELICIANO: -- a victim of.

6 THE COURT: -- specifically say --

7 MS. HOJJAT: If any of them have been a victim of  
8 any sort of sex crime, sex abuse --

9 THE COURT: Okay.

10 MS. HOJJAT: -- sexual molestation themselves.

11 THE COURT: So whether they've been a victim.

12 MR. FELICIANO: Both --

13 THE COURT: Both?

14 MR. FELICIANO: -- charged or a victim, them or  
15 anyone close to them.

16 THE COURT: Okay.

17 MR. FELICIANO: Thank you.

18 THE COURT: Um-h'm.

19 (Off-record colloquy)

20 THE CLERK: Mr. Sweetin, do you guys have any  
21 evidence I can start marking or you don't have any yet?

22 MR. SWEETIN: There's not going to be a lot of  
23 evidence in the case.

24 THE CLERK: Oh, okay. Perfect. You're fine then if  
25 you want to just bring it to me tomorrow.

1 (Pause in the proceedings)

2 THE MARSHAL: All rise for the entering jury,  
3 please.

4 (Inside the presence of the prospective jurors)

5 THE MARSHAL: Please be seated.

6 THE COURT: Okay. Does the State stipulate to the  
7 presence of the jury venire?

8 MR. SWEETIN: Yes, Your Honor.

9 THE COURT: The Defense?

10 MR. FELICIANO: Yes, Your Honor.

11 THE COURT: Okay. Thank you.

12 Good afternoon, ladies and gentlemen. Welcome to  
13 Department 12 of the Eighth Judicial District Court. My name  
14 is Michelle Leavitt and I'm the presiding Judge in Department  
15 12. You have been summonsed here today to serve as jurors in  
16 a criminal case entitled State of Nevada versus Vasquez-Reyes.

17 Before I do allow the attorneys to address the panel  
18 and give you a brief statement of facts I'm going to introduce  
19 the staff in Dept. 12 and give you a brief description of what  
20 each person does.

21 You've already met Officer Hawkes. He's the Court  
22 Marshal in Department 12. He is the person that you'll have  
23 most contact with.

24 Throughout this process of selecting a jury panel  
25 and after we do have a jury panel selected, myself, the staff

1 in Department 12, with the exception of Officer Hawkes, the  
2 attorneys and parties involved in this case are not permitted  
3 to have any communication with you whatsoever outside of the  
4 courtroom. So I ask if there's something you need to  
5 communicate to the Court, I ask that you do so in the  
6 courtroom in the presence of both sides and while we're on the  
7 record.

8           We will see each other coming in and out of the  
9 courthouse, coming in and out of the courtroom, maybe in the  
10 elevator and in the hallways. Please do not be offended  
11 should we not acknowledge you. We are all just maintaining  
12 our obligation to maintain the integrity of the jury system.

13           So outside the courtroom, Officer Hawkes is the only  
14 person that's permitted to have any communication with you  
15 whatsoever.

16           To my right is Andrew. Andrew is a law student and  
17 he is interning with Department 12 and so he'll be sitting in  
18 during some of these -- sorry -- proceedings.

19           To his right is Haly. Haly is the Court Clerk in  
20 Department 12. It's her job to keep the official record. She  
21 keeps the official minutes. She's also the person that will  
22 take charge of all of the evidence when it's introduced at the  
23 time of trial.

24           To her right is David, and David is the law clerk in  
25 Department 12 and he assists the Court with legal issues. And

1 to his right is Kris and Kris is the Court Recorder in  
2 Department 12. It's her job to take down everything that's  
3 being said during these proceedings. So if you're called upon  
4 to address the Court, before you do respond, I'd just ask that  
5 you please state your name, Badge Number that's been provided  
6 to you by the Jury Commissioner before responding so that we  
7 have a clear record of who is speaking at all times.

8           At some point Kris is going to be called upon to  
9 prepare a written transcript which means that she's going to  
10 type verbatim everything that's said during these proceedings.  
11 Therefore, it's very important that you say your name and your  
12 badge number so that when we do have a written transcript it's  
13 clear that -- who is speaking at all times.

14           So at this time both sides are going to have an  
15 opportunity to introduce themselves. Both sides will give you  
16 a brief statement of the facts, and both sides will have an  
17 opportunity to read their witness lists. I ask that you pay  
18 close attention to the witness lists because at some point I'm  
19 going to ask you if you're familiar with any of the witnesses  
20 who will be called to testify in this matter.

21           The State of Nevada may address the Panel.

22           MR. SWEETIN: Thank you, Your Honor.

23           And good afternoon, ladies and gentlemen. My name  
24 is James Sweetin and seated next to me is William Rowles and  
25 we are Clark County District Attorney, Deputy District



1 Attorneys assigned to prosecute this case captioned State of  
2 Nevada versus Armando Vasquez-Reyes, in which the defendant is  
3 charged with the crimes of sexual assault with a victim under  
4 the age of 14 and lewdness with a child under the age of 14.

5 Specifically, over a period from between about 2007  
6 to 2016 the defendant lived with his girlfriend who had three  
7 children, two of whom were daughters. The defendant is  
8 alleged to have sexually touched and penetrated both of these  
9 daughters over that period of time.

10 Now, the State has provided the Defense with a  
11 Notice of Witnesses that they may call in this case and I'm  
12 going to read you the witnesses. The State certainly reserves  
13 the right to call all these witnesses but most likely won't  
14 call all of these witnesses. But it's important for you to  
15 listen because the Judge is going to ask you if whether or not  
16 you recognize any of these names in a moment:

17 Dr. Rami Abukamil. Male [phonetic] Alvarez. Dr.  
18 Efrin Casinova. Dr. Sandra Cetl. Sunshine Collins. Maria  
19 Corral. Amanda Devillez. Guadalupe Alvarez. Dr. Lawrence  
20 Kapel. Ruth Leon. Dr. Alex Malone. Yannet Martinez. Thomas  
21 Murray with the Police Department. Also Mark Pretti with the  
22 Police Department. Dr. Jimmy Ramos. Rosalba Cardenas. Dr.  
23 Lisa -- or I'm sorry -- Lea Roley. Dr. Daniel Sussman.  
24 Claudia Sutton. Ronald Theobald. He's with the Police  
25 Department. And Sergio Torres.

1           Thank you.

2           THE COURT: Thank you.

3           Mr. Feliciano?

4           MR. FELICIANO: Good afternoon. My name is Mike

5 Feliciano, and along with Nadia Hojjat we represent Armando

6 Vasquez-Reyes.

7           This is a case about a teenager that wanted her

8 stepfather out of the house so she made up an allegation of

9 abuse. In this case you may hear from the witnesses that the

10 District Attorney just listed. We may call some of those.

11           In addition, we may also call Bruce McAllister, an

12 Investigator, and Dr. Gregory Harder. Thank you.

13           THE COURT: Thank you.

14           At this time the Clerk's going to call the roll of

15 the panel of prospective jurors. When your name is called if

16 you'll please indicate "present" or "here".

17           (CLERK CALLS ROLL OF THE PROSPECTIVE JURY PANEL)

18           THE COURT: Is there anyone whose name was not

19 called by the Clerk of the Court?

20           Okay. The record will reflect no response from the

21 Panel.

22           If you'll all please stand and raise your right hand

23 so the Clerk can administer the oath.

24           (THE CLERK SWEARS THE PROSPECTIVE JURY PANEL)

25           THE CLERK: You may be seated.

1           THE COURT: Thank you. Ladies and gentlemen, we're  
2 about to commence what is called voir dire examination. The  
3 tern "voir dire" means to tell the truth. During this process  
4 you will be asked questions bearing upon your ability to sit  
5 as fair and impartial jurors.

6           To accomplish this result various questions will be  
7 asked of you by myself or counsel for the parties. On  
8 occasion some of these questions will seem somewhat personal.  
9 While we do not wish to unnecessarily pry into your personal  
10 lives the questions are necessary so that counsel and the  
11 Court can make an intelligent determination as to your  
12 capabilities to serve fairly and impartially.

13           I want you to know that myself and the attorneys and  
14 all persons involved in this case are concerned with having  
15 this matter tried by jurors who are completely open-minded,  
16 neutral, objective and unbiased in their thinking. Wide  
17 discretion is vested in the trial judge as to the method  
18 examination of jurors.

19           As I stated previous, I will personally conduct the  
20 voir dire but I will give the attorneys the opportunity to  
21 participate in this questioning.

22           It is important that you know the significance of  
23 full, complete and honest answers to all the questions we're  
24 about to ask you. I caution you not to try to hide or  
25 withhold anything which might indicate bias or prejudice of

1 any sort by any of you. Should you fail to answer truthfully,  
2 if you hide or withhold anything touching upon your  
3 qualifications that fact may tend to contaminate your verdict  
4 and subject you to further inquiry even after your discharged  
5 as jurors.

6 Your decision should be based upon all of the  
7 evidence presented during this trial and not based upon any  
8 preconceived prejudice or bias. I will conduct a general voir  
9 dire examination of all of you while you're seated in the  
10 audience. After the general questions, the Clerk will call  
11 the first 32 names using the order provided to us by the Jury  
12 Commissioner to fill the jury box.

13 At some point during this process of selecting a  
14 jury the attorneys for both sides will have the right to ask  
15 that a particular person not serve as a juror. These requests  
16 are challenges. There are two types of challenges; challenges  
17 for cause and peremptory challenges.

18 A challenge for cause means that a juror's been  
19 excused because his or her answers to some of the voir dire  
20 questions indicate that he or she would have a difficult time  
21 in giving a fair and impartial hearing to this case.

22 I will ask the attorneys to pass or waive the  
23 prospective jurors for a cause challenge when they are done  
24 questioning the prospective jury panel. A peremptory  
25 challenge means that a juror can be excused from duty without

1 counsel having to give a reason for the excusal.

2 Please do not be offended should you be excused by  
3 either of the challenge procedures. They are simply a part of  
4 the procedures designed to protect the rights of the parties  
5 under our system of government.

6 Is there anyone on the panel who has ever been  
7 convicted of a felony?

8 Okay.

9 PROSPECTIVE JUROR NO. 0006: My name is Dominick  
10 Dorta. My number is 006. I've been convicted of a felony.  
11 It was for marijuana.

12 THE COURT: Okay. Is that in the State of Nevada?

13 PROSPECTIVE JUROR NO. 0006: Yes, it is.

14 THE COURT: Are you currently a --

15 PROSPECTIVE JUROR NO. 0006: No, I am not.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 0006: I was honorably  
18 discharged.

19 THE COURT: Okay. And your -- the charges were  
20 dismissed or you were reinstated to your civil rights?

21 PROSPECTIVE JUROR NO. 0006: Yes, as far as I know,  
22 I was. I was --

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 0006: -- discharged and  
25 honorably -- honorably discharged and I am a voter.

1           THE COURT: Okay. Thank you. Thank you very much  
2 for being here today.

3           Anyone else? Okay. The record will reflect no  
4 further response from the panel.

5           Is there anyone on the panel who is not a United  
6 States citizen? The record will reflect no response from the  
7 panel.

8           Is there anyone on the panel who is not a residence  
9 of Clark County Nevada? The record will reflect no response  
10 from the panel.

11           Is there anyone on this panel who has such a  
12 sympathy, prejudice or bias relating to age, religion, race,  
13 gender or national origin that you feel would affect your  
14 ability to be an open-minded, fair and impartial juror in this  
15 particular case? The record will reflect no response from the  
16 panel.

17           Are there any of you on the panel who are acquainted  
18 with the defendant in this matter? Anyone acquainted with the  
19 defendant? The record will reflect no response from the  
20 panel.

21           Are there any of you on the panel who are familiar  
22 with the defendant's attorneys? The record will reflect no  
23 response from the panel.

24           Are there any of you on the panel who are acquainted  
25 with the Deputy District Attorneys that have been assigned to

1 prosecute this matter? The record will reflect no response  
2 from the panel.

3 The District Attorney's Office employs many deputies  
4 and other personnel. Is there anyone who has such a close  
5 relationship with either the District Attorney, Mr. Steve  
6 Wolfson, his deputies or other members of his staff that you  
7 feel might affect your ability to serve as a fair and  
8 impartial juror in this particular case?

9 The record will reflect no response from the panel.

10 Are there any of you on the panel acquainted with  
11 any of the witnesses whose names were previously mentioned by  
12 the deputy district attorney or Mr. Feliciano?

13 Okay. We've got a juror over here.

14 Good afternoon.

15 PROSPECTIVE JUROR NO. 1381: Hi. Badge 1381,  
16 Felicia Miller.

17 THE COURT: I'm sorry. One --

18 PROSPECTIVE JUROR NO. 1381: -- 381.

19 THE COURT: Okay. Go ahead.

20 PROSPECTIVE JUROR NO. 1381: Dr. Sussman and  
21 Sunshine, I work at the jail, so I interact with them when  
22 they come to visit.

23 THE COURT: Okay. Anything about that that would  
24 affect your ability to be fair and impartial in this  
25 particular case?

1 PROSPECTIVE JUROR NO. 1381: No.  
2 THE COURT: Okay. Thank you.  
3 PROSPECTIVE JUROR NO. 1381: Uh-huh.  
4 THE COURT: Anyone else that's familiar with any of  
5 the witnesses who will be called to testify in this matter?  
6 Okay. You have a juror in front, Officer Hawkes.  
7 PROSPECTIVE JUROR NO. 0894: My name is Stepanie He,  
8 my number is 089 for -- I'm sorry, my English --  
9 THE COURT: Okay. All right. I just need the last  
10 four numbers of your badge.  
11 PROSPECTIVE JUROR NO. 0894: That's number --  
12 UNIDENTIFIED SPEAKER: 894.  
13 PROSPECTIVE JUROR NO. 0894: -- is 1894.  
14 THE COURT: I'm sorry?  
15 PROSPECTIVE JUROR NO. 0894: 8894. That's a --  
16 THE MARSHAL: 894.  
17 THE COURT: Well, there's -- the four -- four  
18 digits. Do you mind Officer Hawkes going --  
19 THE MARSHAL: She's zero -- zero 894.  
20 THE COURT: 0894?  
21 THE MARSHAL: Yes, ma'am.  
22 THE COURT: Okay. Thank you. I'm sorry.  
23 PROSPECTIVE JUROR NO. 0894: And I'm so sorry.  
24 THE COURT: I -- I apologize.  
25 PROSPECTIVE JUROR NO. 0894: My English is not good,



1 so.

2 THE COURT: Okay. How long have you lived in the

3 United States?

4 PROSPECTIVE JUROR NO. 0894: Five years.

5 THE COURT: 12 years?

6 PROSPECTIVE JUROR NO. 0894: Five.

7 THE COURT: Five years?

8 PROSPECTIVE JUROR NO. 0894: Yes.

9 THE COURT: Okay. And you're a U.S. Citizen?

10 PROSPECTIVE JUROR NO. 0894: Yes.

11 THE COURT: Okay. Do you work?

12 PROSPECTIVE JUROR NO. 0894: No.

13 THE COURT: You're not employed?

14 PROSPECTIVE JUROR NO. 0894: No. I'm sorry?

15 THE COURT: Have you ever been employed in the

16 United States?

17 PROSPECTIVE JUROR NO. 0894: I have a [inaudible].

18 THE COURT: I'm sorry?

19 PROSPECTIVE JUROR NO. 0894: I am -- sorry, I'm -- I

20 don't --

21 THE COURT: Okay.

22 PROSPECTIVE JUROR NO. 0894: -- understand.

23 THE COURT: All right. Thank you.

24 PROSPECTIVE JUROR NO. 0894: Um-h'm.

25 THE COURT: Anyone else that's familiar with any of

1 the witnesses?

2 PROSPECTIVE JUROR NO. 1340: Hi. My jury number is  
3 1340, Deborah Wood.

4 THE COURT: Okay. Go ahead.

5 PROSPECTIVE JUROR NO. 1340: My husband's a sergeant  
6 with Metro.

7 THE COURT: Okay. Anything about that that would  
8 affect your ability to be fair and impartial?

9 PROSPECTIVE JUROR NO. 1340: I may have heard in  
10 passing details of cases with, you know, regarding arrests.  
11 And I do know several of the officers on Metro.

12 THE COURT: Okay. Do you know any of the witnesses  
13 who will be called to testify in this matter?

14 PROSPECTIVE JUROR NO. 1340: I am a nurse so I'm  
15 familiar with the physicians that have been listed.

16 THE COURT: Okay. Anything about that that would  
17 affect your ability to be fair and impartial?

18 PROSPECTIVE JUROR NO. 1340: With the physicians,  
19 no, I do not believe so.

20 THE COURT: Okay. And what is the detail that your  
21 husband is a sergeant, what's his -- I guess who is he a  
22 sergeant over?

23 PROSPECTIVE JUROR NO. 1340: Oh, he --

24 THE COURT: Patrol?

25 PROSPECTIVE JUROR NO. 1340: -- currently he was

1 patrol in northwest. His P number is 5266. His name is  
2 Russell Wood, Sergeant Russell Wood. And he currently now is  
3 Vice Chair of the PMSA.

4 THE COURT: Anything about his employment that would  
5 affect your ability to be fair and impartial?

6 PROSPECTIVE JUROR NO. 1340: I don't think so.

7 THE COURT: Okay. All right.

8 PROSPECTIVE JUROR NO. 1340: But I -- I wanted to be  
9 honest and --

10 THE COURT: And I appreciate you letting me know  
11 that. You understand that if you are selected to be on this  
12 panel that you won't be permitted to discuss this case with  
13 anyone, including your fellow jurors, until you go back and  
14 deliberate upon your verdict?

15 So you understand if you were selected to serve you  
16 couldn't discuss this case with your husband at all; do you  
17 understand that?

18 PROSPECTIVE JUROR NO. 1340: I do.

19 THE COURT: Okay. And you would comply with that  
20 order?

21 PROSPECTIVE JUROR NO. 1340: I will.

22 THE COURT: Okay. Thank you. Thank you very much  
23 for being here.

24 Anyone else? Go ahead.

25 PROSPECTIVE JUROR NO. 1339: My name is Claudia

1 Vallejo. I'm number 1339. I'm a school guidance counselor  
2 for the school district and I do consult the students  
3 regarding sexual abuse.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 1339: So I feel --

6 THE COURT: The question before the panel right now  
7 is if you're familiar with any of the witnesses. Are you  
8 familiar --

9 PROSPECTIVE JUROR NO. 1339: No.

10 THE COURT: -- with any of the witnesses?

11 PROSPECTIVE JUROR NO. 1339: No.

12 THE COURT: Thank you. Thank you for being here.

13 Anyone on the panel that's familiar with any of the  
14 witnesses who will be called to testify in this matter?

15 Okay. The record will reflect no further response  
16 from the panel.

17 We do expect this case to last through the week and  
18 it could possibly go into next week. So I just need to ask if  
19 anyone serving for that amount of time would present such an  
20 undue hardship or burden such that it would make it impossible  
21 for you to be here.

22 I do believe we will be here at least through the  
23 end of the week and it possibly could go into next week. So  
24 we'll start over here on the top row if you just don't mind  
25 passing the microphone down and --

1 THE MARSHAL: Sorry, ma'am. The red light's on.  
2 THE COURT: Oh, the battery.  
3 THE MARSHAL: Battery. Don't worry. I won't forget  
4 you. I'll get to you.  
5 PROSPECTIVE JUROR NO. 0138: Um, hello.  
6 THE COURT: Hi.  
7 PROSPECTIVE JUROR NO. 0138: I'm Susanna and my  
8 Badge No. is 138.  
9 THE COURT: And what's your last, Susanna?  
10 PROSPECTIVE JUROR NO. 0138: Selvester, Sorry.  
11 THE COURT: Thank you. Go ahead.  
12 PROSPECTIVE JUROR NO. 0138: All right. I'm a  
13 student at UNLV and I just have a few midterms coming up  
14 through the next week so those are a little difficult with the  
15 professors to reschedule so that would be something that would  
16 kind of hinder with the proceedings.  
17 THE COURT: Okay. You have midterms coming up?  
18 PROSPECTIVE JUROR NO. 0138: Yes.  
19 THE COURT: When are you midterms?  
20 PROSPECTIVE JUROR NO. 0138: My midterms they are  
21 towards the earlier classes in the day.  
22 THE COURT: I mean, are they tomorrow, or they  
23 Friday?  
24 PROSPECTIVE JUROR NO. 0138: Oh, no, they are  
25 Wednesday for this week and then Tuesday, Thursday, Friday for

1 next week.

2 THE COURT: Okay. What year are you at UNLV?

3 PROSPECTIVE JUROR NO. 0138: I'm a sophomore.

4 THE COURT: Okay. What are you studying?

5 PROSPECTIVE JUROR NO. 0138: Early childhood  
6 education.

7 THE COURT: Okay. And you have a full credit load?

8 PROSPECTIVE JUROR NO. 0138: Yes. I have 18 credits  
9 this semester.

10 THE COURT: Oh, okay. So a little bit more. All  
11 right. Thank you. Thank you for being here.

12 PROSPECTIVE JUROR NO. 0176: I'm Alexis Wakefield.  
13 My Badge No. is 176 -- 0176.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR NO. 0176: I am a single mother of  
16 three kids; two teenage daughters, too, by the way. I don't  
17 have any help getting them to and from school. I have to  
18 bring two of them -- I have to drive two of them to school.

19 THE COURT: Okay. Well, maybe this -- I can  
20 probably help telling you what our schedule is.

21 PROSPECTIVE JUROR NO. 0176: Okay.

22 THE COURT: We -- you'd be able to take your kids to  
23 school. We'd never start before -- before school. So most of  
24 the days, Mondays, Tuesdays, Thursdays it would be 10:30, and  
25 then some days I like to start at 8:30 but obviously if you

1 had to get your kids in school I would wait until -- would you  
2 be able to be here 8:30 even taking your kids to school?

3 PROSPECTIVE JUROR NO. 0176: I have -- the latest  
4 one is at -- I can drop him off at 7:30.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 0176: But I have to be there  
7 to pick them up at 2:30.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR NO. 0176: So as long as I can --

10 THE COURT: Okay, well, we can't --

11 PROSPECTIVE JUROR NO. 0176: -- the -- the other --

12 THE COURT: -- be there at 2:30, so because we  
13 usually are in session until at least 5:00 o'clock. So would  
14 you be able to make other arrangements with your kids after  
15 school?

16 PROSPECTIVE JUROR NO. 0176: I don't have any other  
17 help.

18 THE COURT: Okay. Are you employed?

19 PROSPECTIVE JUROR NO. 0176: I'm a real estate  
20 agent. I'm actually -- I just started escrow on my -- my own  
21 house today, so that's also another thing.

22 THE COURT: Okay. So if you were asked to be here  
23 and you had to be here until 5:00 o'clock how would that  
24 affect you? Would you be able to make other arrangements?

25 PROSPECTIVE JUROR NO. 0176: I don't see like -- I

1 don't -- I don't know how I would get my kids. That's the  
2 only thing.

3 THE COURT: Okay. Well, that's what I'm asking you.  
4 I'm asking you, if you were required to be here until 5:00  
5 o'clock would you be able to make other arrangements?

6 PROSPECTIVE JUROR NO. 0176: No, I would not.

7 THE COURT: Okay. Thank you  
8 Anyone else on the --

9 THE MARSHAL: Next in the top row?

10 THE COURT: Okay.

11 THE MARSHAL: Will you just pass it forward?

12 THE COURT: Well, I love it that no one wants to  
13 talk. Go ahead.

14 PROSPECTIVE JUROR NO. 0762: Hi. My name's Vanessa  
15 Schultz and it's 762.

16 THE COURT: Okay. Go ahead.

17 PROSPECTIVE JUROR NO. 0762: I'm currently not  
18 working right now but I have job interviews this week and then  
19 I'll possibly be starting a job at 9:00 o'clock on October --  
20 next Monday.

21 THE COURT: Okay. You're starting a new job next  
22 Monday?

23 PROSPECTIVE JUROR NO. 0762: Well, I possibly will  
24 be if I pass background and everything but they told me my  
25 start date would be Monday. But then I have job interviews



1 this week because I need to get back to work to, you know, pay  
2 my bills and stuff. So I already have prearranged job  
3 interviews for this week.

4 THE COURT: When?

5 PROSPECTIVE JUROR NO. 0762: I have one at 10:00  
6 a.m. on Wednesday and I think I have one at 2:00 p.m. I  
7 didn't bring my calendar with me but -- and then I just got  
8 two more calls while I was here for interviews.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR NO. 0762: But that's it.

11 THE COURT: Thank you. Thank you for being here.  
12 Anyone else?

13 PROSPECTIVE JUROR NO. 0751: 751, Ronald Memo. I  
14 have a business trip scheduled that I'm leaving Friday morning  
15 returning Monday morning.

16 THE COURT: Okay. And how long have you had your  
17 Jury Summons?

18 PROSPECTIVE JUROR NO. 0751: I don't know what that  
19 means.

20 THE COURT: Well, was the jury summons given to you  
21 about a month ago?

22 PROSPECTIVE JUROR NO. 0751: No, it was given to me  
23 in the summer but I was out of -- I was out of town all  
24 summer.

25 THE COURT: Oh, so you got your service delayed?

1 PROSPECTIVE JUROR NO. 0751: Yeah.

2 THE COURT: Okay. So you understand if you were  
3 selected to serve on this panel you wouldn't be able to leave  
4 on Friday because we would be in session; do you understand  
5 that?

6 PROSPECTIVE JUROR NO. 0751: That's why I brought it  
7 up.

8 THE COURT: Okay. Thank you. Thank you for being  
9 here.

10 THE MARSHAL: Pass it down this way, please.

11 PROSPECTIVE JUROR NO. 0708: Oh.

12 THE MARSHAL: Well, just pass it down.

13 PROSPECTIVE JUROR NO. 0708: Oh.

14 THE COURT: If you want it, go ahead.

15 PROSPECTIVE JUROR NO. 0708: Okay. My number is  
16 0708. And --

17 THE MARSHAL: Can you speak into the microphone,  
18 please?

19 PROSPECTIVE JUROR NO. 0708: Excuse me?

20 THE MARSHAL: Speak into the microphone.

21 PROSPECTIVE JUROR NO. 0708: Oh, okay. I believe --  
22 I want to help you but I think I can make it because you know  
23 why? In the first place, I'm 75 years old. And then --

24 THE COURT: You're 75?

25 PROSPECTIVE JUROR NO. 0708: 75.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR NO. 0708: And then --

3 THE COURT: Do you want to be excused?

4 PROSPECTIVE JUROR NO. 0708: My excuse is I --

5 THE COURT: Let me -- I'm just going to ask you a  
6 question and you can answer it.

7 PROSPECTIVE JUROR NO. 0708: Yeah.

8 THE COURT: Do you want to be excused --

9 PROSPECTIVE JUROR NO. 0708: Yes, please.

10 THE COURT: -- or do you want to stay?

11 PROSPECTIVE JUROR NO. 0708: No. I want excused.

12 THE COURT: Okay. You --

13 PROSPECTIVE JUROR NO. 0708: Because --

14 THE COURT: -- you're excused. Thank you very much  
15 for being here.

16 THE MARSHAL: All right, ma'am.

17 PROSPECTIVE JUROR NO. 0708: Thank you.

18 THE MARSHAL: Ma'am -- miss?

19 PROSPECTIVE JUROR NO. 0708: Me?

20 THE COURT: Yeah. Yeah. You asked to be excused.  
21 I said yes. See, she can't -- she couldn't possibly think it  
22 was that easy.

23 PROSPECTIVE JUROR NO. 0708: Thank you. Thank you.

24 THE MARSHAL: Have a good day.

25 PROSPECTIVE JUROR NO. 0585: My number is 0585.

1 [Inaudible]. I have some medical issues. I had to cancel an  
2 appointment that I had today at 1:30. I was supposed to be  
3 here in the morning but I came a little bit late so I could  
4 make it this morning. So I had to come back at 1:00 so to not  
5 be punished.

6 THE COURT: Okay. And I have two more appointments  
7 tomorrow. I can reschedule them if it's the case.

8 THE COURT: You can or cannot?

9 PROSPECTIVE JUROR NO. 0585: I can.

10 THE COURT: Okay. All right.

11 PROSPECTIVE JUROR NO. 0585: That's all.

12 THE COURT: Thank you. Thank you for being here.  
13 Anyone else?

14 PROSPECTIVE JUROR NO. 0582: My name's Ibis  
15 Gonzalez, 0582. And I have two job.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 0585: And one  
18 (indecipherable) and I leaving at like 6:00 a.m.

19 THE COURT: Okay. Let me just stop you because you  
20 understand if you're selected to be on a jury panel you don't  
21 go to work. You can't go to work and serve on a jury panel.  
22 So if you're selected to be on a panel you're  
23 ordered to be here and you can't go to work during the time  
24 frame that we're here, 8:30 to 5:00 o'clock. Do you  
25 understand that?

1 PROSPECTIVE JUROR NO. 0585: Yeah.  
2 THE COURT: Okay.  
3 PROSPECTIVE JUROR NO. 0585: I understand. But I a  
4 PCA and I have a old people they 8:00 to 4:00. And I don't  
5 know.  
6 THE COURT: Okay. 8:00 in the morning until 4:00?  
7 PROSPECTIVE JUROR NO. 0585: Yeah.  
8 THE COURT: Okay. We would be in session.  
9 PROSPECTIVE JUROR NO. 0585: Oh.  
10 THE COURT: Okay?  
11 PROSPECTIVE JUROR NO. 0585: Okay.  
12 THE COURT: The Court is generally in session --  
13 courts are open from 8:00 in the morning until 5:00 o'clock in  
14 the afternoon.  
15 PROSPECTIVE JUROR NO. 0585: Oh, okay.  
16 THE COURT: Okay. Thank you.  
17 PROSPECTIVE JUROR NO. 0585: Okay.  
18 THE COURT: Thank you. Thank you for being here.  
19 PROSPECTIVE JUROR NO. 0585: You're welcome.  
20 THE MARSHAL: Anybody else in the box up here? In  
21 the front row?  
22 THE COURT: Okay.  
23 PROSPECTIVE JUROR NO. 0965: All right. My number  
24 is 0965, Wesley Lockhart. I have a colonoscopy scheduled for  
25 Friday. Thursday has to be my prep day. It's because my test

1 came back positive for cancer.

2 THE COURT: Okay. Okay. Thank you.

3 PROSPECTIVE JUROR NO. 0965: You're welcome.

4 THE COURT: Thank you for being here.

5 PROSPECTIVE JUROR NO. 1071: My name is Martha

6 Gonzalez. My Badge No. Is 1071. I work at a private

7 preschool from 9:00 to 6:00. I don't know if I will get

8 covered for this much being gone. And I don't have

9 transportation here. My boyfriend brought me here. He had to

10 get out of his job but I know it won't cover him.

11 THE COURT: Okay. So you understand if you were

12 ordered to be here and you're selected you need to be here; do

13 you understand that?

14 PROSPECTIVE JUROR NO. 1071: Yeah. I don't have

15 transportation and I don't get paid until next week. I don't

16 have any money to get here.

17 THE COURT: And you don't have anyone that can bring

18 you to and from the courthouse? How are you getting home

19 tonight?

20 PROSPECTIVE JUROR NO. 1071: My boyfriend's waiting

21 for me.

22 THE COURT: Okay. And he can't drop you off and

23 pick you up?

24 PROSPECTIVE JUROR NO. 1071: He works. And he won't

25 get paid.

1 THE COURT: Okay. I'm -- can he drop you off in the  
2 morning? What time does he go to work?  
3 PROSPECTIVE JUROR NO. 1071: At 6:00 a.m.  
4 THE COURT: Okay. And you have no ability to ride  
5 the bus or any other transportation?  
6 PROSPECTIVE JUROR NO. 1071: I don't have any money  
7 right now.  
8 THE COURT: Okay. Thank you.  
9 THE MARSHAL: Anybody else here? In the back row up  
10 here?  
11 PROSPECTIVE JUROR NO. 1309: 1309, Crystal Smith.  
12 I'm also a full-time student at Nevada State College and I  
13 also have midterms coming up this week.  
14 THE COURT: Okay. If you don't mind just speaking  
15 up a little bit.  
16 PROSPECTIVE JUROR NO. 1309: Oh, sorry. I'm a  
17 college student full-time at Nevada State --  
18 THE COURT: Okay.  
19 PROSPECTIVE JUROR NO. 1309: -- and I also have  
20 midterms coming up this week and next week so --  
21 THE COURT: Okay. Thank you.  
22 Anyone else?  
23 PROSPECTIVE JUROR NO. 1323: Good afternoon, Your  
24 Honor.  
25 THE COURT: Good afternoon.

1 PROSPECTIVE JUROR NO. 1323: My name is Dustin  
2 Sanders, 1323. I'm an active duty F16 pilot, Nellis Air Force  
3 Base. I have Thursday and Friday scheduled to fly. Due to  
4 the min manning in my career field likely those  
5 (indecipherable) will get cancelled impacting the training  
6 there on base.

7 THE COURT: Okay. I appreciate your willingness to  
8 be here. You understand those --

9 PROSPECTIVE JUROR NO. 1323: Yes, ma'am.

10 THE COURT: -- you understand you'd be required to  
11 be here; correct?

12 PROSPECTIVE JUROR NO. 1323: Yes, ma'am.

13 THE COURT: Okay. Thank you. Thank you for being  
14 here.

15 PROSPECTIVE JUROR NO. 1335: Nuri Brikman, Badge No.  
16 1335.

17 THE COURT: I'm sorry, one?

18 PROSPECTIVE JUROR NO. 1335: 335.

19 THE COURT: Okay. Okay, go ahead.

20 PROSPECTIVE JUROR NO. 1335: I'm Jewish religion and  
21 tomorrow it's starting our biggest holiday Yom Kippur.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR NO. 1335: We're not driving, we  
24 don't touch electronic, we just fasting.

25 THE COURT: Okay. Thank you.



1 PROSPECTIVE JUROR NO. 1342: Lisa Kane, 1342. I'm  
2 okay for this entire week but I'm in business travel Sunday.  
3 I leave for Denver, so I'm in -- I'm there all next week. So  
4 if it would go into next week it would hinder that, but I am  
5 available this whole week, so.

6 THE COURT: Okay. But you understand if we went  
7 into next week --

8 PROSPECTIVE JUROR NO. 1335: I do.

9 THE COURT: -- and you were empaneled --

10 PROSPECTIVE JUROR NO. 1335: I do.

11 THE COURT: -- you'd be required to stay here;  
12 correct?

13 PROSPECTIVE JUROR NO. 1335: I do understand.

14 THE COURT: Okay. Thank you.

15 PROSPECTIVE JUROR NO. 1364: Hi. My name is Alexis  
16 Phan. My number is 1364. I was molested by uncle, my brother  
17 and my stepdad growing up so I don't think being here would be  
18 good for me. It took me a lot to heal.

19 THE COURT: Okay. Thank you. Thank you for being  
20 here.

21 THE MARSHAL: Over here?

22 PROSPECTIVE JUROR NO. 1392: My name is Luis Gil,  
23 No. 1392. I want to let you know that I live by myself and I  
24 have a six-year old son and I have legal custody, Sunday,  
25 Monday, Tuesday so I have to take him to school and pick him

1 up at school at 3:20.

2 THE COURT: Okay. Who's picking him up today?

3 PROSPECTIVE JUROR NO. 1392: I call a friend to pick

4 him up. I'm going to try to --

5 THE COURT: Do you have someone scheduled to pick

6 your six-year old up at school?

7 PROSPECTIVE JUROR NO. 1392: Today, yes.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR NO. 1392: Today.

10 THE COURT: Um --

11 PROSPECTIVE JUROR NO. 1392: If I have to be here I

12 have to make arrangements.

13 THE COURT: Okay. So would you be able to make

14 arrangements for tomorrow?

15 PROSPECTIVE JUROR NO. 1392: Um --

16 THE COURT: I mean, you would -- you'd be able to

17 drop him off at school --

18 PROSPECTIVE JUROR NO. 1392: Yeah, this is --

19 THE COURT: -- because we wouldn't start before

20 then.

21 PROSPECTIVE JUROR NO. 1392: -- Sunday, Monday,

22 Tuesday, that's when I have the legal custody and --

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 1392: -- unfortunately I live

25 by myself.

1           THE COURT: So one more day you would not be able to  
2 make arrangements? Because you arranged it today; correct?

3           PROSPECTIVE JUROR NO. 1392: Yeah.

4           THE COURT: Okay.

5           PROSPECTIVE JUROR NO. 1392: Because I didn't know  
6 how long --

7           THE COURT: Sure.

8           PROSPECTIVE JUROR NO. 1392: -- that it's going to  
9 take this.

10          THE COURT: If you were asked to be here would you  
11 be able to make arrangements tomorrow?

12          PROSPECTIVE JUROR NO. 1392: Yeah.

13          THE COURT: Thank you, sir. Thank you for being  
14 here.

15          Anyone else over here? Good afternoon.

16          PROSPECTIVE JUROR NO. 1397: My name is Lavonne  
17 Brooks. My number is 1397. On Friday my daughter is going --  
18 my daughter is a first time parent and she's going through a  
19 custody battle with the father of her child and Friday the  
20 11th will be her first time in court and I need to be there  
21 for my daughter.

22          THE COURT: Okay. You understand if we're in  
23 session you'd be required to be here if you were selected; do  
24 you understand that?

25          PROSPECTIVE JUROR NO. 1397: But what about my

1 daughter?

2 THE COURT: Okay. Are you a witness?

3 PROSPECTIVE JUROR NO. 1397: I'm her mother.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 1397: And she's not old

6 enough to take care of the business the way that she should.

7 She's not able. I have to represent her. She don't know how.

8 THE COURT: Are you a lawyer?

9 PROSPECTIVE JUROR NO. 1397: No, I'm not.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR NO. 1397: I'm her mother.

12 THE COURT: I understand that. I just wondered if

13 you were her -- does she have a lawyer or you're --

14 PROSPECTIVE JUROR NO. 1397: No, she doesn't.

15 THE COURT: Okay. All right. And it's Friday at

16 11:00 a.m.?

17 PROSPECTIVE JUROR NO. 1397: It's Friday. I don't

18 even know what time. It's Friday the 11th.

19 THE COURT: Oh, Friday the 11th.

20 PROSPECTIVE JUROR NO. 1397: Yes.

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

22 Anyone else?

23 PROSPECTIVE JUROR NO. 1402: My name is Lynn

24 Vanguilder, 1402. I have really bad pain both my legs from

25 rheumatoid arthritis and I have and I have an appointment

1 tomorrow for an injection and then my doctor scheduled me for  
2 physical therapy for this week to call.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 1402: So I'd like to be  
5 excused. I just -- my pain makes it hard for me to  
6 concentrate.

7 THE COURT: Okay. Are you okay so far?

8 PROSPECTIVE JUROR NO. 1402: So far. It just hurts  
9 to walk.

10 THE COURT: Okay. I mean, are you okay sitting?

11 PROSPECTIVE JUROR NO. 1402: Yeah, I'm okay sitting.

12 THE COURT: All right. So if while we're in session  
13 if you have any issues just let me or the officer know so we  
14 can a break.

15 PROSPECTIVE JUROR NO. 1402: Okay. Thank you.

16 THE COURT: Okay. Thank you.

17 THE MARSHAL: Anybody else?

18 THE COURT: Anyone else that wishes to address the  
19 Court?

20 Okay. The record will reflect no further response  
21 from the panel.

22 Are there any of you who believe for any other  
23 reason you would be unable to serve in this particular case?

24 Let me know when you're ready; so -- you're ready?  
25 Okay.

1 PROSPECTIVE JUROR NO. 1350: My name is Jennifer  
2 Larsen, Badge No. 1350.

3 THE COURT: I'm sorry, Badge No.?  
4 PROSPECTIVE JUROR NO. 1350: 1350.

5 THE COURT: Sorry about that.  
6 PROSPECTIVE JUROR NO. 1350: You're good.

7 THE COURT: Thank you.  
8 PROSPECTIVE JUROR NO. 1350: I also went through  
9 being molested --

10 THE COURT: Okay. Just a minute because I don't  
11 have the interpreter interpreting.

12 Okay. All right. Are you -- and you're good now?  
13 THE INTERPRETER: Yes.

14 (Defendant shakes head positively)

15 THE COURT: Okay. All right. I just wanted to make  
16 sure.

17 And Mr. Vasquez-Reyes, can you hear everything okay?  
18 Yes?

19 MS. HOJJAT: Yes.

20 THE COURT: Okay.

21 MS. HOJJAT: Thank you, Your Honor.

22 THE COURT: Go ahead. Sorry.

23 PROSPECTIVE JUROR NO. 1350: I was also molested by  
24 my father growing up so I don't know that I could have an open  
25 mind due to the nature of the case.

1 THE COURT: Do you believe it would interfere with  
2 your ability to be fair and impartial to both sides?

3 PROSPECTIVE JUROR NO. 1350: I do.

4 THE COURT: Okay. Thank you.

5 And I think we had somebody over here.

6 PROSPECTIVE JUROR NO. 1381: Badge 1381, Felicia  
7 Miller. My sister was the victim of a child molestation case  
8 at the hands of a man I lived with and dated out of high  
9 school. I don't think I could be impartial.

10 THE COURT: Okay. Because of what happened to your  
11 sister?

12 PROSPECTIVE JUROR NO. 1381: Yes.

13 THE COURT: Okay. But -- and I'm sorry -- I'm sorry  
14 I even have to ask you any of these question. You understand  
15 that this case is different?

16 PROSPECTIVE JUROR NO. 1381: Yes.

17 THE COURT: Okay. That the facts are different --

18 PROSPECTIVE JUROR NO. 1381: I can't --

19 THE COURT: -- and that -- and again, I feel  
20 terrible asking you this, but it doesn't have anything to do  
21 with your sister's case; right?

22 PROSPECTIVE JUROR NO. 1381: No, it doesn't. But --

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 1381: -- it brings up too  
25 many memories, too much history, too much emotion and I don't

1 think I could be impartial to this. I just can't.

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

3 PROSPECTIVE JUROR NO. 1401: Hi. My name is Estela

4 Enriquez Ureno, Badge No. 1401. I just want to let it be

5 known that I do work for Metro police.

6 THE COURT: Okay.

7 PROSPECTIVE JUROR NO. 1401: I was in dispatch for

8 13 years. I'm now a law enforcement tech -- support

9 technician and I do have access to cases. I'm not saying I

10 have read cases or anything but --

11 THE COURT: Sure.

12 PROSPECTIVE JUROR NO. 1401: -- I mean, I do have

13 access to like reports and stuff. So I don't know if that --

14 THE COURT: Okay. But you understand that if you

15 were selected to be a juror on this panel you couldn't do any

16 outside research --

17 PROSPECTIVE JUROR NO. 1401: Right. Right.

18 THE COURT: -- including researching any databases,

19 looking up any cases, that would be inappropriate; do you

20 understand that?

21 PROSPECTIVE JUROR NO. 1401: Yes.

22 THE COURT: And I --

23 PROSPECTIVE JUROR NO. 1401: Yes, I do.

24 THE COURT: -- don't have to worry about you doing

25 that; right?



1 PROSPECTIVE JUROR NO. 1401: Right.

2 THE COURT: Okay. Is there anything about your  
3 employment that would affect your ability to be fair and  
4 impartial in this case?

5 PROSPECTIVE JUROR NO. 1401: I mean, I would try to  
6 be as fair as possible, I think.

7 THE COURT: Okay. Is there anything about your  
8 employment that would interfere with your ability to do that?

9 PROSPECTIVE JUROR NO. 1401: No.

10 THE COURT: Okay. Thank you.

11 Anyone else? Okay. The record will reflect no  
12 further response from the panel.

13 Is there anyone on this panel who has ever been  
14 engaged in law enforcement work or have a spouse or close  
15 relative who's ever been engaged in law enforcement work?

16 Okay. We'll start over here.

17 PROSPECTIVE JUROR NO. 0113: My son-in-law --

18 THE COURT: Your name and badge --

19 PROSPECTIVE JUROR NO. 0113: -- is a --

20 THE COURT: -- number, please?

21 PROSPECTIVE JUROR NO. 0113: Oh, yeah. Sorry.  
22 0113, Craig Taylor.

23 THE COURT: Okay. Go ahead.

24 PROSPECTIVE JUROR NO. 0113: My son-in-law is a  
25 sergeant with Metro.

1 THE COURT: Anything about his employment that would  
2 affect your ability to be fair and impartial?

3 PROSPECTIVE JUROR NO. 0113: No, I don't think so.

4 THE COURT: Okay. And you understand that you would  
5 not be permitted to discuss this case with anyone including  
6 your fellow jurors until you went back to deliberate upon your  
7 verdict?

8 PROSPECTIVE JUROR NO. 0113: Yes.

9 THE COURT: Okay. So you understand you couldn't  
10 speak to your son-in-law about this case; do you understand  
11 that?

12 PROSPECTIVE JUROR NO. 0113: Yes.

13 THE COURT: And you would comply with that order?

14 PROSPECTIVE JUROR NO. 0113: Yeah.

15 THE COURT: Okay. Thank you, sir. Thank you for  
16 being here.

17 Anyone else?

18 THE MARSHAL: Anybody else in the top row? The  
19 middle?

20 THE COURT: Okay. Anyone that's ever been engaged  
21 in law enforcement? Okay.

22 THE MARSHAL: Can you pass it down, please?

23 PROSPECTIVE JUROR NO. 0705: I cannot see these  
24 numbers. My eyes are messed up. No, I can't. I don't --

25 THE COURT: No, I shouldn't have laughed. I'm

1     sorry.

2                   UNIDENTIFIED SPEAKER:   0705.

3                   PROSPECTIVE JUROR NO. 0705:  No, I would like to be  
4     excused because I had a stroke about a year ago and --

5                   THE COURT:  Are you Ms. Gill?

6                   PROSPECTIVE JUROR NO. 0705:  Yes, I am.

7                   THE COURT:  Okay.  Sorry, go ahead.

8                   PROSPECTIVE JUROR NO. 0705:  And I have several  
9     appointments this week and next week with (indecipherable)  
10    doctor and the case with the -- with the -- that's  
11    (indecipherable) --

12                  THE COURT:  Yeah, I'm sorry, you have medical issues  
13    that --

14                  PROSPECTIVE JUROR NO. 0705:  Yes, I do.

15                  THE COURT:  Okay.  And what are they?

16                  PROSPECTIVE JUROR NO. 0705:  Well, I have stage 4  
17    cancer and I had a stroke a year ago that damaged my eyes and  
18    I've been through this situation with my son this sex abuse  
19    stuff and I'd prefer not to bring it back up and think about  
20    it anymore.

21                  THE COURT:  Okay.  Thank you.  Thank you for being  
22    here.

23                  Anyone else?  Okay.

24                  PROSPECTIVE JUROR NO. 1198:  Last name is Guzman,  
25    Badge No. is 1198.  My brother is a police officer.

1 THE COURT: In what police department?  
2 PROSPECTIVE JUROR NO. 1198: Metro -- at Metro --  
3 Las Vegas Metropolitan Police Department. I don't know.  
4 THE COURT: Okay. Anything about his employment  
5 that would affect your ability to be fair and impartial?  
6 PROSPECTIVE JUROR NO. 1198: No.  
7 THE COURT: Do you understand if you were selected  
8 to serve on this panel you couldn't discuss the case with  
9 anyone including your brother?  
10 PROSPECTIVE JUROR NO. 1198: Correct.  
11 THE COURT: And you would comply with that order?  
12 PROSPECTIVE JUROR NO. 1198: Yes.  
13 THE COURT: Okay. Thank you. Thank you for being  
14 here.  
15 PROSPECTIVE JUROR NO. 1340: Hi. It's Badge No.  
16 1340, Deborah Wood. Again, my husband, like I said, is  
17 currently a sergeant with Metro.  
18 THE COURT: Okay. Thank you. Thank you for being  
19 here.  
20 THE MARSHAL: Anybody else?  
21 PROSPECTIVE JUROR NO. 1381: 1381, Felicia Miller.  
22 I work for Metro as a Detention Services Technician.  
23 THE COURT: Okay. Thank you.  
24 Anyone else?  
25 PROSPECTIVE JUROR NO. 1401: Hi. Estela Enriquez

1 Ureno, Badge No. 1401. I work for Metro Police as well --

2 THE COURT: Okay.

3 PROSPECTIVE JUROR NO. 1401: -- as the last --

4 THE COURT: Thank you. All right. Anyone else that  
5 wants to respond to the Court?

6 Okay. The record will reflect no further response  
7 from the panel.

8 Is there anyone on the panel who believes they may  
9 not be able to follow all the instructions of the Court on the  
10 law even if these instructions differed from your personal  
11 conceptions of what the law ought to be?

12 Anyone who feels that they cannot follow the law as  
13 given to you by the Court?

14 The record will reflect no response from the panel.

15 As a follow-up, in any criminal trial the members of  
16 the jury sitting collectively are the judges of the question  
17 of fact in this case. As the Judge in the case I'm the Judge  
18 of the questions of law and it's my responsibility to be sure  
19 that I give instructions on the law that apply to this  
20 particular case.

21 It would be a violation of a juror's duty if he or  
22 she tried to render a judgment based upon what he or she  
23 believed the law to be if that differed from my instructions.

24 With that in mind, is there anyone who feels that  
25 they cannot be fact finders and follow my instructions on the

1 applicable law in this case?

2 The record will reflect no response from the panel.

3 Under our system there are certain principles of law  
4 that apply in every criminal trial. They are that the  
5 information filed in this case is a mere accusation and is not  
6 evidence of guilt. As the defendant sits here today he is  
7 presumed innocent and the State therefore must prove that the  
8 defendant is -- defendant is guilty by proof beyond a  
9 reasonable doubt.

10 Does anyone not understand or believe in these basic  
11 precepts of American justice?

12 Okay. The record will reflect no response from the  
13 panel.

14 Does anybody know anything about this case other  
15 than what's been stated in the courtroom here today?

16 The record will reflect no response from the panel.

17 I'm going to meet the attorneys out in the hallway.  
18 There's some stuff that we need to do outside of your  
19 presence. I just want to -- the officer will stay in here,  
20 the staff will stay in here. We're still on the record, I  
21 just want to remind you of that.

22 Sometimes it's easier for us to go out there and we  
23 can get it done quicker. So we'll be back in just a moment.

24 (Pause in the proceedings; off-record sidebar)

25 THE COURT: Does the State stipulate to the presence

1 of the jury panel?

2 MR. SWEETIN: Yes, Your Honor.

3 THE COURT: The Defense?

4 MR. FELICIANO: Yes, Your Honor.

5 THE COURT: Okay. At this time the Clerk's going to  
6 call the first 32 names. When your name is called if you'll  
7 please take your seat in the box. Some of you are going to be  
8 asked to step out of the box and some will be asked to move  
9 down. If you do step out of the box you can just go in the  
10 back and you can take a seat wherever you'd like in the  
11 gallery.

12 THE CLERK: Seat 1 is going to be Dominick Dorta.  
13 Seat 2, Mladenka Jankovic. Seat 3, Cristal Fernandez. Seat  
14 4, Craig Taylor. Seat 5, Megan Meyers. Seat 6 --

15 THE COURT: Okay. And I'm going to ask Susanna  
16 Selvester and Alexis Wakefield to step down out of the box.  
17 If you two don't mind stepping down, you can take a seat in  
18 the gallery.

19 THE CLERK: Seat --

20 THE COURT: Yeah, we'll give them a minute to get  
21 out.

22 THE CLERK: Seat 6 is going to be Bartholomew  
23 Frayna. So you're going to go ahead and move down.

24 THE COURT: Sorry. Now when your name is called  
25 you're probably going to have to move down a couple seats.

1 Thank you very much.

2 THE CLERK: Seat 7, Darren Sica. Seat 8, Renee  
3 White. Seat 9, Guadalupe Quintero. Seat 10, Ibis Gonzalez.  
4 You're going to move up to here next in line.

5 THE MARSHAL: You can go up to the back row. Thank  
6 you.

7 THE CLERK: Seat 11, Lidia De Jaime. You're going  
8 to go up top there.

9 Seat 12, Bernadette Bartolome. Seat 13, Beau  
10 William Bracks. Seat 14, Patricia Carkeek.

11 THE COURT: Okay. Ms. Gill, I'm just going to ask  
12 you to step down out of the box and you can go sit out in the  
13 gallery.

14 THE CLERK: Seat 15 is going to be Ronald Memo.

15 THE COURT: Seat 15, okay.

16 THE CLERK: Ms. Schultz you're going to step down to  
17 the gallery as well.

18 Seat 16 is going to be Amanda Shock. You're going  
19 to go up to the middle row. Seat 17, Veronica Rodriguez.

20 Seat -- Ms. He, you're --

21 THE COURT: Ms. He --

22 THE CLERK: -- going to also go to the gallery as  
23 well.

24 THE COURT: Right. Ms. He, you can take a seat out  
25 in the gallery.



1           THE CLERK:   Seat 18, Danyel Garrett.   Seat 19,  
2 Estefania Caro.

3           THE COURT:   And Wesley Lockhart and Martha Gonzalez,  
4 if you don't mind stepping -- you two can -- yeah, sorry about  
5 -- you can go sit out in the gallery.

6           THE CLERK:   Seat 20, which is going to be in the  
7 middle row, Kelly Lutz.   Seat 21 down here in the front is  
8 going to be Caroline Millsaps.   Seat 22, Heriberto Benitez.  
9 Seat 23, Denise Larkin.   Seat 24, behind her is going to be  
10 Belia Guzman.   Seat 25, Stephanie Farmer.   Seat 26, Jeremy  
11 Clark.   Seat 27, Lynn Dunton-Snider.   Seat 28, Dustin Sanders.  
12 Seat 29, Adrian Tolliver-Haywood.   Seat 30, Claudia Vallejo.  
13 Seat 31, Deborah Wood.   Seat 32, Lisa Kane.

14           THE CLERK:   Mr. Dorta -- Dorta?

15           PROSPECTIVE JUROR NO. 0006:   Yes.

16           THE COURT:   Can you tell me how long you've lived in  
17 Clark County?

18           PROSPECTIVE JUROR NO. 0006:   My name is Dominick  
19 Dorta.   My number is 006.   I've lived in Clark County since  
20 1971.

21           THE COURT:   Okay.   And what do you do for a living?

22           PROSPECTIVE JUROR NO. 0006:   I am currently a  
23 certified PCA, personal care attendant.

24           THE COURT:   Okay.   How long have you done that?

25           PROSPECTIVE JUROR NO. 0006:   I just started doing

1 that this year. I went back to work. I got tired of  
2 remaining on disability.

3 THE COURT: Okay. Your education background?  
4 PROSPECTIVE JUROR NO. 0006: GED. Eleventh grade.

5 THE COURT: Your marital status?  
6 PROSPECTIVE JUROR NO. 0006: Widowee.

7 THE COURT: Okay. Do you have any kids?  
8 PROSPECTIVE JUROR NO. 0006: Grown and gone.

9 THE COURT: Okay. How many?  
10 PROSPECTIVE JUROR NO. 0006: Two stepchildren, two  
11 of my own.

12 THE COURT: So four adult children?  
13 PROSPECTIVE JUROR NO. 0006: Correct.

14 THE COURT: Okay. And can you tell me what each  
15 does for a living?  
16 PROSPECTIVE JUROR NO. 0006: I do not know.

17 THE COURT: Okay. You don't --  
18 PROSPECTIVE JUROR NO. 0006: I -- I never had  
19 custody of them. I was --

20 THE COURT: Well --  
21 PROSPECTIVE JUROR NO. 0006: -- 14 when my first was  
22 born.

23 THE COURT: Okay. I'm sorry, what?  
24 PROSPECTIVE JUROR NO. 0006: I was first -- 14 when  
25 my first was born so I have no knowledge of the first two.

1 The second two, one it cleans vents for hotels and the other  
2 one is a truck driver.

3 THE COURT: Okay. Do you know of any reason why you  
4 could not be a fair and impartial juror if you were selected  
5 to serve on this panel?

6 PROSPECTIVE JUROR NO. 0006: Not at all.

7 THE COURT: Thank you, sir. Thank you for being  
8 here.

9 Ms. Jankovic?

10 PROSPECTIVE JUROR NO. 0052: Yes, my number is 0052.

11 THE COURT: How long have you lived in Clark County?

12 PROSPECTIVE JUROR NO. 0052: 20 years.

13 THE COURT: Your education background?

14 PROSPECTIVE JUROR NO. 0052: Bachelor degree in  
15 business.

16 THE COURT: Okay. And what do you do for a living?

17 PROSPECTIVE JUROR NO. 0052: Currently, I'm not  
18 working but I've been working as a banker at the bank.

19 THE COURT: Okay. Your marital status?

20 PROSPECTIVE JUROR NO. 0052: Married.

21 THE COURT: Is your spouse employed?

22 PROSPECTIVE JUROR NO. 0052: Yes.

23 THE COURT: What does your spouse do for a living?

24 PROSPECTIVE JUROR NO. 0052: He is in car business.

25 THE COURT: Car business?

1 PROSPECTIVE JUROR NO. 0052: Yes.  
2 THE COURT: Okay. Do you have children?  
3 PROSPECTIVE JUROR NO. 0052: Yes. I have a  
4 daughter. She's ten.  
5 THE COURT: Okay. Do you know of any reason why you  
6 could not be a fair and impartial juror if you were selected  
7 to serve on this panel?  
8 PROSPECTIVE JUROR NO. 0052: No.  
9 THE COURT: Thank you. Thank you very much for  
10 being here.  
11 PROSPECTIVE JUROR NO. 0052: Thank you.  
12 THE COURT: Ms. Fernandez, how long have you lived  
13 in Clark County?  
14 PROSPECTIVE JUROR NO. 0104: I was born and raised.  
15 THE COURT: Okay. How many years is that?  
16 PROSPECTIVE JUROR NO. 0104: 29.  
17 THE COURT: Okay. Your education background?  
18 PROSPECTIVE JUROR NO. 0104: High school diploma.  
19 THE COURT: And how are you employed?  
20 PROSPECTIVE JUROR NO. 0104: I'm a stay-at-home mom.  
21 THE COURT: Okay. And your marital status?  
22 PROSPECTIVE JUROR NO. 0104: I'm not married or --  
23 but I'm -- I live with someone for over ten years.  
24 THE COURT: Okay. And is that person employed?  
25 PROSPECTIVE JUROR NO. 0104: Yes.

1 THE COURT: What does that person do for a living?  
2 PROSPECTIVE JUROR NO. 0104: He's a construction.  
3 He works for construction.  
4 THE COURT: Okay.  
5 THE MARSHAL: Have a seat.  
6 THE COURT: Okay. If you need to take a recess you  
7 have to let me know. Do you need a break, ma'am? Do you need  
8 a break?  
9 UNIDENTIFIED SPEAKER: (Shakes head positively).  
10 THE COURT: Okay. Because we all have to be in here  
11 at the same time. So if we need a break we all need to break  
12 at the same time. So we're going to take a recess.  
13 During this recess, you're admonished not to talk to  
14 or converse amongst yourselves or with anyone else on any  
15 subject connected with this trial or read, watch or listen to  
16 any report of commentary on the trial or any person connected  
17 with this trial, by any medium of information, including  
18 without limitation, newspapers, television, the Internet or  
19 radio, or form or express any opinion on any subject connected  
20 with this trial until the case is finally submitted to you.  
21 We'll be in recess for 15 minutes. When you come  
22 back in if the 32 will remember where you're sitting and you  
23 can sit in those same seats.  
24 Why are you shaking your head?  
25 THE MARSHAL: Me?

1 THE COURT: Oh, okay. I thought Hawkes was shaking  
2 me off.

3 THE MARSHAL: No.

4 THE COURT: Okay. And Office Hawkes will greet you  
5 and bring you in here when we're ready. Sorry. Thank you.

6 THE MARSHAL: All rise for the exiting juror,  
7 please.

8 (Court recessed at 2:56 p.m., until 3:17 p.m.)  
9 (Inside the presence of the prospective jury panel)

10 THE MARSHAL: All rise for the entering jury,  
11 please.

12 THE COURT: Does the State stipulate to the presence  
13 of the panel?

14 MR. SWEETIN: Yes, Your Honor.

15 THE COURT: And the Defense?

16 MR. FELICIANO: We do.

17 THE COURT: Okay. Thank you very much.  
18 I think was at Ms. Fernandez.

19 PROSPECTIVE JUROR NO. 0104: Um-h'm.

20 THE COURT: Okay. And you have children; correct?

21 PROSPECTIVE JUROR NO. 0104: Yes.

22 THE COURT: How many kids do you have?

23 PROSPECTIVE JUROR NO. 0104: Two, a seven year old  
24 and a two year old.

25 THE COURT: Okay. So two small kids.

1 PROSPECTIVE JUROR NO. 0104: Yeah.

2 THE COURT: Do you know of any reason why you could

3 not be a fair and impartial juror --

4 PROSPECTIVE JUROR NO. 0104: No.

5 THE COURT: -- if you were selected to serve on this

6 panel?

7 PROSPECTIVE JUROR NO. 0104: Um-h'm.

8 THE COURT: Thank you.

9 PROSPECTIVE JUROR NO. 0104: No.

10 THE COURT: Thank you very much for being here.

11 Mr. Taylor, good afternoon. How long have you lived

12 in Clark County?

13 PROSPECTIVE JUROR NO. 0113: 56 years.

14 THE COURT: Okay. Your education background?

15 PROSPECTIVE JUROR NO. 0113: Some college.

16 THE COURT: What'd you study?

17 PROSPECTIVE JUROR NO. 0113: I studied offset

18 printing.

19 THE COURT: Okay. And what do you do for a living?

20 PROSPECTIVE JUROR NO. 0113: I'm an estimator for a

21 construction company.

22 THE COURT: And your marital status?

23 PROSPECTIVE JUROR NO. 0113: Married.

24 THE COURT: Is your spouse employed?

25 PROSPECTIVE JUROR NO. 0113: Yes.

1 THE COURT: What does your spouse do for a living?  
2 PROSPECTIVE JUROR NO. 0113: Administrative  
3 assistant.  
4 THE COURT: Do you have any children?  
5 PROSPECTIVE JUROR NO. 0113: Yes.  
6 THE COURT: How many?  
7 PROSPECTIVE JUROR NO. 0113: Two.  
8 THE COURT: Are they --  
9 PROSPECTIVE JUROR NO. 0113: Two daughters.  
10 THE COURT: Are they old enough to be employed?  
11 PROSPECTIVE JUROR NO. 0113: Yes.  
12 THE COURT: Can you tell me what each does for a  
13 living?  
14 PROSPECTIVE JUROR NO. 0113: One is a homemaker and  
15 one goes to school and is part-time at Starbucks.  
16 THE COURT: Do you know of any reason why you could  
17 not be a fair and impartial juror if you were selected to  
18 serve?  
19 PROSPECTIVE JUROR NO. 0113: No.  
20 THE COURT: Thank you. Thank you very much for  
21 being here.  
22 Megan Meyers, good afternoon.  
23 PROSPECTIVE JUROR NO. 0129: Hello.  
24 THE COURT: How long have you lived in Clark County?  
25 PROSPECTIVE JUROR NO. 0129: Over a year.



1 THE COURT: Okay. One year in Clark County?  
2 PROSPECTIVE JUROR NO. 0129: Over a year.  
3 THE COURT: Okay. What, 13 months, 14 months?  
4 PROSPECTIVE JUROR NO. 0129: Sure, well, 14 months.  
5 THE COURT: Well, don't -- don't listen to me. I  
6 don't know.  
7 PROSPECTIVE JUROR NO. 0129: 14 months.  
8 THE COURT: Okay. And your employment?  
9 PROSPECTIVE JUROR NO. 0129: Office coordinator.  
10 THE COURT: And your education background?  
11 PROSPECTIVE JUROR NO. 0129: Some college.  
12 THE COURT: What did you study?  
13 PROSPECTIVE JUROR NO. 0129: Communications.  
14 THE COURT: Your marital status?  
15 PROSPECTIVE JUROR NO. 0129: Married.  
16 THE COURT: Is your spouse employed?  
17 PROSPECTIVE JUROR NO. 0129: Not employed.  
18 THE COURT: Okay. Do you have children?  
19 PROSPECTIVE JUROR NO. 0129: Yes.  
20 THE COURT: Are they old enough to be employed?  
21 PROSPECTIVE JUROR NO. 0129: No.  
22 THE COURT: Okay. They're minors?  
23 PROSPECTIVE JUROR NO. 0129: Um-h'm.  
24 THE COURT: Is that a yes?  
25 PROSPECTIVE JUROR NO. 0129: They are minors, yes.

1           THE COURT: Okay. You have to just say "yes" or  
2 "no".

3           PROSPECTIVE JUROR NO. 0129: Okay.

4           THE COURT: You can't say um-h'm because then the  
5 court reporter can't type that So thank you.

6           Do you know of any reason why you could not be a  
7 fair and impartial juror if we selected you to serve on this  
8 panel?

9           PROSPECTIVE JUROR NO. 0129: No.

10          THE COURT: Thank you. Thank you very much for  
11 being here.

12          Mr. Frayna? Frayna, correct?

13          PROSPECTIVE JUROR NO. 0189: Yes, Your Honor.

14          THE COURT: Okay. How long have you lived in Clark  
15 County?

16          PROSPECTIVE JUROR NO. 0189: Actually, I just flew  
17 back here this morning from San Francisco.

18          THE COURT: From where?

19          PROSPECTIVE JUROR NO. 0189: San Francisco,  
20 California.

21          THE COURT: Okay. How long have you lived in Clark  
22 County? Do you -- okay, remember in the very beginning and I  
23 said is there anyone who is not a resident of Clark County,  
24 Nevada?

25          PROSPECTIVE JUROR NO. 0189: Yeah.

1 THE COURT: Do you live here?  
2 PROSPECTIVE JUROR NO. 0189: No, ma'am.  
3 THE COURT: Why are you here today then?  
4 PROSPECTIVE JUROR NO. 0189: I got a summons, I  
5 think.  
6 THE COURT: Okay. But how do you get a summons to  
7 appear for jury duty when you don't live here?  
8 PROSPECTIVE JUROR NO. 0189: I used to study here.  
9 THE COURT: I'm sorry, you used to what?  
10 PROSPECTIVE JUROR NO. 0189: Study. Go to school.  
11 THE COURT: Okay. Where did you go to school?  
12 PROSPECTIVE JUROR NO. 0189: Longhorns Legacy.  
13 THE COURT: Okay. But you don't live in Clark  
14 County anymore?  
15 PROSPECTIVE JUROR NO. 0189: Not anymore.  
16 THE COURT: Okay. Where do you live?  
17 PROSPECTIVE JUROR NO. 0189: Philippines.  
18 THE COURT: The Philippines?  
19 PROSPECTIVE JUROR NO. 0189: Yes, ma'am.  
20 THE COURT: Okay. And you flew from San Francisco?  
21 PROSPECTIVE JUROR NO. 0189: Yeah. I get -- I just  
22 got back here in the States a couple days ago.  
23 THE COURT: Okay. And do you live in the United  
24 States? I'm just trying to figure out where you live.  
25 PROSPECTIVE JUROR NO. 0189: No.

1 THE COURT: Where do you live?  
2 PROSPECTIVE JUROR NO. 0189: Back in the  
3 Philippines.  
4 THE COURT: Okay. And you're just here visiting?  
5 PROSPECTIVE JUROR NO. 0189: No, I'm going to move  
6 back here.  
7 THE COURT: You are going to move back here to Las  
8 Vegas?  
9 PROSPECTIVE JUROR NO. 0189: Yes, ma'am.  
10 THE COURT: When?  
11 PROSPECTIVE JUROR NO. 0189: Right now, I think.  
12 THE COURT: Okay. So that's what I'm trying to get  
13 at. Do you live here? Because you've told me like three  
14 different things. I mean, I just want to know where you live.  
15 PROSPECTIVE JUROR NO. 0189: Here.  
16 THE COURT: Okay.  
17 PROSPECTIVE JUROR NO. 0189: I want to live here  
18 now.  
19 THE COURT: You live here in Clark County?  
20 PROSPECTIVE JUROR NO. 0189: Yeah.  
21 THE COURT: Okay. All right. I just want to make  
22 sure. And you were a student here before and now you've moved  
23 back?  
24 PROSPECTIVE JUROR NO. 0189: Yes, ma'am.  
25 THE COURT: Okay. And what do you do for a living?

1 Are you employed?

2 PROSPECTIVE JUROR NO. 0189: No.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 0189: [Inaudible].

5 THE COURT: Your education background?

6 PROSPECTIVE JUROR NO. 0189: High school diploma.

7 THE COURT: Okay. And your marital status?

8 PROSPECTIVE JUROR NO. 0189: Single.

9 THE COURT: Do you have any kids?

10 PROSPECTIVE JUROR NO. 0189: No, ma'am.

11 THE COURT: Okay. Do you know of any reason why you

12 could not be a fair and impartial juror if you were selected

13 to serve on this panel?

14 PROSPECTIVE JUROR NO. 0189: No.

15 THE COURT: Thank you. Thank you for being here.

16 Mr. Darren Sica?

17 PROSPECTIVE JUROR NO. 0216: Yes, Your Honor.

18 THE COURT: Good afternoon. How long --

19 PROSPECTIVE JUROR NO. 0216: Good afternoon.

20 THE COURT: -- have you lived in Clark County?

21 PROSPECTIVE JUROR NO. 0216: Twenty years.

22 THE COURT: Your education background?

23 PROSPECTIVE JUROR NO. 0216: Masters Degree.

24 THE COURT: And what's your masters in?

25 PROSPECTIVE JUROR NO. 0216: Economics.

1 THE COURT: Okay. What do you do for a living?  
2 PROSPECTIVE JUROR NO. 0216: Income tax specialist.  
3 THE COURT: And your martial status?  
4 PROSPECTIVE JUROR NO. 0216: Single.  
5 THE COURT: Do you have any kids?  
6 PROSPECTIVE JUROR NO. 0216: No, Your Honor.  
7 THE COURT: Do you know of any reason why you could  
8 not be a fair and impartial juror if you were selected to  
9 serve on this panel?  
10 PROSPECTIVE JUROR NO. 0216: No, Your Honor.  
11 THE COURT: Thank you. Thank you very much for being  
12 here.  
13 Ms. Renee White, how long have you lived in Clark  
14 County?  
15 PROSPECTIVE JUROR NO. 0470: 14 years.  
16 THE COURT: Okay. Your education background?  
17 PROSPECTIVE JUROR NO. 0470: High school.  
18 THE COURT: And what do you do for a living?  
19 PROSPECTIVE JUROR NO. 0470: Customer support  
20 specialist --  
21 THE COURT: Okay.  
22 PROSPECTIVE JUROR NO. 0470: -- for a brokerage.  
23 THE COURT: Your marital status?  
24 PROSPECTIVE JUROR NO. 0470: Single.  
25 THE COURT: Do you have any kids?

1 PROSPECTIVE JUROR NO. 0470: No.

2 THE COURT: Any reason why you could not be a fair  
3 and impartial juror if you were selected to serve on this  
4 panel?

5 PROSPECTIVE JUROR NO. 0470: No.

6 THE COURT: Thank you. Thank you very much for  
7 being here.

8 Ms. -- Ms. Quintero?

9 PROSPECTIVE JUROR NO. 0556: Yes.

10 THE COURT: Good afternoon.

11 PROSPECTIVE JUROR NO. 0556: Good afternoon.

12 THE COURT: How long have you lived in Clark County?

13 PROSPECTIVE JUROR NO. 0556: 12 years.

14 THE COURT: And what do you do for a living?

15 PROSPECTIVE JUROR NO. 0556: I'm a substitute  
16 teacher.

17 THE COURT: Okay. Who do you work for?

18 PROSPECTIVE JUROR NO. 0556: (Indecipherable)  
19 elementary.

20 THE COURT: I'm sorry?

21 PROSPECTIVE JUROR NO. 0556: Uh --

22 THE COURT: You're a substitute teacher for?

23 PROSPECTIVE JUROR NO. 0556: Substitute teacher at  
24 Clark County.

25 THE COURT: Okay. The Clark County School District?

1 PROSPECTIVE JUROR NO. 0556: Yes.  
2 THE COURT: Okay. How long have you done that?  
3 PROSPECTIVE JUROR NO. 0556: Over four years here.  
4 THE COURT: What do you substitute teach?  
5 PROSPECTIVE JUROR NO. 0556: First grade.  
6 THE COURT: Okay. And your education background?  
7 PROSPECTIVE JUROR NO. 0556: Masters Degree.  
8 THE COURT: And your masters degree is in?  
9 PROSPECTIVE JUROR NO. 0556: Education.  
10 THE COURT: Education. Your marital status?  
11 PROSPECTIVE JUROR NO. 0556: Married.  
12 THE COURT: Is your spouse employed?  
13 PROSPECTIVE JUROR NO. 0556: Yes.  
14 THE COURT: What does your spouse for a living?  
15 PROSPECTIVE JUROR NO. 0556: He works at Water Tech  
16 of Nevada. It's water softeners.  
17 THE COURT: Do you have any children?  
18 PROSPECTIVE JUROR NO. 0556: Two.  
19 THE COURT: Are they old enough to be employed?  
20 PROSPECTIVE JUROR NO. 0556: No.  
21 THE COURT: Do you know of any reason why you could  
22 not be a fair and impartial juror if we selected you to serve  
23 on this panel?  
24 PROSPECTIVE JUROR NO. 0556: No.  
25 THE COURT: Thank you. Thank you very much for



1 being here.

2 Ms. Gonzalez?

3 PROSPECTIVE JUROR NO. 0582: Yes.

4 THE COURT: Good afternoon.

5 PROSPECTIVE JUROR NO. 0582: Good afternoon.

6 THE COURT: How long have you lived in Clark County?

7 PROSPECTIVE JUROR NO. 0582: Four year.

8 THE COURT: Okay. Your education background?

9 PROSPECTIVE JUROR NO. 0582: I'm nursing in my

10 country in Cuba.

11 THE COURT: Okay. So you got a nursing degree in --

12 did you say Cuba?

13 PROSPECTIVE JUROR NO. 0582: In Cuba, Cuba.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR NO. 0582: And I working here in

16 Cosmopolitan Las Vegas in room service. I'm PCA.

17 THE COURT: Okay. Your marital status?

18 PROSPECTIVE JUROR NO. 0582: I'm married.

19 THE COURT: Okay. Is your spouse employed?

20 PROSPECTIVE JUROR NO. 0582: Yeah.

21 THE COURT: What does your spouse do for a living?

22 PROSPECTIVE JUROR NO. 0582: At Mirage. The Mirage.

23 THE COURT: And what does -- what does your spouse

24 do at the Mirage?

25 PROSPECTIVE JUROR NO. 0582: He working in kitchen.

1 THE COURT: Okay. Do you have any children?  
2 PROSPECTIVE JUROR NO. 0582: Yeah.  
3 THE COURT: Are they old enough to be employed?  
4 PROSPECTIVE JUROR NO. 0582: Yeah.  
5 THE COURT: Okay. How many kids do you have?  
6 PROSPECTIVE JUROR NO. 0582: Only one.  
7 THE COURT: Okay. And what does that adult child do  
8 for a living?  
9 PROSPECTIVE JUROR NO. 0582: My daughter?  
10 THE COURT: Yeah. You said you have one child;  
11 correct? And is that child employed?  
12 PROSPECTIVE JUROR NO. 0582: Yeah.  
13 THE COURT: Okay. What does --  
14 PROSPECTIVE JUROR NO. 0582: She's teacher.  
15 THE COURT: She's a teacher?  
16 PROSPECTIVE JUROR NO. 0582: Teacher, yeah.  
17 THE COURT: Okay. Do you know of any reason why you  
18 could not be a fair and impartial juror if you were selected  
19 to serve?  
20 PROSPECTIVE JUROR NO. 0582: No.  
21 THE COURT: Okay. Thank you.  
22 PROSPECTIVE JUROR NO. 0582: You're welcome.  
23 THE COURT: Thank you very much for being here.  
24 Do you mind pronouncing your last name?  
25 PROSPECTIVE JUROR NO. 0585: De Jaime.

1 THE COURT: De Jaime?  
2 PROSPECTIVE JUROR NO. 0585: De Jaime.  
3 THE COURT: Okay. How long have you lived in Clark  
4 County?  
5 PROSPECTIVE JUROR NO. 0585: 25 years.  
6 THE COURT: Okay. What's your education background?  
7 PROSPECTIVE JUROR NO. 0585: I went to dental school  
8 in Mexico and I work here as a dental assistant.  
9 THE COURT: Your marital status?  
10 PROSPECTIVE JUROR NO. 0585: Married.  
11 THE COURT: Is your spouse employed?  
12 PROSPECTIVE JUROR NO. 0585: Self-employed. He's a  
13 painter.  
14 THE COURT: Okay. Do you have kids?  
15 PROSPECTIVE JUROR NO. 0585: One, 25 years old.  
16 He's in college.  
17 THE COURT: He's what?  
18 PROSPECTIVE JUROR NO. 0585: In college.  
19 THE COURT: Okay. Any reason why you could not be a  
20 fair and impartial juror if you were selected to serve on this  
21 panel?  
22 PROSPECTIVE JUROR NO. 0585: No.  
23 THE COURT: Thank you.  
24 PROSPECTIVE JUROR NO. 0585: I'm okay.  
25 THE COURT: Thank you very much for being here.

1           Bernadette Bartholome?

2           PROSPECTIVE JUROR NO. 0608: Bartolome.

3           THE COURT: Bartolome. Okay. How long have you

4 lived in Clark County?

5           PROSPECTIVE JUROR NO. 0608: 24 years.

6           THE COURT: Okay. Your education background?

7           PROSPECTIVE JUROR NO. 0608: Bachelors Degree.

8           THE COURT: And what's your bachelors degree in?

9           PROSPECTIVE JUROR NO. 0608: Chemistry and bio

10 minor.

11          THE COURT: Okay. Are you employed?

12          PROSPECTIVE JUROR NO. 0608: I work at a volunteer

13 medical center.

14          THE COURT: Okay.

15          PROSPECTIVE JUROR NO. 0608: Clinic.

16          THE COURT: What do you do?

17          PROSPECTIVE JUROR NO. 0608: I coordinate the

18 volunteers and I work as a CNA.

19          THE COURT: Okay. Do you have a CNA degree as well?

20          PROSPECTIVE JUROR NO. 0608: Yes.

21          THE COURT: Okay. So you're -- you have a bachelors

22 in chemistry, and with a minor in biology and you also have a

23 CNA certification?

24          PROSPECTIVE JUROR NO. 0608: Yes.

25          THE COURT: Okay. Your marital status?

1 PROSPECTIVE JUROR NO. 0608: Single.  
2 THE COURT: Do you have any kids?  
3 PROSPECTIVE JUROR NO. 0608: No.  
4 THE COURT: Any reason why you could not be a fair  
5 and impartial juror if you were selected to serve on this  
6 panel?  
7 PROSPECTIVE JUROR NO. 0608: No.  
8 THE COURT: Thank you. Thank you very much for  
9 being here.  
10 Mr. Bracks, how long have you lived in Clark County?  
11 PROSPECTIVE JUROR NO. 0668: Off and on for 12  
12 years.  
13 THE COURT: Okay. Your education background?  
14 PROSPECTIVE JUROR NO. 0668: Bachelors in bio  
15 science.  
16 THE COURT: What do you do for a living?  
17 PROSPECTIVE JUROR NO. 0668: Fine dining server.  
18 THE COURT: I'm sorry?  
19 PROSPECTIVE JUROR NO. 0668: Fine dining server.  
20 THE COURT: Okay. Your marital status?  
21 PROSPECTIVE JUROR NO. 0668: Single.  
22 THE COURT: Do you have kids?  
23 PROSPECTIVE JUROR NO. 0668: No.  
24 THE COURT: Any reason why you could not be a fair  
25 and impartial juror if you were selected to serve?

1 PROSPECTIVE JUROR NO. 0668: No.

2 THE COURT: Thank you, sir. Thank you very much for  
3 being here.

4 Ms. Patricia -- is it Carkeek?

5 PROSPECTIVE JUROR NO. 0677: Correct.

6 THE COURT: Okay. How long have you lived in Clark  
7 County?

8 PROSPECTIVE JUROR NO. 0677: 16 years.

9 THE COURT: Your education background?

10 PROSPECTIVE JUROR NO. 0677: Bachelor of Science in  
11 Nursing.

12 THE COURT: Okay. And are you currently employed?

13 PROSPECTIVE JUROR NO. 0677: No.

14 THE COURT: Okay. Did you work as a nurse?

15 PROSPECTIVE JUROR NO. 0677: Yes. I'm retired.

16 THE COURT: Okay. And did you work in a hospital, a  
17 doctor's office?

18 PROSPECTIVE JUROR NO. 0677: I worked in a hospital,  
19 I worked as a medical case manager, I worked for an insurance  
20 company. I've had a --

21 THE COURT: Okay.

22 PROSPECTIVE JUROR NO. 0677: -- varied career.

23 THE COURT: Your marital status?

24 PROSPECTIVE JUROR NO. 0677: Married.

25 THE COURT: Is your spouse employed?

1 PROSPECTIVE JUROR NO. 0677: He's a general  
2 contractor, self-employed.

3 THE COURT: Do you have any kids?

4 PROSPECTIVE JUROR NO. 0677: One grown son, school  
5 teacher here in Clark County.

6 THE COURT: Any reason why you could not be a fair  
7 and impartial juror if you were selected to serve on this  
8 panel?

9 PROSPECTIVE JUROR NO. 0667: No.

10 THE COURT: Thank you. Thank you very much for  
11 being here.

12 Mr. Ronald Memo?

13 PROSPECTIVE JUROR NO. 0751: It's pronounced Memo.

14 THE COURT: Memo, okay. Thank you.

15 How long have you lived in Clark County?

16 PROSPECTIVE JUROR NO. 0751: 38 years.

17 THE COURT: And your education background?

18 PROSPECTIVE JUROR NO. 0751: Bachelor of Science in  
19 pharmacy.

20 THE COURT: Okay. And what do you do for a living?

21 PROSPECTIVE JUROR NO. 0751: I'm a real estate  
22 broker, real estate developer.

23 THE COURT: And your marital status?

24 PROSPECTIVE JUROR NO. 0751: I am married.

25 THE COURT: Is your spouse employed?

1 PROSPECTIVE JUROR NO. 0751: Retired.

2 THE COURT: Okay. And what did your spouse do  
3 before retiring?

4 PROSPECTIVE JUROR NO. 0751: Marriage and Family  
5 Therapist.

6 THE COURT: Okay. Do you have any children?

7 PROSPECTIVE JUROR NO. 0751: I have two.

8 THE COURT: Okay. Are they old enough to be  
9 employed?

10 PROSPECTIVE JUROR NO. 0751: Yes.

11 THE COURT: Can you tell me what each does for a  
12 living?

13 PROSPECTIVE JUROR NO. 0751: My daughter is a  
14 clinical social worker.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 0751: And my son works in a  
17 marijuana cultivation business.

18 THE COURT: Do you know of any reason why you could  
19 not be a fair and impartial juror if you were selected to  
20 serve?

21 PROSPECTIVE JUROR NO. 0751: Well, I have some  
22 history that I believe gives me some bias.

23 THE COURT: Okay. Do you want to -- I'm going to  
24 have you approach the bench --

25 PROSPECTIVE JUROR NO. 0751: Sure.



1 THE COURT: -- with the lawyers if that's okay.  
2 So Officer Hawkes will --  
3 PROSPECTIVE JUROR NO. 0751: Right now?  
4 THE COURT: -- yeah, Officer Hawkes will bring you  
5 down here. You can leave the microphone there. Thank you.  
6 (Bench conference)  
7 THE MARSHAL: Just stand there in the middle.  
8 PROSPECTIVE JUROR NO. 0751: Oh, sorry.  
9 THE COURT: Okay. The record will reflect that Mr.  
10 Memo is present, Badge No. 0751. And all four lawyers are  
11 present. Go ahead.  
12 PROSPECTIVE JUROR NO. 0751: Okay. So I owned a  
13 home healthcare company and I owned it for like 20 years.  
14 Based on a whistle blower complaint I had an investigation  
15 that started in 2002 and didn't end until 2005. I was never  
16 indicted.  
17 THE COURT: Okay.  
18 PROSPECTIVE JUROR NO. 0751: I ended up settling it.  
19 But through that experience I learned that the prosecutors  
20 have a unfair set of -- it's not a level playing field that  
21 they essentially can do whatever they want with witnesses in  
22 terms of telling them things that aren't true or telling them  
23 that they have other witnesses that have collaborated [sic]  
24 something when it hasn't been collaborated.  
25 I feel like they can induce a witness to -- they try

1 to induce witnesses to provide a narrative that matches their  
2 case.

3 THE COURT: Okay. So I'm assuming that was a  
4 criminal investigation?

5 PROSPECTIVE JUROR NO. 0751: No. It was a -- it was  
6 -- I owned a healthcare company and it was, you know, a --  
7 well, they were trying to turn it into anything they could  
8 turn it into. But --

9 THE COURT: Well, what prosecutors --

10 PROSPECTIVE JUROR NO. 0751: -- it was a -- it was  
11 a --

12 THE COURT: -- were involved? Because usually you  
13 don't have prosecutors involved unless it was a criminal  
14 investigation.

15 PROSPECTIVE JUROR NO. 0751: Well, it was the  
16 Attorney General of the State.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR NO. 0751: Yeah.

19 THE COURT: So the Attorney General --

20 PROSPECTIVE JUROR NO. 0751: It was Medicaid -- you  
21 know they were alleging Medicaid -- and they do -- essentially  
22 they start with Medicaid that is fraudulent billing and then  
23 they try to branch out from whatever they can do.

24 THE COURT: Okay. Well, that -- Medicaid fraud is  
25 criminal.

1           PROSPECTIVE JUROR NO. 0751: Yeah, we never -- we --  
2 they never brought charges for it.

3           THE COURT: Okay. Right.

4           PROSPECTIVE JUROR NO. 0751: I'm just saying that  
5 the whole process -- if I would have talked to a witness then  
6 it would be considered witness tampering but they could  
7 literally bring witnesses in there and lie to them and tell  
8 them stuff that they had testimony already and make up  
9 stories, you know -- you know, similar to the -- you know,  
10 what we just saw with the Mueller type stuff, how prosecutors  
11 have an unfair advantage over, you know, the witness -- or the  
12 people -- the defendants have to just sit there and do nothing  
13 while they're doing their investigation.

14          THE COURT: Okay. And you believe that prosecutors  
15 lie to people?

16          PROSPECTIVE JUROR NO. 0751: I believe they  
17 misrepresented information. They wanted to supported a  
18 narrative. Now, they had a whistleblower so they wanted to  
19 support that narrative so they -- they would use whatever they  
20 felt that they could use to misrepresent the facts, in my  
21 opinion, misrepresent the facts --

22          THE COURT: Okay.

23          PROSPECTIVE JUROR NO. 0751: -- to support their  
24 narrative.

25          THE COURT: Okay. And do you -- I mean, this was

1 the Nevada Attorney General?

2 PROSPECTIVE JUROR NO. 0751: Yes.

3 THE COURT: Okay. Do you have hold those opinions  
4 regarding all prosecutors?

5 PROSPECTIVE JUROR NO. 0751: Well, I -- I had -- I  
6 mean, like I said, I felt like the same thing with the Mueller  
7 prosecution. I felt like they, you know, had the unfair  
8 advantage --

9 THE COURT: Well, Mueller was prosecuted.

10 PROSPECTIVE JUROR NO. 0751: I know.

11 THE COURT: Well, I guess some people were. I take  
12 it back.

13 PROSPECTIVE JUROR NO. 0751: Well -- but --

14 THE COURT: Some people were.

15 PROSPECTIVE JUROR NO. 0751: -- the investigation.  
16 The investigation.

17 THE COURT: Right.

18 PROSPECTIVE JUROR NO. 0751: They have an unfair set  
19 of rules where they play under where the opposition doesn't  
20 have that same advantage.

21 THE COURT: What do you mean there's an unfair set  
22 of rules that --

23 PROSPECTIVE JUROR NO. 0751: Well, they literally  
24 are the guardians of the law and so they feel like they make  
25 the rules that they feel that they -- they are the ones that

1 decide if they are complying with the laws. And there's no  
2 one there to really stop them.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 0751: There's no one there to  
5 provide any sort of counterbalance to that.

6 THE COURT: Okay. And you believe that's how all  
7 prosecutors are?

8 PROSPECTIVE JUROR NO. 0751: I believe it's a  
9 possibility. In all instances, now, I mean, I have a healthy  
10 skepticism of what the government -- because I don't believe  
11 it's a level playing field. I believe the government has an  
12 unfair advantage.

13 THE COURT: Okay. Based on just being the  
14 government?

15 PROSPECTIVE JUROR NO. 0751: Well, they essentially  
16 enforce their own legal. They are -- it's the -- it's the fox  
17 guarding the henhouse. They are the legal prosecution and  
18 they decide if they are following the legal rules or not. And  
19 there's no one there to really watch them because they say  
20 they -- they are the law and they get to --

21 THE COURT: Okay.

22 PROSPECTIVE JUROR NO. 0751: -- decide what they're  
23 doing is correct.

24 THE COURT: So what do you think my rule is? I  
25 mean, you don't think that judges are trying to --

1 PROSPECTIVE JUROR NO. 0751: Well, I don't know.  
2 THE COURT: -- get people to comply with the rules?  
3 PROSPECTIVE JUROR NO. 0751: We never got that far.  
4 I'm just giving you my experience.  
5 THE COURT: Okay.  
6 PROSPECTIVE JUROR NO. 0751: And that's based on  
7 that -- the -- like I said, a healthy skepticism of any  
8 evidence that would be presented.  
9 THE COURT: Okay. Based on your experience you  
10 would have a healthy skepticism -- healthy skepticism --  
11 PROSPECTIVE JUROR NO. 0751: Of how they --  
12 THE COURT: -- of any evidence?  
13 PROSPECTIVE JUROR NO. 0751: -- obtained any  
14 evidence, yeah.  
15 THE COURT: Okay.  
16 PROSPECTIVE JUROR NO. 0751: Yeah. Whether they --  
17 what methods that they were using and what techniques they  
18 were employing to obtain that information.  
19 THE COURT: Okay. And do you believe that would  
20 interfere with your ability to be fair and impartial?  
21 PROSPECTIVE JUROR NO. 0751: Well, I -- I would  
22 think so. Well, maybe not. It depends on what the evidence  
23 showed, I guess. But possibly.  
24 THE COURT: Okay. Because that -- I mean, that's my  
25 concern, because you understand both sides are entitled to

1 have a jury panel --

2 PROSPECTIVE JUROR NO. 0751: Right.

3 THE COURT: -- that's comprised of people that can  
4 be from the beginning fair and impartial to both sides?

5 PROSPECTIVE JUROR NO. 0751: I think the jury needs  
6 people like me on there to, you know, that have some  
7 experience that has a healthy scepticism of what might be  
8 presented by the prosecution.

9 THE COURT: Okay. And what do you mean by healthy  
10 scepticism?

11 PROSPECTIVE JUROR NO. 0751: Not just believing that  
12 everything is going to be obtained with a legal means just  
13 because it's coming from the government.

14 THE COURT: Okay. Okay. I don't think there's  
15 anything wrong with that. But you understand the State has  
16 the burden of proof?

17 PROSPECTIVE JUROR NO. 0751: Yeah.

18 THE COURT: Right?

19 PROSPECTIVE JUROR NO. 0751: And they also have a  
20 special set of rules that they decide they can have in order  
21 to obtain the proof that they want to fit --

22 THE COURT: Okay.

23 PROSPECTIVE JUROR NO. 0751: -- their narrative.

24 THE COURT: That's the only thing that bothers me.

25 PROSPECTIVE JUROR NO. 0751: Right.

1 THE COURT: What's the special set of rules?

2 PROSPECTIVE JUROR NO. 0751: Well, they decide

3 what's legal and what isn't legal. And there's no one there

4 to enforce or oversee them at the time that they're doing what

5 they do.

6 THE COURT: Are you referring to the Constitution?

7 PROSPECTIVE JUROR NO. 0751: No.

8 THE COURT: Or something else?

9 PROSPECTIVE JUROR NO. 0751: I mean, it's just -- I

10 mean, how they -- I believe that they can do whatever they

11 want when they're talking to witnesses. And I wasn't even

12 allowed to talk to anyone or consider witness tampering. They

13 literally could tell them stuff that we found out later that

14 wasn't true. And they could intimidate witnesses saying, hey,

15 you might be charged also. And you know, with false --

16 potential charges that never materialized obviously, so.

17 THE COURT: Okay. Do you believe these opinions, in

18 your experience, is going to interfere --

19 PROSPECTIVE JUROR NO. 0751: This is my experience.

20 And I -- I don't think it's an opinion in this case. I think

21 that's exactly what happened.

22 THE COURT: In your case?

23 PROSPECTIVE JUROR NO. 0751: In my case.

24 THE COURT: Okay. And I'm just going to ask you a

25 couple questions.



1 PROSPECTIVE JUROR NO. 0751: Sure.

2 THE COURT: I mean, it does sound like you had a  
3 horrible experience and I apologize if that happened and that  
4 you even have to talk about it especially when you just came  
5 for jury duty so --

6 PROSPECTIVE JUROR NO. 0751: Right.

7 THE COURT: -- please forgive me.

8 PROSPECTIVE JUROR NO. 0751: That's okay.

9 THE COURT: But is that experience going to impede  
10 your ability to be fair and impartial to the parties in this  
11 case?

12 PROSPECTIVE JUROR NO. 0751: I'll let you decide  
13 that. I mean, I just wanted to tell you how I -- how I view  
14 things.

15 THE COURT: Well, I'm -- that's what I'm trying to  
16 figure out.

17 PROSPECTIVE JUROR NO. 0751: Yeah.

18 THE COURT: Because everybody comes to the courtroom  
19 with different life experiences. We want people that have  
20 life experiences, both sides want that. But we want people  
21 that are going to be able to set those life experiences aside  
22 and judge this case based solely on the evidence that they see  
23 and hear in the courtroom and the instructions on the law  
24 which will be given to you by the Court. Do you understand  
25 that?

1 PROSPECTIVE JUROR NO. 0751: I understand that.  
2 THE COURT: Okay. Do you think you can do that?  
3 PROSPECTIVE JUROR NO. 0751: Sure, I can do that.  
4 THE COURT: Okay.  
5 PROSPECTIVE JUROR NO. 0751: I'm going to maintain  
6 my healthy scepticism of how evidence is obtained.  
7 THE COURT: Well, let me -- okay. Let me ask you a  
8 couple questions about that, because I don't think there's  
9 anything wrong with saying, I'm going to hold the State to  
10 their burden of proof.  
11 PROSPECTIVE JUROR NO. 0751: That's right.  
12 THE COURT: But I don't know about speculating about  
13 how evidence was obtained. Do you --  
14 PROSPECTIVE JUROR NO. 0751: Well, isn't that --  
15 THE COURT: -- see my point?  
16 PROSPECTIVE JUROR NO. 0751: -- part of how -- I  
17 mean, I think you're going to hear the defendant's maybe  
18 challenge that evidence.  
19 THE COURT: Sure.  
20 PROSPECTIVE JUROR NO. 0751: So --  
21 THE COURT: And, I mean, well, obviously we want  
22 jurors that will listen --  
23 PROSPECTIVE JUROR NO. 0751: Yeah, I'll --  
24 THE COURT: -- to the evidence --  
25 PROSPECTIVE JUROR NO. 0751: -- be listening to

1 that.

2 THE COURT: -- being challenged.

3 MR. FELICIANO: Just --

4 THE COURT: Okay.

5 MR. FELICIANO: -- again, we have no burden here,

6 right?

7 THE COURT RECORDER: I'm sorry, you need to be by a

8 microphone.

9 THE COURT: Of course.

10 MR. FELICIANO: Okay. We -- we --

11 THE COURT: Yeah, I'm sorry. I didn't mean to --

12 THE COURT RECORDER: Mr. Feliciano, I'm not picking

13 it up.

14 THE COURT: Yeah.

15 MR. FELICIANO: I'm sorry.

16 THE COURT: I didn't mean to -- he said that the

17 Defense may challenge the evidence.

18 MR. FELICIANO: Okay. Just --

19 THE COURT: Yeah.

20 MR. FELICIANO: -- may I just --

21 THE COURT: Right.

22 MR. FELICIANO: -- make sure that we are not --

23 THE COURT: And -- that's true --

24 MR. FELICIANO: -- we don't have to.

25 THE COURT: -- that the Defense has no burden in a

1 criminal trial. I mean, the Defense can actually sit there  
2 and do absolutely nothing.

3 PROSPECTIVE JUROR NO. 0751: Sure.

4 THE COURT: I mean, the State has the burden. They  
5 have the burden on each and every element that they alleged in  
6 their charging document and they have to meet that burden by  
7 proof --

8 PROSPECTIVE JUROR NO. 0751: Yeah.

9 THE COURT: -- beyond a reasonable doubt. It sounds  
10 like you understand that.

11 PROSPECTIVE JUROR NO. 0751: I understand that.

12 THE COURT: Okay. And the Defense, although they  
13 can challenge the evidence, they're not required to. I mean,  
14 they could really sit there and do nothing and listen to the  
15 evidence as it comes in.

16 PROSPECTIVE JUROR NO. 0751: All right.

17 THE COURT: I've never seen anyone really do that  
18 but, you know, our system --

19 PROSPECTIVE JUROR NO. 0751: Right. I understand.

20 THE COURT: -- is set up where --

21 PROSPECTIVE JUROR NO. 0751: They could do that.

22 THE COURT: -- they -- they could do that.

23 PROSPECTIVE JUROR NO. 0751: Yeah.

24 THE CLERK: And at the end if the State hasn't met  
25 their burden I mean you're not going to hold the Defense to

1 any burden; correct?

2 PROSPECTIVE JUROR NO. 0751: Correct.

3 THE COURT: Okay. Do you think there's anything  
4 about your experiences that would interfere with your ability  
5 to be fair and impartial in this case?

6 PROSPECTIVE JUROR NO. 0751: I don't believe that it  
7 -- I would be unfair.

8 THE COURT: Okay. You can be fair to the State of  
9 Nevada?

10 PROSPECTIVE JUROR NO. 0751: Yeah, as long as  
11 they're doing things legally and I -- I believe that it was  
12 done legally.

13 THE COURT: Okay. And you can be fair and impartial  
14 to the Defense?

15 PROSPECTIVE JUROR NO. 0751: Yes.

16 THE COURT: Okay. And you won't hold any ill will  
17 that you have against the Attorney Generals in your case  
18 against either side in this case?

19 PROSPECTIVE JUROR NO. 0751: No.

20 THE COURT: Can you set that aside?

21 PROSPECTIVE JUROR NO. 0751: No that's -- that won't  
22 have anything to do with this.

23 THE COURT: Okay. Because you agree that was  
24 something different?

25 PROSPECTIVE JUROR NO. 0751: That was.

1           THE COURT: Right? That was another set of lawyers,  
2 prosecutors, none of the people here were involved in that --  
3           PROSPECTIVE JUROR NO. 0751: Correct.  
4           THE COURT: -- correct? Okay. And you can judge  
5 this case based solely on the facts and evidence you hear in  
6 the courtroom; correct?  
7           PROSPECTIVE JUROR NO. 0751: Yes.  
8           THE COURT: Okay. Does the Defense -- does either  
9 side have any follow-up?  
10          Okay. Go ahead.  
11          MR. ROWLES: Can I ask two question, Your Honor?  
12          PROSPECTIVE JUROR NO. 0751: Sure.  
13          THE COURT: I'm going to allow the District Attorney  
14 to ask you a couple questions.  
15          PROSPECTIVE JUROR NO. 0751: Absolutely.  
16          MR. ROWLES: The investigation by the Attorney  
17 General's Office, you would agree with me that the Attorney  
18 General's Office is different than the Clark County District  
19 Attorney's Office; right?  
20          PROSPECTIVE JUROR NO. 0751: Sure.  
21          MR. ROWLES: Different agency?  
22          PROSPECTIVE JUROR NO. 0751: Different agency.  
23          MR. ROWLES: And that investigation occurred in  
24 2002, between 2002 and 2005?  
25          PROSPECTIVE JUROR NO. 0751: Correct.

1 MR. ROWLES: And it was your understanding that  
2 investigation -- that the prosecutors or law enforcement in  
3 general in that case tampered with witnesses, fabricated  
4 allegations against you, intimidated witnesses?

5 PROSPECTIVE JUROR NO. 0751: Yes.

6 MR. ROWLES: Okay. And --

7 PROSPECTIVE JUROR NO. 0751: And there was other  
8 misconduct, too.

9 MR. ROWLES: Okay. So the prosecutors in that case  
10 and law enforcement in general engaged in misconduct?

11 PROSPECTIVE JUROR NO. 0751: Yes.

12 MR. ROWLES: Okay. You also mentioned to the Judge  
13 that during the Mueller investigation you would agree with me  
14 that that started, I believe, 2017, 2018, 2019?

15 PROSPECTIVE JUROR NO. 0751: The investigation?

16 MR. ROWLES: Yes. It was within the year or two of  
17 that, right?

18 PROSPECTIVE JUROR NO. 0751: Yeah.

19 MR. ROWLES: Okay. So it was relatively recent;  
20 right?

21 PROSPECTIVE JUROR NO. 0751: Yeah.

22 MR. ROWLES: And so from 2005 to 2017-ish your  
23 opinion regarding prosecutors has sort of remained the same  
24 knowing that Mueller is a different agency; right? That he  
25 works for the federal government?

1           PROSPECTIVE JUROR NO. 0751: It is different except,  
2 you know, I see the -- a pattern that --  
3           MR. ROWLES: Okay.  
4           PROSPECTIVE JUROR NO. 0751: -- is consistent.  
5           MR. ROWLES: And so despite the fact that almost 12  
6 years has elapsed between your Attorney General's  
7 investigation and the Mueller investigation you still see that  
8 same pattern; right?  
9           MS. HOJJAT: Objection, that misstates [inaudible].  
10          MR. ROWLES: That's exactly what he said.  
11          THE COURT: And is that what you meant? I'll let  
12 you --  
13          PROSPECTIVE JUROR NO. 0751: That's not what I  
14 meant. I just --  
15          THE COURT: Okay. Thank you.  
16          PROSPECTIVE JUROR NO. 0751: -- I think there is a  
17 same pattern though.  
18          MR. ROWLES: Okay. So you think there is a pattern  
19 of misconduct by the prosecutors?  
20          PROSPECTIVE JUROR NO. 0751: I think there's --  
21 yeah, if you want to say, was there misconduct there,  
22 misconduct here, I would say yes.  
23          MR. ROWLES: Let me ask you this then. As we sit  
24 here right now are we on level playing fields?  
25          MS. HOJJAT: Objection, we're not a level player.



1 MR. ROWLES: I think that's a fair question.  
2 MS. HOJJAT: Since they have a burden and we --  
3 THE COURT: No.  
4 MS. HOJJAT: -- presumption.  
5 THE COURT: Okay.  
6 MR. ROWLES: I mean, in terms of an open mind.  
7 THE COURT: But I agree. I think he -- here let me,  
8 I think I know what he's getting at. So --  
9 PROSPECTIVE JUROR NO. 0751: Yeah.  
10 THE COURT: -- let me ask a question.  
11 PROSPECTIVE JUROR NO. 0751: Okay.  
12 THE COURT: Does the fact that these gentlemen  
13 standing here are prosecutors -- I mean, I'm concerned about  
14 some of the statements that you said.  
15 PROSPECTIVE JUROR NO. 0751: Yeah.  
16 THE COURT: Are you going to presume that these are  
17 bad people, bad prosecutors --  
18 PROSPECTIVE JUROR NO. 0751: No, I didn't mean to --  
19 THE COURT: -- because of a pattern?  
20 PROSPECTIVE JUROR NO. 0751: -- impugn these fine  
21 gentlemen.  
22 THE COURT: Okay. And you're not going to hold any  
23 of your opinions that you have regarding those two  
24 investigations against these prosecutors; correct?  
25 PROSPECTIVE JUROR NO. 0751: Yeah, I mean, I have no

1 idea how they conduct themselves. Just -- I -- I think I've  
2 stated it. I don't want to be repetitious. I think that  
3 they're inherent in how things are currently allowed to  
4 proceed that the prosecutors seemingly don't have any -- any  
5 oversight while they're doing what they do.

6 THE COURT: And do you believe that's true of these  
7 prosecutors?

8 PROSPECTIVE JUROR NO. 0751: Well, until I know  
9 otherwise, it's -- it's -- it's probably true on all levels of  
10 government right now. But that's how the -- they just don't  
11 have any oversight. So these guys might be different. I  
12 don't know. We'll have to listen to the evidence.

13 THE COURT: Okay. Anything else?

14 MR. ROWLES: If you were selected to be on this  
15 panel would we have the burden to disprove to you that we,  
16 specifically, are lying?

17 THE COURT: You specifically are what?

18 MR. ROWLES: As prosecutors [inaudible] misconduct  
19 or lying.

20 PROSPECTIVE JUROR NO. 0751: No, you wouldn't have  
21 the burden of proof of proving that you've -- that you were  
22 not lying. You'd have the burden of proof of validating that  
23 the evidence that you obtained was obtained in a lawful and a  
24 appropriate manner.

25 MR. ROWLES: Nothing further.

1 THE COURT: Anything else?  
2 Does Defense have anything?  
3 MS. HOJJAT: Sure, just a couple questions.  
4 THE COURT: Sure. Go ahead.  
5 MS. HOJJAT: Hi, sir.  
6 PROSPECTIVE JUROR NO. 0751: Hi.  
7 MS. HOJJAT: So I want to make sure I'm  
8 understanding you correctly. It sounds like what you're  
9 saying is that you would hold the State to the burden of proof  
10 beyond a reasonable doubt?  
11 PROSPECTIVE JUROR NO. 0751: Right.  
12 MS. HOJJAT: And you are starting off presuming the  
13 defendant innocent?  
14 PROSPECTIVE JUROR NO. 0751: Right.  
15 MS. HOJJAT: And that any evidence that's presented  
16 to you, you're going to use your common sense and listen to  
17 the evidence?  
18 PROSPECTIVE JUROR NO. 0751: Right.  
19 MS. HOJJAT: And you're going to think about it and  
20 see, does that seem legitimate to me?  
21 PROSPECTIVE JUROR NO. 0751: Right.  
22 MS. HOJJAT: And if it seems legitimate then you're  
23 going to accept it?  
24 PROSPECTIVE JUROR NO. 0751: Um-h'm.  
25 MS. HOJJAT: And if it doesn't seem legitimate --

1 THE COURT: is that a yes?  
2 PROSPECTIVE JUROR NO. 0751: Yes. Yeah.  
3 THE COURT: Thank you.  
4 MS. HOJJAT: And if it doesn't seem legitimate then  
5 you're going to be skeptical of it?  
6 PROSPECTIVE JUROR NO. 0751: Correct.  
7 MS. HOJJAT: And if the State proves their burden at  
8 the end of the day then you'll find him guilty?  
9 PROSPECTIVE JUROR NO. 0751: Yes.  
10 MS. HOJJAT: And if they don't prove their burden at  
11 the end of the day then you'll find him innocent?  
12 PROSPECTIVE JUROR NO. 0751: Correct.  
13 THE COURT: Well, not guilty.  
14 MS. HOJJAT: You'll find him not guilty?  
15 PROSPECTIVE JUROR NO. 0751: Not guilty.  
16 MS. HOJJAT: Okay. So it -- it sounds like you're  
17 saying you'd follow the laws as the Judge has told you, right?  
18 PROSPECTIVE JUROR NO. 0751: That is correct.  
19 THE COURT: Anything else?  
20 MS. HOJJAT: No.  
21 THE COURT: Okay. Thank you very much --  
22 PROSPECTIVE JUROR NO. 0751: Thank you.  
23 THE COURT: -- for coming up here. I appreciate it.  
24 PROSPECTIVE JUROR NO. 0751: All right.  
25 THE COURT: I mean, I'm assuming you had nothing

1 else?

2 MR. ROWLES: No, I'd just move for cause.

3 (Prospective Juror No. 0751 leaves the bench conference)

4 THE COURT: Okay. All right. The record will  
5 reflect Mr. Memo has left the Bench and now it's just the four  
6 lawyers. Go ahead.

7 MR. ROWLES: Judge, I would move for cause at this  
8 particular time. He's indicated that between 2002 and 2005 he  
9 believed prosecutors engaged in misconduct. He's carried that  
10 belief up until 2017 for a completely different agency's  
11 investigation.

12 He says he recognizes a pattern of misconduct and  
13 that he would be highly suspicious, I believe, of the State's  
14 evidence here. The goal of a jury --

15 THE COURT: Well, he said a healthy scepticism.

16 MR. ROWLES: A healthy scepticism. The goal of a  
17 panel is to be fair and impartial to both sides. I understand  
18 that the State has the burden, but when I referenced a level  
19 playing field both sides need to go in with both people having  
20 an open mind as to the evidence here.

21 This is an individual who has already believed that  
22 we've engaged in misconduct despite what he says.

23 THE COURT: Well, he didn't say that.

24 MR. ROWLES: I know. I'm saying --

25 THE COURT: I mean, because I --

1 MR. ROWLES: -- despite what he says.

2 THE COURT: -- specifically asked him if he thought  
3 that you guys were bad or because of these opinions. I mean,  
4 he does have some strong opinions regarding what happened to  
5 him and I didn't even want to get into the Mueller  
6 investigation.

7 MR. ROWLES: I just -- I think if --

8 THE COURT: But --

9 MR. ROWLES: -- the roles were reversed where we had  
10 an individual saying I believe everything the cops have to  
11 say, I believe the defendants wouldn't be sitting there, if  
12 they weren't guilty, they'd be moved for cause right away.

13 MS. HOJJAT: That's different though. He didn't say  
14 he's going to believe everything the Defense has to say. All  
15 he said that -- is that he's going to -- he's a witness who --  
16 or he's a juror who's going to be open to the idea that not  
17 all witnesses are always telling the truth which jurors are  
18 supposed to be, because sometimes they're not.

19 The idea is he said that he will have a healthy  
20 scepticism of the evidence and he also said if the State  
21 proves their case beyond a reasonable doubt he's going to  
22 convict. He said that he doesn't presume that these two  
23 prosecutors have engaged in any misconduct.

24 He said that he's going to take the evidence and use  
25 his common sense and if it seems credible then he's going to

1 accept it as credible. I mean, he said everything correct.

2 The fact that he has personally had a negative  
3 experience doesn't make him unable to be a fair juror. In  
4 fact, I think he said over and over again that he's going to  
5 follow the rules.

6 MR. SWEETIN: I think there's a clear implied malice  
7 that he has and part of -- you know, I think the record will  
8 reflect is while he was describing what happened at the  
9 Attorney General there was a little bit of anger on his face.

10 THE COURT: Oh, he was pissed.

11 MR. SWEETIN: He was very angry. And, you know, as  
12 much as he was asked whether he thought he could be fair he  
13 paused for an extended period of time, you know, when he was  
14 asked that question on -- he comes up here and he says that he  
15 thinks all prosecutors essentially hide things and acquire  
16 evidence improperly.

17 And then he sort of walks back a bit and then he  
18 comes back again with this anger. The State submits that, you  
19 know, if you look at the case law when he talked about implied  
20 bias, this is like textbook implied bias by this juror.

21 THE COURT: Anything else?

22 MS. HOJJAT: We believe he said he could be fair and  
23 that he'd follow the rules.

24 MR. FELICIANO: And when Ms. Hojjat questioned him,  
25 he answered he could be fair, he'd listen to everything, give

1 everybody a fair shake. I don't think it's a textbook case of  
2 anything.

3 THE COURT: Okay. So at this time I'm going to  
4 overrule the objection and let the -- I'm going to allow both  
5 sides -- you may follow up. But if you're going to ask him  
6 more stuff about the prosecutors I don't want him  
7 contaminating the whole panel --

8 MR. ROWLES: Well, I understand that.

9 THE COURT: -- because I'm worried about what he may  
10 say. So either side --

11 MR. FELICIANO: So do we do that up here if we're  
12 going to ask it or how --

13 THE COURT: We can do it up here or --

14 MR. FELICIANO: -- procedurally would you like it  
15 done?

16 THE COURT: -- I'll -- or I'll clear the courtroom.

17 MR. FELICIANO: Okay.

18 THE COURT: I mean, because I'm assuming both sides  
19 may have more questions. I would just ask you to be very  
20 cautious and if we're going to go into any of these areas that  
21 maybe we should bring him back up here or clear the courtroom.

22 MR. FELICIANO: Okay.

23 MS. HOJJAT: And actually --

24 MR. ROWLES: If the Court's okay with it -- sorry.

25 MS. HOJJAT: No, go ahead.



1 MR. ROWLES: I was going to say --

2 THE COURT: Well, I don't want him telling everybody  
3 that all prosecutors are corrupt.

4 MR. ROWLES: See, when I get to the panel and I --  
5 and he's a volunteer of mine and I ask does it have to do with  
6 what we talked about at the bench, then can I ask him to  
7 approach again?

8 THE COURT: Sure.

9 MR. ROWLES: Okay.

10 MS. HOJJAT: And may we make the same request of any  
11 prior victims of child sex assault and things of that nature?

12 THE COURT: Yeah. I will then decide --

13 MS. HOJJAT: Because similarly we don't want the  
14 panel to be --

15 THE COURT: Sometimes they don't care. You know,  
16 I've had a couple that have said it already. But if they -- I  
17 always let, no matter what it is, if they want to come up here  
18 I let them.

19 MS. HOJJAT: Great. Well, we would specifically --  
20 the Court's same concern about corrupting the rest of the  
21 panel with talk about prosecutors, we think that individuals  
22 who start going into how traumatic and things of that nature  
23 about child sex assault could equally corrupt the panel.

24 And so we would ask that those conversations be at  
25 the bench as well.

1 THE COURT: Okay.

2 MS. HOJJAT: Thank you very much.

3 THE COURT: Okay. Thank you.

4 MR. ROWLES: Thank you.

5 (End of bench conference.)

6 THE COURT: Okay. Mr. Memo, thank you very much for  
7 answering our questions.

8 Ms. Amanda Shock? How long have you lived in Clark  
9 County?

10 PROSPECTIVE JUROR NO. 0763: 15 years.

11 THE COURT: Your education background?

12 PROSPECTIVE JUROR NO. 0763: Bachelor in psychology.

13 THE COURT: And what do you do for a living?

14 PROSPECTIVE JUROR NO. 0763: I'm a customer  
15 representative for an online retailer.

16 THE COURT: Your marital status?

17 PROSPECTIVE JUROR NO. 0763: Married.

18 THE COURT: Is your spouse employed?

19 PROSPECTIVE JUROR NO. 0763: Yes.

20 THE COURT: What does your spouse do for a living?

21 PROSPECTIVE JUROR NO. 0763: He's in IT for an  
22 online retailer.

23 THE COURT: Okay. Do you have any children?

24 PROSPECTIVE JUROR NO. 0763: No, ma'am.

25 THE COURT: Do you know of any reason why you could

1 not be a fair and impartial juror if you were selected to  
2 serve on this panel?

3 PROSPECTIVE JUROR NO. 0763: No.

4 THE COURT: Thank you. Thank you very much for  
5 being here.

6 Ms. Veronica Rodriguez?

7 PROSPECTIVE JUROR NO. 0796: Yes, Your Honor.

8 THE COURT: Good afternoon. How long have you lived  
9 in Clark County?

10 PROSPECTIVE JUROR NO. 0796: 26 years.

11 THE COURT: Your education background?

12 PROSPECTIVE JUROR NO. 0796: GED and currently in  
13 school.

14 THE COURT: You're a student right now?

15 PROSPECTIVE JUROR NO. 0796: Yes.

16 THE COURT: Where are you a student?

17 PROSPECTIVE JUROR NO. 0796: CSN.

18 THE COURT: What are you studying?

19 PROSPECTIVE JUROR NO. 0796: Criminal justice.

20 THE COURT: Okay. I know some of the students  
21 indicated earlier that they had midterms and stuff that might  
22 interfere with their schooling. Are you in a position like  
23 that?

24 PROSPECTIVE JUROR NO. 0796: I do online school.

25 THE COURT: Oh, okay. So you would be able to do

1 jury duty and keep up with your school work?  
2 PROSPECTIVE JUROR NO. 0796: Yes.  
3 THE COURT: Okay. And are you employed?  
4 PROSPECTIVE JUROR NO. 0796: Yes.  
5 THE COURT: What do you do for a living?  
6 PROSPECTIVE JUROR NO. 0796: A PBX operator.  
7 THE COURT: Okay. Your marital status?  
8 PROSPECTIVE JUROR NO. 0796: Single, but I live with  
9 my boyfriend.  
10 THE COURT: Okay. Is he employed?  
11 PROSPECTIVE JUROR NO. 0796: He is.  
12 THE COURT: What does he do for a living?  
13 PROSPECTIVE JUROR NO. 0796: He's a surveillance  
14 agent.  
15 THE COURT: I'm sorry?  
16 PROSPECTIVE JUROR NO. 0796: A surveillance agent.  
17 THE COURT: Okay. Do you have any children?  
18 PROSPECTIVE JUROR NO. 0796: I do.  
19 THE COURT: Are they old enough to be employed?  
20 PROSPECTIVE JUROR NO. 0796: No.  
21 THE COURT: Okay. Do you know of any reason why you  
22 could not be a fair and impartial juror --  
23 PROSPECTIVE JUROR NO. 0796: No.  
24 THE COURT: -- if you were selected to serve?  
25 Thank you. Thank you very much for being here.

1 Ms. Garrett, correct?

2 PROSPECTIVE JUROR NO. 0910: That is correct.

3 THE COURT: Okay. How long have you lived in Clark  
4 County?

5 PROSPECTIVE JUROR NO. 0910: 42 years.

6 THE COURT: Your education background?

7 PROSPECTIVE JUROR NO. 0910: High school.

8 THE COURT: What do you do for a living?

9 PROSPECTIVE JUROR NO. 0910: I am a stay-at-home  
10 mom.

11 THE COURT: Okay. And your marital status?

12 PROSPECTIVE JUROR NO. 0910: I am married.

13 THE COURT: And is your spouse employed?

14 PROSPECTIVE JUROR NO. 0910: Yes, he is.

15 THE COURT: What does your spouse do?

16 PROSPECTIVE JUROR NO. 0910: He is an avionics  
17 technician for Nellis Air Force Base.

18 THE COURT: Okay. And you indicated you have  
19 children?

20 PROSPECTIVE JUROR NO. 0910: I do.

21 THE COURT: Are they old enough to be employed?

22 PROSPECTIVE JUROR NO. 0910: Not all of them.

23 THE COURT: Okay. How many children do you have?

24 PROSPECTIVE JUROR NO. 0910: I have four children  
25 left at home.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR NO. 0910: My oldest being 18.

3 She is not working yet.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 0910: And I have a ten-year

6 old, a 15-year old and an 11-year old.

7 THE COURT: Okay. So you are busy. Do you know of

8 any reason why you could not be a fair and impartial juror if

9 you were selected to serve?

10 PROSPECTIVE JUROR NO. 0910: No, Your Honor.

11 THE COURT: Thank you. Thank you very much for your

12 willingness to be here.

13 Ms. Caro?

14 PROSPECTIVE JUROR NO. 0951: Yes.

15 THE COURT: Caro? Good afternoon.

16 How long have you lived in Clark County?

17 PROSPECTIVE JUROR NO. 0951: 23 years.

18 THE COURT: Okay. Your education background?

19 PROSPECTIVE JUROR NO. 0951: I'm a student at CSN.

20 THE COURT: Okay. What are you studying?

21 PROSPECTIVE JUROR NO. 0951: Elementary education

22 and real estate.

23 THE COURT: Okay. Are you a full-time student?

24 PROSPECTIVE JUROR NO. 0951: Yes.

25 THE COURT: All right. Are you going to be able to

1 do jury duty and keep up with your school work?  
2 PROSPECTIVE JUROR NO. 0951: Yes.  
3 THE COURT: Okay. So you don't have midterms or  
4 anything?  
5 PROSPECTIVE JUROR NO. 0951: No.  
6 THE COURT: Okay.  
7 PROSPECTIVE JUROR NO. 0951: Not yet.  
8 THE COURT: And are you employed?  
9 PROSPECTIVE JUROR NO. 0951: Yes.  
10 THE COURT: What do you do?  
11 PROSPECTIVE JUROR NO. 0951: A valet for Marriott.  
12 THE COURT: A valet parker?  
13 PROSPECTIVE JUROR NO. 0951: Yep.  
14 THE COURT: Okay. Your martial status?  
15 PROSPECTIVE JUROR NO. 0951: I'm single.  
16 THE COURT: Do you have any kids?  
17 PROSPECTIVE JUROR NO. 0951: No.  
18 THE COURT: Do you know of any reason why you could  
19 not be a fair and impartial juror if you were selected to  
20 serve on this panel?  
21 PROSPECTIVE JUROR NO. 0951: No.  
22 THE COURT: Thank you. Thank you very much for  
23 being here.  
24 Ms. Lutz?  
25 PROSPECTIVE JUROR NO. 1092: Yes.

1 THE COURT: How long have you lived in Clark County?  
2 PROSPECTIVE JUROR NO. 1092: 15 years.  
3 THE COURT: Your education background?  
4 PROSPECTIVE JUROR NO. 1092: I have two masters  
5 degrees.  
6 THE COURT: Okay. What are they in?  
7 PROSPECTIVE JUROR NO. 1092: Political science and  
8 library science.  
9 THE COURT: And what do you do for a living?  
10 PROSPECTIVE JUROR NO. 1092: I'm a systems  
11 librarian.  
12 THE COURT: Okay. Your martial status?  
13 PROSPECTIVE JUROR NO. 1092: Married.  
14 THE COURT: Is your spouse employed?  
15 PROSPECTIVE JUROR NO. 1092: Yes.  
16 THE COURT: What does your spouse do for a living?  
17 PROSPECTIVE JUROR NO. 1092: He's an associate  
18 professor at UNLV.  
19 THE COURT: What does he teach?  
20 PROSPECTIVE JUROR NO. 1092: Political science.  
21 THE COURT: Do you have any kids?  
22 PROSPECTIVE JUROR NO. 1092: Yes, one.  
23 THE COURT: Is that child old enough to be employed?  
24 PROSPECTIVE JUROR NO. 1092: He's in college.  
25 THE COURT: Okay. Full-time student?



1 PROSPECTIVE JUROR NO. 1092: Yes.

2 THE COURT: Okay. Do you know of any reason why you  
3 could not be a fair and impartial juror if you were selected  
4 to serve on this panel?

5 PROSPECTIVE JUROR NO. 1092: No, Your Honor.

6 THE COURT: Thank you. Thank you very much for  
7 being here.

8 And we have Caroline Millsaps; correct?  
9 How long have you lived in Clark County?

10 PROSPECTIVE JUROR NO. 1144: 14 months.

11 THE COURT: I'm sorry, did you say 14 months?

12 PROSPECTIVE JUROR NO. 1144: Yes, 14 months.

13 THE COURT: Okay. Your education background?

14 PROSPECTIVE JUROR NO. 1144: Bachelor of Arts in  
15 vocal performance.

16 THE COURT: And what do you do for a living?

17 PROSPECTIVE JUROR NO. 1144: I'm a transportation  
18 manager for Amazon.

19 THE COURT: And your martial status?

20 PROSPECTIVE JUROR NO. 1144: Single.

21 THE COURT: Do you have kids?

22 PROSPECTIVE JUROR NO. 1144: No.

23 THE COURT: Any reason why you could not be a fair  
24 and impartial juror if you were selected to serve on this  
25 panel?

1 PROSPECTIVE JUROR NO. 1144: No.

2 THE COURT: Thank you. Thank you very much for  
3 being here.

4 Mr. Benitez?

5 PROSPECTIVE JUROR NO. 1147: Yeah.

6 THE COURT: Good afternoon. How long have you lived  
7 in Clark County?

8 PROSPECTIVE JUROR NO. 1147: 22 years.

9 THE COURT: I'm sorry?

10 PROSPECTIVE JUROR NO. 1147: 22 years.

11 THE COURT: Okay. Your education background?

12 PROSPECTIVE JUROR NO. 1147: Some college.

13 THE COURT: Okay. What did you study?

14 PROSPECTIVE JUROR NO. 1147: Business management.

15 THE COURT: What do you do for a living?

16 PROSPECTIVE JUROR NO. 1147: Customer service.

17 THE COURT: Okay. Are you married?

18 PROSPECTIVE JUROR NO. 1147: Single.

19 THE COURT: Okay. Do you have any children?

20 PROSPECTIVE JUROR NO. 1147: No.

21 THE COURT: Okay. Do you know of any reason why you  
22 could not be a fair and impartial juror if you were selected  
23 to serve on this panel?

24 PROSPECTIVE JUROR NO. 1147: No.

25 THE COURT: Thank you. Thank you very much for

1 being here.

2 Ms. Larkin, good afternoon.

3 PROSPECTIVE JUROR NO. 1191: Yes. Good afternoon.

4 THE COURT: How long have you lived in Clark County?

5 PROSPECTIVE JUROR NO. 1191: 22 months.

6 THE COURT: Your education background?

7 PROSPECTIVE JUROR NO. 1191: Yes, two Honors

8 Bachelor of Science, one in philosophy, one in speech

9 communication and a Juris Doctor.

10 THE COURT: Okay. You have a Juris Doctorate degree

11 as well?

12 PROSPECTIVE JUROR NO. 1191: I do.

13 THE COURT: Okay. Have you ever practiced law?

14 PROSPECTIVE JUROR NO. 1191: I have. I practiced --

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 1191: -- about 16 years,

17 completed that in 2012.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 1191: And then I went to work

20 for an international company traveling the world leading

21 trainings.

22 THE COURT: Okay. Where were you licensed to

23 practice law?

24 PROSPECTIVE JUROR NO. 1191: In Utah.

25 THE COURT: Okay. Have you ever been licensed to

1 practice law in Nevada?

2 PROSPECTIVE JUROR NO. 1191: No, I have not.

3 THE COURT: Okay. That's okay.

4 PROSPECTIVE JUROR NO. 1191: Don't plan on it.

5 THE COURT: I was going to say; do you want to take  
6 the Bar?

7 PROSPECTIVE JUROR NO. 1191: Yeah. No.

8 THE COURT: What area of law did you practice in?

9 PROSPECTIVE JUROR NO. 1191: I was with -- a bunch  
10 of us from law school just started a law practice and so we  
11 did a lot of criminal law in the beginning.

12 THE COURT: Okay.

13 PROSPECTIVE JUROR NO. 1191: I went into torts,  
14 contracts, and I was also just to -- because I wanted to  
15 contribute to the community -- was a guardian ad litem. I was  
16 a conflict for the juvenile court.

17 THE COURT: Okay. So you did civil and criminal?

18 PROSPECTIVE JUROR NO. 1191: I did.

19 THE COURT: Okay. And you know that from  
20 jurisdiction to jurisdiction laws can be different?

21 PROSPECTIVE JUROR NO. 1191: Absolutely.

22 THE COURT: Okay. And so you will follow the law as  
23 given to you by the Court?

24 PROSPECTIVE JUROR NO. 1191: Absolutely.

25 THE COURT: Okay.

1           PROSPECTIVE JUROR NO. 1191: And I don't even know  
2 the laws. I haven't looked them up or anything.  
3           THE COURT: Okay.  
4           PROSPECTIVE JUROR NO. 1191: So I don't plan to.  
5           THE COURT: Not --  
6           PROSPECTIVE JUROR NO. 1191: Whatever you say.  
7           THE COURT: Okay. Your marital status?  
8           PROSPECTIVE JUROR NO. 1191: I'm married.  
9           THE COURT: And is your spouse employed?  
10          PROSPECTIVE JUROR NO. 1191: Yes. We both opened an  
11 insurance agency in January.  
12          THE COURT: Okay.  
13          PROSPECTIVE JUROR NO. 1191: That we own.  
14          THE COURT: And what type -- I guess what type --  
15 everything?  
16          PROSPECTIVE JUROR NO. 1191: Just everything.  
17 Anything you need.  
18          THE COURT: Okay.  
19          PROSPECTIVE JUROR NO. 1191: We provide.  
20          THE COURT: So you're brokers of all kinds?  
21          PROSPECTIVE JUROR NO. 1191: Yes.  
22          THE COURT: So you're licensed to sell insurance?  
23          PROSPECTIVE JUROR NO. 1191: I am not licensed, he  
24 decided --  
25          THE COURT: Okay.

1           PROSPECTIVE JUROR NO. 1191:  -- to do that.  I just  
2 came in to do -- run the business.  So that's my job.  I'm  
3 doing it --

4           THE COURT:  Okay.

5           PROSPECTIVE JUROR NO. 1191:  -- not as full-time as  
6 he is.

7           THE COURT:  Okay.

8           PROSPECTIVE JUROR NO. 1191:  That's his kind of  
9 thing.

10          THE COURT:  All right.  And do you have kids?

11          PROSPECTIVE JUROR NO. 1191:  I do.  One's 29 and  
12 one's 27.

13          THE COURT:  And are they employed?

14          PROSPECTIVE JUROR NO. 1191:  They are.  My daughter  
15 is in marketing.  She has a masters in marketing.  And my son  
16 has a psych degree and he's working as -- I believe -- if I  
17 could categorize it, it's like brokering doctors to hospital.  
18 He brokers doctors to get to certain hospitals.

19          THE COURT:  How does that --

20          PROSPECTIVE JUROR NO. 1191:  So that there's  
21 neurosurgeons -- if they need a neurosurgeon like in a certain  
22 hospital he'll broker that neurosurgeon to a hospital  
23 somewhere in the United States.

24          THE COURT:  Oh.

25          PROSPECTIVE JUROR NO. 1191:  And then he brokers

1 like an orthopedic surgeon -- because I guess there's rules  
2 and regulations that certain hospitals have to have so many of  
3 a certain doctor. And so he brokers the doctors to those  
4 places.

5 THE COURT: So all over the country?

6 PROSPECTIVE JUROR NO. 1191: All over the country.

7 THE COURT: Okay. Do you know of any reason why you  
8 could not be a fair and impartial juror if you were selected  
9 to serve?

10 PROSPECTIVE JUROR NO. 1191: No.

11 THE COURT: Thank you.

12 PROSPECTIVE JUROR NO. 1191: Not at all. Um-h'm.

13 THE COURT: Thank you very much for being here.  
14 Belia Guzman?

15 PROSPECTIVE JUROR NO. 1198: Um-h'm.

16 THE COURT: How long have you lived in Clark County?

17 PROSPECTIVE JUROR NO. 1198: 23 years.

18 THE COURT: Your education background?

19 PROSPECTIVE JUROR NO. 1198: Bachelors in science  
20 and merchandise and marketing.

21 THE COURT: What do you do for a living?

22 PROSPECTIVE JUROR NO. 1198: I'm a technical buyer.

23 THE COURT: I'm sorry?

24 PROSPECTIVE JUROR NO. 1198: I'm a technical buyer.

25 THE COURT: What does that mean?

1 PROSPECTIVE JUROR NO. 1198: I buy for entertainment  
2 shows on the Strip. So like wigs, costume, shoes, lashes,  
3 makeup.  
4 THE COURT: Oh, okay.  
5 PROSPECTIVE JUROR NO. 1198: Yeah.  
6 THE COURT: What type of -- just any show on the  
7 Strip?  
8 PROSPECTIVE JUROR NO. 1198: I work for Cirque du  
9 Soleil.  
10 THE COURT: Okay. I was going to ask because that  
11 would be fun to be their buyer, huh?  
12 PROSPECTIVE JUROR NO. 1198: Yeah.  
13 THE COURT: How long have you done that?  
14 PROSPECTIVE JUROR NO. 1198: For four years.  
15 THE COURT: Okay. Your marital status?  
16 PROSPECTIVE JUROR NO. 1198: Single.  
17 THE COURT: Do you have kids?  
18 PROSPECTIVE JUROR NO. 1198: No.  
19 THE COURT: Do you know of any reason why you could  
20 not be a fair and impartial juror if you were selected to  
21 serve on this panel?  
22 PROSPECTIVE JUROR NO. 1198: No.  
23 THE COURT: Okay. Thank you. Thank you very much  
24 for being here.  
25 Ms. Stephanie Farmer?



1 PROSPECTIVE JUROR NO. 1307: Yes.

2 THE COURT: How long have you lived in Clark County?

3 PROSPECTIVE JUROR NO. 1307: Two years.

4 THE COURT: Your education background?

5 PROSPECTIVE JUROR NO. 1307: I have a Bachelors in

6 business administration, and accounting and business

7 management and a CPA license.

8 THE COURT: And your CPA license is here in Nevada?

9 PROSPECTIVE JUROR NO. 1307: Nevada and Florida.

10 THE COURT: Okay. And are you practicing currently?

11 PROSPECTIVE JUROR NO. 1307: Yes, I'm an auditor.

12 THE COURT: Okay. Your martial status?

13 PROSPECTIVE JUROR NO. 1307: I'm in a domestic

14 partnership.

15 THE COURT: Okay. And is your partner employed?

16 PROSPECTIVE JUROR NO. 1307: Yes, he's an

17 independent contractor in the accounting field.

18 THE COURT: Independent contractor?

19 PROSPECTIVE JUROR NO. 1307: In the accounting

20 field.

21 THE COURT: Okay. Is he an accountant?

22 PROSPECTIVE JUROR NO. 1307: Yes.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 1307: He's also a CPA.

25 THE COURT: Do you have kids?

1 PROSPECTIVE JUROR NO. 1307: No.

2 THE COURT: Any reason why you could not be a fair  
3 and impartial juror if you were selected to serve?

4 PROSPECTIVE JUROR NO. 1307: No.

5 THE COURT: Thank you. Thank you very much for  
6 being here.

7 Mr. Clark?

8 PROSPECTIVE JUROR NO. 1318: Yep.

9 THE COURT: How long have you lived in Clark County?

10 PROSPECTIVE JUROR NO. 1318: 24 years.

11 THE COURT: Your education background?

12 PROSPECTIVE JUROR NO. 1318: High school diploma.

13 THE COURT: What do you do for a living?

14 PROSPECTIVE JUROR NO. 1318: I'm unemployed right  
15 now.

16 THE COURT: Okay. What was your last job?

17 PROSPECTIVE JUROR NO. 1318: I worked at Capriottis.

18 THE COURT: Okay. Your marital status?

19 PROSPECTIVE JUROR NO. 1318: Single.

20 THE COURT: Okay. Do you have any kids?

21 PROSPECTIVE JUROR NO. 1318: Yes.

22 THE COURT: Okay. How many?

23 PROSPECTIVE JUROR NO. 1318: Two.

24 THE COURT: I'm assuming they're minor kids?

25 PROSPECTIVE JUROR NO. 1318: Yeah.

1 THE COURT: They're not old enough to be employed?  
2 PROSPECTIVE JUROR NO. 1318: No.  
3 THE COURT: Okay. Do you know of any reason why you  
4 could not be a fair and impartial juror if you were selected  
5 to serve on this panel?  
6 PROSPECTIVE JUROR NO. 1318: No.  
7 THE COURT: Okay. Thank you. Thank you, Mr. Clark.  
8 Ms. Dunton-Snider?  
9 PROSPECTIVE JUROR NO. 1319: Yes.  
10 THE COURT: How long have you lived in Clark County?  
11 PROSPECTIVE JUROR NO. 1319: Seven years.  
12 THE COURT: Your education background?  
13 PROSPECTIVE JUROR NO. 1319: High school.  
14 THE COURT: And what do you do for a living?  
15 PROSPECTIVE JUROR NO. 1319: I'm a loan officer  
16 assistant.  
17 THE COURT: Your martial status?  
18 PROSPECTIVE JUROR NO. 1319: Single.  
19 THE COURT: Okay. Do you have kids?  
20 PROSPECTIVE JUROR NO. 1319: No.  
21 THE COURT: Any reason why you could not be a fair  
22 and impartial juror if you were selected to serve on this  
23 panel?  
24 PROSPECTIVE JUROR NO. 1319: No.  
25 THE COURT: Thank you. Thank you for being here.

1 Mr. Sanders?

2 PROSPECTIVE JUROR NO. 1323: Yes.

3 THE COURT: How long have you lived in Clark County?

4 PROSPECTIVE JUROR NO. 1323: Three-and-a-half years.

5 THE COURT: I think you told us earlier you're

6 stationed at Nellis?

7 PROSPECTIVE JUROR NO. 1323: Yes, ma'am. I'm a

8 fighter pilot.

9 THE COURT: Okay. And so I'm assuming that's the

10 Air Force?

11 PROSPECTIVE JUROR NO. 1323: Yes, ma'am.

12 THE COURT: Okay. How long have you been in the Air

13 Force?

14 PROSPECTIVE JUROR NO. 1323: 18 years. Actually, 19

15 now.

16 THE COURT: Okay. Well, thank you very much for

17 your service.

18 PROSPECTIVE JUROR NO. 1323: Thanks for the support.

19 THE COURT: Your education background?

20 PROSPECTIVE JUROR NO. 1323: I have a masters in

21 strategic intelligence.

22 THE COURT: Okay. And your martial status?

23 PROSPECTIVE JUROR NO. 1323: I'm married.

24 THE COURT: Okay. Is your spouse employed?

25 PROSPECTIVE JUROR NO. 1323: Yes. She's a senior

1 lounge manager for a casino.

2 THE COURT: Do you have children?

3 PROSPECTIVE JUROR NO. 1323: No, not yet.

4 THE COURT: Okay. Do you know of any reason why you  
5 could not be a fair and impartial juror if you were selected  
6 to serve on this panel?

7 PROSPECTIVE JUROR NO. 1323: No, ma'am.

8 THE COURT: Okay. Thank you. Thank you very much  
9 for being here.

10 Ms. Tolliver-Haywood, correct?

11 PROSPECTIVE JUROR NO. 1331: Correct.

12 THE COURT: Okay. How long have you lived in Clark  
13 County?

14 PROSPECTIVE JUROR NO. 1331: 23 years.

15 THE COURT: Your education background?

16 PROSPECTIVE JUROR NO. 1331: High school.

17 THE COURT: Okay. What do you do for a living?

18 PROSPECTIVE JUROR NO. 1331: I work for the U.S.  
19 Postal Service. A Clerk.

20 THE COURT: How long have you worked for the postal  
21 service?

22 PROSPECTIVE JUROR NO. 1331: 14 years.

23 THE COURT: Okay. Your marital status?

24 PROSPECTIVE JUROR NO. 1331: Divorced.

25 THE COURT: Do you have kids?

1 PROSPECTIVE JUROR NO. 1331: I have two adult  
2 children.  
3 THE COURT: Okay.  
4 PROSPECTIVE JUROR NO. 1331: One doesn't live here.  
5 THE COURT: Are they employed?  
6 PROSPECTIVE JUROR NO. 1331: Yes.  
7 THE COURT: Can you tell me what each does for a  
8 living?  
9 PROSPECTIVE JUROR NO. 1331: Pharmacy tech, and  
10 valet parking.  
11 THE COURT: Do you know of any reason why you could  
12 not be a fair and impartial juror if you were selected to  
13 serve on this panel?  
14 PROSPECTIVE JUROR NO. 1331: No.  
15 THE COURT: Thank you. Thank you very much for  
16 being here.  
17 Okay. Ms. Vallejo?  
18 PROSPECTIVE JUROR NO. 1339: Yes.  
19 THE COURT: Okay. How long have you lived in Clark  
20 County?  
21 PROSPECTIVE JUROR NO. 1339: 40 years.  
22 THE COURT: I'm sorry?  
23 PROSPECTIVE JUROR NO. 1339: 40.  
24 THE COURT: 40?  
25 PROSPECTIVE JUROR NO. 1339: Um-h'm.

1           THE COURT: Okay. And what do you do for a living?

2           PROSPECTIVE JUROR NO. 1339: I work at the school

3 district as a guidance counselor and I work at Bally's as a

4 co-signer agent doing reservations.

5           THE COURT: How long have you been a guidance

6 counselor for the school district?

7           PROSPECTIVE JUROR NO. 1339: Seven years.

8           THE COURT: Seven years? And what is your education

9 background?

10          PROSPECTIVE JUROR NO. 1339: Masters degree in a

11 school guidance counselor.

12          THE COURT: Okay. Okay, your martial status?

13          PROSPECTIVE JUROR NO. 1339: I'm divorced.

14          THE COURT: Okay. Do you have kids?

15          PROSPECTIVE JUROR NO. 1339: Yes, one.

16          THE COURT: Okay. Is that child old enough to be

17 employed?

18          PROSPECTIVE JUROR NO. 1339: Yes.

19          THE COURT: Okay. What does that child do for a

20 living?

21          PROSPECTIVE JUROR NO. 1339: She works at the Desert

22 Spring an assistant director of admitting.

23          THE COURT: Okay. Do you know of any reason why you

24 could not be a completely fair and impartial juror if you were

25 selected to serve on this panel?

1 PROSPECTIVE JUROR NO. 1339: I'm okay, yes.  
2 THE COURT: I'm sorry?  
3 PROSPECTIVE JUROR NO. 1339: I'm fine.  
4 THE COURT: Okay.  
5 PROSPECTIVE JUROR NO. 1339: Yes.  
6 THE COURT: Any reason why you can't serve?  
7 PROSPECTIVE JUROR NO. 1339: No.  
8 THE COURT: Okay. Thank you. Thank you very much  
9 for being here.  
10 PROSPECTIVE JUROR NO. 1339: Thank you.  
11 THE COURT: I think, Ms. Wood, I'm going to come  
12 over there to you. And if you don't mind standing up because  
13 sometimes it's hard to hear.  
14 THE MARSHAL: Please don't mess with the microphone.  
15 UNIDENTIFIED SPEAKER: Sorry.  
16 THE COURT: It's okay. The microphone will be fine.  
17 Okay. Ms. Wood, how long have you lived in Clark  
18 County?  
19 PROSPECTIVE JUROR NO. 1340: 24 years.  
20 THE COURT: Okay. Your education background?  
21 PROSPECTIVE JUROR NO. 1340: Associates Degree in  
22 Nursing.  
23 THE COURT: Okay. And what do you do for a living?  
24 PROSPECTIVE JUROR NO. 1340: I'm a registered nurse.  
25 THE COURT: Okay. What's your speciality; do you



1 work in a hospital or --

2 PROSPECTIVE JUROR NO. 1340: Yes, I work at  
3 Mountainview Hospital in surgical services in the recovery  
4 room.

5 THE COURT: Okay. And you're married; correct?

6 PROSPECTIVE JUROR NO. 1340: Correct.

7 THE COURT: All right. And your spouse is employed  
8 with Metro; correct?

9 PROSPECTIVE JUROR NO. 1340: Correct.

10 THE COURT: Okay. Do you have any kids?

11 PROSPECTIVE JUROR NO. 1340: Two adult sons.

12 THE COURT: Can you tell me what each does for a  
13 living?

14 PROSPECTIVE JUROR NO. 1340: Yes. My eldest is a  
15 firefighter paramedic for Dallas Forth Worth and my youngest  
16 son is going to be graduating the Metro Academy November 5th.

17 THE COURT: Oh, okay. Do you know of any reason why  
18 you could not be a fair and impartial juror if you were  
19 selected to serve on this panel?

20 PROSPECTIVE JUROR NO. 1340: No.

21 THE COURT: Okay. Thank you. And Thank you very  
22 much for being here.

23 Ms. Kane, good afternoon.

24 How long have you lived in Clark County?

25 PROSPECTIVE JUROR NO. 1342: Off and on for five

1 years.

2 THE COURT: Okay. Your education background?

3 PROSPECTIVE JUROR NO. 1342: Some college.

4 THE COURT: Okay. What did you study?

5 PROSPECTIVE JUROR NO. 1342: Marketing at Penn

6 State.

7 THE COURT: And you're employed?

8 PROSPECTIVE JUROR NO. 1342: Yep.

9 THE COURT: What do you do?

10 PROSPECTIVE JUROR NO. 1342: I'm a national account

11 executive for Lamar Outdoor Advertising.

12 THE COURT: Your marital status?

13 PROSPECTIVE JUROR NO. 1342: Single.

14 THE COURT: Do you have any kids?

15 PROSPECTIVE JUROR NO. 1342: Nope.

16 THE COURT: Any reason why you could not be a fair

17 and impartial juror if you were selected to serve?

18 PROSPECTIVE JUROR NO. 1342: No.

19 THE COURT: Okay. Thank you. Thank you very much

20 for being here.

21 For the panel of 32, Thank you very much for

22 answering my questions thus far.

23 I do have a few more questions and these questions

24 are for the panel as a whole. So if you're going to respond

25 to these questions we'll get the microphone to you. But if

1 you could please make sure to -- remember to state your name  
2 and badge number before responding.

3 Have any on the panel of 32 ever served as a juror  
4 before?

5 Go ahead.

6 PROSPECTIVE JUROR NO. 0006: My name is Dominick  
7 Dorta. My number is 0006. I served as a juror. I was  
8 probably about 19, 20, somewhere around there.

9 THE COURT: Okay. 19, 20 times or --

10 PROSPECTIVE JUROR NO. 0006: No, no, 19, 20 years  
11 old. Somewhere in my early 20s --

12 THE COURT: Okay.

13 PROSPECTIVE JUROR NO. 0006: -- somewhere.

14 THE COURT: So one time you served?

15 PROSPECTIVE JUROR NO. 0006: One time I've been --

16 THE COURT: Was that civil or criminal?

17 PROSPECTIVE JUROR NO. 0006: -- summoned five. It  
18 was criminal.

19 THE COURT: Okay. Were you selected to be the  
20 foreperson?

21 PROSPECTIVE JUROR NO. 0006: No.

22 THE COURT: Okay. Without telling me what your  
23 verdict was were you able to reach a verdict?

24 PROSPECTIVE JUROR NO. 0006: Yes.

25 THE COURT: Okay. Is there anything about that

1 prior service that would affect your ability to be fair and  
2 impartial in this case?

3 PROSPECTIVE JUROR NO. 0006: Not at all.

4 THE COURT: Okay. Thank you, sir.

5 Anyone else that's ever served as a juror before?

6 PROSPECTIVE JUROR NO. 1323: Ma'am, does it matter  
7 if you weren't selected?

8 THE COURT: Sure, yeah. You go ahead and tell me.  
9 Okay.

10 PROSPECTIVE JUROR NO. 1323: Dustin Sanders, 1323.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR NO. 1323: It was a military court  
13 marshal --

14 THE COURT: Okay.

15 PROSPECTIVE JUROR NO. 1323: -- and I was not  
16 selected to be a juror after this process.

17 THE COURT: Okay. So you went through the voir  
18 process --

19 PROSPECTIVE JUROR NO. 1323: Yes, ma'am.

20 THE COURT: -- but you got to go?

21 PROSPECTIVE JUROR NO. 1323: Yes, ma'am.

22 THE COURT: You got to leave. Was there anything  
23 about that experience that would affect your ability to be  
24 fair and impartial?

25 PROSPECTIVE JUROR NO. 1323: No, ma'am.

1 THE COURT: Okay. And you know a court marshal is  
2 different than a criminal proceeding in state court; correct?  
3 PROSPECTIVE JUROR NO. 1323: Yes, ma'am.  
4 THE COURT: And you understand there's different  
5 rules and laws that apply?  
6 PROSPECTIVE JUROR NO. 1323: Yes, ma'am.  
7 THE COURT: And you'll follow the law as given to  
8 you by the Court?  
9 PROSPECTIVE JUROR NO. 1323: Yes, ma'am.  
10 THE COURT: Okay. Thank you.  
11 Anyone else that's ever served as a juror before?  
12 Okay. The record will reflect no further response  
13 from the panel.  
14 Okay. Have you or anyone close to you such as a  
15 family member or friend ever been a victim of a crime?  
16 All right. The record will reflect no response from  
17 the panel.  
18 Have you or anyone close to you such as a family  
19 member or friend ever been a victim of a sex crime?  
20 Okay.  
21 PROSPECTIVE JUROR NO. 1323: Ma'am, does it matter  
22 if it was ever actually [inaudible]?  
23 THE COURT RECORDER: Sir, can we just wait until the  
24 microphone --  
25 THE COURT: Yeah, you can -- you -- we'll talk about

1 it. Hawkes is -- Officer Hawkes is going to give you the  
2 microphone. But if you feel the need to respond I'm happy to  
3 listen.

4 Okay. Go ahead.

5 PROSPECTIVE JUROR NO. 1323: Dustin Sanders, 1323.  
6 I need to memorize that. A close family member was assaulted  
7 as a child and a close family member was assaulted as an  
8 adult.

9 THE COURT: Okay. So two different family members?  
10 Is that a yes?

11 PROSPECTIVE JUROR NO. 1323: Yes.

12 THE COURT: Okay. And did you follow either of  
13 those cases?

14 PROSPECTIVE JUROR NO. 1323: It never was  
15 prosecuted.

16 THE COURT: Okay. So --

17 PROSPECTIVE JUROR NO. 1323: It was never -- law  
18 enforcement was never brought in.

19 THE COURT: Okay. So somebody -- the first one you  
20 spoke of was a family member, and it happened when that person  
21 was a child?

22 PROSPECTIVE JUROR NO. 1323: Correct.

23 THE COURT: Okay. How did you find out about that?

24 PROSPECTIVE JUROR NO. 1323: Years later I was told  
25 about it.

1 THE COURT: Okay. So you heard about it just --  
2 PROSPECTIVE JUROR NO. 1323: By the victim.  
3 THE COURT: -- through -- okay, the victim disclosed  
4 it to you years later?  
5 PROSPECTIVE JUROR NO. 1323: Correct.  
6 THE COURT: After the victim became an adult?  
7 PROSPECTIVE JUROR NO. 1323: Yes.  
8 THE COURT: Okay. And it was never disclosed to law  
9 enforcement?  
10 PROSPECTIVE JUROR NO. 1323: No.  
11 THE COURT: Okay. And then there was another family  
12 member?  
13 PROSPECTIVE JUROR NO. 1323: Yes.  
14 THE COURT: And you used the term "was assaulted" as  
15 an adult?  
16 PROSPECTIVE JUROR NO. 1323: Yes.  
17 THE COURT: Okay And when you used the word  
18 "assault" do you mean like a sex assault?  
19 PROSPECTIVE JUROR NO. 1323: A sexual assault.  
20 THE COURT: Okay. And that was your family member  
21 as well?  
22 PROSPECTIVE JUROR NO. 1323: Yes.  
23 THE COURT: Was it reported to the police?  
24 PROSPECTIVE JUROR NO. 1323: It was not.  
25 THE COURT: Okay. But the person -- obviously you

1 know about it.

2 PROSPECTIVE JUROR NO. 1323: The victim told me.

3 THE COURT: Okay. So in both cases the victim  
4 disclosed to you?

5 PROSPECTIVE JUROR NO. 1323: Yes.

6 THE COURT: And obviously after the events occurred?

7 PROSPECTIVE JUROR NO. 1323: Yes.

8 THE COURT: Okay. Is there anything about those  
9 experiences that would affect your ability to be fair and  
10 impartial in this case?

11 PROSPECTIVE JUROR NO. 1323: No.

12 THE COURT: Okay. And you understand that every  
13 case is different?

14 PROSPECTIVE JUROR NO. 1323: Yes, ma'am.

15 THE COURT: And that we want jurors that come to  
16 this courtroom with life experience, but we also want jurors  
17 that can set those experiences aside and judge this case based  
18 solely upon what they see and hear in the courtroom. And you  
19 understand that?

20 PROSPECTIVE JUROR NO. 1323: Yes.

21 THE COURT: And if you were selected to be on this  
22 panel can you do that?

23 PROSPECTIVE JUROR NO. 1323: Yes, ma'am.

24 THE COURT: Okay. Thank you, sir.

25 Okay. Go ahead.



1 PROSPECTIVE JUROR NO. 0763: Amanda Shock, 0763.  
2 THE COURT: Okay.  
3 PROSPECTIVE JUROR NO. 0763: A family member was  
4 sexually assaulted.  
5 THE COURT: Okay. Do you -- I'll allow you to come  
6 down here if you want to or you're comfortable discussing it  
7 in front of everybody?  
8 PROSPECTIVE JUROR NO. 0763: I'm comfortable.  
9 THE COURT: Okay. And this was your family member;  
10 correct?  
11 PROSPECTIVE JUROR NO. 0763: Correct.  
12 THE COURT: When did it happen?  
13 PROSPECTIVE JUROR NO. 0763: Last year.  
14 THE COURT: Oh, so it's pretty recent?  
15 PROSPECTIVE JUROR NO. 0763: Um-h'm.  
16 THE COURT: Is that a yes?  
17 PROSPECTIVE JUROR NO. 0763: Yes. Sorry.  
18 THE COURT: And is the family member over 18, under  
19 18?  
20 PROSPECTIVE JUROR NO. 0763: She was 16.  
21 THE COURT: Okay. So last year she was 16?  
22 PROSPECTIVE JUROR NO. 0763: Um-h'm.  
23 THE COURT: Is that a yes?  
24 PROSPECTIVE JUROR NO. 0763: Yes. Sorry.  
25 THE COURT: Okay. And was it reported to the

1 police?

2 PROSPECTIVE JUROR NO. 0763: I'm not 100 percent

3 sure.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR NO. 0763: I heard it through

6 family members.

7 THE COURT: All right. So you've heard it just

8 through I guess the family grapevine?

9 PROSPECTIVE JUROR NO. 0763: Correct.

10 THE COURT: Okay. But you don't know whether there

11 is a criminal prosecution pending right now?

12 PROSPECTIVE JUROR NO. 0763: I do not.

13 THE COURT: Okay. Is there anything about that

14 experience that would affect your ability to be fair and

15 impartial in this case?

16 PROSPECTIVE JUROR NO. 0763: No.

17 THE COURT: Okay. And you can set aside anything

18 you know about your family member and judge this case solely

19 upon what you see and hear in the courtroom?

20 PROSPECTIVE JUROR NO. 0763: Yes, ma'am.

21 THE COURT: Okay. Thank you.

22 Anyone else? Have you or anyone close to you such

23 as a family member or a friend ever been the victim of a sex

24 crime?

25 Okay.

1 PROSPECTIVE JUROR NO. 1339: Claudia Vallejo, I'm  
2 number 1339.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 1339: With the students we're  
5 part of it -- students --

6 THE COURT: You know what? We're going to -- you're  
7 going to talk about work experience so why don't you come down  
8 here. And I'll have the lawyers approach.

9 PROSPECTIVE JUROR NO. 1339: Thank you.

10 THE COURT: Thank you.

11 (Bench conference begins)

12 THE COURT: Okay. The record will reflect that Ms.  
13 Vallejo, Badge 1339, is present at the bench with us and all  
14 four lawyers are present. And you were going to tell us maybe  
15 some experience you have as a guidance counselor?

16 PROSPECTIVE JUROR NO. 1339: Right. I mean, I have  
17 my kids -- let's see, they -- I had a couple of kids who were  
18 kindergarten, first, third and fifth graders. So would those  
19 count part of it? I mean, they always come --

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 1339: -- before me and then I  
22 had to call Child Protective Service. I had to do reports and  
23 things like that about regarding on the sexual abuse happening  
24 to the kids.

25 THE COURT: Okay. You're a mandatory reporter;

1 correct?

2 PROSPECTIVE JUROR NO. 1339: Yes, I am.

3 THE COURT: Okay. And you said this is how many  
4 times has a child disclosed to you?

5 PROSPECTIVE JUROR NO. 1339: I have about 10 or 15  
6 students --

7 THE COURT: Okay.

8 PROSPECTIVE JUROR NO. 1339: Previously.

9 THE COURT: And you've been doing -- how long have  
10 you been a guidance counselor?

11 PROSPECTIVE JUROR NO. 1339: Seven years.

12 THE COURT: Okay. And about 10 to 15 students  
13 during --

14 PROSPECTIVE JUROR NO. 1339: Um-h'm.

15 THE COURT: -- that time period? Is that a yes?

16 PROSPECTIVE JUROR NO. 1339: Yes.

17 THE COURT: And obviously each disclosure you've had  
18 to call law enforcement; correct?

19 PROSPECTIVE JUROR NO. 1339: Yes.

20 THE COURT: All right. Have you ever been called to  
21 be a witness?

22 PROSPECTIVE JUROR NO. 1339: No.

23 THE COURT: All right. Your experience is, the  
24 child makes -- well, I don't know, you tell me what's your  
25 experience.

1           PROSPECTIVE JUROR NO. 1339: Yeah. The experience  
2 is they disclose all the information. And what I usually do  
3 is I've had to discuss it, report it to the principal.  
4 Principal called Child Protective Service which called the  
5 police department and everything gets taken care of. We then  
6 disclose first and didn't have to go any further but I have  
7 never been offered to be in court so I (indecipherable) that  
8 at all --

9           THE COURT: Okay.

10          PROSPECTIVE JUROR NO. 1339: -- because I just  
11 reported it.

12          THE COURT: How does a -- how does a student get to  
13 you?

14          PROSPECTIVE JUROR NO. 1339: Usually because I'm in  
15 the school all the time. And they know my name and  
16 everything. At the time it was reported to me by the -- they  
17 -- actually the teacher saying something different --  
18 different. I usually if they having problems going to the  
19 bathroom too often, either their clothes is getting dirty,  
20 certain things that we look for. So that they call me and I  
21 ask the questions.

22               And then in they disclose it and I have to report  
23 it.

24          THE COURT: Okay. And do you have any that are  
25 ongoing right now?

1 PROSPECTIVE JUROR NO. 1339: No.  
2 THE COURT: Okay.  
3 PROSPECTIVE JUROR NO. 1339: Not right at the  
4 moment.  
5 THE COURT: Anything about those experiences that  
6 would affect your ability to be fair and impartial in this  
7 case?  
8 PROSPECTIVE JUROR NO. 1339: No.  
9 THE COURT: I'm sorry?  
10 PROSPECTIVE JUROR NO. 1339: No.  
11 THE COURT: Okay. Because you understand -- I  
12 mean --  
13 PROSPECTIVE JUROR NO. 1339: Yes, everything, yeah.  
14 THE COURT: -- it's -- any experience you have had  
15 with 10 to 15 students has nothing to do with what's going on  
16 in this case; correct?  
17 PROSPECTIVE JUROR NO. 1339: Correct. They're  
18 different.  
19 THE COURT: And again --  
20 PROSPECTIVE JUROR NO. 1339: Every single one of  
21 them.  
22 THE COURT: -- we obviously want jurors who have  
23 life experiences, but --  
24 THE MARSHAL: [Inaudible]. Sorry to bother you.  
25 THE COURT: I just want to make sure that you can

1 set those experiences aside and judge this case solely upon  
2 what you see and hear in the courtroom.

3 PROSPECTIVE JUROR NO. 1339: Yes.

4 THE COURT: Okay. You can do that?

5 PROSPECTIVE JUROR NO. 1339: Yes, I understand that.  
6 Yes.

7 THE COURT: Okay. Does the State have any follow-  
8 up?

9 MR. ROWLES: Just a clarification question.

10 As your role is -- would this be the first  
11 disclosure or you said something about teachers bringing  
12 unusual behavior to your attention.

13 PROSPECTIVE JUROR NO. 1339: They've bring unusual  
14 behavior to the attention. Plus I have other -- there's a  
15 school district one programs that we have and I've got it to  
16 the school how to teach the kids to understand what the  
17 difference is of sexual abuse, touching and all that.

18 MR. ROWLES: Right.

19 PROSPECTIVE JUROR NO. 1339: So that's happened in  
20 the school so they come and talk to me first.

21 THE COURT: What did you say, there's a -- like a --  
22 I'm sorry.

23 PROSPECTIVE JUROR NO. 1339: Oh, we have at the  
24 school district so I bring a program especially for helping  
25 out the -- helping me out, actually, to understanding help --

1 THE COURT: Okay.

2 PROSPECTIVE JUROR NO. 1339: -- the kids. So

3 usually when I bring the program in and that's when they do

4 more disclosure and that's when that usually happens.

5 THE COURT: Okay. And do you have any specific

6 training in, I guess, helping --

7 PROSPECTIVE JUROR NO. 1339: As a guidance

8 counselor, yes.

9 THE COURT: Right.

10 PROSPECTIVE JUROR NO. 1339: Yes, we do.

11 THE COURT: No, in talking to kids and --

12 PROSPECTIVE JUROR NO. 1339: Yes.

13 THE COURT: -- victims in sexual assault? What is

14 that?

15 PROSPECTIVE JUROR NO. 1339: Usually, we have a

16 protocol. There's a protocol to follow to the school

17 district. They give us a list. We've got two

18 (indecipherable) by different classes and training --

19 THE COURT: Okay.

20 PROSPECTIVE JUROR NO. 1339: -- to that and then

21 when we follow the protocol on the questions and stuff then

22 that's when -- and the principal comes in and make the

23 decisions and then we call.

24 THE COURT: Okay. Anything from the Defense? Did

25 you have any follow-up?



1 MR. FELICIANO: No, I don't think so.

2 PROSPECTIVE JUROR NO. 1339: Okay.

3 MR. FELICIANO: No.

4 THE COURT: Okay. Okay.

5 MS. HOJJAT: I guess I just wanted to clarify one  
6 thing actually. So I wanted to clarify, so sometimes children  
7 are sent to you despite not making -- the child hasn't said  
8 anything but they're sent to you because the teacher suspects  
9 something?

10 PROSPECTIVE JUROR NO. 1339: Right. They do.

11 MS. HOJJAT: And then you ask the child questions?

12 PROSPECTIVE JUROR NO. 1339: Yes, I do.

13 MS. HOJJAT: What kind of questions do you ask?

14 PROSPECTIVE JUROR NO. 1339: Usually the question  
15 that we ask is like if they have said, okay, certain parent  
16 talk -- I mean, touch me or anything. We just ask the  
17 questions where, how'd you feel. But usually most of it's  
18 just the older kids are the ones who just tell me -- they way  
19 they touch, not penetration, touch only.

20 MS. HOJJAT: Okay. So do you ask the -- like are  
21 there children who have not said anything's happened to them  
22 who you are asking affirmatively, did something happen to you,  
23 were you touched? Or is it always the children have already  
24 said something has happened?

25 PROSPECTIVE JUROR NO. 1339: It's always the child

1 who always says something.

2 MS. HOJJAT: Okay. So you're never asking from a

3 child --

4 PROSPECTIVE JUROR NO. 1339: No, hum-um.

5 MS. HOJJAT: -- who hasn't said --

6 PROSPECTIVE JUROR NO. 1339: No. No.

7 MS. HOJJAT: Okay. I see. Yes. Okay.

8 PROSPECTIVE JUROR NO. 1339: No. No, it's not my

9 job to ask and they usually come to us first.

10 MS. HOJJAT: Got it.

11 PROSPECTIVE JUROR NO. 1339: Yeah.

12 MS. HOJJAT: Thank you.

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

14 very much for coming up here.

15 (End of bench conference.)

16 THE COURT: What? I'm sorry? What?

17 THE MARSHAL: He has an emergency.

18 THE COURT: What -- I'm sorry, sir. What's wrong?

19 PROSPECTIVE JUROR NO. 1392: It's my --

20 THE COURT: That's okay. Tell me what your

21 emergency is.

22 PROSPECTIVE JUROR NO. 1392: The guy who's watching

23 my kid has to go to work so --

24 THE COURT: Okay.

25 PROSPECTIVE JUROR NO. 1392: -- I didn't know I'm

1 going to --

2 THE COURT: All right. Will you just get his name  
3 and badge number? Okay. You can go.

4 Thank you, sir.

5 Okay. Anyone else? Have you or anyone close to you  
6 such as a family member or friend ever been the victim of a  
7 sex crime?

8 Okay. The record will reflect no further response  
9 from the panel.

10 Have you or anyone close to you such as a family  
11 member or a friend ever been accused of a crime? Other than  
12 what's already been disclosed.

13 Okay. We'll just pass the microphone around.

14 PROSPECTIVE JUROR NO. 0556: Guadalupe Quintero,  
15 Badge No. 556. My brother was accused.

16 THE COURT: Okay. And I'm -- are you comfortable  
17 talking about it or would you like to come down here?

18 PROSPECTIVE JUROR NO. 0556: Yeah, I can come down.

19 THE COURT: Okay. Come on down.

20 (Bench conference begins.)

21 THE COURT: Okay. The record will reflect that Ms.  
22 Quintero is present at the bench. All four lawyers are  
23 present.

24 You were just about to say your brother was the --  
25 was -- go ahead.

1 PROSPECTIVE JUROR NO. 0556: My brother -- he was --  
2 he was in prison because he was probably prosecuted for some  
3 sexual.

4 THE COURT: Okay. So your brother spent time in  
5 prison because of a sex crime?

6 PROSPECTIVE JUROR NO. 0556: Yes.

7 THE COURT: Okay. Where at? What jurisdiction?

8 PROSPECTIVE JUROR NO. 0556: Oh, here in Las Vegas.

9 THE COURT: Okay. Here in Clark County?

10 PROSPECTIVE JUROR NO. 0556: Um-h'm.

11 THE COURT: When -- is that a yes?

12 PROSPECTIVE JUROR NO. 0556: Yes.

13 THE COURT: When was that?

14 PROSPECTIVE JUROR NO. 0556: Four years ago, I  
15 guess.

16 THE COURT: Okay. And do you know the facts of the  
17 allegations?

18 PROSPECTIVE JUROR NO. 0556: No, I don't.

19 THE COURT: Okay. How did you find out about it?

20 PROSPECTIVE JUROR NO. 0556: I'm not very close to  
21 that. Because the family was told, involved in taking care of  
22 the nephews. So we were told that he was going through some  
23 legal issues. But I have never talked to my brother about  
24 that. We are not close.

25 THE COURT: Okay. But they were legal issues

1 regarding a sex crime?

2 PROSPECTIVE JUROR NO. 0556: Yes.

3 THE COURT: Okay. And that was here in Clark  
4 County?

5 PROSPECTIVE JUROR NO. 0556: Yes.

6 THE COURT: Okay. Do you know who he was prosecuted  
7 by?

8 PROSPECTIVE JUROR NO. 0556: No.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR NO. 0556: It was a co-worker.

11 THE COURT: A co-worker what?

12 PROSPECTIVE JUROR NO. 0556: Was -- what do you  
13 mean, by he was prosecuted?

14 THE COURT: Okay. Well, prosecuted.

15 PROSPECTIVE JUROR NO. 0556: Oh, okay.

16 THE COURT: Because you understand these are  
17 prosecutors from the Clark County District Attorney's office.

18 PROSPECTIVE JUROR NO. 0556: Yes.

19 THE COURT: Who probably more than likely -- not  
20 them personally --

21 PROSPECTIVE JUROR NO. 0556: Right.

22 THE COURT: -- but their office probably prosecuted  
23 your brother.

24 PROSPECTIVE JUROR NO. 0556: Um-h'm.

25 THE COURT: Is that a yes?

1 PROSPECTIVE JUROR NO. 0556: Yes.

2 THE COURT: Okay Do you have any problems with  
3 that?

4 PROSPECTIVE JUROR NO. 0556: No.

5 THE COURT: Okay.

6 PROSPECTIVE JUROR NO. 0556: I don't.

7 THE COURT: Anything about the fact that your  
8 brother was prosecuted that would interfere with your ability  
9 to be fair and impartial in this case?

10 PROSPECTIVE JUROR NO. 0556: I have mixed feelings  
11 because --

12 THE COURT: Okay.

13 PROSPECTIVE JUROR NO. 0556: -- because my brother  
14 molested me when I was a child.

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 0556: I was --

17 THE COURT: So --

18 PROSPECTIVE JUROR NO. 0556: -- I never told anyone.  
19 You're the first ones to hear this.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR NO. 0556: An uncle also did that  
22 to me when I was a child.

23 THE COURT: Okay. Oh, I'm sorry.

24 PROSPECTIVE JUROR NO. 0556: So I have very --

25 THE COURT: I'm very sorry.

1 PROSPECTIVE JUROR NO. 0556: Yeah. My feelings are  
2 not very right, right now.

3 THE COURT: Okay. And so you also were a victim of  
4 a sex crime?

5 PROSPECTIVE JUROR NO. 0556: Yes.

6 THE COURT: When you were a child. And it was this  
7 specific brother?

8 PROSPECTIVE JUROR NO. 0556: No. Yes, this specific  
9 brother.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR NO. 0556: And an uncle.

12 THE COURT: And an uncle? And how old were you?

13 PROSPECTIVE JUROR NO. 0556: I was six years old  
14 with my uncle and probably eleven with my brother.

15 THE COURT: And you never disclosed either of those?

16 PROSPECTIVE JUROR NO. 0556: No.

17 THE COURT: Until right now?

18 PROSPECTIVE JUROR NO. 0556: Through some therapists  
19 but not in public.

20 THE COURT: Okay. So you have -- you have disclosed  
21 it to a professional?

22 PROSPECTIVE JUROR NO. 0556: Yes.

23 THE COURT: Okay. And then again, I'm sorry you've  
24 had to disclose that --

25 PROSPECTIVE JUROR NO. 0556: Yes.

1 THE COURT: -- here today. Anything about that,  
2 that would interfere with your ability to be fair and  
3 impartial in this case?

4 PROSPECTIVE JUROR NO. 0556: I'm not sure.

5 THE COURT: Okay. I mean, that's why --

6 PROSPECTIVE JUROR NO. 0556: Yes.

7 THE COURT: -- we're asking you these questions.

8 PROSPECTIVE JUROR NO. 0556: Right.

9 THE COURT: Okay. Because we just want to be able  
10 to make sure -- both sides want to make sure that we have  
11 jurors that can judge this case solely upon what they see and  
12 hear in the courtroom and not based on their own personal  
13 experiences.

14 PROSPECTIVE JUROR NO. 0556: Correct.

15 THE COURT: Okay?

16 PROSPECTIVE JUROR NO. 0556: Well, I was trying, but  
17 it's very recent that I'm working things out with the  
18 professionals that I'm working with.

19 THE COURT: I'm sorry.

20 PROSPECTIVE JUROR NO. 0556: It's -- it's been just  
21 a couple of months that I started going through therapy for  
22 this.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 0556: So I am not sure. I'm  
25 trying my best but I'm not sure.



1 THE COURT: Okay. So you just within the last  
2 couple of months --

3 PROSPECTIVE JUROR NO. 0556: Yes.

4 THE COURT: -- disclosed it to a professional?

5 PROSPECTIVE JUROR NO. 0556: Yes.

6 THE COURT: And you are going through therapy?

7 PROSPECTIVE JUROR NO. 0556: Yes.

8 THE COURT: How often do you go?

9 PROSPECTIVE JUROR NO. 0556: Every Friday morning.

10 THE COURT: Okay. So once -- once a week?

11 PROSPECTIVE JUROR NO. 0556: And every Monday --  
12 yes, at 7:00 p.m.

13 THE COURT: Every Friday and every Monday?

14 PROSPECTIVE JUROR NO. 0556: Yes.

15 THE COURT: So twice a week --

16 PROSPECTIVE JUROR NO. 0556: Twice a week.

17 THE COURT: -- you're going? Okay. And -- and  
18 based on what you're telling me do you think you could be a  
19 juror in this case?

20 PROSPECTIVE JUROR NO. 0556: I don't think so.

21 THE COURT: Okay. Why not?

22 PROSPECTIVE JUROR NO. 0556: Because I'm not sure  
23 how I'm going to react based on my feelings and trying to be  
24 professional --

25 THE COURT: Okay.

1           PROSPECTIVE JUROR NO. 0556:  -- with the situation  
2 and the matter.

3           THE COURT:  Okay.  Are you worried that maybe your  
4 personal experiences might impede your ability to serve?

5           PROSPECTIVE JUROR NO. 0556:  I think, yes --

6           THE COURT:  Okay.

7           PROSPECTIVE JUROR NO. 0556:  -- that could happen.

8           THE COURT:  And it's mostly because it's close in  
9 time to you --

10          PROSPECTIVE JUROR NO. 0556:  Probably.

11          THE COURT:  -- just working these issues out?

12          PROSPECTIVE JUROR NO. 0556:  Yes, because it was  
13 years ago.  But I am still working with my personal feelings  
14 probably closing cycles like you said.

15          THE COURT:  Okay.  So this just might not be the  
16 case for you?

17          PROSPECTIVE JUROR NO. 0556:  I think so.

18          THE COURT:  Okay.  Well, you tell me --

19          PROSPECTIVE JUROR NO. 0556:  I agree with you.

20          THE COURT:  -- I mean, because obviously I don't  
21 want to impede your --

22          PROSPECTIVE JUROR NO. 0556:  I agree with you.

23          THE COURT:  -- your therapy.  Okay.  Just another  
24 case may be better?

25          PROSPECTIVE JUROR NO. 0556:  Yes.

1 THE COURT: Okay. So I'm going to excuse you.  
2 PROSPECTIVE JUROR NO. 0556: Um-h'm.  
3 THE COURT: Do you have stuff still up in the box?  
4 PROSPECTIVE JUROR NO. 0556: Yes, yes.  
5 THE COURT: Okay. So you can go up in the box and  
6 you can get your stuff and you're excused.  
7 PROSPECTIVE JUROR NO. 0556: Okay.  
8 THE COURT: You can leave. Just give Officer Hawkes  
9 your --  
10 PROSPECTIVE JUROR NO. 0556: Thank you.  
11 THE COURT: -- badge.  
12 (Prospective Juror No. 0556 exits the bench conference)  
13 The record will reflect that Ms. Quintero is gone.  
14 And I'm going to excuse her for cause.  
15 MS. HOJJAT: Thank you. And --  
16 THE COURT: Was there any objection?  
17 MR. FELICIANO: No, Your Honor.  
18 MR. SWEETIN: No, Your Honor.  
19 THE COURT: Okay. And I'm going to fill the -- now  
20 I'm going to fill the seat so I'll tell you who's going to go  
21 in Seat No. 9. Dale Jackson, the next one up, I'm going to  
22 put him in Seat No. 9.  
23 MS. HOJJAT: Would Your Honor mind terribly  
24 clarifying with the jurors that -- or the panel that it  
25 doesn't have to be a prosecuted sex assault because it --

1 THE COURT: It doesn't have to be a what?

2 MS. HOJJAT: It doesn't have to be something that

3 was actually prosecuted or reported to police, the -- the

4 victim of the crime because we were commenting it seemed a

5 little bit strange the jury seems a little bit quiet.

6 THE COURT: Well, I thought that was weird, too.

7 MS. HOJJAT: Yeah.

8 MR. FELICIANO: I've never seen -- and --

9 THE COURT: I've never seen that.

10 MS. HOJJAT: I've never seen it.

11 THE COURT: Usually it's like every other one.

12 MS. HOJJAT: Yeah.

13 THE COURT: Well, I'm exaggerating a little bit but

14 it's --

15 MR. FELICIANO: I mean, and it's --

16 THE COURT: -- usually --

17 MR. FELICIANO: Well, it's --

18 MS. HOJJAT: But it's more -- and especially in

19 light of the fact that like she didn't disclose anything I'm

20 wondering if maybe they for some reason have gotten it in

21 their heads it has to be something that was prosecuted or

22 disclosed or something.

23 THE COURT: Yeah, I just don't -- I don't think she

24 intended to until she did.

25 MR. FELICIANO: Well, not just the sex crimes though

1 it looks like people said general crime nobody's a victim  
2 which --

3 THE COURT: I know.

4 MR. FELICIANO: -- can't be true.

5 THE COURT: Well, it might be. We've got a good  
6 panel.

7 MR. FELICIANO: The odds of that are very remote, I  
8 think.

9 MR. SWEETIN: Living in nice areas of Las Vegas.

10 THE COURT: I'm sorry --

11 MR. FELICIANO: What's that?

12 MR. SWEETIN: Living in nice areas of Las Vegas.

13 THE COURT: Okay. What do you want me to do? Do  
14 you want me to say this doesn't seem normal to me?

15 MS. HOJJAT: Maybe if --

16 MR. FELICIANO: Just come on over.

17 MS. HOJJAT: Maybe if we --

18 THE COURT: I mean, I can --

19 MS. HOJJAT: -- could just clarify it doesn't have  
20 to be a crime that was prosecuted, it doesn't have to be a sex  
21 assault that was prosecuted.

22 MR. ROWLES: The police [inaudible].

23 MS. HOJJAT: Yeah, there didn't need to be law  
24 enforcement involved in it.

25 MR. FELICIANO: Reported or not.

1 MS. HOJJAT: Yeah.  
2 MR. FELICIANO: Yeah.  
3 MS. HOJJAT: Yeah.  
4 THE COURT: That's probably better. I like that.  
5 Reported or not. Okay.  
6 MS. HOJJAT: Thank you, Your Honor.  
7 THE COURT: Thank you.  
8 (End of bench conference.)  
9 THE COURT: Okay. At this time I'm going to ask  
10 Dale Jackson if you will take Seat No. 9, Dale Jackson.  
11 You're going to be Juror No. 9, so you'll be up on  
12 that first row.  
13 THE MARSHAL: It will be easier if you go through  
14 other door and then [inaudible].  
15 THE COURT: Okay. Mr. Jackson, Thank you very much  
16 for being here.  
17 How long have you lived in Clark County?  
18 PROSPECTIVE JUROR NO. 1343: 57 years.  
19 THE COURT: Okay. What do you do for a living?  
20 PROSPECTIVE JUROR NO. 1343: Retail representative  
21 for Nestle.  
22 THE COURT: Your education background?  
23 PROSPECTIVE JUROR NO. 1343: High school.  
24 THE COURT: Okay. And your marital status?  
25 PROSPECTIVE JUROR NO. 1343: Married.

1 THE COURT: Is your spouse employed?  
2 PROSPECTIVE JUROR NO. 1343: yes.  
3 THE COURT: What does your spouse do?  
4 PROSPECTIVE JUROR NO. 1343: She's a front end  
5 supervisor for a doctor's office.  
6 THE COURT: Do you have any kids?  
7 PROSPECTIVE JUROR NO. 1343: Three.  
8 THE COURT: Okay.  
9 PROSPECTIVE JUROR NO. 1343: Well, two and one  
10 stepdaughter. But three, yes.  
11 THE COURT: All right. And they're all adults?  
12 PROSPECTIVE JUROR NO. 1343: Yes.  
13 THE COURT: And can you tell me what each does for a  
14 living?  
15 PROSPECTIVE JUROR NO. 1343: Well, one is being  
16 housed at a federal penitentiary.  
17 THE COURT: Okay. What happened?  
18 PROSPECTIVE JUROR NO. 1343: Drugs.  
19 THE COURT: Okay. And so what jurisdiction is that  
20 in? One of your kids is currently in --  
21 PROSPECTIVE JUROR NO. 1343: A federal prison, yeah.  
22 THE COURT: -- a federal prison. Okay.  
23 PROSPECTIVE JUROR NO. 1343: Kentucky.  
24 THE COURT: In Kentucky? And it was drug related --  
25 PROSPECTIVE JUROR NO. 1343: Yes.

1 THE COURT: -- issues?

2 PROSPECTIVE JUROR NO. 1343: Selling drugs.

3 THE COURT: Okay. All right. And when is that

4 child expected to get out?

5 PROSPECTIVE JUROR NO. 1343: About three years.

6 THE COURT: Okay. And did you follow that child's

7 case?

8 PROSPECTIVE JUROR NO. 1343: To a point, from what I

9 was told. It was up in Iowa where it happened, so.

10 THE COURT: Okay. And do you think that child was

11 treated fairly?

12 PROSPECTIVE JUROR NO. 1343: Uh, yeah. I'm --

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 1343: -- I guess so. He got

15 caught doing it and got the time, yeah.

16 THE COURT: Okay. Well, you hesitated a little bit.

17 I mean, if -- if --

18 PROSPECTIVE JUROR NO. 1343: Well, if it was me I'd

19 have slapped him a lot harder but --

20 THE COURT: Oh.

21 PROSPECTIVE JUROR NO. 1343: Yeah, I guess.

22 THE COURT: Well, that's probably because you're a

23 good parent; okay? So you think that the child wasn't treated

24 harsh enough?

25 PROSPECTIVE JUROR NO. 1343: Well --



1 THE COURT: Or was too -- it was --  
2 PROSPECTIVE JUROR NO. 1343: Fair --  
3 THE COURT: -- treated --  
4 PROSPECTIVE JUROR NO. 1343: -- I guess it was fair.  
5 THE COURT: -- fair? Okay. All right. And your  
6 other children?  
7 PROSPECTIVE JUROR NO. 1343: Okay. My stepdaughter  
8 I don't really want to say too much to -- you know -- but she  
9 was accused of a crime of child abuse -- not child abuse but,  
10 yeah, abusing a child, I guess. Sex with a minor.  
11 THE COURT: Okay. And where --  
12 PROSPECTIVE JUROR NO. 1343: That was up in Utah,  
13 Ogden -- no, Vernal or -- up in that area.  
14 THE COURT: Okay. Is that current and ongoing?  
15 PROSPECTIVE JUROR NO. 1343: Oh, that was about  
16 seven, eight years ago.  
17 THE COURT: Okay. And what happened as a result of  
18 those allegations?  
19 PROSPECTIVE JUROR NO. 1343: She did her time and  
20 she was -- plead guilty and served her time.  
21 THE COURT: Okay. And she went to prison?  
22 PROSPECTIVE JUROR NO. 1343: Yeah.  
23 THE COURT: In Utah? Is that a yes?  
24 PROSPECTIVE JUROR NO. 1343: Yes.  
25 THE COURT: And it was some type of sex charged

1 against a minor?

2 PROSPECTIVE JUROR NO. 1343: Yes.

3 THE COURT: Okay. And do you think she was treated

4 fairly?

5 PROSPECTIVE JUROR NO. 1343: Yes, I guess. I

6 mean --

7 THE COURT: Okay.

8 PROSPECTIVE JUROR NO. 1343: -- I don't --

9 THE COURT: Well, I mean, that's okay.

10 PROSPECTIVE JUROR NO. 1343: -- what -- what do you

11 do, put them to death?

12 THE COURT: If --

13 PROSPECTIVE JUROR NO. 1343: I don't -- you know --

14 THE COURT: If you don't have an opinion that's

15 okay.

16 PROSPECTIVE JUROR NO. 1343: I don't have an opinion

17 on it.

18 THE COURT: All right. So you didn't really follow

19 that case?

20 PROSPECTIVE JUROR NO. 1343: To -- as much as I

21 possibly could, yes.

22 THE COURT: Okay. And what is that --

23 PROSPECTIVE JUROR NO. 1343: Her mom did the

24 following on that one and didn't tell me as much as I probably

25 should know.

1           THE COURT: Okay. So you followed the case through  
2 your spouse?  
3           PROSPECTIVE JUROR NO. 1343: Yes.  
4           THE COURT: Okay. Anything about that, what  
5 happened to her that would interfere with your ability to be  
6 fair and impartial in this case?  
7           PROSPECTIVE JUROR NO. 1343: No.  
8           THE COURT: Okay. And then your third child?  
9           PROSPECTIVE JUROR NO. 1343: He's living at home,  
10 doing good.  
11          THE COURT: Oh, good.  
12          PROSPECTIVE JUROR NO. 1343: You know -- and so he's  
13 working for -- with -- Four Energy [phonetic] it's a solar  
14 company.  
15          THE COURT: Okay. All right. Do you know of any  
16 reason why you could not be a fair and impartial juror if you  
17 were selected to serve on this panel?  
18          PROSPECTIVE JUROR NO. 1343: No.  
19          THE COURT: Okay. Have you ever served as a juror  
20 before?  
21          PROSPECTIVE JUROR NO. 1343: No.  
22          THE COURT: Have you or anyone close to you such as  
23 a family member or a friend ever been the victim of a crime?  
24          PROSPECTIVE JUROR NO. 1343: No.  
25          THE COURT: Okay. And other than what you've told

1 us have you or anyone close to you such as a family member or  
2 a friend ever been the victim of a sex crime?

3 PROSPECTIVE JUROR NO. 1343: No.

4 THE COURT: Okay. Have you or anyone close to you  
5 such as a family member or a friend ever been accused of a  
6 crime? And again, other than --

7 PROSPECTIVE JUROR NO. 1343: Me --

8 THE COURT: Not -- well --

9 PROSPECTIVE JUROR NO. 1343: -- me personally, yes,  
10 I have.

11 THE COURT: -- I mean, okay.

12 PROSPECTIVE JUROR NO. 1343: Domestic violence.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR NO. 1343: Drunk driving.

15 THE COURT: All right. And misdemeanors?

16 PROSPECTIVE JUROR NO. 1343: Yes.

17 THE COURT: Okay. And was that here in Clark  
18 County?

19 PROSPECTIVE JUROR NO. 1343: Yes.

20 THE COURT: All right. So the domestic violence,  
21 when was that?

22 PROSPECTIVE JUROR NO. 1343: 20 years ago.

23 THE COURT: Okay. So it was a long time ago?

24 PROSPECTIVE JUROR NO. 1343: Yeah, it was awhile  
25 back.

1           THE COURT: All right. And was -- were there court  
2 proceedings?  
3           PROSPECTIVE JUROR NO. 1343: Yes, I was guilty.  
4           THE COURT: Okay. And so you went to court and it  
5 was a misdemeanor?  
6           PROSPECTIVE JUROR NO. 1343: Yes.  
7           THE COURT: I'm assuming you did what was required  
8 and --  
9           PROSPECTIVE JUROR NO. 1343: Yes, I finished  
10 everything I needed.  
11          THE COURT: Okay. All right. And then you said the  
12 other one was a DUI?  
13          PROSPECTIVE JUROR NO. 1343: Yeah.  
14          THE COURT: Okay. And what were the circumstances  
15 of that?  
16          PROSPECTIVE JUROR NO. 1343: Plead guilty. No,  
17 well, I got it knocked down to reckless driving, I guess --  
18          THE COURT: Okay.  
19          PROSPECTIVE JUROR NO. 1343: -- is what it was.  
20          THE COURT: And when was that?  
21          PROSPECTIVE JUROR NO. 1343: 24, 25 years ago.  
22          THE COURT: Okay. So both were a couple of decades  
23 ago?  
24          PROSPECTIVE JUROR NO. 1343: Yeah.  
25          THE COURT: Okay. And but they were here in Clark

1 County?

2 PROSPECTIVE JUROR NO. 1343: Yes.

3 THE COURT: And were you prosecuted by the Clark  
4 County District Attorney's Office?

5 PROSPECTIVE JUROR NO. 1343: Yes.

6 THE COURT: Okay. Anything about that fact that  
7 would interfere with your ability to be fair and impartial in  
8 this case?

9 PROSPECTIVE JUROR NO. 1343: Nope.

10 THE COURT: Okay. Do you --

11 PROSPECTIVE JUROR NO. 1343: No.

12 THE COURT: -- do you believe you were treated  
13 fairly in those two instances?

14 PROSPECTIVE JUROR NO. 1343: Yes.

15 THE COURT: Okay. Anything about that that would  
16 interfere with your ability to be fair and impartial?

17 PROSPECTIVE JUROR NO. 1343: No.

18 THE COURT: Okay. Anything else?

19 PROSPECTIVE JUROR NO. 1343: No.

20 THE COURT: All right.

21 PROSPECTIVE JUROR NO. 1343: That was exciting  
22 enough, wasn't it?

23 THE COURT: That -- yes. It was. But again, thank  
24 you very much for being here and thank you for answering all  
25 of my questions.

1 PROSPECTIVE JUROR NO. 1343: Okay.

2 THE COURT: I really do appreciate it.

3 PROSPECTIVE JUROR NO. 1343: Thank you.

4 THE COURT: Okay. Again, I'm going to ask this of  
5 the panel of 32.

6 Have you or anyone close to you such as a family  
7 member or a friend ever been the victim of a sex crime either  
8 reported or not reported?

9 Okay. I have juror number one. Mr. Dorta?

10 PROSPECTIVE JUROR NO. 0006: Yes.

11 THE COURT: Okay. You wish to respond to that? Go  
12 ahead.

13 PROSPECTIVE JUROR NO. 0006: It was my little sister  
14 and it was lewdness --

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 0006: -- with a minor by my  
17 stepdad. And that was it. Later on she talked to me and she  
18 said it really didn't happen that the people that were -- the  
19 counselors or whatever that were guiding her kind of coached  
20 her into saying that. So that was that. And my stepdad's now  
21 passed.

22 THE COURT: Okay. So when you were kids --

23 PROSPECTIVE JUROR NO. 0006: He passed in prison.

24 THE COURT: When you were kids there were  
25 allegations by your --

1 PROSPECTIVE JUROR NO. 0006: Actually --  
2 THE COURT: -- sister?  
3 PROSPECTIVE JUROR NO. 0006: -- when my little  
4 sister was little. I was in Hollywood, California pursuing an  
5 acting career and then I got called back as a witness.  
6 THE COURT: Okay. You were called as a witness even  
7 though you were living in another state?  
8 PROSPECTIVE JUROR NO. 0006: When it happened I was  
9 here.  
10 THE COURT: Okay.  
11 PROSPECTIVE JUROR NO. 0006: And then I moved there  
12 and then while I was there the court proceedings was going on  
13 and I got called back as a witness. They didn't use me but I  
14 got called back for that week.  
15 THE COURT: Okay. But the step -- your stepfather  
16 was prosecuted?  
17 PROSPECTIVE JUROR NO. 0006: Yes, he was.  
18 THE COURT: Okay.  
19 PROSPECTIVE JUROR NO. 0006: Lewdness with a minor.  
20 THE COURT: All right. And when was that?  
21 PROSPECTIVE JUROR NO. 0006: It was in late '70s. I  
22 think it was 1979, I believe.  
23 THE COURT: Okay. Anything about that that would  
24 interfere with your ability to be fair and impartial in this  
25 case?



1 PROSPECTIVE JUROR NO. 0006: No.  
2 THE COURT: Okay. Thank you, sir.  
3 Anyone else? Mr. Memo?  
4 PROSPECTIVE JUROR NO. 0751: Yes.  
5 THE COURT: Go ahead.  
6 PROSPECTIVE JUROR NO. 0751: Well, it was an uncle  
7 but I wasn't very close to him. And you know, I've been out  
8 here for 38 years and it was back in Pennsylvania so I don't  
9 have firsthand information on it but I mean if --  
10 THE COURT: What -- I'm sorry, what is it?  
11 PROSPECTIVE JUROR NO. 0751: He had -- he was  
12 accused by family members of sexual misconduct.  
13 THE COURT: Okay. And that was in another  
14 jurisdiction?  
15 PROSPECTIVE JUROR NO. 0751: Yeah.  
16 THE COURT: Okay. And when was that?  
17 PROSPECTIVE JUROR NO. 0751: I think like 15 years  
18 ago.  
19 THE COURT: Okay. And did the police get involved?  
20 PROSPECTIVE JUROR NO. 0751: Yes. Yeah he --  
21 THE COURT: Okay.  
22 THE COURT: -- was taken to court. He ended up  
23 doing a plea.  
24 THE COURT: Okay. So he was prosecuted?  
25 PROSPECTIVE JUROR NO. 0751: Yes.

1 THE COURT: And he was convicted of something?  
2 PROSPECTIVE JUROR NO. 0751: Well, yeah, with a  
3 plea.  
4 THE COURT: Okay.  
5 PROSPECTIVE JUROR NO. 0751: He admitted to, you  
6 know, reduced charges or something. I don't have a lot of the  
7 details.  
8 THE COURT: Okay. And so how -- did you follow the  
9 case or how did you get your information?  
10 PROSPECTIVE JUROR NO. 0751: No, just through my  
11 father.  
12 THE COURT: Okay. So your dad would keep you up to  
13 speed on it?  
14 PROSPECTIVE JUROR NO. 0751: Yes.  
15 THE COURT: Okay. Anything about that experience  
16 that would affect your ability to be fair and impartial in  
17 this case?  
18 PROSPECTIVE JUROR NO. 0751: No.  
19 THE COURT: Okay. Thank you  
20 Anyone else on the panel of 32 that wants to address  
21 the Court?  
22 Okay. Have you or anyone close to you such as a  
23 family member or a friend ever been accused of a crime? Okay.  
24 Right here.  
25 PROSPECTIVE JUROR NO. 0318: 1318, Jeremy Clark. I

1 was accused of domestic violence.

2 THE COURT: Okay. When was that?

3 PROSPECTIVE JUROR NO. 0318: Eight months ago.

4 THE COURT: All right. And did somebody call the  
5 police?

6 PROSPECTIVE JUROR NO. 0318: Yeah, my girlfriend.

7 THE COURT: Okay. And what happened?

8 PROSPECTIVE JUROR NO. 0318: We got in a fight  
9 because I was trying to kill myself and she wouldn't let me.

10 THE COURT: Okay. But I'm -- did the police come?

11 PROSPECTIVE JUROR NO. 0318: Yeah.

12 THE COURT: Okay. And was --

13 PROSPECTIVE JUROR NO. 0318: Then I was arrested and  
14 pled no contest.

15 THE COURT: Okay. So you have -- you've taken care  
16 of the case? You've pled no contest?

17 PROSPECTIVE JUROR NO. 0318: Yeah, I'm still on  
18 parole for like four months.

19 THE COURT: All right.

20 PROSPECTIVE JUROR NO. 0318: But --

21 THE COURT: And did you plead to the domestic  
22 violence or did you plead to something else?

23 PROSPECTIVE JUROR NO. 0318: Domestic violence.

24 THE COURT: Okay. And do you know who prosecuted  
25 you?

1 PROSPECTIVE JUROR NO. 0318: No.  
2 THE COURT: Okay. Did you come to this building?  
3 PROSPECTIVE JUROR NO. 0318: No.  
4 THE COURT: Where'd you go? When you went to court?  
5 PROSPECTIVE JUROR NO. 0318: Henderson jail.  
6 THE COURT: Oh, okay.  
7 PROSPECTIVE JUROR NO. 0318: Yeah, that was --  
8 THE COURT: So it --  
9 PROSPECTIVE JUROR NO. 0318: -- while I was in jail.  
10 THE COURT: -- so you went to Henderson court, I'm  
11 assuming?  
12 PROSPECTIVE JUROR NO. 0318: Yeah.  
13 THE COURT: All right. And when you go -- how many  
14 court proceedings have you had?  
15 PROSPECTIVE JUROR NO. 0318: One.  
16 THE COURT: Okay.  
17 PROSPECTIVE JUROR NO. 0318: Just when I pled no  
18 contest.  
19 THE COURT: And you were always in the Henderson  
20 court?  
21 PROSPECTIVE JUROR NO. 0318: Yep.  
22 THE COURT: Okay. Do you think you were treated  
23 fairly?  
24 PROSPECTIVE JUROR NO. 0318: Yeah.  
25 THE COURT: Okay. Is there anything about that

1 experience that would interfere with your ability to be fair  
2 and impartial in this case?

3 PROSPECTIVE JUROR NO. 0318: No.

4 THE COURT: Okay. Thank you, sir. Thank you very  
5 much for answering my question.

6 THE COURT: Anyone else that wants to respond to  
7 that question? Okay. The record will reflect no further --

8 THE MARSHAL: Oh, we have one more.

9 THE COURT: Oh, okay.

10 THE MARSHAL: Can you pass that down, please?

11 THE COURT: Go ahead.

12 PROSPECTIVE JUROR NO. 0470: 470, Renee White.

13 I have a sibling that was accused of assault with a  
14 deadly weapon. It happened about 11 years ago. And it did  
15 come to court and so he was prosecuted and went to prison.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR NO. 0470: Two years.

18 THE COURT: Was that here in Clark County?

19 PROSPECTIVE JUROR NO. 0470: Yes.

20 THE COURT: All right. And when was that?

21 PROSPECTIVE JUROR NO. 0470: 11 years ago. I don't  
22 know exactly what month it was --

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NO. 0470: -- but it was 11 years  
25 ago.

1 THE COURT: 11 years ago?  
2 PROSPECTIVE JUROR NO. 0470: Yes.  
3 THE COURT: And the allegations were assault with a  
4 deadly weapon?  
5 PROSPECTIVE JUROR NO. 0470: Yes.  
6 THE COURT: And your sibling -- did your sibling go  
7 to trial, was there a plea agreement?  
8 PROSPECTIVE JUROR NO. 0470: It was a trial --  
9 THE COURT: Okay.  
10 PROSPECTIVE JUROR NO. 0470: -- of it.  
11 THE COURT: Went to trial on the charges?  
12 PROSPECTIVE JUROR NO. 0470: Yes.  
13 THE COURT: Okay. And do you know what -- and if  
14 he went to prison I'm assuming the sibling was convicted?  
15 PROSPECTIVE JUROR NO. 0470: Um-h'm.  
16 THE COURT: Is that a yes?  
17 PROSPECTIVE JUROR NO. 0470: Yes.  
18 THE COURT: Okay.  
19 PROSPECTIVE JUROR NO. 0470: Sorry.  
20 THE COURT: Do you know what the conviction was?  
21 PROSPECTIVE JUROR NO. 0470: It was not  
22 (indecipherable) but I know it was just -- it was supposed to  
23 go longer and but I guess he got off with good time, I guess.  
24 I'm not sure how that went.  
25 THE COURT: Okay. Do you know what he was convicted

1 of?

2 PROSPECTIVE JUROR NO. 0470: Assault -- deadly with  
3 assault -- assault weapon and causing manslaughter with it as  
4 well. I'm not sure.

5 THE COURT: Okay. So --

6 PROSPECTIVE JUROR NO. 0470: But it was all of that  
7 together that was mentioned.

8 THE COURT: All right. Did you follow the case?

9 PROSPECTIVE JUROR NO. 0470: As much as possible as  
10 I could. My parents definitely tried to keep me away from it  
11 because it was tearing me up a little bit so --

12 THE COURT: Okay.

13 PROSPECTIVE JUROR NO. 0470: I did watch  
14 (indecipherable) what I can.

15 THE COURT: All right. And is the sibling done now?

16 PROSPECTIVE JUROR NO. 0470: Yeah. He's actually on  
17 probation right now.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR NO. 0470: And --

20 THE COURT: All right. So on parole from his  
21 sentence?

22 PROSPECTIVE JUROR NO. 0470: Yes.

23 THE COURT: Okay. Do you think he was treated  
24 fairly?

25 PROSPECTIVE JUROR NO. 0470: I feel like it was

1 slight fairly but wasn't really investigated all the way  
2 because I felt like there's some missing information in there.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR NO. 0470: So it was like some of  
5 it but not all the way. So I wasn't -- not sure of that.

6 THE COURT: Okay. So you think he was sort of  
7 treated fairly?

8 PROSPECTIVE JUROR NO. 0470: Yeah, sort of. But it  
9 was just kind of weird because I know there's some information  
10 that was not brought up that should have been brought up.

11 THE COURT: Okay. And where did you -- I guess how  
12 did you come to that conclusion?

13 PROSPECTIVE JUROR NO. 0470: A lot of -- I used to  
14 be around that sibling a lot so I know all the friends --

15 THE COURT: Okay.

16 PROSPECTIVE JUROR NO. 0470: -- and who my sibling  
17 was involved with and I knew how they was doing things. And  
18 they kind of -- kind of had it to where it was all put on my  
19 sibling instead of them, when it's really them.

20 THE COURT: Oh, okay.

21 PROSPECTIVE JUROR NO. 0470: So it was --

22 THE COURT: So --

23 PROSPECTIVE JUROR NO. 0470: -- it was just like a  
24 okay around the wrong group at the wrong time type of thing.

25 THE COURT: Okay. Do you think your sibling kind of



1 took the blame for everyone?

2 PROSPECTIVE JUROR NO. 0470: I think so.

3 THE COURT: Okay. All right. And do you know who  
4 he was prosecuted by?

5 PROSPECTIVE JUROR NO. 0470: No. That's all in our  
6 paperworks that we have at home.

7 THE COURT: Okay. But most likely your brother was  
8 prosecuted by the Clark County District Attorney's Office?

9 PROSPECTIVE JUROR NO. 0470: Um-h'm.

10 THE COURT: You understand that, correct?

11 PROSPECTIVE JUROR NO. 0470: Yes.

12 THE COURT: Okay. Is there anything about that that  
13 would affect your ability to be fair and impartial in this  
14 particular case?

15 PROSPECTIVE JUROR NO. 0470: Not at all.

16 THE COURT: Okay. Thank you.

17 PROSPECTIVE JUROR NO. 0470: Thank you.

18 Anyone else?

19 (Court/Marshal conferring)

20 THE COURT: Okay. Anyone else? Juror No. -- Juror  
21 No. 1, did you have something else?

22 PROSPECTIVE JUROR NO. 0006: [Inaudible].

23 THE COURT: No? Okay. I just wanted to make sure.  
24 Anyone else that wants to respond to the Court?

25 Okay. The record will reflect no response from the

1 panel.

2 Is there anyone on the panel who would have a  
3 tendency to give more weight or credence or less weight or  
4 credence to the testimony of a witness simply because that  
5 witness is a police officer?

6 Okay. The -- go ahead.

7 PROSPECTIVE JUROR NO. 0006: I think it -- I think  
8 it would be more credible from a police officer.

9 THE COURT: Okay. Do you mind stating your name and  
10 badge number?

11 PROSPECTIVE JUROR NO. 0006: My name is Dominick  
12 Dorta. My number is 0006.

13 THE COURT: Okay. Would you -- would you have a  
14 tendency to give more weight or credence or less weight or  
15 credence to the testimony of a witness simply based on the  
16 fact that the witness is a police officer?

17 PROSPECTIVE JUROR NO. 0006: I would give more  
18 credibility to that police officer.

19 THE COURT: Okay. Based solely on the fact that the  
20 witness is a police officer?

21 PROSPECTIVE JUROR NO. 0006: Yes.

22 THE COURT: Okay. That person's going to get more  
23 weight or credence than anybody else?

24 PROSPECTIVE JUROR NO. 0006: I feel and believe that  
25 if he's a police officer he's held to a higher standard and

1 needs to follow it.

2 THE COURT: Okay. But you would agree with me

3 police officers are human?

4 PROSPECTIVE JUROR NO. 0006: Yes.

5 THE COURT: Okay. They can make mistakes?

6 PROSPECTIVE JUROR NO. 0006: Yes.

7 THE COURT: Okay. Are you open to the fact that if

8 a police officer is testifying and they might be challenged on

9 cross-examination with certain evidence are you open to that?

10 PROSPECTIVE JUROR NO. 0006: Yes.

11 THE COURT: Okay. So we don't have to worry if you

12 say, okay, this witness is a police officer, I don't have to

13 hear anything else except that they're a police officer?

14 PROSPECTIVE JUROR NO. 0006: I would want to hear

15 everything.

16 THE COURT: Okay. And so you would listen to both

17 sides?

18 PROSPECTIVE JUROR NO. 0006: Yes.

19 THE COURT: Okay. And listen to all the evidence

20 and judge their credibility after you hear everything?

21 PROSPECTIVE JUROR NO. 0006: Yes.

22 THE COURT: Okay. Thank you.

23 PROSPECTIVE JUROR NO. 0006: You're welcome.

24 THE COURT: Anyone else? Okay. The record will

25 reflect no response from the panel.

1           At this time it's almost 5:00 o'clock so we're going  
2 to conclude for the evening. We are going to start tomorrow  
3 morning at 10:30. You can come back up here to the 14th  
4 Floor. You don't need to stop down in Jury Service. You can  
5 come up here.

6           You'll wait out in the hallway. When it's time to  
7 start Officer Hawkes will greet you and he'll bring you in  
8 here. I'd just ask that you stay out until Officer Hawkes  
9 brings you in because we'll be doing other proceedings  
10 tomorrow morning. So 10:30, Officer Hawkes will greet you.

11           I'm going to read off some names. If I read off  
12 your name, if you don't mind staying afterwards: Susanna  
13 Selvester. Alexis Wakefield. May Gill. Vanessa Schultz.  
14 Stephanie He. Wesley Lockhart. Martha Gonzalez. Crystal  
15 Smith. Nurit Brikman.

16           Okay. At this time if your name was called if  
17 you'll please stay after and everyone else, during this  
18 recess, you're admonished not to talk to or converse amongst  
19 yourselves or with anyone else on any subject connected with  
20 this trial or read, watch or listen to any report of  
21 commentary on the trial or any person connected with this  
22 trial, by any medium of information, including without  
23 limitation, newspapers, television, the Internet or radio, or  
24 form or express any opinion on any subject connected with this  
25 trial until the case is finally submitted to you.

1           Thank you very much for your courtesy and your  
2 cooperation. We'll see you tomorrow morning.

3           (Prospective jury panel recessed at 4:55 p.m.)

4           THE COURT: If I called your name if you don't mind  
5 staying after. If I called your name -- one of the guys is --  
6 he's just leaving. And I'm trying to excuse him but he's  
7 leaving.

8           (Pause in the proceedings)

9           THE COURT: Okay. The record will reflect that the  
10 jury panel has left with the exception of the few people:  
11 Susanna Selvester, you're excused. Thank you very much for  
12 being here.

13           Alexis Wakefield, you're excused. And you do not  
14 have to come back tomorrow. You can hand Officer Hawkes your  
15 white badge and you don't need to come back.

16           You're excused. You can go.

17           And May Gill, you're excused. You don't have to  
18 come back tomorrow. Thank you for being here. Vanessa  
19 Schultz, you're excused. Stephanie He, you're excused. Thank  
20 you very much for being here.

21           I was going to excuse Wesley.

22           Martha Gonzalez, you're excused. You don't need to  
23 come back tomorrow. Crystal Smith -- you're Mr. -- you're Ms.  
24 Smith? Sorry. You're excused. You do not need to come back  
25 tomorrow. And Ms. Brikman, you're excused. You don't need to

1 come back tomorrow.

2 (Court/Marshal conferring)

3 THE COURT: Oh, yes. Go ahead. I'm also going to,  
4 for the record, excuse Lynn Vanguilder, Badge No. 1402. Sorry  
5 about that.

6 (Pause in the proceedings).

7 (Outside the presence of the prospective jury panel.)

8 THE COURT: Okay. Tomorrow morning at 10:30.  
9 Anything -- well, let me just say, anything outside the  
10 presence?

11 MR. SWEETIN: We do. We have one quick thing. We  
12 talked --

13 THE COURT: Sure.

14 MR. SWEETIN: -- or earlier today -- and I am  
15 screwed on time today, aren't I -- yeah, we talked earlier  
16 today in regards to having the -- the two victims and their  
17 mother testify --

18 THE COURT: Right.

19 MR. SWEETIN: -- as to immigration issues. And we  
20 can do that if the Court wants. I know I have my translator  
21 call and talk to the mother, Rosalba.

22 THE COURT: Okay.

23 MR. SWEETIN: She indicated that -- that they have  
24 not applied for any sort of immigration issues. The question  
25 was asked specifically about U Visas which is the immigration

1 issue --

2 THE COURT: Um-h'm.

3 MR. SWEETIN: -- and she didn't know what a U Visa

4 was. So that's -- that's the information I have now. So --

5 THE COURT: Okay.

6 MR. SWEETIN: -- we can bring them in to testify if

7 you want.

8 THE COURT: Okay. I mean, will you -- do you want

9 to accept those representations? I'm happy to --

10 MR. FELICIANO: Well, we'd like to question her. I

11 mean, it won't take long. We don't think it's an undue

12 burden. It will take a few minutes just to make sure the

13 record's clear.

14 THE COURT: Okay. Well, I'll be happy to question

15 her. I don't know if I'm going to bring them in and let you

16 question someone a separate time. What do you want to ask?

17 MR. FELICIANO: I mean, I don't -- I can maybe write

18 some questions. I don't know exactly how I want to phrase

19 them. I can submit some to you if you'd like. I just want to

20 make sure we have a record, a very definite record --

21 THE COURT: Okay.

22 MR. FELICIANO: -- that -- that they have applied

23 for no services and received no services.

24 THE COURT: Okay. Will I get the facts -- the gist

25 of it?

1 MR. FELICIANO: Yeah.

2 THE COURT: I mean, I'll allow that. I just don't  
3 want it going off into --

4 MR. FELICIANO: I'm not going to badger them.

5 THE COURT: I don't -- I didn't think you would  
6 badger them; just going off into anything else.

7 MR. FELICIANO: Oh, no, it's just going to be about  
8 those -- it's just a few questions.

9 THE COURT: Okay.

10 MS. HOJJAT: And we do still need G.A. for the  
11 Franks hearing; right?

12 MR. FELICIANO: Yeah. I mean, G.A. is coming in  
13 anyway.

14 MS. HOJJAT: G.A. is coming in for the --

15 THE COURT: Right. Uh-huh. I'm assuming both kids  
16 will be with their mom?

17 MS. HOJJAT: Yeah, precisely. So the mom will be  
18 here anyway.

19 THE COURT: Okay.

20 MR. SWEETIN: So what time do you want me to have  
21 them here, Judge?

22 THE COURT: Let's see, we're going to start tomorrow  
23 at 10:30. How long do you think you guys will take with your,  
24 I guess probably early afternoon, because we may have a jury  
25 empaneled.



1 MR. ROWLES: I average two hours --  
2 THE COURT: By --  
3 MR. ROWLES: -- usually.  
4 THE COURT: Two hours?  
5 MR. ROWLES: Yeah.  
6 THE COURT: Okay. Then we probably won't have a  
7 jury empaneled until the afternoon.  
8 MR. FELICIANO: So we can plan on going until we  
9 have a jury then stopping before closing and doing the hearing  
10 at some point or is that how you want to do it?  
11 THE COURT: Yeah, you want to do it before openings.  
12 MR. FELICIANO: Yes.  
13 THE COURT: Correct?  
14 MR. FELICIANO: Okay.  
15 THE COURT: So I would say probably mid-afternoon  
16 tomorrow. I mean, I don't --  
17 MR. FELICIANO: And they may --  
18 THE COURT: -- want to have them sitting in the  
19 hallway all day either. But I don't -- I mean, if you think  
20 you're going to take at least two hours, that takes us until  
21 lunch and then I mean I'm thinking -- okay there's that juror  
22 that I was trying to excuse but he left.  
23 And it's Mr. -- I was doing everything in my power  
24 to get his attention and he just kept walking out. It's  
25 Wesley Lockhart. He has that medical appointment.

1 MR. FELICIANO: Oh, yes.

2 THE COURT: He must have figured out that I called  
3 his name and he -- okay, did you tell him he's excused? Okay.  
4 All right. Anything else?

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

6 MS. HOJJAT: In terms of excusals the only other one  
7 I was looking through the list that I guess we would just  
8 submit to the Court we think maybe should have been excused  
9 was the gentleman with Nellis who was saying that it might  
10 mess with all of the flight training that was supposed to  
11 occur.

12 THE COURT: You've got to be kidding me. He works  
13 for the government.

14 MR. FELICIANO: We work for the government.

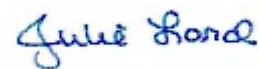
15 THE COURT: No. Which is exactly why if you get  
16 called to jury duty you need to go do your jury duty.

17 (Off-record colloquy)

18 (Court recessed at 5:03 P.M., until Tuesday,  
19 October 8, 2019, at 10:45 A.M.)

\* \* \* \* \*

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



JULIE LORD, TRANSCRIBER  
VERBATIM DIGITAL REPORTING, LLC

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ARMANDO VASQUEZ-REYES,                 )                 No. 80293  
  )  
  )  
Appellant,   )  
  )  
v.   )  
  )  
THE STATE OF NEVADA,                         )  
  )  
Respondent.   )

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--	--

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the the 27 day of August, 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON FORD  
ALEXANDER CHEN

AUDREY CONWAY  
WILLIAM M. WATERS

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

BY /s/Rachel Howard  
Employee, Clark County Public Defender's Office