

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 82700

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Elizabeth A. Brown
Clerk of Supreme Court

SHAWN GLOVER JR.

Appellant,

v.

THE STATE OF NEVADA

Respondent.

Appeal from Judgment of Conviction
Eighth Judicial District Court, Clark County
The Honorable Michael P. Villani, District Court Judge
District Court Case No. C-16-312448-1 / A-20-821176-W

APPELLANT'S APPENDIX

VOLUME I

Lucas J. Gaffney, Esq.
Nevada Bar No. 12373
GAFFNEY LAW
1050 Indigo Drive, Suite 120
Las Vegas, Nevada 89145
Telephone: (702) 742-2055
Facsimile: (702) 920-8838
lucas@gaffneylawlv.com
Attorney for Appellant

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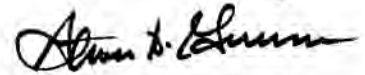
AARON FORD
Nevada Attorney General

ALEXANDER CHEN
Chief Deputy District Attorney

By: /s/ Lucas Gaffney
An Employee of Gaffney Law

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA



CLERK OF THE COURT

THE STATE OF NEVADA,

Plaintiff,

vs.

SHAWN GLOVER, aka Shawn Lynn
Glover, Jr.,

Defendant.

GJ No. 15BGJ035X

DC No. C312448

Taken at Las Vegas, Nevada

Wednesday, February 3, 2016

10:35 a.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Reported by: Danette L. Antonacci, C.C.R. No. 222

12:00 1 GRAND JURORS PRESENT ON FEBRUARY 3, 2016
2
3 APRIL SANSON, Foreperson
4 CRYSTAL HALL, Deputy Foreperson
12:00 5 ACACIA GUTIERREZ, Secretary
6 PAUL KRAIG, Assistant Secretary
7 CARRIE BIELAK
8 MARC CAREY
9 JEAN DANGLER
12:00 10 FRANCESCA GREEN
11 ELIZABETH HARWELL
12 CHRISTINA HERN
13 JOSEPH HUWYLER
14 WILLIAM LABIE
12:00 15 JEREMY LARSON
16 THOMAS RESHA
17 ANGELA SHARRON
18
19 Also present at the request of the Grand Jury:
12:00 20 William Flinn, Deputy District Attorney
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Examined

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SAYOKO WILSON	45

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12:00 1 LAS VEGAS, NEVADA, FEBRUARY 3, 2016

2 * * * * *

3

4 DANETTE L. ANTONACCI,

12:00 5 having been first duly sworn to faithfully
6 and accurately transcribe the following
7 proceedings to the best of her ability.
8

8

9 MR. FLINN: Good morning ladies and

10:35 10 gentlemen of the Grand Jury. I am deputy district
11 attorney William Flinn of the Clark County District
12 Attorney's Office. I will be presenting Grand Jury case
13 number 15BGJ035X, State of Nevada versus Shawn Glover.

14 The defendant in this case is charged with the following

10:35 15 crimes: Count 1, murder with use of a deadly weapon,
16 alleging that the defendant did willfully, unlawfully,
17 feloniously and with malice aforethought, kill Patrick
18 Fleming, with use of a deadly weapon, a handgun, by
19 shooting at and into the body of Patrick Fleming, the

10:35 20 killing having been willful, deliberate and
21 premeditated. Count 2, assault with a deadly weapon.

22 That the defendant did willfully, unlawfully,

23 feloniously and intentionally place another person,

24 Miranda Sutton, in reasonable apprehension of immediate

10:36 25 bodily harm and/or did willfully and unlawfully attempt

10:36 1 to use physical force against Miranda Sutton with use of
2 a deadly weapon, specifically a handgun, by pointing
3 said handgun at Miranda Sutton. Count 3, ownership or
4 possession of firearm by prohibited person. That the
10:36 5 defendant did willfully, unlawfully and feloniously own,
6 or have in his possession and/or under his control,
7 custody or control, a firearm, to-wit: a handgun, the
8 defendant having been convicted of a felony in 2012,
9 specifically a voluntary manslaughter with use of a
10:36 10 deadly weapon, in case number C211880, in the Eighth
11 Judicial District Court, Clark County, a felony under
12 the state laws of Nevada. And Count 4, discharge of
13 firearm from or within a structure or vehicle. That the
14 defendant did willfully, unlawfully, maliciously, and
10:37 15 feloniously, while in, on or under a structure, located
16 at 4032 Smokey Fogg, Apartment 201, North Las Vegas,
17 discharge a firearm within or from the structure, while
18 being within an area designated by a city or a county
19 ordinance as a populated area for the purpose of
10:37 20 prohibiting the discharge of weapons.

21 The record will reflect that a copy of the
22 proposed Indictment has been marked as Exhibit 1.

23 With the Grand Jury's permission I will
24 begin my presentation of evidence. My first witness is
10:37 25 Miranda Sutton.

10:38 1 THE FOREPERSON: Please remain standing and
2 raise your right hand.

3 You do solemnly swear the testimony you are
4 about to give upon the investigation now pending before
10:39 5 this Grand Jury shall be the truth, the whole truth, and
6 nothing but the truth, so help you God?

7 THE WITNESS: I do.

8 THE FOREPERSON: Please be seated.

9 You are advised that you are here today to
10:39 10 give testimony in the investigation pertaining to the
11 offenses of murder with use of a deadly weapon, assault
12 with a deadly weapon, ownership or possession of firearm
13 by prohibited person, and discharge of firearm from or
14 within a structure or vehicle, involving Shawn Glover.

10:39 15 Do you understand this advisement?

16 THE WITNESS: I can't hear.

17 THE FOREPERSON: Let me repeat it. Can you
18 hear me okay?

19 THE WITNESS: I can hear you better.

10:39 20 THE FOREPERSON: Okay.

21 You are advised that you are here today to
22 give testimony in the investigation pertaining to the
23 offenses of murder with use of a deadly weapon, assault
24 with a deadly weapon, ownership or possession of firearm
10:39 25 by prohibited person, discharge of firearm from or

10:39 1 within a structure or vehicle, involving Shawn Glover.

2 Do you understand this advisement?

3 THE WITNESS: Yes.

4 THE FOREPERSON: Please state your first

10:40 5 and last name and spell both for the record.

6 THE WITNESS: Miranda Sutton.

7 M-I-R-A-N-D-A, S-U-T-T-O-N.

8 THE FOREPERSON: Thank you.

9 MIRANDA SUTTON,

10:40 10 having been first duly sworn by the Foreperson of the

11 Grand Jury to testify to the truth, the whole truth,

12 and nothing but the truth, testified as follows:

13

14 EXAMINATION

10:40 15

16 BY MR. FLINN:

17 Q. Miranda, I want to direct your attention to

18 January 1st, 2016, this year. Can you hear me okay?

19 A. Yes.

10:40 20 Q. If you can't hear me at any time just

21 please stop me and tell me and I'll speak up and make

22 sure that you can hear. Okay?

23 A. Okay.

24 Q. On that day, January 1st, where were you

10:40 25 living at that time?

10:40 1 A. We were staying with my daughter Angela at
2 4032 Smokey Fogg Avenue.

3 Q. Is there a apartment or unit number?

4 A. 201.

10:40 5 Q. And that's in North Las Vegas, Clark
6 County?

7 A. Yes.

8 Q. Now you said -- is that a house?

9 A. It's a townhouse.

10:41 10 Q. Okay. So it's its own unit but attached to
11 others?

12 A. Yes. Yes.

13 Q. And in this house, I want to explain, have
14 you explain to the ladies and gentlemen of the Grand
10:41 15 Jury a little bit about the layout of the house. So the
16 first thing.

17 So showing you Exhibit 2. And I'll stand
18 out of the way.

19 A. That's the front of the townhouse if you
10:41 20 were standing in front of it.

21 Q. So on the left side of the picture, what
22 are the ladies and gentlemen looking at there?

23 A. The garage.

24 Q. So that's the entrance to the garage?

10:41 25 A. Yes.

10:41 1 Q. And the unit is on this side of the
2 building?

3 A. Yes.

4 Q. Now showing you Exhibit 3.

10:42 5 A. That's the front entrance of the townhouse.

6 Q. So next to these numbers there, that's the
7 front door?

8 A. Yes.

9 Q. And showing you Exhibit 4.

10:42 10 A. That's the garage door.

11 Q. So that's inside the garage but the door to
12 the actual townhouse from within the garage?

13 A. Yes.

14 Q. Could you explain a little bit, when you
10:42 15 come in that, if you were to go in that garage door or
16 the door to the townhouse from within the garage, what
17 space is there on the other side of that door?

18 A. It's the little landing from the front door
19 entrance.

10:42 20 Q. So it's a landing. And when you say a
21 landing you mean a space before stairs?

22 A. Right.

23 Q. Now the front door and that door from
24 within the garage, do they both go to that same landing?

10:43 25 A. Yes, it does.

10:43 1 Q. So there's no other space other than the
2 landing if you were to walk in right there as we're
3 looking at in that exhibit?

4 A. Right.

10:43 5 Q. So you walk in, there's a landing and then
6 there's stairs?

7 A. Right.

8 Q. And the stairs go up into the rest of the
9 town home?

10:43 10 A. It's a flight of stairs that goes straight
11 up and there's another little landing and then there's
12 another flight of stairs that go up.

13 Q. If I were to walk all the way up those
14 stairs, what do I find? What's the general layout of
10:43 15 the house once I get to the top of the stairs?

16 A. You'll step into the dining room. Right
17 above that is the living room. Right here to the left
18 is the kitchen. Then you have Angela's master bedroom
19 and you have the boys' room on the opposite side.

10:43 20 Q. And I'll ask you to, I'll have you clarify
21 who's who in just a minute. But you said you walk up
22 there, at the top of the stairs there's the dining room,
23 you said up above is the living room. Is it like risen
24 up a little bit?

10:44 25 A. It's just one big room that's kind of

10:44 1 separated.

2 Q. So if I were to just keep walking through
3 the dining room I would get to that living room?

4 A. Straight into the living room.

10:44 5 Q. But if I look off to my left, then that's
6 the other rooms you were talking about?

7 A. Yes.

8 Q. Now whose house is this?

9 A. Angela, my daughter.

10:44 10 Q. So Angela is your daughter and this was her
11 town home?

12 A. Yes.

13 Q. Who else was living there at that time?

14 A. Myself, my husband Patrick, 21 year old

10:44 15 daughter, Angela, we have twins, Michael and Jordan, and
16 I have three grand babies there.

17 Q. You said that was Angela's house. Was any
18 other -- do you have another adult daughter that was
19 living there?

10:44 20 A. No. It was Angela's house but Akira, she's
21 21, she came with us.

22 Q. So Akira was staying with you there as
23 well?

24 A. Uh-huh.

10:45 25 Q. So the adults, you have Angela, you, your

10:45 1 husband Patrick -- and what's Patrick's last name?

2 A. Fleming.

3 Q. Patrick Fleming. And your other daughter

4 Akira.

10:45 5 A. Uh-huh.

6 Q. And, I'm sorry, was there somebody else?

7 A. Shawn.

8 Q. Shawn. Who is Shawn in relationship to

9 everyone?

10:45 10 A. He's the father of my grandchild.

11 Angela's, he's Angela boyfriend.

12 Q. So of Angela's child, Angela's boyfriend

13 Shawn?

14 A. Yes.

10:45 15 Q. What's Shawn's last name?

16 A. Glover.

17 Q. So Shawn Glover. So he and Angela, that's

18 Angela's house, he's staying there on account of Angela

19 and their child, and then you, your husband and your

10:45 20 other daughter Akira are staying at that house.

21 A. Uh-huh.

22 Q. And then there's some small children there

23 staying.

24 A. Yes.

10:45 25 Q. And this is all as of January 1st of this

10:46 1 year, that's kind of the set up of the house, right?

2 A. Yes.

3 Q. Now on that particular day, did there come
4 a point where Patrick was gone but then returned to the
10:46 5 house?

6 A. Yes. Angela had to be at work at
7 10 o'clock so he went to drop her off. I believe he
8 picked up his check and he returned.

9 Q. So he returned to the house. And so he's
10:46 10 by himself at this time but now Angela is at work?

11 A. Right.

12 Q. Presumably. She's not there?

13 A. Right.

14 Q. So the people at the house are you,

10:46 15 Patrick —

16 A. Akira, Shawn and the kids.

17 Q. Shawn and the small kids?

18 A. Yes.

19 Q. Did anything happen in particular when

10:46 20 Patrick came home as far as did he have, did an argument
21 develop?

22 A. There was an argument that developed
23 between Patrick and Akira and myself.

24 Q. And so what were you guys arguing about?

10:47 25 A. Akira had wanted to go out the day before,

10:47 1 it was New Year's Eve, with her boyfriend, and Patrick
2 said that she couldn't go out and he didn't want the guy
3 in his car. And I kind of calmed him down and told him,
4 you know, she's 21, let her go out and have fun, and he
10:47 5 just said that he wanted her back by 11:30. She called
6 from the theater saying that she wasn't going to be able
7 to watch the movie or it started at a certain time, and
8 I guess her friend walked her out to the car and got
9 into the car with her. Patrick said that he had someone
10:47 10 following her and watching her and he had a videotape of
11 it and he wanted her to go downstairs with him to see
12 what was on the video.

13 Q. So this is back at the house. About what
14 time of the day is this? Is it still morning or
10:48 15 afternoon?

16 A. It's mid afternoon. It's about
17 11:30 almost.

18 Q. So just before afternoon, just before noon?

19 A. Yes, right before afternoon.

10:48 20 Q. And I just want to direct the Grand Jury
21 that the witness has provided testimony regarding what
22 some other people have said. Those statements are not
23 offered for the truth of those statements, merely to
24 provide context for the witness's testimony about events
10:48 25 that followed.

10:48 1 Now Miranda, so you're at home, there's
2 this argument involving you, Akira, Patrick, about what
3 she did that night and this video. Where are you all
4 when you're arguing?

10:48 5 A. Downstairs. We went downstairs to the
6 basement.

7 Q. So downstairs, when you say basement, is
8 that the garage?

9 A. The garage. The garage.

10:49 10 Q. That we saw in the photograph, the same
11 garage?

12 A. Yes.

13 Q. So you go in the garage. And is it the
14 three of you, you, Patrick and Akira?

10:49 15 A. Yes. They're down there -- first it was me
16 and Patrick. We were getting into it about her being
17 her age and her being responsible and not being like
18 most typical kids her age. And I explained to him that,
19 you know, he walked her back out to the car and he sat
10:49 20 in the car with her and said good night. It wasn't
21 anything else.

22 Q. When you say he, you're talking about the
23 boyfriend?

24 A. The boyfriend, Akira and the boyfriend.

10:49 25 And Patrick's biggest argument was that she lied to him

10:49 1 and he said that's what they were talking about. And I
2 said okay. He said can I talk to my daughter by myself,
3 I said okay. I went upstairs to get a cigarette.

4 Q. So now just Patrick and Akira are down in
10:49 5 the garage when you walked in?

6 A. Right.

7 Q. So you go into the house and go up those
8 stairs?

9 A. Uh-huh. I grab a cigarette and I light it
10:50 10 and I'm like okay, I forgot them in the house. My
11 nerves are bad, I'm pacing for a second, and I go back
12 downstairs. I was like what is going on.

13 Q. Back down to the garage?

14 A. I went back down to the garage where they
10:50 15 were, Patrick and Akira were. And I'm like what's
16 taking so long, what's going on. And he said oh no,
17 we're talking about everything, we're getting it
18 straightened out. And Shawn came to the door. And
19 Shawn says my daughter Angela is on the phone, and I
10:50 20 said Angela, I got this, I'll call you back. I handed
21 him the phone and he left back out.

22 Q. So Shawn had come down into the garage,
23 handed you the phone, you had that conversation and then
24 he went back inside?

10:50 25 A. Yes.

10:50 1 Q. Okay. What happened next?

2 A. We're back in the garage -- me, Patrick and
3 Akira -- and Shawn comes back down and he says, asks me,
4 calls my name and asks me if he can talk to me and I
10:51 5 said sure. So we go upstairs. I'm like oh God, we're
6 sitting here arguing in the house, you know, it's going
7 to be something about us arguing or, you know, of that
8 nature. But he took me to the bedroom, he asked me do I
9 want him to handle it, do I want him to take care of it.
10:51 10 And I said no, I got this. And he said --

11 Q. I'm sorry. What did you think he was
12 talking about, what was your state of mind when he said
13 do you want me to take care of this?

14 A. I'm thinking that he's thinking that we're
10:51 15 down there arguing cause he stated he's down there
16 making her cry, I said no, they're down there screaming
17 at each other, I said it's nothing like that. He said
18 okay.

19 Q. Okay. So you say I got this. What
10:51 20 happened after you said that?

21 A. We walked out of the bedroom and Patrick
22 and Akira was coming up the stairs at that time. An
23 Patrick said what did you need to talk to her about.

24 Q. I'm sorry. So Akira is coming back up the
10:52 25 stairs?

10:52 1 A. With Patrick.

2 Q. With Patrick?

3 A. Uh-huh.

4 Q. And Patrick says something to who? Who is
10:52 5 he talking to?

6 A. Shawn. Asked him what did he need to talk
7 to me about. And it's like the conversation kind of
8 turned. Shawn, Shawn stated that he was just trying to
9 talk to me. And --

10:52 10 Q. So did there come a point where the two of
11 them decided that they were going to, that they needed
12 to talk to each other?

13 A. Yes. It's like, almost felt like Patrick
14 was trying to calm down the situation because he tried
10:52 15 to grab Shawn by the elbows and say man it's not like
16 that, and Shawn kind of reached back, you know, and was
17 like man, you're too close to me. And Patrick's like
18 what is this about. He was like well, you're down there
19 fighting them, and he said no I'm not, it's not like

10:53 20 that. And Patrick said do we have a problem, let me and
21 you go downstairs and talk. So Patrick started, Patrick
22 looked at me, I looked at Patrick and I said Patrick,
23 you don't need to talk to him about anything. Patrick
24 grabbed me by the shoulder and said yes I do, I'm going

10:53 25 to go down here, talk to him man to man. Patrick

10:53 1 started down the stairs. Shawn went behind him. I
2 turned around to go to Angela's bedroom to grab a Pamper
3 for the baby.

4 Q. So Shawn went behind him as Patrick is
10:53 5 already going down the stairs?

6 A. Yes.

7 Q. And then you turned around. Where were you
8 facing now?

9 A. I was on my way back to Angela's room. I
10:53 10 was right in front of her door. I was going in there to
11 get stuff for the baby. I heard the shots and I looked
12 straight at my daughter. She said mom, did you hear
13 that. And I ran back to the first landing and I see
14 Patrick laying down there.

10:54 15 Q. I'm going to stop you for just a second.
16 Back up just a bit.

17 You said you heard the shots. What kind of
18 noise did you hear? Could you describe the noise?

19 A. Three loud shots. Three gunshots.

10:54 20 Q. And you feel, you described them as
21 gunshots. Do you have some knowledge that that, and
22 that's just what it sounded like to you; was it a loud
23 noise, something unlike anything you've ever heard? How
24 could you describe it?

10:54 25 A. For me not to be able to hear, I heard

10:54 1 those three shots. And when I turned to my daughter she
2 told me exactly, mommy, did you hear that. I know
3 gunshots.

4 Q. And you heard three of those noises?

10:54 5 A. Yes.

6 Q. So then you turn around and you ran back to
7 the stairs?

8 A. To the first landing. And as I'm looking
9 down I'm seeing Patrick on the ground and Shawn is like,

10:54 10 he's over him trying to get out the garage door. He's
11 like backing out of the garage door and he looks
12 straight up at me.

13 Q. Was Patrick doing anything at that point?

14 A. He was just laying there.

10:55 15 Q. And what was Shawn doing as he was trying
16 to -- he was going out through the garage door?

17 A. Shawn, it looked like he was trying to get
18 out -- he couldn't get out the front door, it was like
19 he was trying to get out the garage door. But I don't
10:55 20 know if I startled him when I looked down cause he
21 looked up at me with the gun.

22 Q. So he had a gun, you could see that he had
23 a gun in his hand?

24 A. I could see the gun.

10:55 25 Q. What color was the gun?

10:55 1 A. Black all I know.

2 Q. Did he have the gun, how was he holding the
3 gun? Was it --

4 A. Like he had just finished shooting him and
10:55 5 he looked up at me with it.

6 Q. So he looked up at you with it. And let
7 the record reflect the witness has raised her hand and
8 pointed her finger up, in an upward motion.

9 So was the gun pointed in your direction?

10:55 10 A. Yes, directly in my direction.

11 Q. Did he say anything at that point? Shawn
12 when I say he.

13 A. I know he said don't tell on me. Something
14 to the effect, on you and your kids you'll shut the fuck
10:56 15 up.

16 Q. And what did you do when he said that?

17 A. I looked at him and said okay.

18 Q. What were you thinking when he said that?
19 What was going through your head?

10:56 20 A. That he's standing there with a gun in his
21 hand, that he had just shot my husband, that I was next.

22 Q. So what did Shawn do after he said that?
23 Did you see?

24 A. He just slipped out the garage door.

10:56 25 Q. So that door from the landing into the

10:56 1 garage area?

2 A. Right.

3 Q. And you're still inside?

4 A. Yes.

10:56 5 Q. And is anyone else around you at that
6 point?

7 A. Akira. Akira. I could feel her right
8 behind me. Akira was the one that dialed 911 for me.

9 Q. So you said earlier that when you heard the
10 noises, that Akira came and said did you hear that,
11 something to that effect?

12 A. Akira was, we were both in the living room.
13 They were on their way downstairs. All you could hear
14 was them going down the stairs and you could hear,
10:57 15 because they're in a stairwell, so the shots were real
16 loud. I could hear the three shots.

17 Q. So as you went down those stairs to that
18 landing and then made your observations, was Akira with
19 you the whole time or did she come at a point later? If
10:57 20 you know.

21 A. I do believe Akira came at a point later.
22 I believe Akira was getting the phone and dialing 911.

23 Q. So she dialed 911. Did you or Akira talk
24 to 911?

10:57 25 A. I talked to them.

10:57 1 Q. And what did you do after that or as you're
2 doing that?

3 A. I -- the operator asked me if I could go
4 down and help my husband and I said yes and I went down
10:58 5 and I tried to perform CPR. When I got to my husband I
6 knew he was gone.

7 Q. When you're done there with your husband
8 Patrick and you say he's gone, could you observe just
9 any visible injuries to him at that point? Is there
10:58 10 anything you could actually see?

11 A. Yes, I could observe his head. I knew that
12 he had got shot in his head.

13 Q. Could you see where on the head? Was it
14 the front, the side?

10:58 15 A. It was near the back of the head. When I
16 got to him I tried to pull him toward me to turn him
17 over to do CPR and I was looking for the wound marks and
18 I didn't see any in his immediate face so I knew.

19 Q. Could you see blood anywhere?

10:59 20 A. Yes.

21 Q. And you said you tried to pull him towards
22 you and over so you could do CPR. So how was he
23 positioned when you first saw him?

24 A. More on his side. It's like he was on a
10:59 25 step, cause he's tall, and it's almost like he got shot

10:59 1 and he went straight down. Cause he was slumped over,
2 his head was to the front door and his body was to his
3 side, to one side, and I tried to pull him toward me to
4 turn him on his back.

10:59 5 Q. And so while you're down there with him and
6 you've been on the phone with 911, does there come a
7 point where the police arrive?

8 A. Yes.

9 Q. How quickly after when you're down there?

10:59 10 A. When I tried to pull him over to me and I
11 started to try to perform CPR, they were at the front
12 door.

13 Q. So we're talking a very quick amount of
14 time?

11:00 15 A. Yes, very quick.

16 Q. Did the police come in that front door?

17 A. They couldn't get through the front door,
18 they had to come through the garage door.

19 Q. Why couldn't they get through the front?

11:00 20 A. Because Patrick was laying in front of the
21 door.

22 Q. So they went around to the garage door
23 entrance to the landing?

24 A. Uh-huh. Yes.

11:00 25 Q. And they came in that way?

11:00 1 A. Yes.

2 Q. And where did you go after the police got

3 there?

4 A. They told me to go back up into the living

11:00 5 room.

6 Q. And you did that?

7 A. I went back into the living room.

8 Q. So shortly after this happened, the police

9 had arrived. Did they ask you some questions about what

11:00 10 had happened?

11 A. They did.

12 Q. Did you tell them that somebody by the name

13 of Hatch had shot Patrick?

14 A. Yes.

11:01 15 Q. And at that time were you attempting to

16 avoid actually telling them what you meant by Hatch or

17 who actually shot your husband?

18 A. Yes.

19 Q. Why were you doing that?

11:01 20 A. Because I was scared.

21 Q. So you then, so after that, and you told

22 the police that at first, did you then go, did you

23 eventually tell the police something else?

24 A. I told the police that day that I was

11:01 25 scared and in fear of my life. And they told me --

11:01 1 Q. So after that, I'm sorry to interrupt. So
2 after that you eventually went and talked to the
3 detective?

4 A. Yes.

11:01 5 Q. Was that the same day, the next day?

6 A. It was the next day.

7 Q. And you then told the detective what
8 happened?

9 A. Yes, I went down to the station and talked
11:02 10 with the detectives.

11 Q. And is what you told the detectives that
12 day the same thing as you've just essentially testified
13 to today?

14 A. Yes.

11:02 15 Q. One last. I'm going to show you Exhibit 5.
16 Do you recognize the individual in that photograph?

17 A. I recognize him.

18 Q. Who is that?

19 A. That's Shawn Glover, the one that shot my
11:02 20 husband.

21 Q. So in Exhibit 5, that's the individual you
22 know as Shawn Glover who you just testified to about
23 having shot your husband?

24 A. Yes.

11:03 25 MR. FLINN: I have no additional questions

11:03 1 at this time. Do the ladies and gentlemen of the Grand
2 Jury have any questions for this witness?

3 BY A JUROR:

4 Q. By any chance did you know that Shawn had a
11:03 5 gun?

6 A. No, ma'am, I did not. We were in the
7 middle of finding another house. And -- no, I knew he
8 had guns, but I did not know he had a gun on him that
9 morning. Shawn put all the kids in the bedroom, he took
11:04 10 the coats off the door, over the door, put all the kids
11 in the bedroom, closed the door. Went and got the gun
12 and then called me upstairs, he had the gun and I had no
13 idea he had it.

14 MR. FLINN: And I'm going to direct the
11:04 15 ladies and gentlemen of the Grand Jury that the way this
16 has just testified as to things that were really outside
17 of her personal observations, so I'd ask the grand
18 jurors to disregard them so far as they are speculative.

19 Any additional questions?

11:04 20 BY THE FOREPERSON:

21 Q. Had Patrick and Shawn had prior instances
22 of disagreements?

23 MR. FLINN: I'm going to direct the
24 witness, I apologize, not to answer that question as it
11:04 25 might elicit prior conduct that would be inadmissible at

11:05 1 this stage of the proceeding.

2 So you don't have to answer that question,
3 Miranda.

4 Any additional questions?

11:05 5 THE FOREPERSON: All right. Miss Sutton,
6 by law, these proceedings are secret and you are
7 prohibited from disclosing to anyone anything that has
8 transpired before us -- can you hear me okay?

9 THE WITNESS: Yes.

11:05 10 THE FOREPERSON: -- including evidence and
11 statements presented to the Grand Jury, any event
12 occurring or statement made in the presence of the Grand
13 Jury, and information obtained by the Grand Jury.

14 Failure to comply with this admonition is a
11:05 15 gross misdemeanor punishable by a year in the Clark
16 County Detention Center and a \$2,000 fine. In addition,
17 you may be held in contempt of court punishable by an
18 additional \$500 fine and 25 days in the Clark County
19 Detention Center.

11:05 20 Do you understand this admonition?

21 THE WITNESS: Yes, ma'am.

22 THE FOREPERSON: Thank you for your time.

23 THE WITNESS: Thank you.

24 THE FOREPERSON: You are excused.

11:05 25 THE WITNESS: Thank you.

11:06 1 MR. FLINN: Ladies and gentlemen, my next
2 witness is Akira Veasley.

3 If you could stand right here for a moment,
4 Akira.

11:06 5 THE FOREPERSON: Please raise your right
6 hand.

7 You do solemnly swear the testimony you are
8 about to give upon the investigation now pending before
9 this Grand Jury shall be the truth, the whole truth, and
11:06 10 nothing but the truth, so help you God?

11 THE WITNESS: Yes.

12 THE FOREPERSON: Please be seated.

13 You are advised that you are here today to
14 give testimony in the investigation pertaining to the
11:06 15 offenses of murder with use of a deadly weapon, assault
16 with a deadly weapon, ownership or possession of firearm
17 by prohibited person, discharge of firearm from or
18 within a structure or vehicle, involving Shawn Glover.

19 Do you understand this advisement?

11:07 20 THE WITNESS: Yes.

21 THE FOREPERSON: Please state your first
22 and last name and spell both for the record.

23 THE WITNESS: Akira Veasley. A-K-I-R-A,
24 V-E-A-S-L-E-Y.

11:07 25 THE FOREPERSON: Thank you.

11:07 1 AKIRA VEASLEY,
2 having been first duly sworn by the Foreperson of the
3 Grand Jury to testify to the truth, the whole truth,
4 and nothing but the truth, testified as follows:

11:07 5
6 EXAMINATION

8 BY MR. FLINN:

9 Q. Akira, so I want to direct your attention
11:07 10 to January 1st of this year 2016. Where were you living
11 at the time?

12 A. At Smokey Fogg.

13 Q. Is it a house, apartment a townhouse?

14 A. I think it's a townhouse.

11:07 15 Q. And with other family members?

16 A. Yes.

17 Q. And that is located, that townhouse on
18 Smokey Fogg, that's in North Las Vegas in Clark County,
19 right?

11:08 20 A. Yes.

21 Q. So on January 1st, did there come a point
22 where you're in a discussion or argument with your step
23 dad Patrick?

24 A. Yes.

11:08 25 Q. Where did that take place in the house?

11:08 1 A. Downstairs in the garage. That's where we
2 were arguing at.

3 Q. So when this started, was it just you and
4 your dad arguing or what happened?

11:08 5 A. First it was me and my dad arguing
6 downstairs in the garage and then my mom came downstairs
7 and started arguing with us.

8 Q. And your mom, her name is Miranda?

9 A. Miranda, yes.

11:08 10 Q. So your mom and your dad. So the three of
11 you were in the garage?

12 A. Yes.

13 Q. Arguing?

14 A. Yes.

11:08 15 Q. And what happens at that point with the
16 three of you there?

17 A. We were arguing and then Shawn comes
18 downstairs into the garage and he gives my mom a cell
19 phone and said it was my sister Angela on the phone
11:09 20 wanting to talk to her. He gave her the phone and she
21 said we're just having an argument, I got this, and then
22 she hung up the phone on her, and then Shawn went back
23 up the stairs. And then --

24 Q. Let me stop you for just a second. So

11:09 25 Shawn, do you know Shawn's last name?

11:09 1 A. Glover.

2 Q. When you said — so he came down, handed
3 the phone to your mom, and then he went back out of the
4 garage?

11:09 5 A. Yes.

6 Q. And I'd like to direct the ladies and
7 gentlemen of the Grand Jury again, that the witness is
8 testifying as to statements other individuals have made.
9 I direct you not to accept those statements for the

11:09 10 truth of the statements themselves, but merely to
11 provide context to the witness's testimony as to the
12 events that follow.

13 So after Shawn goes back in and presumably
14 upstairs, cause there's no where else to go in there,
11:10 15 right?

16 A. Uh-huh.

17 Q. What happens next?

18 A. We're still arguing and about two minutes
19 later he comes back in the garage and he asked to talk
11:10 20 to my mom.

21 Q. He being Shawn?

22 A. Shawn. Shawn asked to talk to my mom
23 Miranda.

24 Q. So did they talk there or did they leave?

11:10 25 A. No, they left out of the garage and I was

11:10 1 still down there with my dad.

2 Q. Out of the garage into the house or out of
3 the garage?

4 A. Into the house. Into the house, yes.

11:10 5 Q. So you're still down there with your dad
6 Patrick?

7 A. Yes.

8 Q. And then your mom Miranda and Shawn went
9 back into the house?

11:10 10 A. Yeah, I'm assuming up the stairs, uh-huh.

11 Q. And so you and your dad are still down
12 there talking?

13 A. Yes.

14 Q. And what do you do next? What happens

11:11 15 next?

16 A. We were talking, he told me he was sorry,
17 and me and him, we go out of the garage up the stairs
18 and then that's when him and my dad, Patrick and Shawn
19 start arguing.

11:11 20 Q. So you and your dad go back up the stairs?

21 A. Yes.

22 Q. And you see Shawn is there?

23 A. Yeah, Shawn and my mom Miranda, they're
24 there, and I guess they were just finishing up the

11:11 25 conversation that they were having and then that's when

11:11 1 my dad said why do you need to talk to my wife, to
2 Shawn.

3 Q. And how did Shawn react to that?

4 A. He was upset. He was like I'm talking to
11:11 5 your wife, not you. And then he goes you're trying to
6 beat on your wife and your daughter in front of, in my
7 baby mother's house, and my dad was like well, this is
8 my daughter's house, these are my grandchildren too.
9 And then the guy was just, Shawn, he was still upset and
11:12 10 he was just like you're trying to beat on them in my
11 baby's mom's house. And then my dad grabbed him by his
12 elbows, like right here, and he goes, it's not like
13 that, I'm just trying to have a conversation with my
14 family.

11:12 15 MR. FLINN: And the record will reflect
16 that the witness has just put her two hands out with her
17 palms up.

18 THE WITNESS: Yeah, like he was grabbing
19 the elbows, him by the elbows. And he said it's not
11:12 20 like that, I'm just trying to have a conversation with
21 my family. And then that's when my dad was like well,
22 let's go downstairs and we'll talk about it like men.
23 And then my dad starts going down the stairs and then
24 Shawn starts going after him and I heard about five
11:12 25 footsteps and then that's when I heard the gunshots.

11:12 1 BY MR. FLINN:

2 Q. So let me stop you for a minute and we'll
3 kind of back up.

4 So you said you saw your dad going toward
11:13 5 the stairs?

6 A. Yes.

7 Q. And he started to go down the stairs?

8 A. Yes.

9 Q. And Shawn went next?

11:13 10 A. Yes.

11 Q. Was he fairly close to your dad or always
12 behind?

13 A. I think it was fairly close, but the way
14 the stairs are you really can't see after they go like
11:13 15 two steps down you can't see after.

16 Q. Okay.

17 A. So --

18 Q. And so you lost sight of them?

19 A. Yes.

11:13 20 Q. Okay. And then you heard what you
21 described -- you heard how many --

22 A. I heard three --

23 Q. -- footsteps?

24 A. Oh, the footsteps, I heard five.

11:13 25 Q. So when you say five footsteps, like on the

11:13 1 stairs themselves?

2 A. On the stairs, yes. So like they were
3 going down like five stairs and then that's when I heard
4 the gunshots.

11:13 5 Q. And you described hearing gunshots. Could
6 you describe the noises that you heard a little bit?

7 A. Just like boom, boom, boom. It was a pause
8 after the first gunshot.

9 Q. So you hear one boom, a pause —

11:14 10 A. Yeah. And then two back to back.

11 Q. Two back to back?

12 A. Uh-huh.

13 Q. What did you do after you heard those?

14 A. Me and my mom, we ran to the stairs to go
11:14 15 see what happened and that's when we seen my dad on the
16 floor.

17 Q. Was your mom ahead of you or were you ahead
18 of your mom as you went to the stairs?

19 A. I think she was ahead of me.

11:14 20 Q. And there's tissues right in front of you.

21 A. I think she was ahead of me. She was like
22 kind of down there when he was threatening us.

23 Q. Okay. When you say he was threatening us,
24 who is he?

11:14 25 A. Shawn.

11:14 1 Q. And did you hear some sort of threat?

2 A. I heard the threat. He said if you value
3 you and your kids' life you won't tell on me, and he was
4 just like don't tell on me, don't tell on me. And as he
11:15 5 was saying that I was running up the stairs to go grab
6 my phone so I could call the police. And then by the
7 time I got back down the stairs he was gone already.

8 Q. So did you ever see Shawn, did you ever go
9 far enough down the stairs to see Shawn down there?

11:15 10 A. Yeah, I could see him down there, yes.

11 Q. And then you heard his statements?

12 A. Yes.

13 Q. And you went back up the stairs?

14 A. Yes.

11:15 15 Q. Could you see whether he had a weapon at
16 that point?

17 A. No, because I think as soon as he was
18 saying it I was turning up the stairs to go back to go
19 get my cell phone.

11:15 20 Q. So you just heard what he said?

21 A. Yes.

22 Q. And this was after you heard what you
23 believed were gunshots?

24 A. Yes.

11:15 25 Q. And you saw your dad?

11:15 1 A. Yeah.

2 Q. Laying down there?

3 A. Yeah. And my mom, she was by my dad saying

4 no, why did you do this.

11:16 5 Q. Could you see if your dad was moving or

6 saying anything?

7 A. I think he was already dead because he

8 didn't say anything and I seen the blood and everything

9 already.

11:16 10 Q. Do you know if your dad Patrick is right or

11 left handed?

12 A. I think he's right handed.

13 Q. You've seen him write before?

14 A. Uh-huh.

11:16 15 Q. So you went back up, you got your phone,

16 came back down. And Shawn was gone?

17 A. No. I got my phone and I think my mom came

18 back up the stairs with me and I was calling the police

19 and I gave her the phone. She was sitting right there

11:17 20 and she was talking to them and that's when they told

21 her to go do the CPR. So she went down the stairs to my

22 dad and she started trying to do the CPR and I was right

23 behind her telling them like there's kids in here and

24 can you please hurry up and help cause I didn't know if

11:17 25 he was going to come back.

11:17 1 Q. So while you're done there and your mom's
2 doing the CPR, does there come a time when the police
3 arrived?

4 A. Yes, they arrived probably like a minute or
11:17 5 two after. It was real quick. They arrived. And my
6 dad, the way he was laying, they kind of like, they were
7 trying to open the door but they kept hitting him so
8 they had to walk over and --

9 Q. And when they got there did you go
11:17 10 anywhere? Did you leave that --

11 A. No, they wouldn't let us leave. We had to
12 stay there the whole time.

13 Q. But you didn't stay in the stairway?

14 A. Oh no, we went back up the stairs, yeah.

11:17 15 Q. Did you speak with officers about what had
16 happened?

17 A. Yes.

18 Q. At your house there?

19 A. Yes.

11:18 20 Q. Now did you tell the officers at that time
21 that somebody by the of Hatch had shot your dad but you
22 didn't reveal who Hatch was to you or the person that
23 had, who you testified today had shot your dad?

24 A. Yes.

11:18 25 Q. Was there a particular reason that you were

11:18 1 trying to avoid telling them what had happened?

2 A. Yeah, because I was scared and I didn't, I
3 never been in these kind of situations before and I just
4 didn't know what to do and he had threatened us so I
11:18 5 didn't want to tell who it actually was.

6 Q. Did you go to the police --

7 A. Yes.

8 Q. -- shortly after that and clear things up?

9 A. Yes. Yes. The next day we went down to
11:18 10 the police station and we gave our statements.

11 Q. To the best of your memory, knowing that
12 that was awhile ago now, is your testimony today in line
13 with what you told the detectives, you know, after this
14 had happened?

11:19 15 A. Yes.

16 Q. I'm going to show you Exhibit 5. Do you
17 recognize that individual?

18 A. Yes.

19 Q. And how do you recognize him? Who is that?

11:19 20 A. That's Shawn Glover. That's my sister's
21 baby's father.

22 Q. So looking at Exhibit 5. Is that the same
23 Shawn you were just talking about in your testimony?

24 A. Yes.

11:20 25 MR. FLINN: Ladies and gentlemen, I don't

11:20 1 have any additional questions at this time. Do the
2 ladies and gentlemen of the Grand Jury have any
3 questions?

4 BY A JUROR:

11:20 5 Q. Yeah. How did you come up with the name
6 Hatch? What gave you that idea?

7 A. That's his nickname. That's the nickname
8 that he goes by.

9 Q. That is Shawn Glover's nickname?

11:20 10 A. Yes, Shawn Glover's nickname.

11 BY A JUROR:

12 Q. Yes. How long have you known Shawn?

13 A. I've known him for awhile cause I went to
14 my sister's baby shower and she has broughten him by our
11:20 15 house when we did have our house before that one. And
16 he was my friend on Facebook so I would see him that way
17 also.

18 BY A JUROR:

19 Q. My question is, you said you heard one
11:20 20 gunshot and then like two that followed.

21 A. Yes.

22 Q. By any chance do you know if Patrick had a
23 gun?

24 A. No, I did not know if he had a gun. I know
11:20 25 that, I didn't know he had a gun, if he had a gun or I

11:21 1 didn't know that Shawn had a gun. Because when we were
2 arguing I didn't see anything. He just had his jacket
3 on and regular clothes.

4 BY A JUROR:

11:21 5 Q. Did the argument you had with your
6 stepfather Patrick ever at any point turn physical?

7 A. No.

8 THE FOREPERSON: Miss Veasley, by law,
9 these proceedings are secret and you are prohibited from
11:21 10 disclosing to anyone anything that has transpired before
11 us, including evidence and statements presented to the
12 Grand Jury, any event occurring or statement made in the
13 presence of the Grand Jury, and information obtained by
14 the Grand Jury.

11:21 15 Failure to comply with this admonition is a
16 gross misdemeanor punishable by a year in the Clark
17 County Detention Center and a \$2,000 fine. In addition,
18 you may be held in contempt of court punishable by an
19 additional \$500 fine and 25 days in the Clark County
11:21 20 Detention Center.

21 Do you understand this admonition?

22 THE WITNESS: Yes.

23 THE FOREPERSON: Thank you for your time.
24 You're excused.

11:22 25 THE WITNESS: Thank you.

11:22 1 MR. FLINN: Ladies and gentlemen, my next
2 witness is Detective Wilson.

3 THE WITNESS: Good morning.

4 THE FOREPERSON: Please raise your right
11:22 5 hand.

6 You do solemnly swear the testimony you are
7 about to give upon the investigation now pending before
8 this Grand Jury shall be the truth, the whole truth, and
9 nothing but the truth, so help you God?

11:22 10 THE WITNESS: I do.

11 THE FOREPERSON: Please be seated.

12 You are advised that you are here today to
13 give testimony in the investigation pertaining to the
14 offenses of murder with use of a deadly weapon, assault
11:23 15 with a deadly weapon, ownership or possession of firearm
16 by prohibited person, discharge of firearm from or
17 within a structure or vehicle, involving Shawn Glover.

18 Do you understand this advisement?

19 THE WITNESS: Yes.

11:23 20 THE FOREPERSON: Please state your first
21 and last name and spell both for the record.

22 THE WITNESS: Sayoko Wilson. S-A-Y-O-K-O,
23 last is W-I-L-S-O-N.

24 THE FOREPERSON: Thank you.

11:23 25 SAYOKO WILSON,

11:23 1 having been first duly sworn by the Foreperson of the
2 Grand Jury to testify to the truth, the whole truth,
3 and nothing but the truth, testified as follows:
4

11:23 5 EXAMINATION

7 BY MR. FLINN:

8 Q. How are you employed?

9 A. I'm a detective with North Las Vegas Police
11:23 10 Department.

11 Q. How long have you been employed with North
12 Las Vegas?

13 A. Over 15 years.

14 Q. And how long as a detective?

11:23 15 A. Over ten.

16 Q. Now in your capacity as a detective, did
17 you have occasion to respond on January the 1st, 2016 to
18 a location in North Las Vegas, Clark County at 4032
19 Smokey Fogg, apartment number 201?

11:24 20 A. Yes.

21 Q. What was the nature of that call? Why were
22 you responding?

23 A. It came out as a shooting call.

24 Q. And are you assigned to a particular
11:24 25 division?

11:24 1 A. I am. Robbery homicide.

2 Q. So there was a call for a shooting and you
3 as a robbery homicide detective were called out to the
4 scene?

11:24 5 A. Yes.

6 Q. And did you in fact arrive at that
7 location?

8 A. I did.

9 Q. What did you observe when you first
11:24 10 arrived?

11 A. When I first arrived they had, patrol
12 officers had the crime scene taped off. Witnesses were
13 being held in the upstairs apartment. That was
14 basically the outside crime scene.

11:24 15 Q. Showing you Exhibit 2. Do you recognize
16 that, Detective?

17 A. Yes, that's the scene.

18 Q. So that's where you arrived that day
19 January 1st?

11:25 20 A. Yes.

21 Q. And Exhibit 3, front door of the same
22 location?

23 A. Yes, it is.

24 Q. And Exhibit 4, garage entry to the town
11:25 25 home in that same location?

11:25 1 A. Yes, it is.

2 Q. Which point did you -- did you eventually
3 make entry into the house?

4 A. I did. I entered through the garage door.

11:25 5 Q. Through the door within the garage to the
6 actual residence?

7 A. Correct.

8 Q. What did you observe when you entered that
9 door?

11:25 10 A. Lying on the landing as you come in the
11 door was a body of a black male.

12 Q. Showing you Exhibits 6, 7, and 8. Do you
13 recognize those?

14 A. Yes, I do.

11:26 15 Q. How do you recognize them?

16 A. That was the male laying on the floor that
17 was deceased inside the apartment.

18 Q. So I'm going to publish these to the Grand
19 Jury.

11:26 20 Showing you Exhibit 7. So does that fairly
21 and accurately depict the scene inside that garage door
22 when you arrived?

23 A. Yes.

24 Q. And that's the individual lying on the
11:26 25 ground?

11:26 1 A. Correct.

2 Q. Were you able to identify that individual?

3 A. Yes, he was identified as Patrick Fleming.

4 Q. And through what means was he identified?

11:26 5 A. His wife Miranda Sutton and his daughter

6 Akira Veasley.

7 Q. Showing you Exhibit 6. What are we looking

8 at there, Detective?

9 A. That is the staircase going up to the

11:27 10 living area of the apartment.

11 Q. So that's the same place, just with a

12 different vantage point from higher up on the stairs?

13 A. Yes, that's the stairs looking down.

14 Q. And showing you Exhibit 8. What are we

11:27 15 looking at there?

16 A. In this picture, item 1 that you're looking

17 at is a spent casing. Two is a projectile. Three,

18 there's a red lighter, you can see it poking out.

19 Q. We'll get into these in a little bit more

11:28 20 detail. But when you say these numbers, that correlates

21 to these numbers that are in the photograph from crime

22 scene personnel?

23 A. Correct.

24 Q. And so those are just there to mark things

11:28 25 so they can be referred to later?

11:28 1 A. Yes.

2 Q. So they've been placed there by police
3 personnel?

4 A. Correct, yes.

11:28 5 Q. Now item that you noted, item 1, as a
6 casing. What is a casing, Detective?

7 A. You have the bullet which is fired through
8 the gun of course. The end part of that is a casing.

9 The tip of the bullet is the projectile and when that's

11:28 10 fired the projectile goes out of the gun in the front,
11 down the barrel, and the cartridge casing is ejected.
12 So we know this is spent because the projectile is no
13 longer in the casing.

14 Q. As a detective you have training and
11:29 15 experience in dealing with firearms?

16 A. Yes.

17 Q. And so based on your training and
18 experience, that's a spent casing marked by card number
19 1?

11:29 20 A. Yes.

21 Q. Were you able, did you personally observe
22 close up that casing marked in item number 1?

23 A. I did.

24 Q. Could you tell what caliber that was from?

11:29 25 A. It's a .40 caliber.

11:29 1 Q. Now close to where card 2 is in that
2 photograph, do you see anything on the defendant's, I'm
3 sorry, on the victim's person?

4 A. Yes. He had a Glock 19, just a
11:29 5 9-millimeter handgun tucked into the waist of his pants,
6 also holstered.

7 Q. So close there to item, to evidence card
8 number 2 on the victim's person there is a firearm and
9 you described it as holstered?

11:30 10 A. Yes.

11 Q. Is that holstered inside the pants or
12 outside the pants?

13 A. It is inside the pants.

14 Q. Was that firearm subsequently removed from
11:30 15 the victim and examined?

16 A. Yes.

17 Q. Did you look at that firearm?

18 A. I did.

19 Q. And you described it as what type of
11:30 20 weapon?

21 A. It's a Glock 19.

22 Q. What caliber is the Glock 19?

23 A. It's a 9-millimeter.

24 Q. Showing you Exhibit 9. Is that what we're
11:30 25 looking at there?

11:30 1 A. Yes, it is.

2 Q. Could you please tell the ladies and
3 gentlemen of the Grand Jury what each of the items
4 depicted there is?

11:30 5 A. The one on the left is the gun with the
6 slide back. On the top is the magazine. And there is
7 ammo inside of it. And then the holster.

8 Q. And the magazine of course goes into the
9 gun and provides the ammunition?

11:31 10 A. Yes.

11 Q. And then that's the holster. Is that the
12 holster that was removed from the victim?

13 A. Yes, it is.

14 Q. Now you said this gun is a 9 millimeter.

11:31 15 Can a .40 caliber bullet cartridge be fired in a
16 9-millimeter gun?

17 A. No, it can't.

18 Q. Why is that?

19 A. Because the .40 caliber, the bullet is much
11:31 20 larger than the 9-millimeter.

21 Q. So is it fair to say it just doesn't fit?

22 A. Correct.

23 Q. Too big, can't be shot through it?

24 A. Correct.

11:31 25 Q. When you examined the gun retrieved from

11:31 1 the victim, did you check to see whether there was any
2 ammunition in the chamber of that weapon?

3 A. There was not.

4 Q. Now when I say in the chamber, what does
11:31 5 that mean?

6 A. That would be in the chamber ready to fire
7 once you pull the trigger.

8 Q. So if there's no ammunition in the chamber
9 of the gun, could the gun be fired?

11:31 10 A. No.

11 Q. Nothing would come out of it, is that fair?

12 A. That's fair to say, yes.

13 Q. Is that because all the ammunition, there
14 is either no ammunition in the gun or it's all still in
11:32 15 the magazine?

16 A. Correct.

17 Q. Now to fire a Glock 19, do you have to do
18 anything to the weapon to make it so that you can fire a
19 projectile, to load a projectile, to load a bullet into
11:32 20 the chamber?

21 A. Yes. You have to slide the, slide it back
22 and then it chambers a round into the chamber ready to
23 be fired.

24 Q. When you say slide it back, you're talking
11:32 25 about part of the gun itself?

11:32 1 A. Correct.

2 Q. As we look in this picture here identified
3 as the gun, is that metal part that's pulled back and
4 away from the gun the slide?

11:32 5 A. That's the slide, yes.

6 Q. And is that what you do to the gun to see
7 if anything is in the chamber?

8 A. Yes.

9 Q. To render it safe?

11:32 10 A. Yes.

11 Q. So when this gun was retrieved off of the
12 victim there was simply no ammunition in the chamber?

13 A. No, there wasn't.

14 Q. I'm going to show you Exhibits 10, 11 and
11:33 15 12. Do you recognize those, Detective?

16 A. I do.

17 Q. Are those taken from this crime scene as
18 well?

19 A. Yes, they are.

11:33 20 Q. And they fairly and accurately depict the
21 scene as you observed it?

22 A. Yes.

23 Q. Showing you Exhibit 10. What are we
24 looking at there, Detective?

11:33 25 A. That is the door mat which Patrick

11:33 1 Fleming's body was laying on top of.

2 Q. So in the previous photographs we saw a
3 body. This is after that body has been removed?

4 A. Right.

11:34 5 Q. After Patrick's body has been taken away,
6 this is what was left?

7 A. Yes.

8 Q. What items if any of evidentiary value did
9 you discover when Patrick's body was removed?

11:34 10 A. We found a, you see item number 10, what
11 appeared to be a bullet hole in the carpet. Also moving
12 the carpet or lifting the carpet away, there was also a
13 defect in the tile which appeared to me to be a gunshot.

14 Q. Did you find any other casings other than
11:34 15 that one that was in card number 1 in the previous
16 photograph?

17 A. Yes, we found another that was up towards
18 the door and another that was along the north wall.

19 Q. And so three total and those were all
11:34 20 impounded into evidence?

21 A. Yes, they were.

22 Q. Now before -- let me backtrack just a
23 moment, Detective. Before Patrick's body was removed,
24 did he have any, apparent to you in your training and
11:35 25 experience, visible injuries?

11:35 1 A. Yes, he had a gunshot wound to the back of
2 the head.

3 Q. Now going back forward after looking at the
4 exhibit with the carpet. And that card, there's an
11:35 5 evidence card 10 in that photograph. What is that
6 marking?

7 A. That is marking the defect in the rug.

8 Q. So as we look at Exhibit 11, is that the
9 same place we're looking at, just closer up?

11:35 10 A. Yes, it is.

11 Q. Is there anything remarkable around where
12 the evidence card is there in that carpet?

13 A. We found bullet fragments inside the fibers
14 of the carpet.

11:35 15 Q. So that's the carpet, any defect in the
16 carpet and those fragments?

17 A. Yes.

18 Q. And showing you Exhibit 12. What are we
19 looking at there?

11:36 20 A. That's the defect in the tile I was
21 speaking of earlier when we lifted up the carpet.

22 Q. Now based on the defect in the tile and the
23 carpet and the bullet fragments that were there and the
24 structure of the room, of that landing space and the
11:36 25 stairway, does that, based on your training and

11:36 1 experience, tell you anything generally about what
2 direction a bullet would have been fired to cause that
3 damage?

4 A. Yes, it was from above. So above downward.

11:36 5 Q. So in some manner the bullet must have been
6 fired from above down to cause it to hit the floor and
7 do that?

8 A. Yes.

9 Q. I'm going to show you Exhibits 13 and 14,
11:37 10 Detective. Do you recognize those?

11 A. I do.

12 Q. How do you recognize them?

13 A. Those were on the person of Patrick Fleming
14 and the contents of his pockets were emptied at the
11:37 15 coroner's office prior to autopsy.

16 Q. So showing the ladies and gentlemen of the
17 Grand Jury Exhibit 13. What are we looking at there?

18 A. That is his wallet, Patrick Fleming's
19 wallet.

11:37 20 Q. So that was taken removed from his person
21 after he was lying there on the floor?

22 A. Yes.

23 Q. And when you arrived, was Patrick Fleming,
24 did he appear deceased?

11:37 25 A. Yes, he did.

11:38 1 Q. Exhibit 14, what are we looking at there?

2 A. That's the contents of his wallet, the
3 money that was inside of his wallet.

4 Q. And so that's taken out of the wallet and
11:38 5 pulled out, photographed. How much money did Patrick
6 still have on his person?

7 A. There's approximately \$432.

8 Q. Now Detective, in your capacity as a
9 detective and in your training and experience, are you
11:39 10 familiar with autopsies?

11 A. Yes.

12 Q. You're not a doctor but you know what they
13 are?

14 A. Yes, I do.

11:39 15 Q. And is it routine for, when someone has
16 died and there's a police investigation, for you or the
17 detectives to attend the autopsy?

18 A. Yes.

19 Q. So when you attend an autopsy for a
11:39 20 decedent and you're investigating, what's the general
21 purpose that you're there for at the autopsy?

22 A. We're there to look at anything of
23 evidentiary value that can assist us in our
24 investigation.

11:39 25 Q. So you watch the medical examiner perform

11:39 1 all their examinations, you watch taking off clothing,
2 looking for things of evidentiary value, as well as
3 anything that may be related to the death of that
4 individual?

11:39 5 A. Yes.

6 Q. Is that fair --

7 A. That's fair.

8 Q. -- assessment?

9 A. Uh-huh.

11:39 10 Q. Now in regards to Patrick Fleming, who you
11 said was deceased when you arrived at the scene there in
12 North Las Vegas, did you attend an autopsy for Patrick
13 Fleming?

14 A. I did.

11:40 15 Q. Now as you were watching the autopsy, were
16 you able to see the body?

17 A. Yes.

18 Q. And is that the same, was that the same
19 individual Patrick Fleming as the Patrick Fleming you
11:40 20 saw on the floor on January 1st at that address?

21 A. Yes, it was.

22 Q. So you're in the autopsy room, you know you
23 have the same person?

24 A. Yes.

11:40 25 Q. And you watched the medical examiner take

11:40 1 his clothing, do the medical examination, X-rays, things
2 of all that nature?

3 A. Yes.

4 Q. Now as you were watching that, were you
11:40 5 able to observe apparent wounds to the body of
6 Mr. Fleming?

7 A. Yes, I was.

8 Q. And what particular wounds, if any, did you
9 observe that based on your training and experience were
11:41 10 significant to your investigation?

11 A. He had three gunshot wounds. Two of them
12 were significant. The one to the back of his head that
13 severed his brain stem. Also he had a gunshot wound to
14 his right upper arm, the humerus area, which looking at
11:41 15 the X-rays showed that it was completely broken.

16 Q. And where was the third gunshot located?

17 A. It was in his right groin area.

18 Q. So you described the gunshot to the back of
19 the head. And based on your observations at the autopsy
11:41 20 it was in the area of the brain stem. Did that appear
21 to you, based on your training and experience, to be a
22 fatal wound?

23 A. Yes.

24 Q. I'm going to show you Exhibits 15, 16, 17,
11:42 25 18, and 19. Do you recognize those, Detective?

11:42 1 A. I do.

2 Q. How do you recognize them?

3 A. Those were taken at autopsy and they are of

4 the gunshot wounds.

11:42 5 Q. What about Exhibit 19, are you familiar

6 with that as well?

7 A. I am. That's the right upper arm.

8 Q. What type of photograph is that?

9 A. It's an X-ray.

11:43 10 Q. And were you present when those X-rays were

11 taken at the autopsy or taken from the viewing with the

12 doctors?

13 A. Yes, I was.

14 Q. Showing the Grand Jury Exhibit 15. What

11:43 15 are we looking at there, Detective?

16 A. That's the gunshot wound to the back of his

17 head.

18 Q. Now it appears that there's no hair there

19 around a spot on the back of the head. Was that like

11:43 20 that when the victim arrived or is that something as

21 part of the autopsy procedure?

22 A. Right, it wasn't like that on scene. The

23 coroner's office, they have to shave that to get a look

24 at the wound.

11:43 25 Q. Showing Exhibit 16. What are we looking at

11:44 1 there?

2 A. That's a closer view of the gunshot wound.

3 Q. Was there anything, based on your training
4 and experience and observation of gunshot wounds, that
11:44 5 your observation told you about how close of range that
6 gunshot came from?

7 A. Well, it wasn't a contact wound meaning the
8 barrel of the gun against the head and I know that
9 because there's no, they call it stippling, which is
11:44 10 basically a dimpling or soot around the wound.

11 Q. Soot, that would be like from gunpowder?

12 A. Yes.

13 Q. Things burning basically from the firearm
14 if it had been in exact contact with the skin when it
11:44 15 was fired?

16 A. Correct.

17 Q. So is it fair to say that that tells you
18 then while shot was not, the gun was not pressed against
19 the head?

11:44 20 A. Correct.

21 Q. And is that the same gunshot wound you
22 described earlier as having apparently gone to the brain
23 stem and that could have been, was likely a fatal shot?

24 A. Yes.

11:45 25 Q. Showing you Exhibit 17. What are we

11:45 1 looking at there, Detective?

2 A. It's the gunshot wound to his right upper
3 arm.

4 Q. And there's a hand with what appears to be
11:45 5 some sort of scale in that photograph. Is that typical
6 at an autopsy?

7 A. Yes, it is.

8 Q. What's that there to show?

9 A. The relative size of whatever it is we're
11:45 10 looking at.

11 Q. So when we look at a picture we know what
12 in real life the size of that item might be?

13 A. Yes.

14 Q. Showing you Exhibit 18. What are we
11:45 15 looking at there?

16 A. That is also a gunshot wound on his upper
17 arm.

18 Q. Is that the same arm, just the other side?

19 A. Yes, it is.

11:45 20 Q. So is it fair to say that those gunshot
21 wounds, one on each side of the arm, that that would
22 likely be, without regard to the direction of travel, an
23 entry and an exit of a single shot?

24 A. Yes. We call that a through and through,
11:46 25 entered and exited.

11:46 1 Q. So you're shot in the arm, the bullet went
2 in, the bullet went out?

3 A. Yes.

4 Q. And showing you Exhibit 19. What are we
11:46 5 looking at there, Detective?

6 A. This is the X-ray of that gunshot wound you
7 just saw in his right upper arm and it's showing the
8 bone is obviously broken.

9 Q. If you wouldn't mind, Detective, would you
11:46 10 mind standing up and pointing on the screen or on the,
11 sort of where you're talking about when you're referring
12 to something being broken.

13 A. Right here.

14 Q. And that was visible to you that the bone
11:47 15 there is broken?

16 A. Yes.

17 Q. And does it appear to be a significant,
18 like is it a large break or how would you describe it?
19 I know you're not a doctor. But just generally from
11:47 20 your observation, what did you notice about it?

21 A. It was a complete break fracture.

22 Q. Now having observed that, and I'm sorry, is
23 that the victim's right or left arm that we're
24 looking --

11:47 25 A. The right arm.

11:47 1 Q. So that's his right arm. Is it significant
2 to you in terms of your investigation regarding the
3 firearm that was on the victim's person that you
4 recovered, is it significant to you the injury to the
11:47 5 arm, the broken arm as you described it?

6 A. Yes, that tells me, cause it was holstered
7 in his right side, the grip's on the right so he was
8 drawing, he could not have drawn that firearm with the
9 broken arm.

11:48 10 Q. So the firearm is secured on the person in
11 a holster. You earlier testified there's no round in
12 the chamber. And then you see the break in the arm. So
13 you're saying that that victim couldn't have done
14 anything with his arm to get that gun?

11:48 15 A. No.

16 Q. If he were right handed?

17 A. Correct.

18 Q. Or reaching with the right hand?

19 A. Correct.

11:48 20 Q. Now did you, Detective, interview witnesses
21 to the shooting of Mr. Fleming?

22 A. Yes, I did.

23 Q. And you conducted interviews with those
24 persons. Was that at the police station or where did
11:48 25 you do that?

11:48 1 A. One was on scene and the others were at the
2 police department.

3 Q. And did you identify a suspect based on the
4 evidence and conversations with those witnesses?

11:49 5 A. I did.

6 Q. What was the name of that person?

7 A. Shawn Glover.

8 Q. And showing you Exhibit 5. Do you
9 recognize that?

11:49 10 A. I do.

11 Q. And in Exhibit 5, how do you recognize it?
12 Who is that individual?

13 A. That is a photograph of Shawn Glover.

14 Q. So that's the Shawn Glover that you're
11:49 15 referring to from your investigation?

16 A. Yes.

17 Q. That was directed by the witnesses in this
18 case and the other evidence you may have recovered?

19 A. Yes.

11:50 20 Q. Detective, based on your training and
21 experience and your examination of the evidence, the
22 scene, Mr. Fleming and the autopsy, do you have a
23 reason, was it readily apparent to you based on your
24 training and experience as to what caused Mr. Fleming's
11:50 25 death?

11:50 1 A. Yes.

2 Q. And what was that?

3 A. Gunshot wound.

4 MR. FLINN: I have no additional questions

11:50 5 for this witness. Do the ladies and gentlemen and

6 gentlemen of the Grand Jury have any questions?

7 BY A JUROR:

8 Q. Yes. Maybe I missed it. I thought you
9 said that there was three gunshot wounds to Mr. Fleming.

11:51 10 A. Yes. There was one to the back of his
11 head, the one to the right arm and also his right groin
12 area.

13 Q. Okay.

14 BY A JUROR:

11:51 15 Q. By any chance do you know which shot was
16 first?

17 A. No, I cannot tell you that.

18 Q. One more. Were there, during the autopsy
19 did you notice any bruising on his hands?

11:51 20 A. No.

21 THE FOREPERSON: Detective Wilson, by law,
22 these proceedings are secret and you are prohibited from
23 disclosing to anyone anything that has transpired before
24 us, including evidence and statements presented to the
11:51 25 Grand Jury, any event occurring or statement made in the

11:51 1 presence of the Grand Jury, and information obtained by
2 the Grand Jury.

3 Failure to comply with this admonition is a
4 gross misdemeanor punishable by a year in the Clark
11:51 5 County Detention Center and a \$2,000 fine. In addition,
6 you may be held in contempt of court punishable by an
7 additional \$500 fine and 25 days in the Clark County
8 Detention Center.

9 Do you understand this admonition?

11:51 10 THE WITNESS: Yes, I do.

11 THE FOREPERSON: Thank you for your time.

12 THE WITNESS: Thanks.

13 MR. FLINN: Ladies and gentlemen, the
14 record will reflect that marked as Exhibit 20 is a
11:52 15 Judgment of Conviction for District Court, Clark County,
16 Nevada, dated May 2, 2012, case number C211880, State of
17 Nevada versus Shawn Glover, for the felony crime of
18 voluntary manslaughter with use of a deadly weapon.

19 With that, that concludes my presentation
11:52 20 of evidence for today. If at any point before voting
21 the Grand Jury would require additional documents or
22 other evidence, please ask me and I will return to
23 present that evidence if it is available and appropriate
24 for presentation.

11:53 25 With that I will exit and allow you all to

11:53 1 deliberate.

2 (At this time, all persons, other than
3 members of the Grand Jury, exit the room at 11:53 a.m.
4 and return at 11:57 a.m.)

11:57 5 THE FOREPERSON: Mr. District Attorney, by
6 a vote of 12 or more grand jurors a true bill has been
7 returned against defendant Shawn Glovers charging the
8 crimes of murder with use of a deadly weapon, assault
9 with a deadly weapon, ownership or possession of firearm
11:57 10 by prohibited person, and discharge of firearm from or
11 within a structure or vehicle, in Grand Jury case
12 number 15BGJ035X. We instruct you to prepare an
13 Indictment in conformance with the proposed Indictment
14 previously submitted to us.

11:57 15 (Proceedings concluded.)

16 --oo0oo--

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REPORTER'S CERTIFICATE

STATE OF NEVADA)
 : Ss
COUNTY OF CLARK)

I, Danette L. Antonacci, C.C.R. 222, do hereby certify that I took down in Shorthand (Stenotype) all of the proceedings had in the before-entitled matter at the time and place indicated and thereafter said shorthand notes were transcribed at and under my direction and supervision and that the foregoing transcript constitutes a full, true, and accurate record of the proceedings had.

Dated at Las Vegas, Nevada,
February 16, 2016.

/s/ Danette L. Antonacci

Danette L. Antonacci, C.C.R. 222

11:57 1 AFFIRMATION

2 Pursuant to NRS 239B.030

3

4 The undersigned does hereby affirm that the
11:57 5 preceding TRANSCRIPT filed in GRAND JURY CASE NUMBER
15BGJ035X:

6

7

8 X Does not contain the social security number of any
person,

9

11:57 10 -OR-

11 Contains the social security number of a person as
required by:

12

13 A. A specific state or federal law, to-
wit: NRS 656.250.

14

-OR-

11:57 15 B. For the administration of a public program
or for an application for a federal or
16 state grant.

17

18 /s/ Danette L. Antonacci

19 Signature

2-16-16

Date

11:57 20

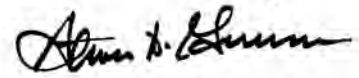
21 Danette L. Antonacci

22 Print Name

23

24 Official Court Reporter

25 Title


CLERK OF THE COURT

1 IND
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 DAVID STANTON
6 Chief Deputy District Attorney
7 Nevada Bar #3202
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

CASE NO: C-16-312448-1

11 -vs-

DEPT NO: VIII

12 SHAWN GLOVER, aka
13 Shawn Lynn Glover, Jr., #1950305

14 Defendant.

INDICTMENT

15 STATE OF NEVADA }
16 COUNTY OF CLARK } ss.

17 The Defendant above named, SHAWN GLOVER, aka Shawn Lynn Glover, Jr.,
18 accused by the Clark County Grand Jury of the crime(s) of MURDER WITH USE OF A
19 DEADLY WEAPON (Category A Felony - NRS 200.010, 200.030, 193.165 - NOC 50001);
20 ASSAULT WITH A DEADLY WEAPON (Category B Felony - NRS 200.471 - NOC 50201);
21 OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON (Category B
22 Felony - NRS 202.360 - NOC 51460) and DISCHARGE OF FIREARM FROM OR WITHIN
23 A STRUCTURE OR VEHICLE (Category B Felony - NRS 202.287 - NOC 51445),
24 committed at and within the County of Clark, State of Nevada, on or about the 1st day of
25 January, 2016, as follows:

26 COUNT 1 - MURDER WITH USE OF A DEADLY WEAPON

27 did willfully, unlawfully, feloniously and with malice aforethought, kill PATRICK
28 FLEMING, a human being, with use of a deadly weapon, to-wit: a handgun, by shooting at

1 Names of witnesses testifying before the Grand Jury:

2 SUTTON, MIRANDA, c/o CCDA/VWAC, 200 LEWIS AVE., LVN

3 VEASLEY, ARIRKA, 4032 SMOKEY FOG AVE., NLV, NV

4 WILSON-FAY, SAYOKO, NLVPD P#1437

5
6 Additional witnesses known to the District Attorney at time of filing the Indictment:

7 CUSTODIAN OF RECORDS, CCDC

8 CUSTODIAN OF RECORDS, NLVPD DISPATCH

9 CUSTODIAN OF RECORDS, NLVPD RECORDS

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26 15BGJ035X/16FN0004X/dd-GJ
27 NLVPD EV#1600031
28 (TK)



RTRAN

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

vs.

SHAWN GLOVER,
Defendant.

CASE NO: C-16-312448-1
DEPT. XVIII

BEFORE THE HONORABLE DAVID BARKER, DISTRICT COURT JUDGE
THURSDAY, FEBRUARY 4, 2016

**RECORDER'S TRANSCRIPT OF HEARING RE:
GRAND JURY INDICTMENT**

APPEARANCES:

For the State:

JAY P. RAMAN, ESQ.
Deputy District Attorney

For the Grand Jury:

APRIL SANSON, FOREPERSON

RECORDED BY: CYNTHIA GEORGILAS, COURT RECORDER

1 Las Vegas, Nevada; Thursday, February 4, 2016

2
3 [Proceeding commenced at 11:51 a.m.]

4 MR. RAMAN: Your Honor, yesterday the Grand Jury met on
5 Case Number 15BGJ035X, Defendant, Shawn Glover, and by a vote of
6 12 or more Grand Jurors they returned a true bill indictment on the
7 following charges; one count of murder with a use of deadly weapon;
8 one count of assault with a deadly weapon; one count of ownership or
9 possession of firearm by a prohibited person; one count of discharge of
10 firearm or within a structure or vehicle.

11 THE COURT: Ms. Sanson, on behalf of the Grand Jury, did
12 12 or more members of the Grand Jury concur in the finding of true bill
13 as to this Defendant on each of these counts?

14 THE JURY FOREPERSON: Yes, Your Honor.

15 THE COURT: Very well, it will be assigned Case Number
16 312448.

17 This is a case, per our Clerk, that originates out of North Las
18 Vegas jurisdiction and Judge Lee, specifically, will required a
19 determination of tracking -- random tracking at this time; is that correct?

20 MR. RAMAN: Yes. We've --

21 THE COURT: And this is a Public Defender case.

22 MR. RAMAN: We've analyzed the particular Public Defender
23 assigned to this is on their murder team. The murder team is not
24 assigned to any particular track so it's a double-flip.

25 THE COURT: So it's a double-flip. All right.

1 So the first determination will be whether this is a Track 1 or
2 Track 11 case. Track 1 is Departments' 20 and 25, per the current
3 matrix. Track 11 is Departments' 8 and 3. So the first flip, heads will be
4 Track 1, tails will be Track 11; it's a Track 11, tails. So now we're going
5 to decide whether it's tracked to 8 or -- District 8 or District 3. Head, it's
6 District 8.

7 So we'll give a one week. And now what's the request,
8 warrant or summons?

9 MR. RAMON: Warrant, Your Honor. We're just going to ask
10 for a transfer of current bail set by Judge Lee. Current bail amount is
11 1 million on the murder and a total of 60,000 on the remaining charges
12 so total bail is \$1,060,000.

13 THE COURT: All right. I will issue a warrant; set an initial
14 arraignment date in Department 8. One week.

15 THE CLERK: That's going to be February 8th at 8:00 a.m.

16 THE COURT: And I will set the bail amount in a manner
17 consistent with limited jurisdiction, Judge Lee, 1 million on the open
18 murder allegation and 60,000 on the balance on the assault count, the
19 firearms -- and the two firearms allegations.

20 You'll have to deal with the charges of the complaint in Justice
21 Court in front of Judge Lee because I can't dismiss -- dismiss any North
22 Las Vegas action.

23 I do note, per court staff, Exhibits 1 through 20 need to be
24 lodged with the Clerk.

25 MR. RAMAN: Yes, Your Honor.

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THE COURT: All right. Good.

Anything else?


MR. RAMAN: No, Your Honor.

THE COURT: Very good.

[Proceeding concluded at 11:54 a.m.]

* * * * *

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



Robin Page
Court Recorder/Transcriber



RTRAN

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

vs.

SHAWN GLOVER,
AKA SHAWN LYNN GLOVER, JR
Defendant.

CASE#: C-16-312448-1
DEPT. VIII

BEFORE THE HONORABLE DOUGLAS E. SMITH, DISTRICT COURT JUDGE
MONDAY, FEBRUARY 8, 2016

**RECORDER'S TRANSCRIPT OF HEARING:
INITIAL ARRAIGNMENT**

APPEARANCES:

For the State:

ELANA L. GRAHAM, ESQ.
Deputy District Attorney

For the Defendant:

RYAN J. BASHOR, ESQ.
Deputy Public Defender

RECORDED BY: JILL JACOBY, COURT RECORDER

1 Las Vegas, Nevada, Monday, February 8, 2016

2
3 [Hearing began at 7:59 a.m.]

4 THE COURT: C312448, Shawn Glover.

5 MR. BASHOR: Good morning, Your Honor, Ryan Bashor
6 from the Public Defender's Office on his behalf. He's present in custody.

7 Your Honor, we acknowledge receipt of the Indictment, waive
8 the formal reading, enter a plea of not guilty. I've spoken to Mr. Glover
9 about his right to a trial within 60 days; he wishes to waive that right.

10 THE COURT: Is that right, Mr. Glover?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: You believe that's in your best interest after
13 talking with your attorney?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: All right.

16 THE CLERK: Calendar call that'll be June 1st, 8:00 a.m.; jury
17 trial June 13th, 9:30 a.m.

18 THE COURT: Has there been a decision yet whether or not
19 this is a death penalty case?

20 MR. BASHOR: It has not, Your Honor.

21 THE COURT: There has not or there is not?

22 MR. BASHOR: There has not been a determination.

23 THE COURT: When are they going to make that call?

24 MR. BASHOR: They have 30 days from today, Your Honor.

25 THE COURT: All right.

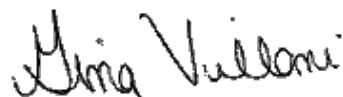
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MR. BASHOR: Thank you.

[Hearing concluded at 8:00 a.m.]

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



Gina Villani
Court Recorder/Transcriber



RTRAN

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

vs.

SHAWN GLOVER,
AKA SHAWN LYNN GLOVER, JR
Defendant.

CASE#: C-16-312448-1
DEPT. VIII

BEFORE THE HONORABLE DOUGLAS E. SMITH, DISTRICT COURT JUDGE
MONDAY, APRIL 18, 2016

**RECORDER'S TRANSCRIPT OF HEARING:
JESS R. MARCHESE, ESQ.'S MOTION TO WITHDRAW AS
COUNSEL**

APPEARANCES:

For the State:

JOHN L. GIORDANI, ESQ.
Deputy District Attorney

For the Defendant:

JESS. R. MARCHESE, ESQ.
CESELY WESTMORELAND, ESQ.
Deputy Public Defender

RECORDED BY: JILL JACOBY, COURT RECORDER

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Las Vegas, Nevada, Monday, April 18, 2016

[Hearing began at 8:30 a.m.]

THE COURT: C312448, Shawn Glover.

MR. MARCHESE: Good morning, Your Honor, Jess
Marchese on behalf of Mr. Glover.

This is my motion.

MR. GIORDANI: Judge, Mr. Stanton was here earlier but he
informed me that he believes the PD or the SPD was previously on the
case, if they should just be reappointed if you grant Mr. Marchese's --

MR. MARCHESE: It --

THE COURT: I forgot which one it was.

MR. MARCHESE: -- it was the Public Defender's Office.

MR. GIORDANI: Oh.

MR. MARCHESE: That's where I got the file from.

THE COURT: All right. You're allowed to withdraw.

Do you have an order or --

MR. MARCHESE: I'll submit it.

THE COURT: All right.

MR. MARCHESE: I'll get the discovery immediately over to the
Public Defender's Office.

MS. WESTMORELAND: Your Honor, if we can have a week so
that the murder team, that murder team deputy can be here.

THE COURT: One week, status check in one week for
Mr. Glover.

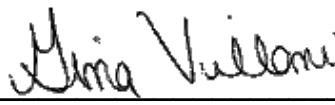
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THE CLERK: April 25th at 8:00 a.m.

[Hearing concluded at 8:31 a.m.]

* * * * *

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



Gina Villani
Court Recorder/Transcriber



RTRAN

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

vs.

SHAWN GLOVER,
AKA SHAWN LYNN GLOVER, JR
Defendant.

CASE#: C-16-312448-1
DEPT. VIII

BEFORE THE HONORABLE DOUGLAS E. SMITH, DISTRICT COURT JUDGE
MONDAY, APRIL 25, 2016

**RECORDER'S TRANSCRIPT OF HEARING:
STATUS CHECK: TRIAL READINESS**

APPEARANCES:

For the State:

DAVID STANTON, ESQ.
Chief Deputy District Attorney

For the Defendant:

RYAN J. BASHOR, ESQ.
Deputy Public Defender

RECORDED BY: JILL JACOBY, COURT RECORDER

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Las Vegas, Nevada, Monday, April 25, 2016

[Hearing began at 8:37 a.m.]

THE COURT: C312448, Shawn Glover.

Status check on trial readiness.

MR. BASHOR: Your Honor, Mr. Marchese withdrew about a week ago, the public defender can reconfirm on the case. As for the trial date, I don't believe we'll be ready within the 45, about 45 days from now. I was discussing briefly with the State future trial dates. I was wondering what your November stack looked like, if you have one.

THE CLERK: November stack, calendar call will be November 2nd, and then jury trial November 7th.

MR. BASHOR: That'll be fine with me.

THE COURT: All right.
How long will it take to try this case?

MR. STANTON: A week.

MR. BASHOR: Yes.

MR. STANTON: A week and a half.

THE COURT: All right. Thanks.

MR. STANTON: Thanks.

MR. BASHOR: Thank you, Your Honor.

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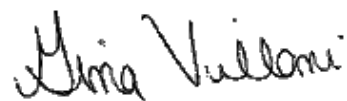
THE COURT: And you have all the discovery?

MR. BASHOR: I do need to file a discovery motion but the
discovery that Mr. Marchese had, yes.

[Hearing concluded at 8:39 a.m.]

* * * * *

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



Gina Villani
Court Recorder/Transcriber



1 RTRAN

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5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

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8 THE STATE OF NEVADA,
9 Plaintiff,

10 vs.

11 SHAWN GLOVER, AKA:
12 SHAWN LYNN GLOVER, JR.,
Defendant.

)
) CASE#: C-16-312448-1
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) DEPT. IX
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13 BEFORE THE HONORABLE JENNIFER P. TOGLIATTI, DISTRICT COURT JUDGE
14 TUESDAY, JULY 18, 2017

15 **RECORDER'S TRANSCRIPT OF PROCEEDINGS**
16 **DEFENDANT'S MOTION TO COMPEL PRODUCTION OF**
17 **DISCOVERY AND BRADY MATERIAL;**
18 **STATUS CHECK: TRIAL SETTING**

19 APPEARANCES:

20 For the State:

DAVID STANTON, ESQ.
Chief Deputy District Attorney
WILLIAM W. FLINN, JR., ESQ.
Deputy District Attorney

22 For the Defendant:

RYAN J. BASHOR, ESQ.
ROBERT E. O'BRIEN, ESQ.
Deputy Public Defenders

24
25 RECORDED BY: YVETTE SISON, COURT RECORDER

1 Las Vegas, Nevada, Tuesday, July 18, 2017

2
3 [Case called at 9:32 a.m.]

4 THE COURT: Okay. This is C312448-1. Counsel, can you
5 state your appearances in State of Nevada versus Shawn Glover, who is
6 present in custody.

7 MR. STANTON: David Stanton and William Flinn on behalf of
8 the State.

9 MR. BASHOR: Ryan Bashor and Rob O'Brien on behalf of
10 Mr. Glover who is present.

11 THE COURT: Okay. We can go through the motion to
12 compel discovery today which I'm happy to do. And I would like to
13 discuss the trial date. And I don't know how many -- how many trial
14 dates have you had?

15 MR. BASHOR: Mr. Marchese was prior counsel for a little bit.
16 He might've had one and I've had one prior.

17 THE COURT: Okay. So how long do you need to get ready?

18 MR. BASHOR: Just based on my calendar, Judge, this is
19 actually fairly ready. It's coming along. I would say, looking at my
20 calendar, either December or just after the New Year.

21 THE COURT: How long would the case take to try,
22 approximately?

23 MR. STANTON: In this department, a week and a half
24 selection and penalty if that hearing occurs.

25 THE COURT: Well, I have December 4th.

1 MR. BASHOR: That's fine, Your Honor.

2 THE COURT: Okay. So the trial date is set for December 4th.

3 MR. STANTON: The likelihood of us getting all our witnesses
4 around that time period I don't hold much hope, but we can set it and I
5 can see. But I just wanted to let you know that --

6 THE COURT: Well, would you rather have --

7 MR. STANTON: -- in my experience --

8 THE COURT: Would you rather -- I'd rather give you a date
9 that's real, not an --

10 MR. STANTON: I doubt that that date's going to be able to
11 hold from the State based upon our witnesses and that time frame.

12 THE COURT: Okay. So here's the issue though just from my
13 perspective. What I'm trying to do with the murder cases is place them
14 in the stack that use to be civil so that you'll have a higher -- you know,
15 so that I'm not like 20 trials -- not because I would ever put a -- you
16 know, some other case I could give to somebody else from a regular
17 stack in front of the murder case, but because the murder cases that I
18 already have are set in those stacks; does that make sense to you?

19 MR. STANTON: Yes.

20 THE COURT: So rather than have you compete with existing
21 settings that have been there since Christ was a child, I was going to try
22 to set you in those special five week -- I have all the time in the world
23 now.

24 MR. STANTON: Right.

25 THE COURT: And the next five week after December is

1 February because January is the regular stack with all the regular
2 murders. And I'm looking at it thinking to myself here -- there's plenty on
3 there already. That's the only thing I'm worried about is I just want to
4 have some --

5 MR. STANTON: We can try November because I'm going to
6 get set at least on one in February here this morning.

7 THE COURT: Okay. So does that work?

8 MR. BASHOR: No.

9 THE COURT: Wait.

10 MR. BASHOR: I have Justin Porter in Department 6.

11 THE COURT: Meaning February?

12 MR. BASHOR: February's better for me.

13 THE COURT: Okay. So he -- but what I'm -- what I'm hearing
14 from Mr. Stanton now is, okay, go back to December 4th and I'll do my
15 best and let you know.

16 MR. BASHOR: Oh.

17 THE COURT: Correct?

18 MR. STANTON: Yes.

19 MR. BASHOR: Oh, okay. Great.

20 THE COURT: That's what I'm hearing.

21 MR. BASHOR: I'm sorry.

22 THE COURT: Okay. All right. So back to December 4th for
23 Mr. Glover's trial. That's December 4th at 10:30 with a calendar call
24 November 21st at 9 a.m. And I'm going to do a status check -- because
25 you already have a motion for discovery filed that I'm going to handle

1 hopefully now. Are you ready to do that now?

2 MR. BASHOR: Mr. O'Brien will argue it, but yes.

3 THE COURT: Okay. Then -- you know, I'll -- won't have a
4 status check trial readiness for another 45 days because, you know,
5 you're filing motions and getting -- working on discovery already. So
6 let's do that now. Let me just give you a status check trial readiness in
7 45 days.

8 THE COURT CLERK: August 29th, 9 a.m.

9 MR. STANTON: Twenty-ninth?

10 THE COURT CLERK: Yes.

11 MR. STANTON: Thank you.

12 THE COURT: Okay. Do you have anything -- questions
13 about that, trial setting, what we're doing?

14 THE DEFENDENT: No.

15 THE COURT: All right. Thanks.

16 Now we're going to the motion.

17 MR. STANTON: Mr. Flinn, with the permission of the Court, is
18 going to argue that motion.

19 THE COURT: Sure.

20 MR. STANTON: I got to be in another department.

21 THE COURT: Sure.

22 Okay. So I have the motion to compel production of discovery
23 and *Brady* material; the State's opposition. There was not a reply. I
24 assume you're just going to reply orally to this.

25 MR. O'BRIEN: Yes, please, Your Honor.

1 THE COURT: Okay. If I could just give my -- give me a
2 minute to talk to my clerk.

3 [Colloquy between the Court and the Court Clerk]

4 THE COURT: So the minutes will be summary in nature. And
5 if there's a dispute about what I said, or ordered, or didn't order, you'll
6 just have to get a transcript because it's, you know --

7 MR. O'BRIEN: And Your --

8 THE COURT: -- 71 items. I mean, 41 items-ish. Forty-one --
9 did I skip some?

10 MR. O'BRIEN: Your Honor, if it's helpful, I did intend to
11 prepare an order for the Court, which I would send over to the District
12 Attorney's Office for their approval, and I'd go off whatever language -- if
13 there was some concern or some nuance I would ask for JAVS and I'd --

14 THE COURT: Okay.

15 MR. O'BRIEN: -- write the order off of that.

16 THE COURT: That would be great. Thanks.

17 Okay. So starting with Defendant's statements, whether
18 written or recorded during arrest, during transport, or all conversations
19 intercepted, recorded, or memorialized by law enforcement or jail
20 personnel. To summarize for the court clerk, request number 1.

21 MR. O'BRIEN: We'll submit.

22 THE COURT: State, no objection?

23 MR. FLINN: Just as far as it goes beyond the statute. Of
24 course written, recorded statements --

25 THE COURT: Are there any?

1 MR. FLINN: No, I don't believe so. He was picked up some
2 time later.

3 THE COURT: And didn't make a statement?

4 MR. FLINN: I don't believe so off the top --

5 THE COURT: And there's, to your knowledge, no recording of
6 him talking to anyone surreptitiously or anything else?

7 MR. FLINN: Not that I'm aware of at this time.

8 THE COURT: Okay. And you understand that if there were,
9 and you find that out later, I would expect you to turn it over.

10 MR. FLINN: Yes, Your Honor.

11 THE COURT: Okay.

12 MR. FLINN: We understand that.

13 THE COURT: Okay. So the record shall reflect that that
14 request is granted. And as of right -- that -- while the District Attorney is
15 not aware of any at this time -- you don't have anything specific that
16 you're aware of; correct?

17 MR. O'BRIEN: That's correct, Your Honor.

18 THE COURT: Okay. So the District Attorney's not aware of
19 anything at this time, but would bring to the Court and the defense's
20 attention where they do become aware of anything.

21 Okay. Number 2, potential witness statements in audio or
22 video, including interviews from Angela Burkes, Micaiah Burkes, Jordan
23 Fleming, Melvin Givens, Sr., Gippy Glover -- or Kippy, excuse me, Malik
24 Matthews, Loren Mendoza, Michael Reyes, Miranda Sutton and Akira
25 Veasley.

1 You state in your opposition that you've already provided all
2 written and recorded statements of witnesses you intend to call in your
3 case in chief. Can I ask you, are there any witnesses on this list that
4 you have statements for that you don't intend to call and didn't produce?

5 MR. FLINN: Not that I'm aware of, Your Honor, and I will
6 double check with the detective. If there's any written, recorded
7 statements that they took we'll hand them over, but --

8 THE COURT: Okay. Even if --

9 MR. FLINN: -- I just -- I think --

10 THE COURT: -- you're not calling them.

11 MR. FLINN: -- we gave them all.

12 THE COURT: Okay. I would prefer -- here's the thing. I get
13 the statute. I get it. I do, but here's the problem. Three hundred murder
14 cases, four people, you want to be ready and actually go. I just need a
15 little -- you know, there's the statute and then there's you want to go to
16 trial and get this case done.

17 MR. FLINN: Right.

18 THE COURT: Okay. So their motion is granted --

19 MR. O'BRIEN: And, Your Honor, just --

20 THE COURT: -- as to request number 2.

21 MR. O'BRIEN: -- for assistance to the State and for the State
22 as well, just to be clear, the incident -- the death occurs on New Year's
23 Eve, January 1st. There are statements. We know North Las Vegas
24 police do go out and interview specifically Miranda Sutton and Akira
25 Veasley. On that evening they provide a statement. We never received

1 that statement.

2 THE COURT: Okay.

3 MR. O'BRIEN: It's summarized briefly in the arrest report.
4 And the -- part of the reason why I believe is the next day, January 2nd,
5 there's a subsequent interview of those two women. And we do have
6 that statement. That has been provided by the State.

7 THE COURT: Okay. So I'm going to grant request number 2
8 and ask the District Attorney to look for Miranda Sutton and Akira
9 Veasley any reports, and/or recordings, and/or transcriptions of their
10 January 1st statement rather than their -- you've already produced the
11 second. So -- if there is any -- if there are any. And that will be
12 something that I'll need to status check at the next -- can you do that?

13 MR. FLINN: Yes, Your Honor.

14 THE COURT: And the only way we're going to be able to try
15 these is to get right on it.

16 MR. FLINN: Yes, Your Honor.

17 THE COURT: Okay. So --

18 MR. O'BRIEN: And finally, Your Honor, just the other specific
19 I'd point the Court to -- direct the Court and the State to, is there -- North
20 Las Vegas police officer, Leonard Miller, did indicate he had a witness
21 statement and that it was attached to his crime report. That has not
22 been disclosed at this point.

23 THE COURT: I'm sorry. Say -- who was the witness
24 statement that he had?

25 MR. O'BRIEN: He does not disclose who it's from, Your

1 Honor. It says witness stated -- witness statement attached to North Las
2 Vegas police officer Leonard Miller's crime report. And that crime report
3 is specifically dated January 1st, 2016.

4 THE COURT: And there's no witness statement attached.

5 MR. O'BRIEN: There is not.

6 THE COURT: Okay. Can you figure out what the witness
7 statement -- who the witness is and what he is referring to since nothing
8 seems to be attached in what they were given. I mean, they may
9 already have it. They just don't know which thing -- you know, which
10 one it is.

11 MR. FLINN: Yes, Your Honor.

12 THE COURT: Okay. So as to number 2 it's granted that in 30
13 days we will be discussing Miranda Sutton and Akira Veasley's January
14 1st statement, either a transcription or an audio, if it exists. They're
15 going to determine that. And what, if anything, was attached to the
16 officer's report from a witness. Well, who it was and what it was.

17 Anything else on number 2?

18 MR. O'BRIEN: No, Your Honor. Thank you.

19 THE COURT: Records -- number 3, records relating to
20 investigation including copies of handwritten notes and investigative
21 leads that were not followed up on.

22 MR. O'BRIEN: Your Honor, for the most part we'll submit on
23 request number 3. I'd just direct the Court and the State to the specific
24 bullet point right above request 4 on page 26.

25 THE COURT: All right.

1 MR. O'BRIEN: Mr. Glover was taken into custody, as State
2 mentioned earlier, sometime later after this incident.

3 THE COURT: Mm-hmm.

4 MR. O'BRIEN: And we do not know -- we have no reports or
5 information about how that occurred, or where, or when.

6 THE COURT: Okay. So murder suspect gets arrested.
7 There's got to be some report some place. So could you get the arrest
8 information, and/or reports, and/or discovery related to his arrest?

9 MR. FLINN: Sure.

10 THE COURT: Okay. So number 3, case monitoring forms,
11 use of force report, 9-1-1 dispatch logs. Those -- Crime Stoppers.
12 Here's the thing. As to Crime Stoppers, I always require the District
13 Attorney to produce it in-camera because of experiences in the past that
14 just result in either a mistrial or a protracted delay in the middle of a trial.
15 Doesn't mean I give it over. I understand, you know, your position, but I
16 do require you to, you know --

17 I once did an entire trial, Crime Stoppers, DA says it doesn't
18 exist because the detective said it didn't exist. Then during examination
19 under oath it did exist, but the detective said, well, I don't -- that's not
20 discoverable, so I didn't say that it existed, with all kinds of pictures and
21 things that were really particularly relevant to the case. And so I just ask
22 that you specifically inquire of the detective what, if anything, of that
23 nature exists. You don't have to hand it over to Defendant, but if it exists
24 I'm going to make you hand it over to me.

25 MR. FLINN: Yes, Your Honor.

1 THE COURT: Okay. So that's number 3.

2 Anything else as to number 3? I know you said you were
3 submitting it, but I just -- we're going through this.

4 MR. O'BRIEN: I will submit it.

5 THE COURT: Okay. Number 4, crime scene analysis,
6 evidence collection and forensic testing. I assume -- I'm sorry, I don't
7 know how old your case is. I have a lot on today.

8 MR. BASHOR: It was January -- the incident was January 1,
9 2016.

10 THE COURT: So is that still in progress; yes?

11 MR. FLINN: Yes.

12 THE COURT: Okay. And so as far as number 4, do you have
13 something specifically that you are -- you understand is occurring and
14 you're waiting for. Can you give me a checklist of what that is?

15 Listen, you can sit down. I appreciate the courtesy, but you
16 can sit down.

17 THE DEFENDENT: Thank you.

18 THE COURT: This is going to take forever.

19 MR. FLINN: In all candor, Your Honor, I would have to double
20 check with Mr. Stanton because those reports get sent over to him and
21 see if there's anything that's come in that we're still waiting --

22 THE COURT: Okay. So I'm going to --

23 MR. FLINN: -- that we're still waiting for.

24 THE COURT: -- reserve to next -- I would like some more
25 detail on the forensics on our next status check. So I'm going to -- I

1 mean, I'm going to order it, but I'd like to know what I'm -- what's in the
2 hopper.

3 MR. O'BRIEN: Absolutely, Your Honor.

4 THE COURT: So what do you -- do you have anything
5 specific you think is going on?

6 MR. O'BRIEN: I would say, Your Honor, the last three bullet
7 points are -- is evidence that we believe exists that we have not seen
8 anything from. It is a shooting --

9 THE COURT: Photographs, firearms.

10 MR. O'BRIEN: It is a shooting death. There's -- so firearms
11 evidence, ballistic firearm testing. The work done by the following
12 individuals: the CSIs that were involved, the medical examiner that was
13 involved, and a special agent named Ryan Burke was employed to
14 investigate a tablet involved in -- that was discovered at the property.
15 And then finally, Your Honor, it looks like the material witnesses,
16 Miranda Sutton and Akira Veasley, were shown photos -- a photo or
17 photos during their interview with North Las Vegas police. We do not
18 know what those photos are.

19 THE COURT: Okay. So I'm going to reserve on number 4.
20 So we will continue the motion for discovery for 30 days. Reserve on
21 crime scene analysis, and forensic and evidence collection, number 4,
22 and the motion for discovery to address it more in detail after you have
23 an opportunity to consult with Mr. Stanton and see the status of those
24 things.

25 MR. FLINN: Yes, Your Honor.

1 THE COURT: Okay. Next, medical records, including photos,
2 reports, imagining studies, test results, notes pertaining to Patrick
3 Fleming in particular, neuropathological, toxicological and every other
4 kind of logical that you can have.

5 MR. FLINN: I believe we -- I mean, everything is related to
6 the -- essentially the autopsy. So we --

7 THE COURT: Right. So is there --

8 MR. FLINN: -- provided all that I believe.

9 THE COURT: Is there anything in particular that you believe
10 you are lacking?

11 MR. O'BRIEN: Not --

12 THE COURT: Other than the forensics which it might be part
13 of -- I don't know, part of that.

14 MR. O'BRIEN: That's correct, Your Honor. Just -- we're
15 specifically I think looking for if he was -- prior to the autopsy. When he
16 was brought to UMC if there was anything generated other than -- other
17 than the autopsy itself.

18 THE COURT: Meaning UMC records?

19 MR. BASHOR: Well, actually -- I mean, my recollection,
20 Judge, is that he was pronounced dead at the scene. But if there's any,
21 I guess, maybe EMT, that sort of thing.

22 THE COURT: Okay. So somebody pronounced him dead at
23 the scene perhaps.

24 MR. BASHOR: Right.

25 THE COURT: Is that -- does that comport with your memory,

1 Mr. Flinn?

2 MR. FLINN: Yes, Your Honor. Someone would have --

3 THE COURT: So some --

4 MR. FLINN: -- would have done so.

5 THE COURT: -- my guess is a piece of paper goes with that.

6 And that's probably AMR, or Fire and Rescue, or whatever. Do we have
7 that?

8 MR. FLINN: Not that I'm aware of; no.

9 THE COURT: Okay. So I'm going to set a status check on
10 number 5. Number 5 is granted. I'm going to ask that you look to see
11 who -- who was there and said, you know, it's -- he's not transportable
12 for medical treatment and declared him deceased because my guess is
13 they were Johnny on the Spot after the crime was committed. So that
14 would be AMR or Fire and Rescue; right -- or -- I mean, honestly, I'm not
15 -- I mean, the coroner's called out if the body's cold. And they're not
16 calling AMR, so it's going to be one of those three.

17 MR. FLINN: And I'm not offering something up because it
18 was -- I don't even know if anybody came out given the scene.

19 THE COURT: Okay, but could you --

20 MR. FLINN: I will check though. And that's --

21 THE COURT: -- could you check if there's --

22 MR. FLINN: Exactly.

23 THE COURT: -- any AMR, Fire and Rescue or coroner?

24 MR. FLINN: Exactly.

25 THE COURT: Like you know they send the investigator or

1 whatever --

2 MR. FLINN: Yes.

3 THE COURT: -- and say, yeah, he's passed.

4 MR. FLINN: Yes.

5 THE COURT: Okay. So --

6 MR. FLINN: Although they should have the coroner's -- the
7 coroner investigator's report.

8 THE COURT: Do you have that?

9 MR. BASHOR: Yes.

10 MR. FLINN: That comes with --

11 THE COURT: Okay. And have you looked at that to
12 determine if that's the person that was there called by the police or
13 whoever?

14 MR. BASHOR: I'll have to give it an additional inspection,
15 Your Honor.

16 THE COURT: Okay. So if --

17 MR. FLINN: Well --

18 THE COURT: -- someone could look at the coroner's report --

19 MR. FLINN: We will.

20 THE COURT: -- to say, hey, I was call -- I was there and with
21 the firemen, or EMT, or I was there with the sergeant, or whatever. And
22 you'll just check and see if there was any Fire and Rescue and AMR.

23 MR. FLINN: Yes.

24 THE COURT: Okay. So status check number 5 in 30 days.

25 Preservation of an access to raw evidence, including forensic

1 material, video, photographic and digital, negatives, everything. Raw
2 evidence. Uncooked.

3 MR. FLINN: Just other than --

4 THE COURT: Are you aware of any?

5 MR. FLINN: To the extent we don't know exactly what that
6 means, we're of course preserving all evidence.

7 THE COURT: Do you have something in particular?

8 MR. O'BRIEN: We'll submit, Your Honor.

9 THE COURT: Okay. So if you have any biological samples,
10 or toxicological samples, or --

11 MR. FLINN: Those will of course be --

12 THE COURT: -- video surveillance of any kind, if you would --
13 I'm going to grant that even though I'm going to let the record reflect on
14 number 6 it's granted, but no information known at this time. Fair?

15 MR. FLINN: Yes, Your Honor.

16 THE COURT: Okay. Seven, electronic communications and
17 associate warrants. Audio push-to-talk data and packet data, electronic
18 messaging, short message, multimedia, file transfer, internet protocol,
19 you know, and on and on. Are you aware of anything in particular that
20 you're getting at with this?

21 MR. O'BRIEN: Not at this time, Your Honor, other than the
22 investigation really does seem to pick up speed on January 2nd. North
23 Las Vegas officers get a tip from a family member of the deceased who
24 -- and then from that process they continue their investigation. Then of
25 course any communications, or warrants, et cetera related to the arrest

1 of Mr. Glover which we still, as we said, are in the dark about.

2 THE COURT: Okay. So will you look for the arrest of Mr.
3 Glover information and any electronic communications, or warrants, or
4 anything else, or a text from the tipster, known as the family member of
5 the deceased? Is that -- I mean, it's not --

6 MR. FLINN: Yes, Your --

7 THE COURT: -- it's not a secret tipper, right -- tipster --

8 MR. FLINN: No, because --

9 THE COURT: -- because we know that person is tipping.

10 MR. FLINN: Well, and we already know who was the suspect
11 right from the start in this case. It's not like a -- we're trying to figure out
12 who did this type of scenario.

13 THE COURT: No, but you know how it is. Let's say there
14 was a text to the detective. That's a statement really. There could be
15 something that -- you know, I mean, they have an obligation.

16 MR. FLINN: There was some evolving stories of how this
17 occurred, but then it was clear who we were talking about, so --

18 THE COURT: Okay.

19 MR. FLINN: But I will confirm with the detective because I
20 think they just essentially sent a team out looking for this Defendant
21 shortly after the incident then --

22 THE COURT: Okay.

23 MR. FLINN: -- occurred and that's where we --

24 MR. O'BRIEN: And --

25 MR. FLINN: -- where we are.

1 THE COURT: So the detective file review should include a
2 request looking for any electronic --

3 MR. FLINN: Yes.

4 THE COURT: -- communication, emails, text --

5 MR. FLINN: Absolutely.

6 THE COURT: -- MMS, or anything else from any witness in
7 this case, and any other officer in this case, and the arrest. Anything
8 else?

9 MR. O'BRIEN: Your Honor, just briefly. You know, obviously
10 the State and defense theories would differ a little bit, but according to
11 North Las Vegas police they were looking for a man named Hatch for
12 about 12 to 24 hours and then the investigation turned to Mr. Glover
13 after that tip came in. So we would also be looking for any information
14 that -- on North Las Vegas' investigation and search for the name known
15 as Hatch.

16 MR. FLINN: Yes, Your Honor.

17 THE COURT: Can you do that?

18 MR. FLINN: I can.

19 THE COURT: Okay. Status check number 7 in 30 days.

20 Law enforcement video or audio recordings obtained by law
21 enforcement, including footage captured by body cameras worn by
22 officers under the event number.

23 Any body cam? Does North Las Vegas do body cam?

24 MR. FLINN: No, Your Honor.

25 THE COURT: Like even a voluntary like pilot project?

1 Nothing?

2 MR. FLINN: Nothing.

3 THE COURT: Do you --

4 MR. FLINN: At least at that time [indiscernible].

5 THE COURT: -- believe that they do body cam?

6 MR. O'BRIEN: Your Honor, I haven't seen a body cam in
7 North Las Vegas, so --

8 THE COURT: Okay.

9 MR. O'BRIEN: -- my -- information is the State would not
10 have it either, but I'm --

11 THE COURT: Okay. So --

12 MR. O'BRIEN: -- never keeping up with the grants that come
13 in and out for law enforcement, so --

14 THE COURT: So to the extent it exists in any way, including if
15 Metro was involved in the arrest of the Defendant, I would ask that you --
16 I don't know -- you know, sometimes it's multi-jurisdictional deal --

17 MR. FLINN: I'm sure.

18 THE COURT: -- and it could exist with a Metro officer, so I
19 would ask you to look into that even though I understand there's none in
20 North Las Vegas.

21 MR. FLINN: Yes, Your Honor.

22 THE COURT: Okay. Thank you.

23 So that's granted to the extent it may exist for any Metro
24 officer that was involved in the Defendant's arrest, or transport or
25 anything else.

1 Okay. Number 9, non-activated body cameras. But there are
2 no body cameras; correct?

3 MR. O'BRIEN: Right.

4 MR. FLINN: Correct, at least --

5 MR. O'BRIEN: We'll submit.

6 THE COURT: So same ruling.

7 MR. FLINN: -- from North Las Vegas.

8 THE COURT: If Metro somehow got involved in this in any
9 way and they had a body camera, I'd ask that you check with the
10 detective and see if that's possible. And be thinking about it when
11 you're looking at your police reports if you see any Metro P numbers,
12 please.

13 MR. FLINN: Yes, Your Honor.

14 THE COURT: Okay, so that's granted.

15 Number 10, monitoring tracking and associated warrants
16 obtained by law enforcement. Are there warrants in this case? I mean,
17 other than the arrest warrant, perhaps.

18 MR. FLINN: I don't believe so.

19 THE COURT: Do you have any search warrants or you're
20 looking?

21 MR. O'BRIEN: We don't have any specific information at this
22 time.

23 THE COURT: Okay.

24 MR. O'BRIEN: Other than we --

25 THE COURT: So if you became aware of something you

1 would produce it?

2 MR. FLINN: Yes.

3 THE COURT: Okay. So it's granted; however, it doesn't
4 appear to exist at this time, for the minutes.

5 MR. FLINN: Yes.

6 THE COURT: That's number 10.

7 Okay. Number 11, 9-1-1 and 3-1-1, car-to-car dispatch, unit
8 log, standard fair. DA says you can subpoena it and if there's trouble
9 then get me involved.

10 MR. FLINN: Okay.

11 MR. O'BRIEN: We're happy to use a subpoena.

12 THE COURT: Okay. So it's denied without prejudice just
13 because you can get it with a subpoena and if you can't you can get me
14 involved.

15 Chain of custody reports including reports showing destruction
16 of evidence, number 12. I mean, chain of custody, State, standard. I
17 assume you've already handed it over?

18 MR. FLINN: Yes, Your Honor.

19 THE COURT: When it gets closer -- I'm going to grant this
20 request. And when it gets closer to trial I would assume you would do
21 an evidence view and bring to my attention anything you're missing at
22 that time?

23 MR. O'BRIEN: Yes, Your Honor.

24 THE COURT: I mean, sometimes, you know, DA doesn't go
25 look at the evidence before you're getting closer to trial, and you don't

1 either. So it's granted and then you can renew it if there's something
2 you're missing.

3 Witness contact information. The District Attorney must
4 provide what's -- it's granted in part, number 13. You must provide
5 what's required by statute, which doesn't include phone numbers.

6 Number 14, information obtained from confidential informants.
7 Is there an unindicted co-conspirator or co -- you know, I mean, I already
8 said secret witness and anything like that.

9 MR. FLINN: Right.

10 THE COURT: Are you aware of anything that you're
11 concerned about?

12 MR. O'BRIEN: We are not, Your Honor, other than to say
13 there are -- from our investigation we do believe that some of the
14 witnesses involved belong to rival gangs to Mr. Glover. We're not sure
15 what information is being provided to North Las Vegas, or whether we
16 have a complete record of it, but if any of them were coded as -- any of
17 the witnesses or people providing information were coded as
18 confidential informants we would of course want that information as well.

19 MR. FLINN: I'm not sure I -- I apologize, Your Honor. I'm not
20 sure I understand what counsel was saying. If they've been a
21 confidential informant in some matter unrelated to this case that that's --
22 I don't understand what we're asking.

23 THE COURT: Could you say that again?

24 MR. O'BRIEN: Yes. On the second day of the investigation
25 when North Las Vegas begins to turn from their investigation from Hatch

1 to Mr. Glover, it's based on information provided by a member of a rival
2 gang.

3 THE COURT: Okay. If you could look into that. Status check
4 on that in 30 days. So -- you know, that's -- I'm sure the detective will
5 know exactly what you're talking about when you ask him, hey, what
6 about rival gang; any information. So status check rival gang
7 information, if it exists.

8 Okay. I think that you've asked for number 15 multiple
9 different ways and I've agreed that you're entitled to have it. If you have
10 some other way that you think that information exists other than a Crime
11 Stoppers, or rival gang information, or the 24 to 16 hour period of Hatch.
12 Anything else because I think you're entitled to it, but it's hard to -- I
13 don't know what I don't know.

14 MR. O'BRIEN: The only thing we could think of Your Honor is
15 potentially notes from the investigating officers.

16 THE COURT: Could you just ask him if he has any related to
17 alternative suspects?

18 MR. FLINN: Yes.

19 THE COURT: Okay. Status check, number 15, alternative
20 suspects. Status check, number 14, rival gang info. That will all be in
21 30 days.

22 Number 16, any statements of identification or
23 misidentification by witnesses. Did you -- you believe -- other than the
24 statements that you may have not found or turned over yet, if they exist,
25 on the January 1st or something, you understand that if you come up

1 with something you're going to have to turn it over?

2 MR. FLINN: Yes, Your Honor.

3 THE COURT: And so we have the January 1st statements
4 you don't have. We have possible rival gang information that may
5 involve an identification. We have -- anything else in particular that you
6 are getting at or you're aware of?

7 MR. O'BRIEN: The only other thing I can think of is in the
8 interview room on the second day, January 2nd, the two female
9 witnesses are -- identify Mr. Glover. Anything that was used towards
10 that identification, or any information those women would have provided
11 previously that would have identified Hatch or misidentified Hatch, I
12 guess.

13 THE COURT: Okay. Can you look into that just to see?

14 MR. FLINN: Yes.

15 THE COURT: Okay. I mean, they're doing something on the
16 first that might have a report or a statement. And then they're doing
17 something on the second. You know, you never know if a picture was
18 shown or -- you don't know.

19 MR. FLINN: Yes, Your Honor.

20 THE COURT: If you could look into it and we'll status check
21 that in 30 days. This is going to require you to have a meeting with your
22 detective, you know that, right?

23 MR. FLINN: Oh, yes. I understand.

24 THE COURT: Okay. Okay.

25 Witness benefits. You haven't -- I mean, you had what? I'm

1 not aware if you had a prelim or -- I don't recall.

2 MR. FLINN: Grand jury.

3 THE COURT: Grand jury. Okay. So anything right now --

4 MR. FLINN: No.

5 THE COURT: -- beyond witness appearance fees for anyone
6 for the grand jury?

7 MR. FLINN: No, Your Honor.

8 THE COURT: I mean, it's a little early, but are you aware of
9 anything in particular you're concerned about at this time?

10 MR. O'BRIEN: No information at this time, Your Honor. We'll
11 submit.

12 THE COURT: Okay. So I would -- I would grant that
13 ordinarily and require you to produce any additional compensation other
14 than witness fees that are standard, so that's granted.

15 Page -- I mean, number 19, prior witness statements
16 inconsistent. You're aware of your obligations under *Brady* and right
17 now you don't know of any?

18 MR. FLINN: Yes, Your Honor, other than anything that's
19 already been provided.

20 THE COURT: Right. And you're going to look into those
21 statements of those ladies on the first --

22 MR. FLINN: Yes, I am.

23 THE COURT: -- if they exist? Okay. So that's granted.

24 MR. O'BRIEN: Thank you, Your Honor.

25 THE COURT: Number 20, law enforcement impeachment

1 information, *Henthorn* request. Anything in particular you're getting at
2 here?

3 MR. O'BRIEN: We're not aware of any information at this
4 time, Your Honor. We'll submit.

5 THE COURT: Are you -- you understand that I'm going to be
6 looking for you to bring to my attention any of these things --

7 MR. FLINN: Yes, Your Honor.

8 THE COURT: -- as you go on in your case?

9 MR. FLINN: Yes, Your Honor.

10 THE COURT: Okay. So that's granted.

11 Did you see the list of -- okay. So I'm going to skip number 21
12 for now and go to number 37, Child Protective Services records related
13 to the case. This includes information from the following individual.

14 MR. O'BRIEN: Your Honor, by way of background -- I
15 apologize. Since -- I didn't necessarily flesh this out in the statement of
16 facts, but the women who are present in the house, there's also a
17 number of children who are present there. And the women's statements
18 involve where the children are in the house at the time. If CPS was
19 brought out we would want to know information -- any information that
20 CPS collected or has.

21 THE COURT: You mean from that day in question?

22 MR. O'BRIEN: Yes, Your Honor.

23 THE COURT: So you're not trying to mine their personal
24 lives. You're simply saying because kids were there in the house and
25 then all this went down it would be good to know if any statements were

1 made to any CPS that could -- have related to this incident --

2 MR. O'BRIEN: That's correct.

3 THE COURT: -- which is a reasonable request. The thing is,
4 I don't usually require the District Attorney to get that. I require you to
5 prepare an order for an in-camera production. And you serve it, and
6 they give it to me, and then I go through it to see what relates to this
7 date and time in question, and then I produce it to you in open court,
8 both of you.

9 MR. O'BRIEN: We're happy to do that, Your Honor.

10 THE COURT: Okay. So it's denied in part. I'm not requiring
11 the District Attorney to produce it to you, but I will sign an order for an in-
12 camera production. So that's granted as to the one, two, three, four,
13 five, six, seven, eight people that I believe you asked for it.

14 MR. O'BRIEN: Thank you, Your Honor.

15 MR. FLINN: Your Honor, is that granted limited to the events
16 in question -- because their -- I mean, their request --

17 THE COURT: Well, the way their records are --

18 MR. FLINN: -- asks for all kinds of other stuff.

19 THE COURT: I know, but the way their records are -- have
20 you ever -- you've gone through them; right?

21 MR. FLINN: Yes.

22 THE COURT: It's a torture fest. And in order to make sure
23 that I get what they're looking for, if it exists, they should ask for
24 everything. Then what would happen is I would say there's nothing
25 related to this date whatsoever, file it under seal, and no one can get it

1 without a court order because it doesn't exist, and that's it. That's how I
2 handle it because otherwise there was a lot of duplication in those
3 records. And one social worker will refer to some other date and then
4 go back to a different date. You rarely have to have it all. Make sure
5 you don't miss it. Otherwise you're relying on some clerk some place
6 and I'm not willing to do that.

7 MR. FLINN: Yes, Your Honor.

8 THE COURT: What else?

9 MR. O'BRIEN: We'll submit, Your Honor.

10 THE COURT: Okay. The good news is you don't have to do
11 any of the work.

12 MR. FLINN: Yeah.

13 THE COURT: Perfect.

14 Thirty-eight, social worker case notes. Usually those records
15 have everything in them. Their notes are -- I mean, what I would
16 suggest is -- I'm granting 37 in part with a court order, not for the State
17 to produce. I would reserve on 38. I think you need to see if there is
18 anything first before you, you know, are looking in the desk of the social
19 worker with notes. So let's -- I'm going to reserve on 38.

20 MR. O'BRIEN: Thank you, Your Honor.

21 THE COURT: Okay. Because if there's nothing there it's an
22 intellectual exercise.

23 Mental health worker notes that had contact with victim,
24 Patrick Fleming. This is number 39. I don't know -- could you remind
25 me -- hold on.

1 MR. O'BRIEN: And, Your Honor, specifically we're not -- we
2 don't have the information at this time about any mental health worker
3 records, notes. But if there is a state -- state run or state controlled
4 mental health facility or worker that worked with the deceased, Mr.
5 Fleming, we would request those records.

6 THE COURT: Well, here's the thing. I'm not going to require
7 the district -- if we ever found out such a thing, it's not the District
8 Attorney's obligation to seek, and secure, and produce those to you. I
9 do think you have an obligation to let them know if you become aware
10 from any witness that there was such a thing, a hospitalization of some
11 kind. Relevance can be debated later. Existence and relevance are two
12 different things. And if that were the case then I would sign an order and
13 you could get them for an in-camera production.

14 So, State, you're aware that they sought this information. And
15 I would expect you to bring it to my attention if it exists, but you don't
16 have to produce anything or go and investigate anything.

17 MR. FLINN: Yes, Your Honor.

18 THE COURT: Okay. So at this time it's denied without
19 prejudice.

20 Okay. Physical examinations.

21 MR. O'BRIEN: Your Honor, we're not aware of anything at
22 this time. We would submit with the idea that it is attempting to
23 encompass anything that would be a physical examination that goes
24 outside of the coroner's report.

25 THE COURT: Okay. So, State, I'm going to grant this with

1 the understanding that we're not aware of anything right now.

2 Number -- catch all, which is 70, by the way. Request number
3 70, contacting other agencies. Are you talking about the FBI person or
4 what are we talking about here?

5 MR. O'BRIEN: Yes, Your Honor, the FBI and any other
6 investigative agencies that worked --

7 THE COURT: Well, the way I -- oh, I'm sorry. I didn't mean to
8 cut you off.

9 MR. O'BRIEN: It is limited to worked behalf or -- or for the
10 prosecution -- on the prosecution's behalf or for them.

11 MR. FLINN: Is this --

12 THE COURT: Well, I mean, that's kind of in the hopper with
13 the forensics. So -- I mean, forensics to the extent that the FBI's looking
14 at a phone or -- I can't remember what -- iPad or something like that. So
15 I'm just going to reserve this for later. I don't even really know -- you
16 know, we're early on. Let's just reserve number 70.

17 And I'm actually -- so, State, here's what I would ask. On the
18 -- in order to give counsel time to prepare a nice proposed order, I'll let
19 you look at it. And then -- you know, I kind of give -- a lot of this would
20 go I think through the detective. To give you enough time to have a
21 meeting with the detective, and to have real, you know, meaningful
22 discussion on these things, 45 days. I'll give you an extra two weeks
23 because I realize you -- I mean, you're not looking for that much. It's
24 just this -- and it's helpful when you're specific, so thank you. Like the
25 January 1st stuff, that kind of thing.

1 MR. FLINN: Yes, Your Honor.

2 THE COURT: Forty-five days.

3 MR. FLINN: If those things had been written in the motion we

4 might have --

5 THE COURT: Sure.

6 MR. FLINN: -- handled them.

7 THE COURT: Sure. But now I'll give you plenty of time. He'll

8 prepare an order. And then we'll address it, status check trial readiness

9 and discovery in 45 days.

10 THE COURT CLERK: August 29th, 9 a.m.

11 MR. O'BRIEN: Your Honor, did you want to reserve criminal

12 history information, NCIC --

13 THE COURT: Yes.

14 MR. O'BRIEN: -- until that time? Okay.

15 THE DEFENDENT: Thank you.

16 THE COURT: Thank you.

17 Oh, wait. Can you, for my clerk, that was number?

18 MR. O'BRIEN: Number 21, Your Honor.

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THE COURT: Twenty-one is reserved.

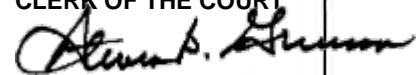
Thank you.

[Proceedings concluded at 10:07 a.m.]

* * * * *

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


SANDRA PRUCHNIC
Court Recorder/Transcriber



ORDR
PHILIP J. KOHN, PUBLIC DEFENDER
NEVADA BAR NO. 0556
RYAN J. BASHOR, DEPUTY PUBLIC DEFENDER
NEVADA BAR NO. 11914
PUBLIC DEFENDERS OFFICE
309 South Third Street, Suite 226
Las Vegas, Nevada 89155
Telephone: (702) 455-4685
Facsimile: (702) 455-5112
Attorneys for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

SHAWN GLOVER,

Defendant,

CASE NO. C-16-312448-1
DEPT. NO. IX

ORDER

THIS MATTER having come before the Court on July 18, 2017, and good cause appearing therefor,

IT IS HEREBY ORDERED that, no later than November 4, 2017, the State shall turn over the following items of Discovery and/or Brady material to the Defendant through his legal representative:

1. Defendant's Statements

All statements made by the defendant, regardless of whether the statements were written or recorded, including but not limited to:

- Comments made at the time of arrest or during transport to the detention center,
- All conversations, telephonic or otherwise, intercepted by any law enforcement agencies, including federal authorities, and
- The substance of any statements, conversations, or correspondence overheard or intercepted by any jail personnel or other inmates which have not been recorded or memorialized.

2. Potential Witnesses' Statements

1 All written or recorded statements of witnesses and potential witnesses, including, but
2 not limited to:

- 3 • Audio and video recording in any form collected by investigating officers or any
4 other law enforcement agent as part of the investigation of this matter, as well as
5 any related matters,
- 6 • Notes of interviews, such as notes of patrol officers, or notes of phone calls made
7 to potential witnesses, or attempts to contact such witnesses, and
- 8 • Interviews of the following individuals:
 - 9 ○ Angela Burkes
 - 10 ○ Micaiah Burkes
 - 11 ○ Jordan Fleming
 - 12 ○ Michael Fleming
 - 13 ○ Melvin Givens, Sr.
 - 14 ○ Kippy Glover
 - 15 ○ Malik Matthews
 - 16 ○ Loren Mendoza
 - 17 ○ Michael Reyes
 - 18 ○ Miranda Sutton
 - 19 ○ Akira Veasley
 - 20 ○ and any other witness or investigative official involved in the instant
21 matter and any related matter.
- 22 • Witness Statement attached to North Las Vegas Police Officer Leonard Miller's
23 Crime Report of January 1, 2016
- 24 • Statements of Miranda Sutton Akira Veasley on the night of the incident, January
25 1, 2016

26 **3. Records Related to Investigation**

27 All records of the North Las Vegas Police Department and any other law enforcement
28 agencies involved in the investigation of this or any related matter, including, but not
limited to:

- Copies of handwritten or other notes,
- Investigative leads that were not followed up on,
- Any other matter bearing on the credibility of any State witness,
- Information pertaining to this case or any witnesses in this case, no matter what
the form or title of the report, including:
 - "Case Monitoring Forms,"
 - Use of Force reports,

- 911 recordings,
- Dispatch logs, and
- Information regarding leads or tips provided to law enforcement or a crime tip organization such as Crime Stoppers, including any reward or benefit received for such tip
- Arrest Reports, arrest warrants, search warrants, or other reports related to how Shawn Glover was taken into custody by police.

4. Crime Scene Analysis, Evidence Collection, and Forensic Testing

All requests, results, reports, and bench notes pertaining to all crime scene analysis, evidence collection and forensic testing performed in this case,¹ including, but not limited to:

- Photographic, video, and audio recordings of evidence collection and testing,
- Fingerprint Evidence: All latent prints recovered in the instant matter, regardless of their value for identification, as well as exemplars compiled in connection with the investigation of this matter, including:
 - photographs, reports, and recordings related to collecting and testing of fingerprints,
 - Results of fingerprint collection and comparison, and
 - Automated Fingerprint Identification System (AFIS) searches and results,
- DNA Evidence: DNA testing, raw data and Combined DNA Index System (CODIS) searches and results,
- Scientific Evidence: toxicological, chemical, biochemical, laboratory, and other laboratory or forensic analyses, including trace evidence analyses, crime scene reconstruction or blood spatter analysis, and
- Forensic Analysis: reports and notes related to any forensic analysis and requests for forensic analysis, regardless of the outcome of such request.
- Firearm Evidence: ballistic firearm testing, including tests, results, reports, and photographs.
- This request encompasses, but it not limited to, any work done by the following individuals:
 - Special Agent Ryan Burke
 - CSI Dennison
 - CSI Fisher
 - Medical Examiner Timothy Dutra

¹ This is required under NRS 171.1965(1)(b) and NRS 174.235(1)(b).

- Specific photograph(s) shown to material witnesses Miranda Sutton and Akira Veasley on January 2, 2016

5. Medical Records

All records, including photos, reports, imaging studies, test results, and notes pertaining to:

- The victim, Patrick Fleming, generated pursuant to treatment provided in connection with the instant matter; including, without limitation, all emergency medical, fire department, hospital, or other medical care provider records, including all relevant prior medical records,
- All pathological, neuropathological, toxicological, or other medical evaluations of Patrick Fleming, including all relevant prior medical records and
- The name and badge number of any paramedics who responded to the scene, and all documentation, notes, reports, charts, conclusions, or other diagnostic, prognostic, or treatment information pertaining to any person evaluated, assessed, treated, or cleared by a paramedic at the scene, or transported to a hospital from the scene.

6. Preservation of and Access to Raw Evidence

Access to and preservation of all material collected in the investigation of this case to include but not limited to:

- forensic material, raw data, biological samples and toxicological samples; and
- video surveillance, photographic negatives, and digital negatives.

7. Electronic Communications and Associated Warrants

All intercepted communications, whether electronic oral or otherwise, as well as communications sent to and from a handset, telephone, or computer obtained by any law enforcement agency, including federal authorities via subpoena, interception, or other means, pertaining to the instant matter or any related matter, including but not limited to:

- Audio, Push to Talk, Data, and Packet Data

- Electronic messaging such as: Global System for Mobile Communications (GMS), Short Message Service (SMS), Multimedia Messaging Service (MMS), and Internet Relay Chat,
- File Transfer Protocol (FTP), Internet Protocol (IP), Voice Over Internet Protocol (VOIP), Transmission Control Protocol (TCP), and
- Electronic mail or other internet based communications.

8. Law Enforcement Video or Audio Recordings

All video and audio recordings obtained by the North Las Vegas Police Department recording device, including but not limited to:

- Dashboard cameras,
- Body-mounted officer cameras,
- Any other recording equipment operational during the investigation of this case, and
- Any video footage captured by body cameras worn by any other officer present for North Las Vegas Police Department Event number 1600031 and any other related or connected Event Number.

9. Non-Activated Body Camera

The name and "P#" of any officer present for North Las Vegas Police Department Event number 1600031 and any related or connected Event Number who is required by department policy to wear, but did not activate his body-worn camera.

10. Monitoring, Tracking, and Associated Warrants

All data, recordings, reports, and documentation of the following: voice monitoring devices, geographic tracking devices, pen registers, trap and trace devices installed pursuant to interception, warrant, or other means, obtained by law enforcement pertaining to the instant matter or any related matter.

11. 911 and 311 Calls

Any and all 911 and 311 recordings to include, but not limited to:

- Car-to-car audio communications,
- Car-to-dispatch radio communications, and
- Unit Log incident print out related to the event.

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3 **12. Chain of Custody**

4 All relevant chain of custody reports, including reports showing the destruction of
5 any evidence in the case.²

6 **13. Witness Contact Information**

7 All updated witness contact information, including last known addresses and phone
8 numbers. This includes the names and contact information for witnesses who may
9 have information tending to exculpate Mr. Glover.

10 **14. Information Obtained from Confidential Informants**

11 All information obtained from confidential informants for any aspect of the
12 investigation of this case. This includes, but is not limited to, informants who
13 purportedly obtained information about this case while incarcerated, whether the
14 information came from Mr. Glover, a co-defendant, unindicted co-conspirator, or
15 another source, regardless of whether prosecutors intend to use the informant-related
16 information at the upcoming trial of this matter.

17 **Exculpatory Evidence**

18 **15. Alternative Suspects**

19 All information which shows that Mr. Glover did not commit the crimes alleged, or
20 which shows the possibility of another perpetrator, co-conspirator, aider and abettor,
21 or accessory after the fact, including the names of those individuals. This includes,
22 but is not limited to, any information concerning the arrest of any other individual for
23 the charged crimes and any information suggesting that someone other than Mr.
24 Glover perpetrated one or more of the charged crimes.

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28 ² Destruction of evidence can result in dismissal of the case or a jury instruction stating
such evidence is presumed favorable to the accused. Crockett v. State, 95 Nev. 859, 865 (1979);
Sparks v. State, 104 Nev. 316, 319 (1988); Sanborn v. State, 107 Nev. 399, 409 (1991).

1 ///

2 **16. Identification and Mis-Identification**

3 All statements of identification associated with this case, including any information
4 concerning witnesses who did not identify Mr. Glover as the perpetrator of the
5 alleged crimes. This request includes:

- 6 • Statements identifying another person as the perpetrator of this offense,
- 7 • Prior non-identifications by eyewitnesses now identifying Mr. Glover as the
8 perpetrator, and
- 9 • Color copies of all photographic lineups shown to any witness (including lineups
10 created without Mr. Glover) as well as any other identification procedures used to
11 identify suspects including show-ups, lineups, photo-array lineups, single photo
12 show-ups, photo compilations and composite drawings. This request includes:
 - 13 ○ The identification of each witness who was shown an identification procedure,
 - 14 ○ The date and time such procedures occurred,
 - 15 ○ The names of all persons who were present when the procedures took place,
 - 16 ○ Instructions given to the witnesses prior to the procedure,
 - 17 ○ The results of the procedure, including an accounting of each witness's
18 statements before, during and after the identification procedure; the amount of
19 time taken by each witness to make an identification; and any hesitancy or
20 uncertainty of each witness in making an identification, and
 - 21 ○ Whether officers informed any witness that he identified the suspect officers
22 believed committed the crime.

23 **17. REQUEST INTENTIONALLY OMMITTED**

24 General Impeachment

25 **18. Witness Benefits**

26 Disclosure of all express or implied compensation, promises of favorable treatment or
27 leniency, or any other benefit that any of the State's witnesses received in exchange
28 for their cooperation with this or any related prosecution. This includes, but is not
limited to:

- Records and notes from the CCDA Victim Witness Office, including records of
any expectation of any benefit or assistance to be received, or already received by
any witness in this case,

- Monetary benefits received as well as any express or implied promises made to any witness to provide counseling, treatment, or immigration assistance as a result of the witness's participation in this case,
- Names of all agencies, workers or other referrals that were given to any witness or his family member, relative, or guardian in connection with this case or any related matter, and
- Estimate of future benefits to be received by any witness during or after the trial, including travel expenses.

19. Prior Witness Statements

Disclosure of any and all statements, tangible or intangible, recorded or unrecorded, made by any witness that are in any manner inconsistent with the written or recorded statements previously provided to the defense. This includes oral statements made to an employee or representative of the CCDA or any other government employee, local or federal, during pre-trial conferences or other investigative meetings.

20. Law Enforcement Impeachment Information—Henthorn Request

Mr. Glover hereby requests the prosecutor review the personnel files of each officer involved in this case. After review, the prosecutor must disclose all impeachment information located in the personnel files of any police witness called to testify at trial or any pretrial hearing in this matter, including, but not limited to, any Statement of Complaint regarding the witness or this investigation, any Employee Notice of Internal Investigation, any Internal Affairs Investigative Report of Complaint, any witness statement, any Bureau Investigation Supervisory Intervention, and any other document maintained or generated by the Office of Internal Affairs, Critical Incident Review Panel, or other investigative agency.

21. Criminal History Information

Criminal history information on any actual or potential witness, showing specific instances of misconduct, instances from which untruthfulness may be inferred or instances which could lead to the discovery of admissible evidence. To this end, the defense requests that, in addition to any other lay witnesses the State intends to call at trial or upon whose testimony or statements the State will rely during either the guilt

1 or penalty phases of trial, the CCDA provide NCIC reports on the following
2 individuals:

- 3 ○ Patrick Fleming
- 4 ○ Melvin Givens, Sr.
- 5 ○ Kippy Glover
- 6 ○ Loren Mendoza
- 7 ○ Michael Reyes
- 8 ○ Miranda Sutton
- 9 ○ Akira Veasley

10 The defense further requests that the NCIC information be provided to defense
11 counsel as soon as possible and that prosecutors identify those individuals for whom
12 no NCIC information is found. While the defense is not insisting that prosecutors run
13 NCICs on expert or law enforcement witnesses, the defense requests that the State be
14 ordered to comply with its Brady obligations with respect to these witnesses. The
15 instant criminal history request includes, but is not limited to:

- 16 • Juvenile records,
- 17 • Misdemeanors,
- 18 • Out-of-state arrests and convictions,
- 19 • Outstanding arrest warrants or bench warrants,
- 20 • Cases which were dismissed or not pursued by the prosecuting agency, and
- 21 • Any other information that would go to the issues of credibility or bias, or lead to
22 the discovery of information bearing on credibility or bias, regardless of whether
23 the information is directly admissible by the rules of evidence.

24 **22-36. REQUESTS INTENTIONALLY OMMITTED**

25 **CPS and sexual assault related information**

26 **37. Child Protective Services Records**

27 All Department of Child and Family Services or Child Protective Service (or
28 equivalent department in another state) records relating to the instant case, including:

- Notes of caseworkers or their agents or assistants,
- Referrals to therapists by anyone at any of the above mentioned agencies, and

- Reports prepared for Family Court or any domestic relations proceedings related to the issues or witnesses in the instant matter.
- This request includes, without limitation, information pertaining to the following individuals:
 - Micaiah Burkes
 - Mariah Burkes
 - Jordan Fleming
 - Michael Fleming
 - Patrick Fleming
 - Malik Matthews
 - Miranda Sutton
 - Akira Veasley

38. Social Worker or Case Work Notes

All notes of government social workers or case workers, including employees of Child Haven, or any governmental agency supervising foster care or any other living arrangement made for any alleged victim or witness in the case, even if on a temporary basis, as well as notes on referrals to any physicians, psychologists, psychiatrists, social workers or other mental health workers, including contract providers pertaining to the following individuals:

- Mariah Burkes
- Micaiah Burkes
- Jordan Fleming
- Michael Fleming
- Malik Matthews

39. Mental Health Worker Records and Notes

All records and notes of any mental health workers who have had contact with the alleged victim or any other person related to events in this case, including, without limitation, Patrick Fleming (prior to his death).

This request includes any records reflecting the mental state or cognitive abilities of the alleged victim or any other government witness, including the individuals listed herein, that are relevant to each individual's competency as a witness.³

³ In addition to the authority outlined above, if such counselors are seeing the alleged victims after being referred by a State or County agency or worker, or are paid by victim

1 **40. Physical Examinations**

2 All notes and records of any physical exams done on the alleged victim or anyone
3 else in connection with this case. This includes any photographs, videos, colposcopes
4 or recordings taken in conjunction with such exam, and any lab or toxicology reports
5 done in conjunction with such exam. This includes all documents recording what
6 physical evidence was taken in the case, where it was stored, and any related chain of
7 custody documents.

8
9 **41-69. REQUESTS INTENTIONALLY OMMITTED**

10 **Catch-all request**

11 **70. Contacting Other Agencies**

12 Finally, the defendant requests that this Court order the prosecution to contact other agencies or
13 agents acting on behalf of or working with the prosecution, or in any other way a part of the
14 prosecution team, and initiated to ascertain whether any of those agencies or agents possess or
15 know of any material information that would tend to exculpate Mr. Glover, impeach a
16 prosecution witness, or mitigate Mr. Glover's possible punishment.

17
18 DATED 11th September day of ~~August~~, 2017.

19
20 *Jennifer P. Ingelbrecht*
21 DISTRICT COURT JUDGE NL

22 Submitted by:

23 PHILIP J. KOHN
24 CLARK COUNTY PUBLIC DEFENDER

25
26 witness or through aid especially due to the individual's status as a "victim" then there is no
27 provider-patient privilege as the information is being sought with the purpose to disclose to third
28 parties. Further, under general discovery principles, anything disclosed that bears on the
 credibility of the witness, on the credibility of any other witness, or any evidence that suggests
 that the defendant did not commit the crime, that someone else may have perpetrated the crime,
 or anything else relevant to discovery, then such information must be disclosed under case law
 cited in this brief.

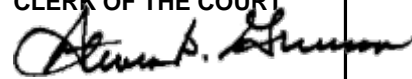
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2 By /s/Ryan J. Bashor
3 RYAN J. BASHOR, #11914
4 Deputy Public Defender
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CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that service of the above and forgoing COURT ORDER was served via electronic e-filing to the Clark County District Attorney's Office at motions@clarkcountyda.com on this 13th September, 2017 day of ~~August~~

By: /s/Robert E. O'Brien - PD
An employee of the
Clark County Public Defender's Office

Case Name: Shawn Glover
Case No.: C-16-312448-1
Dept. No.: IX



NWEW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
DAVID L. STANTON
Chief Deputy District Attorney
Nevada Bar #003202
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CASE NO: C-16-312448-1

SHAWN GLOVER, aka,
Shawn Lynn Glover, Jr.,
#1950305

DEPT NO: IX

Defendant.

STATE'S NOTICE OF EXPERT WITNESSES
[NRS 174.234(2)]

TO: SHAWN GLOVER, aka, Shawn Lynn Glover, Jr., Defendant; and

TO: RYAN BASHOR, Counsel of Record:

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

DR. DUTRA, and/or designee; A medical doctor employed by the Clark County Coroner Medical Examiner. He will testify to all aspect of the coroner's investigation and conclusions in the death of Patrick Fleming. This will include identification, cause and manner of death. This witness will testify that the examination by the coroner's office and the autopsy in particular, evidence a clear case of homicide and not any other medical/legal means of death. Testimony will include that the injury was instantaneously incapacitating and the directionality of the projectile inside the body of Mr. Fleming. All aspects of the autopsy report and the photographs will be discussed in detail through this witness.

1 DETECTIVES BEN OWENS, NLVPD #1173 and SAYOKO WILSON-FAY,
2 NLVPD #1437, They will testify to all aspects of crime scene investigation from initial
3 observations to the memorialization process of the crime scene. Further, these witnesses will
4 testify to the crime scene and interpreting this as a homicide and no other explanation of the
5 cause/manner of death. Their testimony will include that no evidence of self-defense exists
6 and evidence directly showing a murder.

7 These witnesses are in addition to those witnesses endorsed on the Information or
8 Indictment and any other witnesses for which a separate Notice of Witnesses and/or Expert
9 Witnesses has been filed

10 The substance of each expert witness' testimony and a copy of all reports made by or
11 at the direction of the expert witness has been provided in discovery.

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

13 STEVEN B. WOLFSON
14 DISTRICT ATTORNEY
Nevada Bar #001565

15
16 BY 

17 DAVID L. STANTON
18 Chief Deputy District Attorney
Nevada Bar #003202

19 CERTIFICATE OF SERVICE

20 I certify that on the 9th day of November, 2017, I e-mailed a copy of the foregoing
21 State's Notice of Expert Witnesses, to:

22 Ryan Bashor, Public Defender
23 bashorj@clarkcountynv.gov

24 /s/ Stephanie Johnson

25 Employee of the District Attorney's Office

26
27
28 16FN0004X/saj/MVU

Curriculum Vitae

Timothy Franklin Dutra, M.D., M.S., Ph.D.

Current Occupation:

Medical Examiner (Forensic Pathologist)
Clark County Coroner's Office
1704 Pinto Lane
Las Vegas, NV 89106
Tel. (702) 455-3210
E-mail: tdutra@co.clark.nv.us

Personal Data:

Languages: English & Spanish

Board Certifications:

Forensic Pathology
ABP Diplomate and certified, September 9, 2009.

Blood Banking and Transfusion Medicine
ABP Diplomate and certified, September 9, 2005

Anatomic and Clinical Pathology
ABP Diplomate and certified, November 11, 1998

Most Recent Fellowship:

Fellowship, Forensic Pathology
St. Louis University
(A.C.G.M.E. accredited: 10/01/08 – 9/30/09)
St. Louis City Medical Examiner's Office

Recent Colleague:

Visiting Colleague, Forensic Pathology
(10/05/09 – 10/31/09)
Servicio Medico Forense
Mexico, D.F. 06720

Recent Teaching:

Instructor: Physiology Laboratory
Monterey Peninsula College
Monterey, CA 93940

Recent Research:

Co-Investigator: "Marrow Tissue Cultivation ex vivo
in vitro for Blood Cell Collection (animal cell model)"
LABioMed Research Institute
Torrance, CA 90502

Previous Fellowship:

Fellowship, Blood Bank and Transfusion Medicine
University of Wisconsin
(A.C.G.M.E. accredited: 08/01/04 – 07/31/05)
University of Wisconsin Hospital
Madison, WI 53792-2472

Previous Pathology Practice:

Post-Certification Pathology Practice (1999 – 2003)
Physician Specialist, Anatomic and Clinical Pathology,
including gross and microscopic surgical pathology,
aspiration cytopathology and bone marrow pathology.
Section Chief of Clinical and Special Chemistry.
Blood Bank and Transfusion Medicine acting Chief,
during absences of BB & TM Section Chief.
Pathology Department
Martin Luther King, Jr. Hospital
Los Angeles, CA 90059

Locum Tenens Practice:

Locum tenens Pathology Practice (9/00, 9/01, 9/02, & 9/03)
One month locum tenens for each of four years, as Acting Director
for a solo practice Pathology Department, including coverage
of surgical pathology and clinical laboratory.
Pathology Department
Orthopaedic Hospital
Los Angeles, CA 90007

Current Licensure:

Active Status Medical Doctor, Nevada, renewal 7/1/2011
Physician and Surgeon, California, renewal 3/2011
Practitioner, D.E.A., U.S., renewal 7/2011

Educational Degrees:

University:	University of California at Berkeley, B.A. in Chemistry and Zoology, 1968
Medical School:	University of Southern California, M.D., 1972
Graduate School:	University of Southern California, M.S. in Anatomy and Cell Biology, 1986
Graduate School:	University of California at Los Angeles, Ph.D. in Anatomy and Cell Biology, 1993

Professional Societies:

Fellow, National Association of Medical Examiners, 2009 –
Fellow, College of American Pathologists, 1999 –
Fellow, American Society of Clinical Pathologists, 1999 –
Member, American Association for the Advancement of Science, 1994 –

Recent Meetings and Courses:

Annual Meeting, American Society for Clinical Pathology
San Francisco, CA, 10/27 – 10/31/10
Interim Meeting, National Association of Medical Examiners
Seattle, WA, 2/23/10
Segunda Conferencia Internacional de la Medicina Forense
Mexico City, 4/28 – 4/30/10
Annual Meeting, National Association of Medical Examiners
San Francisco, CA, 10/11 – 10/15/09
Osler Anatomic Pathology Review Course
Los Angeles, CA, 3/9 – 3/12/09
Medicolegal Death Investigator Training Course
St. Louis, MO, 4/17 – 4/21/09

Professional Training/Practice Chronology:

Internship: Cottage Hospital (Santa Barbara, CA),
rotating internship, 1972-73

Residency: Cottage Hospital (Santa Barbara, CA),
first year, Pathology, 1973-74

General Practice: Santa Barbara, CA, 1974-77. General admission privileges
for Cottage and Goleta Valley Hospitals.

General Practice: King City, CA, 1977-78. General admission privileges
for George L. Mee Memorial Hospital.

Residency: Highland/Alameda County Hospital (Oakland, CA),
second and third years, General Surgery, 1978-80

Residency: Duke University Medical Center (Durham, NC),
first and second years, Orthopaedics, 1980-82

Residency: Los Angeles County/U.S.C. Medical Center,
third year, Orthopaedics, 1982-83

Graduate School: University of Southern California School of Medicine,
Department of Anatomy and Cell Biology, 1984-86

Graduate School: University of California at Los Angeles School of Medicine,
Department of Anatomy and Cell Biology, 1987-93

Residency: Harbor-U.C.L.A. Medical Center (Torrance, CA), second through
fifth years, Anatomic and Clinical Pathology, 1994-9

Fellowship: Orthopaedic Hospital (Los Angeles, CA), six months of
Fellowship, Bone and Soft Tissue Pathology, 1998-99

Pathology Practice: Los Angeles, CA, 1999-2003. Anatomic and Clinical
Pathology privileges at King-Drew Medical Center

Fellowship: University of Wisconsin (Madison, WI), one year Fellowship,
Blood Banking and Transfusion Medicine, 2004-05

Research Scientist: LABioMed Research Institute, 2005-07. Co-investigator:
"Marrow stromal fibroblastic cell cultivation *in vitro* on
de-cellularized bone marrow extracellular matrix"

Instructor: Physiology Laboratory, Fall and Spring semesters, 2007-08
Monterey Peninsula College (Monterey, CA)

Fellowship: St. Louis City Medical Examiner's Office (St. Louis, MO),
one year Fellowship, Forensic Pathology, 2008-09

Teaching Experience:

Teaching Assistant: Anatomy Dissection Laboratory, Fall semester, 1985
University of Southern California School of Medicine

Teaching Assistant: Anatomy Dissection Laboratory, Fall semesters. 1987-88
University of California at Los Angeles School of Medicine

Assistant Lecturer: "Head, Neck, & Dental Embryology", Fall semesters, 1990-91
University of California at Los Angeles School of Medicine

Teaching Experience (continued):

Staff Pathologist: Routinely presented histopathology of cases for review
at the weekly hospital Tumor Board Conferences
Martin Luther King, Jr. Hospital, Los Angeles, CA 1999-03

Staff Pathologist: Routinely presented histopathology case reviews at
subspecialty surgical Resident training conferences
King-Drew Medical Center, Los Angeles, CA 1999-2003

Lecturer: "Blood Banking and Transfusion Medicine", Winter, 2005
University of Wisconsin School of Medical Technology

Instructor: Physiology Laboratory, Fall and Spring semesters, 2007-08
Monterey Peninsula College

Publications:

Dutra, T.F. and Bernard, G.W.: "Size-selective Comparison of Fetal Calvarial
versus Adult Marrow Osteogenic Colony-forming Entities"; *Anatomical Record*;
239: 1 – 8; 1994

Dutra, T.F. and Bernard, G.W.: "Post-fracture stimulation of in vitro osteogenesis
is not systemic"; *International Journal of Oral Biology*; 23: 213 – 217; 1998

Dutra, T. and French, S.: "Marrow stromal fibroblastic cell cultivation in vitro on de-
cellularized bone marrow extracellular matrix"; manuscript published in *Experimental
and Molecular Pathology* on 9/22/2009

Presentations:

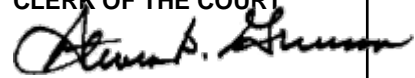
Dutra, T.F.: "Cultured Human Circulating Fibrocytes Express CD34 and Endothelial
Markers"; Hematopoietic Stem Cell Transplantation (Sixth International Symposium);
San Diego, CA; 4/16-4/18/98

Dutra, T.F.: "Flow Cytogenetics"; Clinical Cytogenetics Program, California State
University at Dominguez Hills; 4/25/01

Dutra, T.F. and Graham, M.A.: Poster presentation: "Big People, Big Hearts:
histochemical and immunohistochemical stain comparisons of hypertrophic heart
sections from morbidly obese decedents, compared with heart sections from age
matched controls"; 43rd Annual Meeting of the National Association of Medical
Examiners; 9/11-9/16/09

Dutra, T.F.: "Marrow stromal fibroblastic cell cultivation in vitro on de-cellularized bone
marrow extracellular matrix", Pathology Grand Rounds, Harbor-UCLA Medical Center,
1/22/10

Dutra, T.F.: "La Muerte Subita", Segunda Conferencia Internacional de la Medicina
Forense, Mexico City, 4/28/10



NWEW
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
DAVID L. STANTON
Chief Deputy District Attorney
Nevada Bar #003202
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

SHAWN GLOVER, aka,
Shawn Lynn Glover, Jr., #1950305
Defendant.

CASE NO: C-16-312448-1
DEPT NO: IX

STATE'S NOTICE OF WITNESSES
[NRS 174.234(1)(a)]

TO: SHAWN GLOVER, aka, Shawn Lynn Glover, Jr., Defendant; and

TO: RYAN BASHOR, Counsel of Record:

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

NAME

ADDRESS

CUSTODIAN OF RECORDS
OR DESIGNEE

Clark County Coroner / Medical Examiner
1704 Pinot Lane, Las Vegas, NV

CUSTODIAN OF RECORDS
OR DESIGNEE

Clark County Detention Center
330 S. Casino Center Blvd., Las Vegas, NV

CUSTODIAN OF RECORDS
OR DESIGNEE

LVMPD Records
400 S. Martin L. King Blvd., Las Vegas, NV

///

1 CUSTODIAN OF RECORDS
2 OR DESIGNEE

North Las Vegas Detention Center,
2222 Constitution Way North Las Vegas, NV

3 CUSTODIAN OF RECORDS
4 OR DESIGNEE

NLVPD Dispatch, 1301 E. Lake Mead Blvd.
North Las Vegas, NV

5 CUSTODIAN OF RECORDS
6 OR DESIGNEE

NLVPD Records, 1301 E. Lake Mead Blvd.
North Las Vegas, NV

7 DOLAN, WILLIAM

NLVPD #1491

8 EMRY, KEVIN

NLVPD #1100

9 FISCHER, PATRICK

NLVPD #1647

10 HAFEN, SCOTT

NLVPD #1023

11 HARDER (ORLANDO), RENEE

NLVPD #1694

12 HYDE, ADAM

NLVPD #1487

13 LEON, RUTH
14 OR DESIGNEE

INVESTIGATOR
C.C. DISTRICT ATTORNEY

15 LEWIS, VINCENT

NLVPD #1561

16 MILLER, LEONARD

NLVPD #1250

17 OWENS, BENJAMIN

NLVPD #1173

18 SUTTON, MIRANDA

C/O DISTRICT ATTORNEY'S OFFICE

19 VEASLEY, ARIRKA

4032 Smokey Fog Ave., N. Las Vegas, NV

20 WILSON-FAY, SAYOKO

NLVPD #1437

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

24 STEVEN B. WOLFSON
25 DISTRICT ATTORNEY
Nevada Bar #001565

26 BY /s/ David L. Stanton
27 DAVID L. STANTON
Chief Deputy District Attorney
28 Nevada Bar #003202

///

1 CERTIFICATE OF SERVICE

2 I certify that on the 20th day of July, 2018, I e-mailed a copy of the foregoing State's
3 Notice of Witnesses, to:

4 Ryan Bashor, Public Defender
5 bashorj@clarkcountynv.gov

6 RUANOSG@ClarkCountyNV.gov

7
8 /s/ Stephanie Johnson
Employee of the District Attorney's Office

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5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

7)
8 STATE OF NEVADA,)

9 Plaintiff,)

10 vs.)

11)
12 SHAWN GLOVER, aka SHAWN LYNN)
13 GLOVER, JR.,)

14 Defendant.)

CASE NO. C-16-312448-1

DEPT. IX

15 BEFORE THE HONORABLE JENNIFER P. TOGLIATTI, DISTRICT COURT JUDGE
16 MONDAY, JULY 30, 2018

17 **RECORDER'S TRANSCRIPT OF JURY TRIAL - DAY 1**
18

19 **APPEARANCES:**

20 For Plaintiff:

DAVID STANTON, ESQ.
WILLIAM FLINN, ESQ.

21
22 For Defendant:

ROBERT E. O'BRIEN, ESQ.
RYAN J. BASHOR, ESQ.

23
24
25 RECORDED BY YVETTE G. SISON, COURT RECORDER

1 Las Vegas, Nevada, Monday, July 30, 2018

2
3 [Case called at 1:19 p.m.]

4 THE MARSHAL: All rise. Department 9 criminal trial is now in
5 session with the Honorable Judge Togliatti presiding. Take your seats and
6 come to order, please.

7 THE COURT: Good afternoon. This is a time set for trial in
8 C3124481. The record shall reflect the presence of the Defendant, Shawn
9 Glover, in custody, but dressed for trial. Counsel, can you state your
10 appearances for the record, please?

11 MR. STANTON: David Stanton and William Flinn on behalf of the
12 State.

13 MR. BASHOR: Ryan Bashor and Robert O'Brien on behalf of Mr.
14 Glover. Judge, I cleared this with the State and I now need to clear it with you.
15 There's an intern in our office named Mark Custer. They have no objection to
16 him sitting at counsel table. Obviously, he won't be talking or putting anything
17 on the record, but I was hoping to clear that with you.

18 THE COURT: I don't usually do that.

19 MR. BASHOR: Hmm.

20 THE COURT: That's weird. And if I do it for Mark Custer, I have to
21 do it for everyone.

22 MR. BASHOR: Right. He was just going to take some notes for us.

23 THE COURT: Can he sit behind you in a chair and take notes for
24 you?

25 MR. BASHOR: Sure. That's fine.

1 THE COURT: All right. It's a thing.
2 MR. BASHOR: It's a thing.
3 THE COURT: You know what --
4 MR. BASHOR: That's why I ask permission.
5 THE COURT: -- usually, you're not on this side of the well even. If
6 you were an investigator, I'd make you sit on the other side. There's a price to
7 pay to be in this well, and that's pass the bar exam. So, it's nothing personal
8 to you. I hope you understand that.
9 MR. CUSTER: Oh, of course.
10 THE COURT: But I feel pretty strongly about it. Okay, I'm sorry.
11 MR. BASHOR: No, Your Honor. Thank you.
12 THE COURT: Okay. That being said, I'm sure he'll take wonderful
13 notes and whatever he needs to prop up his computer, he's welcome to bring
14 in the courtroom.
15 MR. BASHOR: Very good, Judge.
16 THE COURT: So, I believe Mr. -- I think you've picked a jury in here
17 recently, right?
18 MR. FLINN: I have.
19 THE COURT: You have not?
20 MR. STANTON: We only got part way the last time we tried it.
21 THE COURT: You have not?
22 MR. O'BRIEN: No, I have, about July of last year.
23 THE COURT: Oh. So, a year ago. You have not?
24 MR. BASHOR: That's correct, Your Honor.
25 THE COURT: Okay. So, my process is always the same, pretty

1 much. I have no burning desire to do all of the talking. I do a preliminary voir
2 dire for your convenience, and it covers the basic questions, and I have no
3 burning, driving desire to do it, if you would rather do it yourself. I do it
4 because I give you an entire panel. I think it benefits you to be able to take
5 notes and follow-up on what you want to, you know, ask, and observe their
6 demeanor. You know, get ready for your more specific questions.

7 And I'm happy to do that on the condition that what I cover doesn't
8 get repeated like I didn't ask it, and it will need follow-up. Otherwise, if you
9 want to do it yourself, you can. I certainly don't need to do it. I do it for you. If
10 that's not a favor to you, you can do it. State?

11 MR. STANTON: As far as the generals, that's fine with the State.
12 There are no subject matter areas in this case that the State would ask
13 assistance of the Court.

14 THE COURT: Okay.

15 MR. STANTON: The only thing that I would just inquire is we had
16 previously discussed with Mr. Bashor, with the Defendant present in a hearing
17 some time ago, indicated that should the Defendant be convicted of first
18 degree murder, their position was that both -- the Defense counsel and the
19 Defendant, were prepared to waive penalty to the Court.

20 The State is in agreement. I think the Court said you're in
21 agreement. We don't have that in writing. I'll bring that over and provide it to
22 Mr. Bashor tomorrow, but just for the record, I think that alleviates that subject
23 matter and the process we're about to undertake, and it wouldn't be necessary
24 for the Court to inquire on that.

25 THE COURT: Mr. Glover, is that true? Usually we have like a

1 written document that says that you've decided to waive penalty before a jury
2 and have the Court sentence you in the event that became relevant?

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: And you discussed that with your lawyers?

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: And so, we will have you sign a piece of paper to
7 verify that you, you know, are doing this, but because we're not going to be
8 able to have that piece of paper here until tomorrow, I just want to ask if you
9 discussed the pros and cons of a sentencing by jury versus a sentencing by
10 Judge.

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: And did your lawyer give you legal advice about, you
13 know, pros and cons related to sentencing by jury versus sentencing by
14 Judge?

15 THE DEFENDANT: Yes, ma'am, he did.

16 THE COURT: And did he answer any questions -- did they answer
17 any questions you might've had about sentencing with jury versus sentencing
18 with Judge?

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: And do you have any questions for either of your
21 lawyers or for me about sentencing with the jury versus sentencing with the
22 Judge?

23 THE DEFENDANT: No, ma'am.

24 THE COURT: And what did you ultimately decide to do after
25 consulting with your attorneys?

1 THE DEFENDANT: I decided I'd like the Judge to sentence me.

2 THE COURT: If that becomes relevant?

3 THE DEFENDANT: Yeah, if it does.

4 THE COURT: All right. And counsel, did you want to fill in any
5 blanks on that or?

6 MR. BASHOR: The only blank, Judge, is that sometimes, those
7 include stipulations. This one does not. It would end up being a full right to
8 argue on behalf of both sides, should it happen.

9 MR. STANTON: That's correct.

10 THE COURT: Okay. And so, you're not getting anything in
11 exchange from the district attorney? Your lawyer would have the right
12 -- your lawyers would have the right to argue, and they would have the right to
13 argue, if you get convicted of anything; is that correct?

14 THE DEFENDANT: Yeah.

15 THE COURT: And that's your understanding?

16 THE DEFENDANT: Yes, ma'am.

17 THE COURT: Okay. Anything else before he goes to get the jury?

18 MR. STANTON: Not on behalf of the State, Your Honor.

19 THE COURT: Did I ask you about the -- if you want to -- did you
20 answer me about the questioning the jurors?

21 MR. BASHOR: I'd prefer the favor, Judge.

22 THE COURT: Okay.

23 MR. BASHOR: That way I can take notes and --

24 THE COURT: Okay. So, is there is anything that we need to
25 discuss before he goes off to get the jury? It takes about 10 minutes or longer.

1 I'm being hopeful.

2 MR. STANTON: There was what I would consider nowadays, the
3 standard amount of publicity at or around the time of the event. I don't know
4 that there was anything since the event that has crossed my radar, so from
5 that perspective, I don't see this as being unduly sensitive in that subject
6 matter. Beyond that, Judge, this is, from the State's perspective, a relatively
7 narrow and focused trial, and I don't see any particular issues outside of the
8 normal areas.

9 THE COURT: Well, it's been over two years since the alleged
10 shooting. Well, there was a shooting. Who did it, I guess --

11 MR. BASHOR: Correct.

12 THE COURT: -- for what purpose remains to be seen, but the
13 Court's view is -- I don't know, these days, you turn on the news and there's a
14 murder every day in some apartment complex, and all I can think of is the
15 murder team has to get bigger, but that's neither here nor there, so I guess
16 we'll cross that bridge when we come to it. It's an apartment complex in North
17 Las Vegas. Not like a casino or something, correct?

18 MR. STANTON: It's actually townhomes, but, yes.

19 THE COURT: Townhomes; okay.

20 MR. STANTON: It's in the North Valley, basically Centennial and
21 Lamb.

22 THE COURT: So, when you do your brief introduction to the trial of
23 the case, will you mention the location of the case?

24 MR. STANTON: I sure will.

25 THE COURT: You know, my guess is if someone heard it on the

1 news, they paid more attention if it was in their area.

2 MR. STANTON: That's what, usually, I think, happens.

3 THE COURT: Okay. So, Ramsey, if you wouldn't mind, will you go
4 get the jury?

5 THE MARSHAL: Yes, ma'am.

6 THE COURT: So, do you want a refresher on the --

7 MR. BASHOR: Yes.

8 THE COURT: -- organization points?

9 MR. BASHOR: Sure.

10 THE COURT: Okay.

11 [Pause]

12 THE COURT: So how many -- do you think two alternates is
13 enough?

14 MR. STANTON: The State does.

15 MR. BASHOR: We agree, Your Honor.

16 THE COURT: Okay. So, 14 plus -- I need how many pass for
17 cause? I'm losing my mind.

18 MR. STANTON: Thirty-two?

19 THE COURT: Thirty-two?

20 MR. STANTON: Thirty-two or 36. I can't remember which
21 number --

22 MR. BASHOR: It's 9, 9, plus 14.

23 THE COURT: Nine, 9, plus 14.

24 MR. BASHOR: Thirty-two.

25 THE COURT: Thirty-two. Okay. So, what I normally do I do a

1 general questioning of them in the audience. It's all that stuff about, you
2 know, do any of you know anybody, here's an introduction to the trial case,
3 this trial is expected to last --

4 MR. BASHOR: This week.

5 MR. STANTON: This week.

6 THE COURT: And possibly Monday. That's just what I'm going to
7 say.

8 MR. BASHOR: Very good.

9 THE COURT: For grins and giggles.

10 MR. STANTON: Okay.

11 THE COURT: Okay? Then I'm going to try to get a substitute to go
12 to this thing on Thursday, or I was going to try to be here at 1:00 and leave
13 halfway. It's not your problem. You will have trial on Thursday. So, I'll tell
14 them it could finish in a week, it could go over to Monday. So, during that
15 period of time -- that'll be the longest question, as we all know -- represent
16 such an undue burden. Please take notes, don't magnanimously agree to
17 excuse anyone for hardship because after I go through all of that with these
18 folks, and we'll excuse them, we will have a session where we will discuss
19 who has an appropriate hardship and shouldn't be seated.

20 I have three categories of jurors. Skip, meaning wherever they are
21 in order, they're going to go to the end. The next in order. If we got
22 desperate, we might come back to them. I may order another -- I usually order
23 another panel for the next day. Did I do that yet?

24 THE CLERK: I believe you did.

25 THE COURT: How many?

1 THE CLERK: Confirmed --

2 THE COURT: Twenty-five?

3 THE CLERK: I'm not sure.

4 THE COURT: Thirty? Order 30 for tomorrow, but let's say, you
5 know, in a case like this, you probably wouldn't keep -- you know, they'd either
6 be excused or get them to the box, but let's -- staying consistent, is what I
7 ordinarily do, there's three categories.

8 Excused. If we agree in this room, when they got called back in,
9 that they're going to be excused, they will never go from the gallery to the
10 box. We all agree, at the end of the day, they're going to leave, and they're
11 never coming back. They're not going to be excused immediately unless
12 someone is dying, but at the end of the night -- you know, evening or
13 afternoon, they're never coming back.

14 Then there's call to the box, and then there's skip. Skip is just, we
15 put them at the bottom, maybe we get back to them, maybe we wouldn't.
16 Maybe we don't make them come back tomorrow, maybe we do. We worry
17 about that when we get there. They're not your first choice or your second.
18 They're your desperation. So, the -- I normally include students in the
19 excused, breastfeeding mothers because it's difficult, people with medical
20 conditions, or some extreme financial hardship other than, I run a casino, and
21 I'm really important. Everything else is on the table, pretty much.

22 MR. STANTON: How about language?

23 THE COURT: I always ask who speaks English as a second
24 language. I get the notes on that, and unless it's obvious and you agree up at
25 the bench, I'll have them continue to go through the process, but you can

1 always, you know -- I mean, here's the deal. If you can stipulate to anything
2 because, you know, it saves time, I'm all about it.

3 Otherwise, unless you agree, I'll allow for the questioning, but I
4 mean any -- I guess when we do the breakout session, when I kick them out
5 after I ask if English is a second language, and I always ask them their ethnic
6 background one at a time, going through with a microphone, because I've
7 learned the hard way that that's what I need to do. I've literally had persons
8 who are obviously minority on any planet that anybody lives in, not answer
9 that question, and then when I call them out and say are -- they say, I'm a
10 minority. And, you know, then I'm -- what do I do? Take a picture? It's like,
11 what do I do with that? So, I'm not doing that anymore. I just pass the
12 microphone around because I'm -- you know, I don't want to get into a
13 sociological debate.

14 So, that would be the time to bring it up. If you have concerns
15 about anybody, that's the time. We go through literally, the list, one at a time.
16 And you bring -- I bring to your attention people I have concerns about. You
17 tell me if you stipulate to excuse, skip, or you want them in the box to ask
18 further questions, and you bring to my attention anyone that you have
19 concerns about that you want to excuse or skip, and then we just address
20 them one at a time.

21 I seat them in the box, so going from my right to my left, the jurors
22 -- number 1 would be 1 in the back, 2, 3, 4, 5, 6. Second row, my right to my
23 left, 7, 8, 9, 10, 11, 12. Front row, actually in the box, 13, 14, 15, 16, 17, 18, 19,
24 20, 21, 22, 23, 24, and behind the district attorney, over to my -- so, it's going to
25 be my right to my left -- 25, 26, 27, 28, 29, 30, 31, 32.

1 Everybody behind that row and over there -- I mean, and I'll tell
2 them 20 ways to Sunday, this is the box, this is the box. You're in the
3 questioning. The rest of you just listen. That kind of thing. Then when I hand
4 them over, you will have these people in that first row.

5 The other thing is, I always ask that if you know for sure -- if you
6 think you have enough to challenge someone for cause -- I describe the way I
7 like to handle these, and then some people look at me like I have eight heads,
8 but then when we're in trial, it's just so obvious every time. If you know you're
9 going to challenge someone for cause, just say, I'm going to have a motion.
10 That is code for, you're going to challenge someone for cause, and I've never
11 had one where we don't know who you're talking about, because you think
12 you have enough, and you're talking to them right now, and we're not going to
13 waste a lot of time. We're going to get a ruling, and we're going to move on
14 with our lives.

15 So, if you have someone, I'm going to have a motion. What I'm
16 asking for is you just traverse, do your thing, and then when you finally come
17 up here, you'll go back and forth, and then come up here and get a ruling.
18 That way, you're not, you know, have a motion to come up here, go back,
19 traverse, come back up, I have some more, go back. Just get'er done and then
20 come up here.

21 Anything else you can think of as far as jury selection that you
22 would like to know?

23 MR. BASHOR: Is it nine anywhere we want them or --

24 THE COURT: Oh, yeah. That's right. So once the DA passes the
25 panel for cause, and then you're done asking your questions, you pass the

1 panel for cause, you'll have your form here with your much longer than 21.
2 We need to come up with a new form. There will be 32 by the time you get it,
3 names, in order. Each person un-preempted at the end of your exchange --
4 and I'm glad you brought this up, because I usually make a record. I do not,
5 unless you specifically request it, separately choose alternates.

6 The reason is, my opinion is that you -- if you have nine
7 preemptory challenges to use or waive as you see fit, and you always know
8 who the first or second alternate are going to be, and you have much more
9 control over your panel than if I just -- you have one preemptory challenge,
10 you have two alternates, you kick someone, the first one, and the next person
11 comes and says all the right things, but they look at you funny, and they don't
12 like you and they know it, and they love Stanton because of the lean over and
13 you know -- right? Who doesn't love Stanton?

14 MR. BASHOR: Who doesn't?

15 THE COURT: So -- right? So, but you can't do anything about that
16 person.

17 MR. BASHOR: Right.

18 THE COURT: Even though your gut is screaming at you, you want
19 them off. If I give you nine preemptory challenges to use as you see fit, you
20 know from the millisecond that you, you know, enter your last entry here,
21 exactly the makeup of your panel. It complies and comports with the spirit of
22 the statute. It gives the trial lawyers more control over their panel, and I've
23 never had an objection ever in every trial I've ever done, but I don't care either.

24 So, there's that -- if you want to do it old school, you can do it old
25 school, and I'll just give you one preemptory challenge for two alternates, and

1 you're off the races or two for three or however -- whatever you can agree on.

2 MR. BASHOR: I'm fine with nine anyway. I --

3 MR. STANTON: That's fine with the State, Your Honor.

4 THE COURT: Okay. So, that's -- so, obviously, if you waive one,
5 you've not waived them all. So, let's say the State waives their fifth
6 preemptory challenge.

7 MR. BASHOR: Right.

8 THE COURT: Then they go to their sixth, but they never get it back.
9 So, you know that they're in order as un-preempted, and sometimes, I see
10 lawyers -- like let's say the State waived their fifth preemptory challenge, and
11 there will be a Defense attorney that will use a preemptory challenge for Juror
12 Number 32, which shows me that they're not realizing that every waiver is --
13 you're never getting to that last person.

14 MR. BASHOR: Right.

15 THE COURT: And the one before that and so on, so I just think you
16 know that, because you picked a jury in here, but I'm just reminding you. Any
17 other questions about jury selection?

18 MR. STANTON: No, Your Honor.

19 MR. BASHOR: No, Your Honor.

20 THE COURT: What would be a good time to do the evidentiary
21 hearing? What if I had the jury come back at -- I don't know how far we'll get
22 today, but I guess we can cross that bridge when we come to it.

23 MR. STANTON: Yeah. It should be relatively brief, and we might
24 have a discussion on the front end about the scope that we're going to go into,
25 and we might be able to handle it before we even bring it to your attention.

1 THE COURT: Is there a chance you could do it at like 8:15
2 tomorrow? When I don't have an oral surgery appointment like I did today.

3 MR. STANTON: The detective who's going to testify on the -- she's
4 out of the jurisdiction until the 1st of August, so she won't testify until then,
5 but we can have that discussion prior to us coming to court before she
6 testifies.

7 MR. BASHOR: Yeah, that's fine, Judge. I think we're --

8 THE COURT: Okay.

9 MR. BASHOR: -- going to be agreeable here.

10 MR. STANTON: I don't think we're going to have a problem, but --

11 THE COURT: Okay. So, anything that -- so, are you going to talk
12 before opening? Because that would be --

13 MR. BASHOR: Yes.

14 THE COURT: -- my only concern --

15 MR. BASHOR: Yes.

16 THE COURT: -- is that if you don't agree to something, then you
17 talk about it in opening until you get a ruling.

18 MR. STANTON: Oh, yeah. We wouldn't --

19 THE COURT: Okay.

20 MR. STANTON: We wouldn't go down any road. My opening is
21 very structured, very bland --

22 THE COURT: Okay.

23 MR. STANTON: -- as it relates to facts.

24 THE COURT: Okay. What else did I want to tell you? Let me see if
25 I'm forgetting anything. Yeah, my part takes a long time, so you know, you

1 won't probably get rocking and rolling really until -- the Defense, maybe
2 tomorrow.

3 MR. STANTON: Right.

4 MR. BASHOR: Very good.

5 THE COURT: But I do that so that, you know, as a courtesy, which I
6 expect no one to pretend like I didn't do all that. It makes me crazy and cranky
7 as heck.

8 MR. BASHOR: Yes, Your Honor.

9 THE COURT: I think that's it. Yeah. I mean, it takes a lot to ask 70
10 or 65 people what their ethnic background is. We try to go fast, but you know,
11 it is what it is. How many witnesses do you have?

12 MR. STANTON: We could have as much as eight, but it might be
13 less than that.

14 THE COURT: And so, I don't know, when was the last -- what's
15 your estimate for time for selection if you know I'm going to take at least until -
16 - let's see. Let's say we get started at 10 to 2. I'll need at least two hours, if not
17 more.

18 MR. STANTON: What time do we start tomorrow?

19 THE COURT: Well, that's a good question. I'll be right back. I just
20 have to get my calendar.

21 [Pause]

22 THE COURT: 10:45. And that's me being -- me pushing people
23 around and moving stuff if it's really contested.

24 MR. STANTON: Well, Judge, I think we'll have a jury by tomorrow.

25 THE COURT: Okay.

1 MR. BASHOR: Uh-huh.

2 THE COURT: So, do you think we could have openings tomorrow
3 by the end of the day?

4 MR. STANTON: It's possible.

5 THE COURT: Okay. So, prepare to have your first witness 9:00 on
6 Wednesday.

7 MR. STANTON: Okay.

8 THE COURT: Can you do that?

9 MR. STANTON: Yes. The only witness request that we have is the
10 coroner, that we call her as the first witness, and I anticipated Wednesday
11 afternoon. That's probably going to be pretty close, just because number one,
12 they're three doctors down. Number two, they cut in the morning, and so their
13 afternoons are open, so it just I think lends itself to -- not because of
14 physicians, but just because of their workload.

15 THE COURT: Uh-huh. That's three hours we lose of trial time.

16 MR. STANTON: Yeah, but I mean, look, we can stop in any part of
17 the State's case to --

18 THE COURT: Oh, that's what I'm saying.

19 MR. STANTON: Yeah.

20 THE COURT: You just call somebody else, and we'll take a break
21 and --

22 MR. STANTON: Okay.

23 THE COURT: -- we'll call --

24 MR. STANTON: Yeah.

25 THE COURT: -- her.

1 MR. STANTON: Yeah, that's perfect.

2 THE COURT: That's okay with you, right?

3 MR. BASHOR: Of course.

4 THE COURT: Okay. Yeah, call her out of order; that's fine.

5 MR. BASHOR: And as a reminder, the State -- and I think they'll
6 probably rest on Thursday, but the State hasn't given us the accommodation
7 that we -- we're flying somebody in from California on --

8 THE COURT: On Thursday afternoon?

9 MR. BASHOR: Right.

10 THE COURT: Which is why I'm not going to stay all day at the
11 Sentencing Commission, if I even go.

12 MR. BASHOR: Right.

13 THE COURT: Tierra Jones is supposed to cover my calendar in the
14 morning. I was going to go for half a day and say I'm in trial, and I have an
15 out-of-state witness, goodbye --

16 MR. BASHOR: Uh-huh.

17 THE COURT: -- at 11:30 or whatever. I don't know. I'm working on
18 it. I haven't quite figured that part out.

19 MR. BASHOR: Okay.

20 MR. STANTON: So, 1, 1:30, we call Dr. Corneal, and then -- or if --
21 yeah, Thursday we might already have called her, so yeah.

22 THE COURT: Okay, that'll work.

23 MR. BASHOR: Should we expect --

24 THE COURT: But you want to call her Wednesday afternoon, right,
25 at 1:00?

1 MR. STANTON: Yes, if it -- if our projections are that we have the
2 jury Tuesday, then it's quite possible that we would call Dr. Corneal as the first
3 -- if we start that early on Wednesday, then we could call her as our first
4 witness on Wednesday, I believe.

5 THE COURT: Okay. Sounds good.

6 [Pause]

7 THE COURT: Okay. So, I just need 30 -- we decided 32, right?

8 MR. STANTON: Correct.

9 THE COURT: I cannot add today.

10 MR. STANTON: Thirty-two.

11 THE COURT: Okay. So, we're going to have 6, 12, 18 --

12 THE MARSHAL: Twenty-six.

13 THE COURT: Twenty-seven, 28, 29, 30, 31, 32, right?

14 THE MARSHAL: Yep.

15 THE COURT: Is that --

16 THE MARSHAL: That would be number 32 here.

17 THE COURT: So, there will be two extra ones on the end?

18 THE MARSHAL: Yes.

19 THE COURT: All right. Okay. So, are you ready?

20 MR. STANTON: State is, Your Honor.

21 MR. BASHOR: Defense is, Your Honor.

22 THE COURT: Okay. If we could bring in the jury, they will be
23 seated in here, really, in no particular order, right? Or are they coming in, in
24 order?

25 THE MARSHAL: They're in order.

1 THE COURT: Okay. Thanks.

2 [Pause]

3 THE COURT: Oh, by the way, State, when do you think you'll be
4 able to bring in your stock jury instructions?

5 MR. STANTON: Tomorrow.

6 THE COURT: Okay. And when do you think you'd be able to bring
7 anything you think you're going to ask for?

8 MR. BASHOR: The next day.

9 THE COURT: Okay. So, Tuesday, Wednesday?

10 MR. BASHOR: Yes, Your Honor.

11 THE COURT: Okay. Great. Thanks.

12 THE MARSHAL: All rise. The jury is entering

13 [In the presence of the prospective jurors.]

14 THE COURT: Counsel, will you stipulate to the presence of the
15 prospective jury panel?

16 MR. STANTON: Yes, Your Honor.

17 MR. BASHOR: Yes, Your Honor.

18 THE COURT: Okay. Good afternoon, ladies and gentlemen. This
19 is the time set for trial in C312448-1, State of Nevada v. Shawn Glover. The
20 record will reflect presence of the Defendant, his attorneys, and both deputy
21 district attorneys, and the officer of the court. Are the parties ready to proceed
22 to trial?

23 MR. STANTON: Your Honor, the State is.

24 MR. BASHOR: The Defense is ready, as well, Your Honor.

25 THE COURT: All right. Ladies and gentlemen, you are in

1 Department 9 of the 8th Judicial District Court. My name is Jennifer Togliatti,
2 and I'm the presiding Judge. At this time, I want to take the opportunity to
3 explain certain court staff that you see in the courtroom and explain what they
4 do.

5 The court reporter -- excuse me, recorder -- to my far left, is
6 recording every word that is spoken during this trial. Part of my job is to make
7 sure that all the words that are spoken during this trial are being recorded.
8 There are microphones placed strategically throughout the courtroom that
9 pickup voices like mine, the one in front of me, for example. And we also have
10 a handheld microphone for those of you who are not located near a
11 microphone. We're going to pass it around when you answer questions so
12 that we can record the words that you speak.

13 If you answer a question, mmm-hmm or uh-huh, I am going to say,
14 is that a yes or is that a no. The attorneys will do the same. Not because
15 we're giving you a hard time, but because mmm-hmm doesn't translate into a
16 transcript. H-H-H-H-H-M-M-M-M doesn't really mean anything, okay? So, for
17 that reason, I'll say, is that a yes or is that a no, and I just need you to be
18 mindful as we go through this process, it's much more formal than a regular
19 conversation.

20 Sometimes, you anticipate when someone's asking you a question,
21 in normal conversation, you'll jump right to the answer because we don't even
22 notice that. We do it so often. If it's important, I'll say, could you hold on a
23 moment, or let the attorney answer -- I mean, finish their question, because
24 the recording equipment cannot pick up two people talking at once, okay?

25 To my left is my Court Clerk. She swears the witnesses, marks the

1 exhibits, and keeps track of the official court record of the proceedings.

2 And you've already met Ramsey. He is my Marshall, and he is the
3 person with whom the ladies and gentlemen will have the most contact during
4 the trial.

5 Now, I'm going to ask one of the deputy district attorneys for the
6 State of Nevada to introduce himself, his co-counsel, and make a brief
7 statement of the nature of the State's case. I'm also going to ask them to list
8 any witnesses that may be called to testify. Just because you hear the name
9 doesn't mean they will be called to testify. Maybe their name will be on a
10 piece of paper someplace, but the reason it's important that you listen to these
11 names is because we -- I will ask you if you believe you are familiar with or
12 know any of the State's witnesses. State?

13 MR. STANTON: Thank you, Your Honor. Ladies and gentlemen,
14 my name is David Stanton. Along with me is William Flinn. We are chief
15 deputy district attorneys in the Clark County District Attorney's Office. We are
16 prosecuting the case that you're here in court today on, and it is entitled State
17 v. Shawn Glover, who is the Defendant in the courtroom. He is charged with
18 first degree murder with use of a deadly weapon.

19 Ladies and gentlemen, the generalized facts of this case -- and
20 once again, as Judge Togliatti indicated to you, this is more to orient any of
21 the prospective panel here today if you might know anything about this case.
22 And at the appropriate time, you can advise Judge Togliatti about that.

23 The events of this case begin on January 1st, 2016. The location of
24 this event is at a series of townhomes located in the general North Valley
25 location, specifically 4032 Smokey Fog Avenue. Ladies and gentlemen, this is

1 generally in the North Valley. You would know it by the intersections of
2 Centennial Parkway and Lamb.

3 The victim in the case is a gentleman by the name of Patrick
4 Fleming. You will hear from the following potential witnesses in the case.
5 Once again, if you recognize or believe you recognize a name on the split list,
6 please advise the Judge.

7 Dr. Jennifer Corneal. She is an employee with the Clark County
8 Coroner's Office. William Dolan, Kevin Emry, Patrick Fischer, Scott Hafen,
9 Renee Harder, previously by her maiden name, Renee Orlando, Adam Hyde,
10 Ruth Leon, Vincent Lewis, Leonard Miller, Benjamin Owens, Miranda Sutton,
11 Akira Veasley, and Sayoka Wilson-Fay. Thank you, ladies and gentlemen.

12 THE COURT: All right. At this time, I'm going to ask one of the
13 Defense counsel introduce himself, his co-counsel, and his client.

14 MR. BASHOR: Thank you, Your Honor. Good afternoon, everyone.
15 My name is Ryan Bashor. I'm an attorney that practices law here in Las Vegas.
16 This is my co-counsel Mr. Robert O'Brien. It's my privilege to introduce you to
17 Mr. Shawn Glover who has plead not guilty.

18 THE COURT: All right. Ladies and gentlemen, I am going to call
19 the roll of the panel of prospective jurors. When your name is called, please
20 answer present or here. And if I mispronounce it, please tell me how to
21 pronounce it properly, and I promise as we go through this, I will get better at
22 the pronunciation, okay? So, starting with Cody Hughes.

23 PROSPECTIVE JUROR 798: Present.

24 THE COURT: And by the way, can I have the mic? So, the Nevada
25 Supreme Court requires that I secure or find out the ethnic background of each

1 juror, and so it seems like the most efficient time to do that is when I'm doing
2 the roll call. So, when I call your name, I just need you to tell me you're
3 present or you're here, and if you could give me your ethnic background,
4 whether that's African American, Asian, Caucasian, European, whatever you
5 want to tell me, okay, about your ethnic background, as long as it's accurate.

6 And also, I need to tell you before I do that that the examination
7 that we're about to undertake for you is conducted while you are under oath.
8 The term voir dire, which is the process we're going through loosely translated
9 means to tell the truth. During this process, you're going to be called upon to
10 answer questions, bearing on your ability to serve as fair and impartial jurors
11 in this case, and for that reason, I will ask questions and the attorneys are also
12 going to have that opportunity.

13 It is important that you understand the significance of full,
14 complete, and honest answers to all of the questions that we are about to ask
15 you. Please do not try to hide or withhold anything, touching up on your
16 qualifications, or anything that might indicate any bias or prejudice of any sort
17 by any of you. Should you fail to answer truthfully or if you hide or withhold
18 anything, touching upon your qualifications, that fact may tend to contaminate
19 the jury's verdict, and suggest you to further inquiry, even after you're
20 discharged as a juror in this case. The jury's decision in this case should be
21 based upon all the evidence in the trial and not based upon any preconceived
22 prejudice or bias.

23 So, because the questioning is done while you are under oath, I do,
24 before we start, need you to stand, face my Clerk, raise your right hand, and be
25 sworn.

1 [The prospective jurors were sworn]

2 THE COURT: Okay. Please be seated. Is there anyone present
3 who is unable to take the oath for any reason? No one indicates they were
4 unable to take the oath.

5 MR. BASHOR: Your Honor, may I approach briefly?

6 THE COURT: Yes.

7 [Sidebar begins at 2:01 p.m.]

8 MR. BASHOR: Judge, I have four more witnesses I neglected to
9 mention.

10 THE COURT: We can do that right now.

11 MR. BASHOR: Okay, thank you.

12 THE COURT: I never --

13 MR. BASHOR: I apologize.

14 THE COURT: I never put you in a box on that.

15 [Sidebar ends at 2:01 p.m.]

16 THE COURT: Okay. Ladies and gentlemen, before we do that, I am
17 going to ask that the Defense list any -- the Defense is entitled to call any
18 witness that's listed by the State, should they so choose, and any witness they
19 so choose. So, at this time, they're going to list possible witnesses for the
20 Defense.

21 MR. BASHOR: Thank you, Your Honor. And I apologize for
22 neglecting to do this before. It's brief. Mr. Roger Hosford of Las Vegas,
23 Nevada; Loren Mendoza of Van Nuys, California; Emily Reeder of Las Vegas,
24 Nevada; and Michael Reyes of Granada Hills, California.

25 THE COURT: Okay. So, starting with Cody Hughes, you're present,

1 yes?

2 PROSPECTIVE JUROR 798: Yes, ma'am.

3 THE COURT: And what's your ethnic background?

4 PROSPECTIVE JUROR 798: I'm Caucasian and Hispanic.

5 THE COURT: Thank you. Clinton Barnes?

6 PROSPECTIVE JUROR 912: Present. I am white.

7 THE COURT: All right. Aziyel Madrigal?

8 PROSPECTIVE JUROR 913: Present. Asian.

9 THE COURT: Thank you. John Graber?

10 PROSPECTIVE JUROR 916: Here, and Caucasian.

11 THE COURT: Randal Huntsman?

12 PROSPECTIVE JUROR 923: Present. Caucasian.

13 THE COURT: Morgan Dwinell?

14 PROSPECTIVE JUROR 933: Present. Caucasian.

15 THE COURT: Okay. Esperanza Kime?

16 PROSPECTIVE JUROR 940: Kime, correct.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR 940: I'm Hispanic, Your Honor.

19 THE COURT: All right, thank you. Lindell Pierce?

20 PROSPECTIVE JUROR 942: Yes. I'm Caucasian.

21 THE COURT: Thank you. Christopher Stettler?

22 PROSPECTIVE JUROR 944: Caucasian. Present.

23 THE COURT: Thank you. Philip Harris?

24 PROSPECTIVE JUROR 947: Present. Caucasian.

25 THE COURT: Samantha Stanke?

1 PROSPECTIVE JUROR 048: Present. Caucasian.
2 THE COURT: Isabelle Rodriguez?
3 PROSPECTIVE JUROR 951: Present. Hispanic.
4 THE COURT: Thank you. Nancy Cardoza? Over here.
5 PROSPECTIVE JUROR 952: Here. Hispanic.
6 THE COURT: Thank you. Miles Vinluan?
7 PROSPECTIVE JUROR 961: Present. Asian.
8 THE COURT: Did I say that right?
9 PROSPECTIVE JUROR 961: Yes.
10 THE COURT: Okay. Alyce Brown?
11 PROSPECTIVE JUROR 965: Present. White.
12 THE COURT: Verna Kinnard?
13 PROSPECTIVE JUROR 967: Present. Asian and African American.
14 THE COURT: Thank you. Victoria Farfan?
15 PROSPECTIVE JUROR 978: Present. Caucasian and Hispanic.
16 THE COURT: Thank you. Dominique Perez?
17 PROSPECTIVE JUROR 993: Present, and Hispanic.
18 THE COURT: Thanks. Benjamin Perri?
19 PROSPECTIVE JUROR 000: Present. Caucasian.
20 THE COURT: Did you get that?
21 THE CLERK: It's okay.
22 THE COURT: Okay. Thank you. Stephanie Mazzie?
23 PROSPECTIVE JUROR 004: Present. Caucasian.
24 THE COURT: Thank you. Hoa Ho?
25 PROSPECTIVE JUROR 015: Yeah. Present. Vietnamese.

1 THE COURT: Okay. Nassif Haddad?
2 PROSPECTIVE JUROR 024: Present from Middle East.
3 THE COURT: Okay. Thank you. Diane Morgan?
4 PROSPECTIVE JUROR 025: Present. Caucasian.
5 THE COURT: David Harrell?
6 PROSPECTIVE JUROR 030: Present. Caucasian.
7 THE COURT: Susan Gevers?
8 PROSPECTIVE JUROR 035: Gevers.
9 THE COURT: Gevers. Well, I had a 50-50 shot
10 PROSPECTIVE JUROR 035: Present. Caucasian.
11 THE COURT: Sorry about that.
12 PROSPECTIVE JUROR 035: That's okay.
13 THE COURT: Laurie Renforth?
14 PROSPECTIVE JUROR 043: Here. Caucasian.
15 THE COURT: Thank you. Going over there. Robert Chiesi?
16 PROSPECTIVE JUROR 048: Yes. Chiesi.
17 THE COURT: Chiesi.
18 PROSPECTIVE JUROR 048: Present. Caucasian.
19 THE COURT: Thank you. Frances Cortez?
20 PROSPECTIVE JUROR 058: Present. Hawaiian Pacific Islander.
21 THE COURT: Thank you. William Childs?
22 PROSPECTIVE JUROR 061: Present. Caucasian.
23 THE COURT: Thank you. Michael Tripp?
24 PROSPECTIVE JUROR 063: Present. Caucasian.
25 THE COURT: Aaron Emery?

1 PROSPECTIVE JUROR 068: Present. African American.

2 THE COURT: Thank you. Brenden Larson?

3 PROSPECTIVE JUROR 070: Present. African American Irish.

4 THE COURT: Thank you. Mario Reyna?

5 PROSPECTIVE JUROR 073: Present. Hispanic.

6 THE COURT: Roi Hillstead?

7 PROSPECTIVE JUROR 083: Present. Caucasian and Asian.

8 THE COURT: Thank you. Bryan Blake, over there?

9 PROSPECTIVE JUROR 086: Present. Caucasian.

10 THE COURT: Theresa Fernandez?

11 PROSPECTIVE JUROR 36: Present. Caucasian.

12 THE COURT: Arian Tassy?

13 PROSPECTIVE JUROR 093: Here. Caucasian.

14 THE COURT: Torri Godwin?

15 PROSPECTIVE JUROR 099: Present and Caucasian.

16 THE COURT: Duane Miller?

17 PROSPECTIVE JUROR 119: Present and Caucasian.

18 THE COURT: Melissa Webster?

19 PROSPECTIVE JUROR 121: Present. Caucasian.

20 THE COURT: Matthew Jones?

21 PROSPECTIVE JUROR 131: Present. Caucasian.

22 THE COURT: John Park?

23 PROSPECTIVE JUROR 145: I'm sorry. I don't understand the
24 English language. Is only 10 to 20 percent only.

25 THE COURT: Okay, 10 or 20 percent. What -- do you work? Do

1 you have a job?

2 PROSPECTIVE JUROR 145: No. No work.

3 THE COURT: You don't work?

4 PROSPECTIVE JUROR 145: Yeah.

5 THE COURT: All right. Thank you. Can you pass it to the next

6 person, please? Bethany Johnson? Down there in the corner.

7 PROSPECTIVE JUROR 151: Present. Caucasian.

8 THE COURT: Thank you. Paul Mejia?

9 PROSPECTIVE JUROR 152: Present. Hispanic.

10 THE COURT: Thank you. Phyllis Stewart?

11 PROSPECTIVE JUROR 158: Present. Caucasian.

12 THE COURT: Nicole Williams?

13 PROSPECTIVE JUROR 163: Present. African American.

14 THE COURT: Thank you. Manuele -- how do I say your name?

15 De?

16 PROSPECTIVE JUROR 166: De Cespedes.

17 THE COURT: Pardon me?

18 PROSPECTIVE JUROR 166: De Cespedes.

19 THE COURT: Oh, yeah. There are some letters missing here.

20 PROSPECTIVE JUROR 166: Yeah.

21 THE COURT: Could you --

22 PROSPECTIVE JUROR 166: Present. Hispanic.

23 THE COURT: All right. Do me a favor, spell your name for me.

24 PROSPECTIVE JUROR 166: So, after the D, there's a space, and

25 then C-E-S-P-E-D-E-S.

1 THE COURT: Okay. D-E, dash, C-E-S-P-E-D-E-S?
2 PROSPECTIVE JUROR 166: Yes.
3 THE COURT: Okay. Thank you. Jessica Meuir?
4 PROSPECTIVE JUROR 175: Present. Caucasian.
5 THE COURT: Thank you. Luzmaria Alarcon?
6 PROSPECTIVE JUROR 177: Present. Hispanic.
7 THE COURT: All right. Janice Forbes?
8 PROSPECTIVE JUROR 178: Present. Caucasian.
9 THE COURT: Okay. Bruce Gorham?
10 PROSPECTIVE JUROR 183: Present. Caucasian.
11 THE COURT: Dierdre Parker?
12 PROSPECTIVE JUROR 184: Present. African American.
13 THE COURT: Hold on. We've got to speak -- did you get that?
14 Okay. Could you speak into the microphone for me?
15 PROSPECTIVE JUROR 184: Present. African American.
16 THE COURT: Thank you. Michael Stroud?
17 PROSPECTIVE JUROR 185: Present. Caucasian.
18 THE COURT: Lisa Villa-Real?
19 PROSPECTIVE JUROR 194: Present. Hispanic.
20 THE COURT: Thank you. Kathy Garcia?
21 PROSPECTIVE JUROR 204: Present. Hispanic.
22 THE COURT: Mark Eli?
23 PROSPECTIVE JUROR 205: Present. Caucasian and Native.
24 THE COURT: Okay. Sun Jones?
25 PROSPECTIVE JUROR 210: I'm here.

1 THE COURT: Okay. What's your ethnic background? Where are
2 you from?
3 PROSPECTIVE JUROR 210: Korea.
4 THE COURT: Okay. Thank you. Leon Burton?
5 PROSPECTIVE JUROR 213: Present. Asian.
6 THE COURT: Robert Patynik?
7 PROSPECTIVE JUROR 219: Present. Caucasian.
8 THE COURT: Thank you. Did you pick that up? Okay.
9 THE MARSHAL: Say it again.
10 PROSPECTIVE JUROR 219: Present. Caucasian.
11 THE COURT: Thank you. Paula Dalcour?
12 PROSPECTIVE JUROR 221: Present. Black.
13 THE COURT: Thank you. Ivan Rodriguez?
14 PROSPECTIVE JUROR 226: Present. Hispanic.
15 THE COURT: Thank you. Cesar Rivera?
16 PROSPECTIVE JUROR 228: Present and Spanish.
17 THE COURT: Thank you. Ronda Mayfield?
18 PROSPECTIVE JUROR 229: Present. African American.
19 THE COURT: Thank you. Daniel Robinson?
20 PROSPECTIVE JUROR 231: Present. Caucasian.
21 THE COURT: Thank you. Johnathon Gludt?
22 PROSPECTIVE JUROR 240: Present. Caucasian.
23 THE COURT: Milo Jenereaul?
24 PROSPECTIVE JUROR 243: Present. Caucasian.
25 THE COURT: Did I say that right?

1 PROSPECTIVE JUROR 243: Jenereaul.
2 THE COURT: Jenereaul. Thank you. John Wiseman?
3 PROSPECTIVE JUROR 247: Present. Caucasian.
4 THE COURT: Damian Serrano?
5 PROSPECTIVE JUROR 252: Present. Hispanic.
6 THE COURT: Lawrence Luna?
7 PROSPECTIVE JUROR 260: Present. Asian.
8 THE COURT: Erik Thompson?
9 PROSPECTIVE JUROR 261: Present. Caucasian.
10 THE COURT: Michael Clay?
11 PROSPECTIVE JUROR 268: Present. African American/Native
12 American.
13 THE COURT: Glenn Adams?
14 PROSPECTIVE JUROR 277: Present. Mixed ethnicity.
15 Asian/Caucasian.
16 THE COURT: Okay. Socrisar Guese?
17 PROSPECTIVE JUROR 279: Socrisar Guese.
18 THE COURT: Not even close. Okay. Guese. Got it.
19 PROSPECTIVE JUROR 279: Yeah.
20 THE COURT: And what's your ethnic background, sir?
21 PROSPECTIVE JUROR 279: Philippines.
22 THE COURT: Okay. Seth Wright?
23 PROSPECTIVE JUROR 280: Present. Here.
24 THE COURT: And Lisa Dominguez? Lisa?
25 PROSPECTIVE JUROR 280: Caucasian, by the way.

1 THE COURT: Oh, okay. Thank you. Lisa Dominguez? Sorry about
2 that.

3 PROSPECTIVE JUROR 283: Present. Mexican, Spanish, Irish, and
4 Indian.

5 THE COURT: Okay. Thank you very much. All right. So, ladies
6 and gentlemen, before we start the question and answer process, I want you
7 to understand that we are very concerned with having this matter tried by
8 jurors who are completely openminded, fair and impartial, in their thinking.
9 Why discretion is vested in the trial judge -- that's me -- as to the method of
10 the examination of the prospective jurors.

11 As I told you before, I'm going to ask you questions and the
12 lawyers will be given this opportunity, as well. It is not our desire to
13 unnecessary pry into your personal lives. These questions are necessary so
14 that the attorneys and myself can make a determination as to your capability
15 to serve fairly and impartially.

16 Please do not try hide or withhold anything, touching upon your
17 qualifications, or that might indicate any prejudice of any sort by any of you.

18 Now, as we go through this process, I'm going to ask questions,
19 and when I ask a question, I'm going to do it in an organized fashion for the
20 answers. I'll start on this side of the room and look for people who have their
21 hand raised, and I'll go from the front row to the back row, and then I'll go to
22 the middle section, and I'll go from the front row to the back row. Then I'll go
23 to this section, and I'll go from the front row to the back row.

24 I'm going to ask you to give me the last three digits on your badge.
25 So, for example, Mr. Hughes is going to be Juror 798, Haddad is 024, Mejia is

1 152, Jenereaul is 243, and so on. You'll give me the last three digits on your
2 badge, and you'll give us a minute to find you on our list, so we can take notes
3 while you speak.

4 I can tell you I've done this in excess of, oh, 250 times, okay. So,
5 take it from me, from experience, because I've done it 250 times, and you
6 haven't, this process is much more efficient if you answer the question that I
7 ask, when I ask it, and not tell me everything else you want me to know. I have
8 no doubt -- I'm sure as I'm sitting here, and the sun will rise, and the sun will
9 set, that you have something to tell me about jury service. I'm going to get to
10 it. I promise.

11 I have an exhaustive list of questions, and then if freakishly, my
12 exhaustive list of questions don't cover what you need to tell me about your
13 jury service, I have a catch all question. That is, is there anything else about
14 you personally or professionally that you need me to know about serving on
15 this jury. So, I promise I will get there, but if you would do me a favor and the
16 other, I don't know, 80 people in this room, don't tell me everything you want
17 me to know until we get there. Just answer the question that I ask when I ask
18 it. It's much more organized and fast, okay?

19 With that said, has anyone present ever been convicted of a
20 felony? Starting on this side of the room. Okay. Could you hand that over?
21 Yes, your number?

22 THE MARSHAL: Badge number.

23 PROSPECTIVE JUROR 965: Oh, I'm sorry.

24 THE COURT: Last three digits on your badge.

25 PROSPECTIVE JUROR 965: Yeah, I forgot it already. 965.

1 THE COURT: Okay. Hold on one second. Ms. Brown, you were
2 convicted of a felony?

3 PROSPECTIVE JUROR 965: Yes.

4 THE COURT: When was that?

5 PROSPECTIVE JUROR 965: Forty-three years ago.

6 THE COURT: Of what?

7 PROSPECTIVE JUROR 965: It was -- what was the felon?

8 THE COURT: Yes.

9 PROSPECTIVE JUROR 965: Well, it was -- I don't know how to put
10 it. I delivered -- I took some marijuana to a friend in the jail cell and got caught
11 for delivering marijuana --

12 THE COURT: Okay.

13 PROSPECTIVE JUROR 965: -- to the --

14 THE COURT: And where was that?

15 PROSPECTIVE JUROR 965: In Des Moines, Iowa.

16 THE COURT: Okay. And so, you know that you were convicted of
17 a felony and just one or multiple?

18 PROSPECTIVE JUROR 965: I'm not sure. I think they tagged
19 something else on there, but I can't remember. It's been so long.

20 THE COURT: Okay. And so, you never had it sealed or --

21 PROSPECTIVE JUROR 965: Yes. Deferred sentence. Is that what
22 it's called?

23 THE COURT: Okay. So, at the time that you were sentenced, your
24 sentence was deferred?

25 PROSPECTIVE JUROR 965: Yes.

1 THE COURT: Okay. So --
2 PROSPECTIVE JUROR 965: I had two years' probation, and then
3 deferred.
4 THE COURT: All right.
5 PROSPECTIVE JUROR 965: And then the deferred sentence.
6 THE COURT: And then what do you think happened after that two
7 years was up?
8 PROSPECTIVE JUROR 965: What do you mean what do I think? I --
9 THE COURT: Well, I said, have you ever convicted of a felony.
10 PROSPECTIVE JUROR 965: Yes.
11 THE COURT: Deferred means to me you weren't convicted --
12 PROSPECTIVE JUROR 965: Yeah.
13 THE COURT: -- because it was ultimately dismissed, but yet you
14 said you were convicted, so you seem confused.
15 PROSPECTIVE JUROR 965: Well, I mean --
16 THE COURT: In a respectful way.
17 PROSPECTIVE JUROR 965: I just figure, why hide my past. I
18 mean, I was --
19 THE COURT: Okay. So -- right, which is why I'm asking --
20 PROSPECTIVE JUROR 965: Yeah.
21 THE COURT: -- because they're two different things, right?
22 PROSPECTIVE JUROR 965: Yeah, I know.
23 THE COURT: Were you convicted, or it was deferred?
24 PROSPECTIVE JUROR 965: It was deferred.
25 THE COURT: Okay, so you don't have a conviction, but you were

1 arrested and had probation?

2 PROSPECTIVE JUROR 965: Yes.

3 THE COURT: Okay. And you're pretty sure there's no conviction
4 for a felony, though?

5 PROSPECTIVE JUROR 965: Yes.

6 THE COURT: Okay. I'm not picking on you. I'm just trying to cut
7 to the chase.

8 PROSPECTIVE JUROR 965: I guess I got confused and shouldn't
9 have said anything, but --

10 THE COURT: No, it's okay.

11 PROSPECTIVE JUROR 965: Just being honest.

12 THE COURT: Believe me, there's other questions that get there.

13 PROSPECTIVE JUROR 965: Okay.

14 THE COURT: I'm just trying to make sure I understand.

15 PROSPECTIVE JUROR 965: Sorry.

16 THE COURT: That's okay. Don't be sorry. Conviction or no
17 conviction, okay, because one may affect your ability to serve. One is just your
18 background. Does that make sense to you?

19 PROSPECTIVE JUROR 965: Yes.

20 THE COURT: Okay. So, as you sit here today, you're pretty sure
21 there's no actual conviction?

22 PROSPECTIVE JUROR 965: Yes.

23 THE COURT: Okay, perfect. Thank you very much. Anybody else
24 in this section? How about that section? Yes, sir. If you could wait for the
25 mic, please, and give me the last three digits on your badge.

1 PROSPECTIVE JUROR 119: 119.
2 THE COURT: 119. Okay. Mr. Miller? Duane Miller?
3 PROSPECTIVE JUROR 119: Yes. Yes, Your Honor.
4 THE COURT: Okay. When do you believe you were convicted of a
5 felony?
6 PROSPECTIVE JUROR 119: It was in '94.
7 THE COURT: Okay. And where was that?
8 PROSPECTIVE JUROR 119: Pennsylvania.
9 THE COURT: And what do you believe the felony or felonies to be?
10 PROSPECTIVE JUROR 119: It was receiving stolen property.
11 THE COURT: And was it just one count of that or something else?
12 PROSPECTIVE JUROR 119: Yes, Your Honor. That was it.
13 THE COURT: And what happened to that case?
14 PROSPECTIVE JUROR 119: Basically, I got probation. That was it.
15 THE COURT: Okay.
16 PROSPECTIVE JUROR 119: First offense.
17 THE COURT: And you never had the record sealed or --
18 PROSPECTIVE JUROR 119: No.
19 THE COURT: Okay. All right. And do you know -- did you ever
20 have a restoration of civil rights or anything like that?
21 PROSPECTIVE JUROR 119: No, I don't believe so.
22 THE COURT: Okay. Thank you.
23 PROSPECTIVE JUROR 119: Yes.
24 THE COURT: Who else had their hand up? Anybody over there?
25 Okay. Anybody else until we go to the final section? Have any of you ever

1 been convicted of a felony? All right. No one else indicates om the
2 affirmative.

3 Is there anyone present who is not a United States citizen? Not
4 because I am going to do anything about it, but because you might not qualify
5 to serve. I don't do immigration, so that is not of my concern. The only thing
6 that matters to me is qualification to serve. Does that make sense? Okay.
7 That's why I'm asking all these questions. Okay. So, anybody in the first
8 section not a United States citizen? How about the second section? Third
9 section? No one indicates in the affirmative.

10 Are there any of you that believe that you are familiar with the
11 Defendant, Shawn Glover, or either of his attorneys in this case? Starting in
12 the first section. No? How about the second section? Third section? All right.
13 No one has indicated in the affirmative.

14 Are there any of you that believe you are acquainted with either of
15 the deputy district attorneys that were introduced to you at the start of this?
16 Anybody? First section? Second section? No one indicates in the affirmative.

17 The District Attorney, Steve Wolfson, employs many deputies and
18 other personnel. Is there anyone who has such a close relationship with either
19 the District Attorney, Steve Wolfson, or his deputies, or other members of his
20 staff that it rises to the level that you think you should bring it to my attention,
21 meaning this is someone you know well or have frequent contact with, starting
22 in this section. Nobody indicates in the affirmative. How about the middle
23 section? Nope. How about over here? Yes, sir? Can you hold on a second
24 while we get you the microphone, please? Can I have the last three digits on
25 your badge?

1 PROSPECTIVE JUROR 268: Yes, ma'am. 268.

2 THE COURT: 268. Mr. Clay, who do you know?

3 PROSPECTIVE JUROR 268: One of the individuals that work for the
4 Coroner's Office.

5 THE COURT: Oh, sorry. Say it again. The Coroner's Office?

6 PROSPECTIVE JUROR 268: Yes, ma'am.

7 THE COURT: Who do you know at the Coroner's Office?

8 PROSPECTIVE JUROR 268: Through my work, I work very closely
9 with everyone, including the Coroner.

10 THE COURT: What do you do?

11 PROSPECTIVE JUROR 268: I am the family services manager for
12 Nevada Donor Network.

13 THE COURT: Do you have -- is there something wrong with the
14 mic? Can you check -- can you tap it just to see --

15 PROSPECTIVE JUROR 258: There we go.

16 THE COURT: Okay. So, you work in the family services -- say that,
17 again, please.

18 PROSPECTIVE JUROR 268: For Nevada Donor Network, the
19 federally designated organ -- became an organization for Nevada.

20 THE COURT: Okay. Thank you. Anybody else believe you may be
21 familiar with either the District Attorney or any members of the staff? Oh, hold
22 on one second. Coming back with the mic here. What's the last three digits?

23 PROSPECTIVE JUROR 967: 967.

24 THE COURT: Ms. Kinnard, who do you know?

25 PROSPECTIVE JUROR 967: Jay Raymond. He's one of the

1 -- I don't know him very well. I met him twice, but I know someone is related
2 to him.

3 THE COURT: I'm sorry. You said you know someone that is
4 related?

5 PROSPECTIVE JUROR 967: His wife.

6 THE COURT: His wife?

7 PROSPECTIVE JUROR 967: Uh-huh.

8 THE COURT: Okay. And is that a social relationship or a
9 professional one?

10 PROSPECTIVE JUROR 967: Social.

11 THE COURT: Okay. Thank you. Anybody else? No one indicates
12 in the affirmative.

13 Are there any of you that believe you're acquainted -- other than
14 the gentleman that already talked about the gentleman that already talked
15 about the Coroner's Office personnel -- any of you believe you may be
16 acquainted with any of the witnesses that were listed by either side in this
17 case? Starting on this side of the room. Yes, sir? Could I have the last three
18 digits on your badge, please?

19 PROSPECTIVE JUROR 923: 923.

20 THE COURT: Mr. Huntsman?

21 PROSPECTIVE JUROR 923: Yes.

22 THE COURT: Who do you believe you know?

23 PROSPECTIVE JUROR 923: Scott Hafen.

24 THE COURT: And how do you know him?

25 PROSPECTIVE JUROR 923: Personal family friend.

1 THE COURT: How long have you known him?
2 PROSPECTIVE JUROR 923: Since -- about 20 something years.
3 THE COURT: Is that it?
4 PROSPECTIVE JUROR 923: Yes.
5 THE COURT: Okay. Just checking. Anybody else? How about in
6 the middle of the room here? Yes? If you could wait for the mic. What's your
7 number, please?
8 PROSPECTIVE JUROR 099: 099.
9 THE COURT: Ms. Godwin?
10 PROSPECTIVE JUROR 099: Yes.
11 THE COURT: Who do you know?
12 PROSPECTIVE JUROR 099: I used to know, when I went to school,
13 Kevin Emry.
14 THE COURT: Okay. When you went to school, meaning how long
15 ago?
16 PROSPECTIVE JUROR 099: 1981 is when we graduated.
17 THE COURT: Okay. And how well did you know Kevin Emry?
18 PROSPECTIVE JUROR 099: He was one of my classmates. I didn't
19 know him too well.
20 THE COURT: You didn't know him too well?
21 PROSPECTIVE JUROR 099: No, but I knew of him. He was a
22 football player, and I was one of the flag twirlers, so I knew the football team
23 very well.
24 THE COURT: But you didn't twirl together?
25 PROSPECTIVE JUROR 099: No.

1 THE COURT: Perfect. Okay. Anybody else know any of the
2 witnesses whose names were listed by the District Attorney or the Defense in
3 the middle section before I move over to the left over here? No. Okay. Over
4 here? Anybody? No one indicates in the affirmative. Okay.

5 Do any of you believe that you are familiar with either myself or
6 any of the staff that you see in the courtroom today that work for the court?
7 Nobody indicates in the affirmative. All right.

8 Are there any of you that speak English as a second language? I
9 know we have a gentleman that indicated he doesn't speak English very well. I
10 would just -- whether you speak English well or not, I just want to know if you
11 speak English as a second language. Starting on this side of the room. Okay.
12 Nobody speaks English as a second language? Okay. Oh. Meaning your first
13 language is something else and English is your second or third or fourth. It's
14 just not your first. So, let's start with you, sir, since you raised your hand first.
15 What's your last three digits on your badge or --

16 PROSPECTIVE JUROR 024: English and Arabic.

17 THE COURT: Yes. What's your badge number, again, as I don't
18 have everyone --

19 PROSPECTIVE JUROR 024: 024.

20 THE COURT: 024. Hold on one second. Mr. Haddad, what's your
21 first language?

22 PROSPECTIVE JUROR 024: The first language is Arabic --

23 THE COURT: Okay.

24 PROSPECTIVE JUROR 024: -- Lebanese, and English.

25 THE COURT: Okay. And how long have you been speaking

1 English?

2 PROSPECTIVE JUROR 024: Thirty-five, 40 years.

3 THE COURT: All right. Thank you very much. Next to you, what's

4 the last three digits on your badge?

5 PROSPECTIVE JUROR 015: 015.

6 THE COURT: Mr. Ho. What's your first language?

7 PROSPECTIVE JUROR 015: Vietnamese.

8 THE COURT: And how long have you been speaking English?

9 PROSPECTIVE JUROR 015: Five years.

10 THE COURT: Five years. And do you work?

11 PROSPECTIVE JUROR 015: Yes.

12 THE COURT: What do you do?

13 PROSPECTIVE JUROR 015: We do nail.

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

15 PROSPECTIVE JUROR 015: Fourteen, 15 years.

16 THE COURT: Fourteen or 15 years?

17 PROSPECTIVE JUROR 015: Uh-huh.

18 THE COURT: Is the test that they give you to be able to have your

19 license in English or Vietnamese?

20 PROSPECTIVE JUROR 015: Say again.

21 THE COURT: To have your license to do nails, right?

22 PROSPECTIVE JUROR 015: Yeah, yeah, yeah.

23 THE COURT: Your manicure license.

24 PROSPECTIVE JUROR 015: Yeah, yeah.

25 THE COURT: Is that in English or Vietnamese?

1 PROSPECTIVE JUROR 015: English, English.
2 THE COURT: English?
3 PROSPECTIVE JUROR 015: Yeah.
4 THE COURT: Okay. Do you have a driver's license?
5 PROSPECTIVE JUROR 015: Yes.
6 THE COURT: Do you have like an apartment or a house?
7 PROSPECTIVE JUROR 015: We have a house.
8 THE COURT: All right. Do you have a mortgage?
9 PROSPECTIVE JUROR 015: Yes.
10 THE COURT: Do you have insurance?
11 PROSPECTIVE JUROR 015: Yes.
12 THE COURT: Credit cards?
13 PROSPECTIVE JUROR 015: Yes.
14 THE COURT: Oh, you're going to be fine. Thank you. Who else in
15 this first row? Second row? Anybody speak English as a second language?
16 Third row? Fourth row? Okay. Going to this side. First row. Anybody speak
17 English as a second language? Second row? Third row? Okay. Sir, if you
18 could give me the last three digits on your badge, please.
19 PROSPECTIVE JUROR 166: The last three digits are 166.
20 THE COURT: Yeah. For some people, it works really well, and for
21 other people, we can't hear it. I don't think it's working very well. 166. Maybe
22 on the break, we can replace that one and pull out another one. Mr. De
23 Cespedes, what's your first language?
24 PROSPECTIVE JUROR 166: Spanish.
25 THE COURT: And how long have you been speaking English?

1 PROSPECTIVE JUROR 166: Ten years.
2 THE COURT: Okay. And how old are you?
3 PROSPECTIVE JUROR 166: Twenty.
4 THE COURT: Okay. Thank you. Who else over there? Anybody
5 speak English as a second language before I come to this side? I mean, other
6 than the gentleman who already told me? Mr. Park already talked about it.
7 This lady right here. What's your number, please?
8 PROSPECTIVE JUROR 210: 894 (sic).
9 THE MARSHAL: Let's go with 210.
10 THE COURT: 210. All right. The other three. 210.
11 PROSPECTIVE JUROR 210: I had this number.
12 THE MARSHAL: 210.
13 THE COURT: Thank you. Okay. Ms. Jones, you speak Korean,
14 yes?
15 PROSPECTIVE JUROR 210: Yes.
16 THE COURT: And how long have you been speaking English?
17 PROSPECTIVE JUROR 210: Oh, 35, 40 years.
18 THE COURT: And what do you do?
19 PROSPECTIVE JUROR 210: What do I do?
20 THE COURT: Yes. What do you do? Do you work?
21 PROSPECTIVE JUROR 210: Oh, I'm retired. I was work.
22 THE COURT: What did you used to do?
23 PROSPECTIVE JUROR 210: Dealer.
24 THE COURT: Okay. And how long did you do that?
25 PROSPECTIVE JUROR 210: Twenty-four, 25 years.

1 THE COURT: Okay. Thank you. Who else speaks English as --
2 okay. That gentleman over there, please.

3 PROSPECTIVE JUROR 226: 226.

4 THE COURT: Mr. Rodriguez, what's your first language?

5 PROSPECTIVE JUROR 226: Spanish.

6 THE COURT: And how long have you been speaking English?

7 PROSPECTIVE JUROR 226: Thirteen years.

8 THE COURT: And how old are you?

9 PROSPECTIVE JUROR 226: Twenty.

10 THE COURT: Okay. Thank you very much. Anybody else on that
11 side speak English as a second language?

12 THE MARSHAL: One moment.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR 228: 228.

15 THE COURT: 228. Mr. Rivera, you speak Spanish?

16 PROSPECTIVE JUROR 228: Yes.

17 THE COURT: And how long have you been speaking English?

18 PROSPECTIVE JUROR 228: Thirty years.

19 THE COURT: Twenty or 30?

20 PROSPECTIVE JUROR 228: Thirty.

21 THE COURT: 30. And what do you do, sir?

22 PROSPECTIVE JUROR 228: What I do?

23 THE COURT: Yeah. What do you -- do you work?

24 PROSPECTIVE JUROR 228: I work.

25 THE COURT: What do you do?

1 PROSPECTIVE JUROR 228: What I do?

2 THE COURT: Right. What do you do? What do you do?

3 PROSPECTIVE JUROR 228: Porter.

4 THE COURT: Porter. Okay. Thank you.

5 PROSPECTIVE JUROR 228: You're welcome.

6 THE COURT: Anybody else? Okay. Is there anyone present who
7 needs a physical accommodation if you're selected to serve, meaning you
8 have either -- let's say you have diabetes and you might need breaks, or you
9 have a back problem, you might need an end seat, so you can stand up when
10 you need to. Something like that. Starting on this side of the room, front row
11 to the back row. Does anybody have a physical condition that you would
12 request an accommodation for if you were selected to serve? Yes? Okay.
13 Start with Mr. Haddad in the front row.

14 THE MARSHAL: Yes, sir.

15 PROSPECTIVE JUROR 024: Yeah, I have diabetes.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR 024: And I have neck and back pain from
18 car accident happening four years ago.

19 THE COURT: Okay. And are you on any medication for that? Do
20 you take any pain medication for that?

21 PROSPECTIVE JUROR 024: Yes. Yes.

22 THE COURT: Okay. Every day, or just when it acts up or what?

23 PROSPECTIVE JUROR 024: Every day. Yeah.

24 THE COURT: Every day. And does that involve narcotic pain
25 medication or anti-inflammatory?

1 PROSPECTIVE JUROR 024: I didn't hear the question.

2 THE COURT: Does that involve narcotic pain medication or anti-
3 inflammatories?

4 PROSPECTIVE JUROR 024: Both.

5 THE COURT: Okay. Thank you. Who else had their hand up?
6 Yes? Can you give me those last three numbers, again, for me? 965?

7 PROSPECTIVE JUROR 965: Yeah, 965.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR 965: I have three deteriorating discs in my
10 back, and then two bone spurs in my knee, and then I broke my ankle in a car
11 accident and I'm -- I can't take any medication for it because I'm on heart
12 medicine, and they told me, you know, not to take anything, so I just live with
13 the pain.

14 THE COURT: Okay. And are you working?

15 PROSPECTIVE JUROR 965: No, I'm retired.

16 THE COURT: Okay. Thank you.

17 PROSPECTIVE JUROR 965: Yes.

18 THE COURT: And by the way, do you have a disability, or is it just
19 because you're retired, you didn't pursue that?

20 PROSPECTIVE JUROR 965: What --

21 THE COURT: Meaning like deemed by the United States
22 Government disabled?

23 PROSPECTIVE JUROR 965: No, no, no.

24 THE COURT: Okay. No disability. Okay. Who else had their hand
25 up in the second row? Third row? Fourth row? All right. Over to the middle

1 here. Anybody in the first row have a physical condition, you would request
2 an accommodation or need to bring to my attention? Yes, sir. Last three
3 digits on your badge, please.

4 PROSPECTIVE JUROR 068: 068.

5 THE COURT: Hold on one second. Mr. Emery, yes?

6 PROSPECTIVE JUROR 068: Yeah, frequent restroom breaks,
7 anywhere from an hour to two hours.

8 THE COURT: Okay. Do you work?

9 PROSPECTIVE JUROR 068: Yes.

10 THE COURT: What do you do?

11 PROSPECTIVE JUROR 068: Security.

12 THE COURT: For a hotel or somewhere else?

13 PROSPECTIVE JUROR 068: Private firm.

14 THE COURT: Okay. Okay, thanks. Who else had their hand up?

15 PROSPECTIVE JUROR 061: 061.

16 THE COURT: Mr. Childs?

17 PROSPECTIVE JUROR 061: Yes.

18 THE COURT: What's your physical accommodation request?

19 PROSPECTIVE JUROR 061: Well, as long as we have these nice
20 comfy chairs, I'm pretty good. I have a back problem. I'm wearing a brace for
21 it right now, and I'm good. I also have a fused neck, so I can pretty much only
22 look straight ahead. So, even if I look like I'm not paying attention, I am, but
23 I'm only going to look that way.

24 THE COURT: Okay, I got it. You're in the cheap seats, by the way.
25 The jurors that ultimately get selected to serve are in those three rows and

1 they have the best seats, just so you know. Anybody else in that section,
2 starting in the second row?

3 PROSPECTIVE JUROR 086: Yep. Number is 086.

4 THE COURT: Okay. Mr. Blake, what's the physical accommodation
5 that you have?

6 PROSPECTIVE JUROR 086: I'm a type one diabetic.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR 086: If I get low blood sugar, I have
9 difficulty concentrating for long periods of time.

10 THE COURT: Do you work?

11 PROSPECTIVE JUROR 086: I do.

12 THE COURT: What do you do?

13 PROSPECTIVE JUROR 086: I'm a web designer.

14 THE COURT: Okay. And so, I don't know that being a juror is
15 anymore mentally challenging than web design, and I can take a break any
16 time you need one, okay?

17 PROSPECTIVE JUROR 086: That's fine.

18 THE COURT: Okay. Thank you.

19 PROSPECTIVE JUROR 086: Thanks.

20 THE COURT: Second row?

21 PROSPECTIVE JUROR 099: 099.

22 THE COURT: Ms. Godwin?

23 PROSPECTIVE JUROR 099: Yes.

24 THE COURT: Yes.

25 PROSPECTIVE JUROR 099: Type II diabetes.

1 THE COURT: Okay. Same situation. If you need a break --

2 PROSPECTIVE JUROR 099: Usually, I'm okay.

3 THE COURT: The jury selection is the most pressing, otherwise
4 we're pretty -- once we get going, it's, you know -- breaks are very regular.
5 Okay. Thank you very much. Who else had a hand up for medical or physical
6 condition? Third row? Okay. Going over to this section. First row? Or
7 second row? Going to the second row. Can you give me the last three digits
8 on your badge, again, please?

9 PROSPECTIVE JUROR 221: 221.

10 THE COURT: 221. Ms. Dalcour?

11 PROSPECTIVE JUROR 221: Yes.

12 THE COURT: Yes. What's your physical accommodation?

13 PROSPECTIVE JUROR 221: I walk with this walker, and I just
14 started walking with it, and I have a hard time standing and sitting, and I have
15 real bad headaches, and I can't remember what it's called, but it's like when I
16 get real dizzy.

17 THE COURT: Vertigo?

18 PROSPECTIVE JUROR 221: Yes, that's it.

19 THE COURT: And do you work?

20 PROSPECTIVE JUROR 221: I'm not working right now.

21 THE COURT: Okay. And is this as a result of a medical condition,
22 or did you have an accident, or what happened?

23 PROSPECTIVE JUROR 221: I got assaulted.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR 221: Yeah.

1 THE COURT: How long ago was that?

2 PROSPECTIVE JUROR 221: It happened in 2016 -- October 2016.

3 THE COURT: And have you been deemed disabled by the
4 government, or have you not pursued that, or --

5 PROSPECTIVE JUROR 221: I'm working on that right now, and I'm
6 supposed to be like having physical therapy and stuff right now, but I will hear
7 about it, like they're going to let me know what's going on.

8 THE COURT: And you have an attorney for that or --

9 PROSPECTIVE JUROR 221: Yes.

10 THE COURT: Okay. Thank you. Who else had their hand up in
11 that row? There were some hands. Okay. What's the last three digits on your
12 badge?

13 PROSPECTIVE JUROR 229: 1229.

14 THE COURT: Ms. Mayfield?

15 PROSPECTIVE JUROR 229: Yes. I'm a type II diabetic, and from a
16 work injury, my knee and my back.

17 THE COURT: Okay. Thank you.

18 PROSPECTIVE JUROR 229: Okay.

19 THE COURT: Anyone else in that row?

20 PROSPECTIVE JUROR 231: 231.

21 THE COURT: Mr. Robinson, what's your physical accommodation?

22 PROSPECTIVE JUROR 231: I have had both knees replaced. I take
23 anti-inflammatory and pain medication.

24 THE COURT: Okay. Thank you. Anybody else? Oh, in the back
25 there.

1 PROSPECTIVE JUROR 219: 604.
2 THE COURT: 604. Are you sure?
3 PROSPECTIVE JUROR 219: Oh. 219. I'm sorry.
4 THE COURT: No, it's okay. Mr. Patynik?
5 PROSPECTIVE JUROR 219: I have difficulty in hearing. I have
6 approximately 50 percent hearing. I have two hearing aids, but at times, I do
7 miss things.
8 THE COURT: So, are your aids on right now? Are your hearing
9 aids on right now?
10 PROSPECTIVE JUROR 219: Yes, they are.
11 THE COURT: Okay. How hard is it to take them out?
12 PROSPECTIVE JUROR 219: Not too hard.
13 THE COURT: Will you try these?
14 PROSPECTIVE JUROR 219: Pardon? I'm sorry.
15 THE COURT: Will you try these?
16 PROSPECTIVE JUROR 219: Oh, sure.
17 THE COURT: Okay.
18 PROSPECTIVE JUROR 219: Do I have to adjust the sound?
19 THE COURT: You have to adjust the sound.
20 PROSPECTIVE JUROR 219: The volume?
21 THE COURT: Yes. Okay. So, I don't know if you took your aids out
22 or not, did you?
23 PROSPECTIVE JUROR 219: You're kind of muffled and staticky.
24 THE COURT: Did you take your aids out?
25 PROSPECTIVE JUROR 219: Now, they're both out.

1 THE COURT: Okay. So, does that make a difference?
2 PROSPECTIVE JUROR 219: Yes. A lot better.
3 THE COURT: Yes.
4 PROSPECTIVE JUROR 219: Thank you.
5 THE COURT: You can't take those home.
6 PROSPECTIVE JUROR 219: Shucks.
7 THE COURT: I guarantee you, they're very valuable.
8 PROSPECTIVE JUROR 219: Okay. Thank you, Your Honor.
9 THE COURT: Thank you. Okay, and I'll try to speak more clearly --
10 PROSPECTIVE JUROR 219: Thank you.
11 THE COURT: -- since I have a tendency to talk fast when we get
12 going.
13 THE MARSHAL: Anyone else back here? Okay.
14 PROSPECTIVE JUROR 283: My number is 283.
15 THE COURT: 283. Ms. Dominguez, what's your physical
16 accommodation?
17 PROSPECTIVE JUROR 283: I actually suffer from Graves Disease,
18 so my endocrinologist is still balancing my medication. So, sometimes, I
19 suffer from heart palpitations, so I'm on Metropol and Propranolol. At times --
20 THE COURT: Do you work?
21 PROSPECTIVE JUROR 283: I do work.
22 THE COURT: What do you do?
23 PROSPECTIVE JUROR 283: Customer service.
24 THE COURT: In what industry?
25 PROSPECTIVE JUROR 283: I work at Savers.

1 THE COURT: Okay. Like retail?

2 PROSPECTIVE JUROR 283: Yeah, retail.

3 THE COURT: Okay. Retail. And what is your normal schedule,
4 usually?

5 PROSPECTIVE JUROR 283: Like I usually work the night shift.

6 THE COURT: Night shift?

7 PROSPECTIVE JUROR 283: Yeah.

8 THE COURT: Which is what, 12 to 8?

9 PROSPECTIVE JUROR 283: Two to 10.

10 THE COURT: Two to 10.

11 PROSPECTIVE JUROR 283: Yeah. And the side effects of my
12 medication is sometimes short-term memory loss, and I'm actually being
13 referred out to a hearing doctor right now, as well, because I'm losing some
14 hearing, too.

15 THE COURT: Okay. Thank you very much.

16 PROSPECTIVE JUROR 283: Thank you.

17 THE COURT: Anybody else? All right. Nobody else indicates in
18 the affirmative. So, before I ask you the next question, I'm going to give you
19 some information. First of all, there are no automatic exemptions from jury
20 service unless you are 70 years of age or older. Is there anyone here who is 70
21 years of age or older and would prefer not to serve because you are not
22 required to, by Nevada law? You can choose to serve, and I've had people do
23 it, but you do not have to serve. Anybody? No one indicates in the
24 affirmative. That's the only time in the history of the world that you wish you
25 were older. Okay.

1 So, let me read this to you. NRS 6.190 reads: Terminating or
2 threatening to terminate employment because of jury duty prohibited. Civil
3 action for unlawful termination. Requiring employee to use sick leave, or
4 vacation time, or to work certain hours prohibited. Notice to employer,
5 dissuasion from service as juror.

6 Basically, this statute makes it a crime, punishable by up to one
7 year in jail and/or a \$2,000 fine, for your employer to terminate you or threaten
8 to terminate you for jury service. It's not like 20 years ago where you just tell
9 your employer, you'll get out of it. That's not how it works.

10 So, what we do is I'm going to tell you the schedule of this trial. If
11 serving this period of time would represent either a personal or a professional
12 hardship to you, personal being family, or financial, or professional, you run a
13 business, or you think your boss can't survive without you no matter what,
14 you can bring that to my attention. I'm not going to be able to automatically
15 excuse you. The lawyers and I take careful notes, then we'll take a break, and I
16 give as much consideration as I can to your hardships in consultation with the
17 attorneys, but I cannot automatically excuse you. I can only weigh and
18 consider your hardships, okay?

19 This trial is expected to last this week, possibly Monday. It may
20 finish on Friday. It may finish on Monday. The trial schedule goes from
21 approximately -- by the way, today is day one. You're here already, right? So,
22 it's going to go for possibly five days more. The trial schedule will be,
23 tomorrow, 10:30 to 5ish. When I say 5ish, I mean I don't stop someone in the
24 middle of their sentence and kick them off. You know, 5:05, 5:10 at the latest,
25 because my staff gets here at 7:00 in the morning, right? Wednesday would

1 be 9 to 5ish. Thursday, 10:30 to 5. Not because we don't do anything before
2 10:30, because I have all my other cases in the morning, and then Friday is a
3 wildcard. It wouldn't be earlier than 10 because I have cases on Friday
4 morning at 9:00, so probably about 10.

5 Would serving that period of time represent such an undue burden
6 upon you, such that you would like to bring it to my attention for the lawyers
7 and I to consider? Please keep in mind this one thing before I go around the
8 room. Do not wait until I say the magic words, all preemptory challenges
9 having been exercised or waived, and I'm telling you to raise your right hand
10 and take the juror's oath. There are some people that seem to live in some
11 parallel universe where they think they're not going to get seated, so they
12 never tell me what I need to know, and then it will be too late.

13 So, would serving that period of time represent such an undue
14 burden upon you -- and I'm going to work my way around the room, so you
15 can relax for a minute -- but you need to bring it to my attention, starting in the
16 first row. And I need the juror numbers, please, because I still don't have
17 everyone memorized. First row, would serving that period of time represent
18 an undue burden upon you? Raise your hand. Really? Second row?

19 PROSPECTIVE JUROR 965: Oh, God.

20 THE COURT: All right. Starting with --

21 PROSPECTIVE JUROR 965: I'm sorry.

22 THE COURT: Ms. Brown.

23 PROSPECTIVE JUROR 965: Okay. I have a 96 year old -- well, my
24 dad is almost 97. He lives out in Boulder City, and I help. He lives alone
25 because he wants to, but my sister and I take the burden to try to help take

1 care of him.

2 THE COURT: And do you live there?

3 PROSPECTIVE JUROR 965: No, but I go out there a lot, and it's a
4 lot of times, about a 50 minute drive and --

5 THE COURT: Okay. How many days a week do you go there?

6 PROSPECTIVE JUROR 965: Minimum one, but it depends. If he
7 doesn't answer the phone, then I have to go out there and usually, he has it
8 turned off or something. Trying to get him in assisted living, but he refuses.
9 He wants to stay there. Plus, with my back, I've had these deteriorating discs
10 for 30 years and since I had heart surgery, I can't take any pain medicine, but I
11 really don't want to, but I exercise --

12 THE COURT: I got it. I got it.

13 PROSPECTIVE JUROR 965: -- four days a week --

14 THE COURT: I got it.

15 PROSPECTIVE JUROR 965: -- just so I don't lock up.

16 THE COURT: Okay. Thank you. Who else had their hand up? Ms.
17 Kinnard?

18 PROSPECTIVE JUROR 967: Yes, 967.

19 THE COURT: Yeah. I don't ever mean to cut anyone short, but
20 honestly, to get done by Friday, I have to kind of, you know, get the short
21 version. So, 967, Ms. Kinnard, what's your undue burden?

22 PROSPECTIVE JUROR 967: I have a work --

23 THE COURT: You're claiming an undue burden, right?

24 PROSPECTIVE JUROR 967: Yes.

25 THE COURT: Okay. What is it?

1 PROSPECTIVE JUROR 967: I'm in the middle of an implementation
2 at work, and I have consultants flying in. They actually arrived today.

3 THE COURT: What do you do?

4 PROSPECTIVE JUROR 967: Analyst. Benefits analyst.

5 THE COURT: And where do you work?

6 PROSPECTIVE JUROR 967: Scientific Gaming. And tomorrow is
7 my test day.

8 THE COURT: Test day for what?

9 PROSPECTIVE JUROR 967: I am testing the system with the
10 consultants.

11 THE COURT: And what kind of testing is that and how long does it
12 take?

13 PROSPECTIVE JUROR 967: It's an implementation into a new
14 system, so it's bringing over all human resources benefits, payroll. So, the
15 first implementation is this week. I mean, the first testing system is this week,
16 so I'm scheduled tomorrow from -- I believe it's like 9 to 5. Tomorrow is my
17 only day for testing that I have for my department.

18 THE COURT: And how many people do that?

19 PROSPECTIVE JUROR 967: Two.

20 THE COURT: Okay. Thank you. Who else had their hand up in the
21 second row? Last three digits on your badge, please?

22 PROSPECTIVE JUROR 993: 993.

23 THE COURT: 993?

24 PROSPECTIVE JUROR 993: Uh-huh.

25 THE COURT: Ms. Perez?

1 PROSPECTIVE JUROR 993: Yes.

2 THE COURT: What's your undue burden?

3 PROSPECTIVE JUROR 993: My dad is sort of suffering through a
4 colon infection, so I'm helping my mom during her job to -- because they work
5 together, so I'm doing his part in helping out my mom --

6 THE COURT: Okay.

7 PROSPECTIVE JUROR 993: -- during the days.

8 THE COURT: So, you don't have a separate job?

9 PROSPECTIVE JUROR 993: I have my own job, yes, but --

10 THE COURT: What's that?

11 PROSPECTIVE JUROR 993: I am sales agent for Hilton's Grand
12 Vacations.

13 THE COURT: And what hour and days do you work?

14 PROSPECTIVE JUROR 993: I work in the morning shift, and I have
15 to help my mom in the afternoon.

16 THE COURT: And what does your mom and dad do?

17 PROSPECTIVE JUROR 993: They're janitorial supervisors.

18 THE COURT: Where?

19 PROSPECTIVE JUROR 993: Golden City.

20 THE COURT: And so, you go to Golden City, or you watch him at
21 home, or what do you do to help?

22 PROSPECTIVE JUROR 993: Well, we work between my brother.

23 So, if he's not working, he takes care of my dad, and if he's working, then I go
24 ahead and take care of my dad. So, we both like switch over to help out my
25 mom.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR 993: It is going to be -- it's a couple of days,
3 so he said -- the doctor said he should be better by Thursday or Friday.

4 THE COURT: All right. Thank you. Who else had their hand up in
5 the second row? Third row? Okay. Last three digits on your badge, please?

6 PROSPECTIVE JUROR 951: 951.

7 THE COURT: Ms. Rodriguez, what's your undue burden?

8 PROSPECTIVE JUROR 951: Two doctor's appointments. One on
9 Wednesday and one on Friday.

10 THE COURT: What time are they?

11 PROSPECTIVE JUROR 951: 3:45 and 1.

12 THE COURT: And where are they located?

13 PROSPECTIVE JUROR 951: One in Summerlin and one in North
14 Las Vegas.

15 THE COURT: Okay. If you get selected to serve on the jury, you'll
16 be allowed to go to your doctor's appointments, okay?

17 PROSPECTIVE JUROR 951: Okay.

18 THE COURT: All right. Thanks. And by the way, can you tell me --
19 I don't need to know the details of your personal circumstances medically, but
20 can you tell me what kind of doctors they are?

21 PROSPECTIVE JUROR 951: One is an OBGYN and another one is
22 just a physician, so I can get a -- what's it called?

23 THE COURT: Referral or --

24 PROSPECTIVE JUROR 951: Yes, a referral to a cardiovascular
25 doctor.

1 THE COURT: Okay. Thank you.

2 THE MARSHAL: Anyone else? All the way down.

3 THE COURT: Last three digits on your badge?

4 PROSPECTIVE JUROR 940: 940.

5 THE COURT: 940. Ms. Kime?

6 PROSPECTIVE JUROR 940: Yes, Your Honor. I only have an

7 appointment with the doctor on Monday, and I know you said it's only going to

8 be until Friday.

9 THE COURT: What time is the appointment?

10 PROSPECTIVE JUROR 940: 8:00 in the morning.

11 THE COURT: And where is it?

12 PROSPECTIVE JUROR 940: Northwest. It's --

13 THE COURT: What kind --

14 PROSPECTIVE JUROR 940: -- Dr. Tottori. An allergist for

15 injections.

16 THE COURT: Oh, you could be there forever. You've got to wait 20

17 minutes, right? Are you doing the testing, or the shot, or what?

18 PROSPECTIVE JUROR 940: I'm getting the shot.

19 THE COURT: Okay. So, you're, you know, in and out in an hour,

20 yes?

21 PROSPECTIVE JUROR 940: Yes.

22 THE COURT: Okay. There are not too many of those around.

23 Tottoris, I mean.

24 PROSPECTIVE JUROR 940: Yes.

25 THE COURT: That do that work.

1 PROSPECTIVE JUROR 940: Yes.

2 THE COURT: Okay. So, if you're selected to serve, we wouldn't
3 start before you could get in from that, okay?

4 PROSPECTIVE JUROR 940: Okay.

5 THE COURT: All right. Yes?

6 PROSPECTIVE JUROR 798: Oh.

7 THE COURT: Mr. Hughes?

8 PROSPECTIVE JUROR 798: Yeah, 798.

9 THE COURT: What's your undue burden?

10 PROSPECTIVE JUROR 798: So, I start my job tomorrow for
11 training and orientation.

12 THE COURT: What job is that?

13 PROSPECTIVE JUROR 798: So, it's a new place opening up.
14 Mary's Hamburgers.

15 THE COURT: What's your assignment?

16 PROSPECTIVE JUROR 798: Oh, they're training me to be a server.

17 THE COURT: Okay. And where is it?

18 PROSPECTIVE JUROR 798: It's right by -- sorry, I don't know the
19 exact like crossroads, but it's by Desert Inn and Rainbow.

20 THE COURT: So, it's called Mary's Hamburgers?

21 PROSPECTIVE JUROR 798: Yeah.

22 THE COURT: And it's just opening or what?

23 PROSPECTIVE JUROR 798: Yeah, it opens on the 16th, but they are
24 doing training starting tomorrow.

25 THE COURT: And how long and what hours is training?

1 PROSPECTIVE JUROR 798: So, it starts at 12 p.m., and then it goes
2 to about like 2 or 3 p.m.

3 THE COURT: And how many people are training that day?

4 PROSPECTIVE JUROR 798: Oh, I don't know. I mean, they're
5 doing the entire staff, so I don't quite know.

6 THE COURT: Okay. And then when's the next day of training?

7 PROSPECTIVE JUROR 798: It's just today and then tomorrow is
8 the training.

9 THE COURT: And the hours tomorrow are the same?

10 PROSPECTIVE JUROR 798: Yes.

11 THE COURT: Meaning, you know you're not getting there today?

12 PROSPECTIVE JUROR 798: Yeah. No, I'm sorry.

13 THE COURT: It's 10 to 3.

14 PROSPECTIVE JUROR 798: Yeah. No.

15 THE COURT: Mary went without you.

16 PROSPECTIVE JUROR 798: Yeah.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR 798: You get like two different days to pick,
19 and so I --

20 THE COURT: Okay.

21 PROSPECTIVE JUROR 798: -- was going to pick today,
22 but --

23 THE COURT: Okay.

24 PROSPECTIVE JUROR 798: -- I picked tomorrow.

25 THE COURT: Okay. All right. Thank you very much. Who else

1 had their hand up in the back row?

2 THE MARSHAL: Anybody else?

3 THE COURT: Before I leave this section, is there any personal,
4 professional, or financial hardship that any of you have not brought to my
5 attention related to serving on the jury, if you were selected to serve, that you
6 could tell me now? All right. Going to the first row. Please raise your hand
7 and give me the last three digits on your badge so we can continue to take
8 notes, please.

9 PROSPECTIVE JUROR 061: 061.

10 THE COURT: Mr. Childs, what's your undue burden, sir?

11 PROSPECTIVE JUROR 061: I have doctor's appointments on
12 Thursday afternoon and Friday afternoon. Thursday with the cardiologist and
13 Friday with pain management. I can postpone them if I absolutely had to, but
14 if I could be accommodated to go to those, I would very much appreciate it.

15 THE COURT: All right. Anything else?

16 PROSPECTIVE JUROR 061: No, thanks.

17 THE COURT: Thank you. Who else had their hand up? Yes, sir?
18 Last three digits on your badge?

19 PROSPECTIVE JUROR 063: 063.

20 THE COURT: Mr. Tripp?

21 PROSPECTIVE JUROR 063: Yes.

22 THE COURT: What's your undue burden, sir?

23 PROSPECTIVE JUROR 063: My wife just had six fusions done in
24 her back, and I'm her only caregiver, and she's been in bed basically all the
25 time.

1 THE COURT: Okay. And are you working?

2 PROSPECTIVE JUROR 063: Yes. I work at night, so when she's
3 sleeping, I'm gone. She has the emergency number for my neighbor in her
4 phone, so if anything happens when I'm gone, she can get ahold of them.

5 THE COURT: Okay. What do you do and what hours do you work?

6 PROSPECTIVE JUROR 063: I work for Anderson Dairy driving a
7 truck, and I usually go to work about -- between 12 and 1:00 in the morning
8 and get off around noon.

9 THE COURT: And what days of the week?

10 PROSPECTIVE JUROR 063: I work every day of the week, but
11 Saturday and Sunday.

12 THE COURT: All right. Thank you very much. Who else had their
13 hand up?

14 PROSPECTIVE JUROR 070: 070.

15 THE COURT: 070. Mr. Larson?

16 PROSPECTIVE JUROR 070: Yeah.

17 THE COURT: What's your undue burden, sir?

18 PROSPECTIVE JUROR 070: On Thursday and Friday, I have
19 orientation and training for my new job. Both days are 9 to 6.

20 THE COURT: And what's your new job?

21 PROSPECTIVE JUROR 070: HVAC tech at Summer Wind Ovation
22 Apartments.

23 THE COURT: And I'm sorry, you said it was 9 a.m. to 6?

24 PROSPECTIVE JUROR 070: Yeah.

25 THE COURT: And new employee orientation, or new tech

1 orientation, or something that to that effect?

2 PROSPECTIVE JUROR 070: Yeah, it's a new orientation.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR 070: New hire orientation and then I start
5 training the next day, at the same time.

6 THE COURT: Meaning the Monday or --

7 PROSPECTIVE JUROR 070: For the orientation or the training?

8 THE COURT: Oh, the training is Thursday and Friday, or the
9 orientation is --

10 PROSPECTIVE JUROR 070: No, orientation is Thursday morning,
11 and --

12 THE COURT: Okay.

13 PROSPECTIVE JUROR 070: -- Friday, I have training at the same
14 time, 9 to 6.

15 THE COURT: Okay. And how long before this had it been since
16 you were working?

17 PROSPECTIVE JUROR 070: Two days.

18 THE COURT: Meaning you had --

19 PROSPECTIVE JUROR 070: It's a new job, yeah.

20 THE COURT: You left a job?

21 PROSPECTIVE JUROR 070: Yeah. I left a job to get this job.

22 THE COURT: Okay. And is it orientation just for you? Is there a
23 group of people? Have --

24 PROSPECTIVE JUROR 070: There's about 10 of us.

25 THE COURT: And so, if you missed orientation or training, what

1 would happen?

2 PROSPECTIVE JUROR 070: I wouldn't be able to work.

3 THE COURT: And how often does this place hire 10 people like
4 you?

5 PROSPECTIVE JUROR 070: Once every two summers.

6 THE COURT: Okay. Thank you very much.

7 PROSPECTIVE JUROR 070: Thank you.

8 THE COURT: Who else had their hand up?

9 PROSPECTIVE JUROR 068: 068.

10 THE COURT: Are you picking him up?

11 PROSPECTIVE JUROR 068: Yeah, 068.

12 THE COURT: 068. I don't know what the deal is with the
13 microphone. It's not him. He's plenty close. It's just not working. Mr. Emery,
14 what's your undue burden?

15 PROSPECTIVE JUROR 068: I have two full-time jobs. Majority of
16 my money goes to child support.

17 THE COURT: Okay. What jobs do you have?

18 PROSPECTIVE JUROR 068: Two security jobs.

19 THE COURT: And what days and hours do you work?

20 PROSPECTIVE JUROR 068: I work one job, it's 40 hours, and the
21 other one is 48 hours.

22 THE COURT: And what days do you work?

23 PROSPECTIVE JUROR 068: One job at night, I work from Monday
24 to Saturday, and the other job in the morning, Monday through Friday.

25 THE COURT: And so, are you -- you said you have child support?

1 Are you married?

2 PROSPECTIVE JUROR 068: No, I'm separated.

3 THE COURT: All right. So, you're supporting two households?

4 Does she work?

5 PROSPECTIVE JUROR 068: Yes. No, they do not work.

6 THE COURT: Okay. The person you're separated from doesn't

7 work?

8 PROSPECTIVE JUROR 068: No.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR 068: I have two different children.

11 THE COURT: Okay. But just talking about your soon-to-be ex-

12 spouse, potentially --

13 PROSPECTIVE JUROR 068: Oh, she's long been an ex-spouse.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR 068: Yeah.

16 THE COURT: Well, you said separated, so I was --

17 PROSPECTIVE JUROR 068: Yeah. Yeah, like 10 years ago.

18 THE COURT: Okay. All right. And so, do you live alone? Do you

19 have roommates?

20 PROSPECTIVE JUROR 068: I live alone.

21 THE COURT: And you have child support orders; is that what you

22 said?

23 PROSPECTIVE JUROR 068: Child support orders and arrearages.

24 That's what I'm paying.

25 THE COURT: Okay. And how old are your kids?

1 PROSPECTIVE JUROR 068: Anywhere from -- one is going to be
2 16. The other one is going to be 17.

3 THE COURT: All right. Thank you very much.

4 PROSPECTIVE JUROR 068: Yeah.

5 THE COURT: Who else had their hand up?

6 THE MARSHAL: Anyone in the next row?

7 THE COURT: Next row?

8 THE MARSHAL: Straight back.

9 THE COURT: Thank you. Last three digits on your badge, please?

10 PROSPECTIVE JUROR 175: It's going to be 175.

11 THE COURT: 175.

12 PROSPECTIVE JUROR 175: 175, yeah.

13 THE COURT: One second. Ms. Meuir?

14 PROSPECTIVE JUROR 175: Yes.

15 THE COURT: Okay. What's your undue burden?

16 PROSPECTIVE JUROR 175: I'm a school teacher and the teachers
17 are contracting back this Friday. I'm also the activities director, and we're
18 finalizing the calendar for the year on Friday and Monday, so they would be
19 unable to do that without me there.

20 THE COURT: Activities for the year meaning for your grade or --

21 PROSPECTIVE JUROR 175: So, that would include standardized
22 testing, school events, meetings with the Department of Education. Anywhere
23 from social to educational.

24 THE COURT: And is it high school, middle school?

25 PROSPECTIVE JUROR 175: It's a charter school. We have 7th

1 through 12th grade.

2 THE COURT: Okay. Thank you very much. Who else had their
3 hand up over there?

4 THE MARSHAL: Anybody else on this side?

5 THE COURT: Shifting to this side in the front row. Hardship.
6 Okay. Gentleman on the end, start, please. What's the last three digits on
7 your badge?

8 PROSPECTIVE JUROR 213: 213.

9 THE COURT: Mr. Burton?

10 PROSPECTIVE JUROR 213: Yeah.

11 THE COURT: What's your undue burden?

12 PROSPECTIVE JUROR 213: I work full-time and support myself.

13 THE COURT: Okay. So, you have a financial hardship? Because
14 most people work full-time and support themselves, so I'm trying to --

15 PROSPECTIVE JUROR 213: Yeah, correct.

16 THE COURT: You won't be able to support yourself?

17 PROSPECTIVE JUROR 213: Yeah, I don't get paid.

18 THE COURT: Okay. And so, what do you do?

19 PROSPECTIVE JUROR 213: I'm a project engineer for a
20 construction project. Resorts World Las Vegas.

21 THE COURT: Are you married?

22 PROSPECTIVE JUROR 213: No.

23 THE COURT: Do you have kids?

24 PROSPECTIVE JUROR 213: No.

25 THE COURT: Do you own a house?

1 PROSPECTIVE JUROR 213: No.
2 THE COURT: Do you live in an apartment?
3 PROSPECTIVE JUROR 213: Yeah.
4 THE COURT: And who do you live with?
5 PROSPECTIVE JUROR 213: My girlfriend.
6 THE COURT: Does she work?
7 PROSPECTIVE JUROR 213: No.
8 THE COURT: And what hours and days do you normally work?
9 PROSPECTIVE JUROR 213: 7 to 5 or 7 to 6.
10 THE COURT: Monday through Friday?
11 PROSPECTIVE JUROR 213: Correct.
12 THE COURT: Okay. Thank you very much. Who else had their
13 hand up?
14 PROSPECTIVE JUROR 204: 204.
15 THE COURT: Ms. Garcia, what's your undue burden?
16 PROSPECTIVE JUROR 204: I'm the only income at home.
17 THE COURT: What do you do?
18 PROSPECTIVE JUROR 204: I work for Sprint.
19 THE COURT: Sprint?
20 PROSPECTIVE JUROR 204: Yes.
21 THE COURT: Okay. And what hours and days do you work?
22 PROSPECTIVE JUROR 204: 9 to 6, Tuesday through Saturday.
23 THE COURT: And what do you do?
24 PROSPECTIVE JUROR 204: Executive escalations.
25 THE COURT: What does that mean?

1 PROSPECTIVE JUROR 204: When people escalate their issue all
2 the way to the CEO. It's appointed to me to resolve their issue.

3 THE COURT: Okay. Boy, this would be a lot easier than that. And
4 so, are you married?

5 PROSPECTIVE JUROR 204: No.

6 THE COURT: Okay. And do you live with anyone?

7 PROSPECTIVE JUROR 204: Yes.

8 THE COURT: Who do you live with?

9 PROSPECTIVE JUROR 204: My mother, my brother, and my sister.

10 THE COURT: Any kids?

11 PROSPECTIVE JUROR 204: No, but my mom can't work right now,
12 so --

13 THE COURT: I'm sorry. I didn't catch that last part.

14 PROSPECTIVE JUROR 204: My mother is not able to work right
15 now.

16 THE COURT: Oh, okay. And your brother and sister, do they work?

17 PROSPECTIVE JUROR 204: My sister does, but she just pays her
18 own stuff. I pay everything at the house. My brother doesn't work.

19 THE COURT: Okay. Thank you very much. Who else had their
20 hand up?

21 PROSPECTIVE JUROR 184: Badge 184.

22 THE COURT: Ms. Parker?

23 PROSPECTIVE JUROR 184: Yes.

24 THE COURT: What's your undue burden?

25 PROSPECTIVE JUROR 184: If for any reason the case extends

1 beyond the timeframe, I just wanted you to know I have a hand surgery
2 scheduled for the 14th.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR 184: Okay.

5 THE COURT: Thank you. You mean August 14th?

6 PROSPECTIVE JUROR 184: Yes, ma'am.

7 THE COURT: Shouldn't be a problem. Thank you, though. I'm
8 glad you brought it to my attention. Thank you. Yes?

9 PROSPECTIVE JUROR 226: 226.

10 THE COURT: Mr. Rodriguez, what's your undue burden?

11 PROSPECTIVE JUROR 226: I'm a Jehovah Witness, and I have
12 meetings on Tuesdays and Saturdays from 6:30 to 8.

13 THE COURT: 6:30 at night?

14 PROSPECTIVE JUROR 226: Yes.

15 THE COURT: Okay. And so, what -- so, does that have something
16 to do with the trial during the day that won't possibly go to 6:30?

17 PROSPECTIVE JUROR 226: I guess I don't want to miss my
18 meetings.

19 THE COURT: I promise you won't miss your meetings.

20 PROSPECTIVE JUROR 226: All right. Thank you.

21 THE COURT: Okay. Anybody else in that row before -- yes, sir?
22 Last three?

23 PROSPECTIVE JUROR 228: 228. I want to confirm that my
24 language is poor.

25 THE COURT: Okay. Can you give me the last three digits on your

1 badge, please?

2 PROSPECTIVE JUROR 228: Say it again.

3 THE COURT: The last three digits on your badge?

4 PROSPECTIVE JUROR 228: 228.

5 THE COURT: Mr. Rivera?

6 PROSPECTIVE JUROR 228: Yes.

7 THE COURT: Where do you work as a porter?

8 PROSPECTIVE JUROR 228: Where I working?

9 THE COURT: Yes.

10 PROSPECTIVE JUROR 228: Bellagio.

11 THE COURT: How long have you been a porter?

12 PROSPECTIVE JUROR 228: Thirty years.

13 THE COURT: Is that your only hardship, the English language? Do
14 you have any other problems serving?

15 PROSPECTIVE JUROR 228: Yes, understanding. I don't
16 understand too much.

17 THE COURT: So, if I call your supervisor, he's going to say you
18 barely speak English? You don't understand the word where; is that what
19 you're telling me?

20 PROSPECTIVE JUROR 228: Well, I understand 20 percent English.
21 I understand 40 percent.

22 THE COURT: Okay. So, when I say where do you work, you look at
23 me like you don't understand what I'm saying. Do you understand where you
24 work?

25 PROSPECTIVE JUROR 228: Usually, they have people that speak

1 Spanish there.

2 THE COURT: Okay. So, you don't understand me when I ask
3 simple phrases like that?

4 PROSPECTIVE JUROR 228: Simple things, yes, I understand.

5 THE COURT: Okay. And that's what your supervisor would tell me
6 probably, right?

7 PROSPECTIVE JUROR 228: Say it again?

8 THE COURT: That's what your supervisor would tell me, that you
9 understand simple English?

10 PROSPECTIVE JUROR 228: Yes.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR 228: Yeah.

13 THE COURT: Like when I said, do you have a job, you kind of
14 looked at me like you didn't understand what I'm saying. You understand
15 what I'm saying on these simple phrases?

16 PROSPECTIVE JUROR 228: Yeah, simple.

17 THE COURT: Okay. Thank you very much.

18 PROSPECTIVE JUROR 228: You're welcome.

19 THE COURT: Anybody else?

20 PROSPECTIVE JUROR 210: 210.

21 THE COURT: Ms. Jones?

22 PROSPECTIVE JUROR 210: Uh-huh.

23 THE COURT: Yes?

24 PROSPECTIVE JUROR 210: I have a problem with having speaking,
25 just simple. English problem, understanding problem, hearing problem, so --

1 THE COURT: Did you say hearing problem?

2 PROSPECTIVE JUROR 210: I mean understanding problem.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR 210: Uh-huh. So, other than that --

5 THE COURT: Thank you. Could you hand the microphone back,
6 please?

7 THE MARSHAL: Who else?

8 PROSPECTIVE JUROR 283: I'm number 283.

9 THE COURT: Ms. Dominguez?

10 PROSPECTIVE JUROR 283: Yes.

11 THE COURT: Other than your physical long list that you gave me,
12 did you have something else?

13 PROSPECTIVE JUROR 283: I'm actually a single mother, so my
14 only source of income is my employment, and I'm kind of paycheck to
15 paycheck right now, so any loss of income could be a financial hardship for
16 me. I also do have three appointments coming up with my primary tomorrow,
17 my endocrinologist on Wednesday, and I have a dental appointment on
18 Monday.

19 THE COURT: Okay. Thank you very much. Anybody else have
20 something they remember that they didn't already tell me?

21 PROSPECTIVE JUROR 268: Yes, 268.

22 THE COURT: 268. Mr. Clay, what's your undue burden?

23 PROSPECTIVE JUROR 268: Yes, ma'am. A previously scheduled
24 family vacation to Seattle, August 2nd to -- returning on the evening of August
25 6th.

1 THE COURT: And are you flying, driving?
2 PROSPECTIVE JUROR 268: Flying.
3 THE COURT: Do you have your ticket?
4 PROSPECTIVE JUROR 268: Yes, ma'am.
5 THE COURT: Can you email it to us?
6 PROSPECTIVE JUROR 268: Absolutely.
7 THE COURT: Or do you have it, so you could -- a hard copy of it?
8 PROSPECTIVE JUROR 268: I could, I mean, screenshot, email.
9 Email is probably easier.
10 THE COURT: Okay. My Marshal will give you an email address,
11 okay?
12 PROSPECTIVE JUROR 268: Thank you.
13 THE COURT: Thank you. Next?
14 PROSPECTIVE JUROR 247: 247.
15 THE COURT: Mr. Wiseman?
16 PROSPECTIVE JUROR 247: I just have to find a daycare to put my
17 kid in this week, because I stay at home during the summer because I'm a
18 teacher, and my wife is going to have to get off of work any day we do this
19 early, to pick up the kid from daycare --
20 THE COURT: Okay.
21 PROSPECTIVE JUROR 247: -- because it only goes until 4.
22 THE COURT: What does your wife do?
23 PROSPECTIVE JUROR 247: She works in alcohol sales.
24 THE COURT: And what hours does she work?
25 PROSPECTIVE JUROR 247: It changes depending on when the

1 buyers are there, but roughly like 10 to 7.

2 THE COURT: And how old is your child?

3 PROSPECTIVE JUROR 247: 15 months old on the 1st.

4 THE COURT: And what do you do when school is in?

5 PROSPECTIVE JUROR 247: They're going to go to a daycare, 8 to
6 4.

7 THE COURT: Okay. Thank you. Who else had their hand up?
8 Anybody else? Okay. We're going to take a short break. Here's the thing.
9 There are bathrooms, and water or soda machines on the floors above and
10 below. There's no reason why you all have to go to one restroom on the same
11 floor. The only thing I would ask is that you be looking for my Marshal to
12 bring you back into the courtroom in about 15 minutes.

13 Are there any Star Trek fans here? You're dwindling, by the way.
14 As I pick jurors over the years, there's fewer and fewer of you. You are the
15 borg. You're the collective. You go together as a group and you come in as a
16 group, and you only come in when you're brought in by Ramsey, my Marshal.

17 So, those of you that are going to be selected to serve as a juror in
18 this case are going to be told you can't talk about the case or anything, anyone
19 that has anything to do with the case, until you've been discharged as a juror
20 by myself. So, when you're out taking your break, you can talk about the
21 weather or whatever else you want to, but you can't talk about the case or
22 anyone that has anything to do with the case. I'll bring you back in.

23 You're going to have to be brought in by my Marshal, and if you
24 could be looking at -- right now, it's 3:07. If you could come in at -- if you could
25 be looking for Ramsey outside at 3:25, okay? You are excused, and we'll see

1 you at 3:25.

2 THE MARSHAL: All rise. The jury is exiting

3 [Outside the presence of the jury]

4 THE COURT: The record should reflect we're outside of the
5 presence of the prospective jury panel. We're going to go through these
6 people with a hardship and every other person that you want to address.
7 Would you like to take your restroom break first or after?

8 MR. STANTON: No preference.

9 THE COURT: Client?

10 THE DEFENDANT: No.

11 MR. BASHOR: Okay.

12 THE COURT: All right. Have a seat. Okay. So, what I would
13 normally do then is I would go through, and I would number these. So, Cody
14 Hughes had no undue burden that I took note of, correct?

15 MR. BASHOR: He's the one --

16 MR. STANTON: He's the Mary's Hamburgers.

17 THE COURT: Oh, Mary's Hamburgers, Mary's Hamburgers. Yeah.
18 Well, in my mind, that was --

19 MR. STANTON: I figured that's what you meant.

20 THE COURT: How could I forget Mary's Hamburgers? Really? Oh,
21 there it is. So, what do you want to do about Mary's Hamburgers?

22 MR. STANTON: Submit it to the courtroom.

23 THE COURT: I would normally either excuse him or skip.

24 MR. BASHOR: Yeah, I would be very nervous about starting a new
25 job like --

1 THE COURT: Okay. So, do you want to excuse him since he's a
2 server for a living and --

3 MR. BASHOR: Yes, Your Honor.

4 THE COURT: -- is starting a new job?

5 MR. STANTON: That's fine with --

6 THE COURT: I normally ask how long you've been unemployed
7 first, and I didn't do it with him because I got caught up in Mary's Burgers, but
8 if you wanted me to, I would, otherwise we could excuse him at the end of the
9 day. Excuse?

10 MR. BASHOR: Yeah.

11 MR. STANTON: Excuse.

12 THE COURT: Okay. Clinton Barnes would be in seat number 1,
13 unless you recall a hardship with him. Seat number 1. Aziyel Madrigal is in 2.
14 John Graber will be in 3. Mr. Huntsman has known Scott Hafen, personal
15 family friend for 20 plus years. What's your thoughts on that, starting with
16 whoever wants to start?

17 MR. STANTON: There's no concern from the State. Officer Hafen,
18 large likelihood, he will not testify.

19 THE COURT: He will not?

20 MR. STANTON: He will not.

21 THE COURT: Oh.

22 MR. BASHOR: That makes things a lot easier, Judge. I would've
23 voir dire on him, but given the State's indication, I'd probably make that a
24 minimum.

25 THE COURT: So, he'll be in seat number 4 if he's not going to

1 testify. So, he's in seat number 4. Morgan Dwinell, seat number 5. Ms. Kime
2 has a Tottori shot at 8 a.m. on Monday. I have to give up the courtroom to
3 Judge Bell for Veteran's Court. We have a deal, so I wouldn't even start before
4 10:30, unless I borrowed another courtroom, so I think she's fine. Do you
5 agree? We'll just let her go to her shot and come after.

6 MR. STANTON: Fine.

7 THE COURT: Okay. So, she'll be in seat 6. Lindell Pierce. I saw no
8 hardship on Pierce, so that would be seat number 7. Stettler would be 8,
9 Harris would be 9, Stanek, Samantha would be 10. Isabel Rodriguez is full of
10 problems. OBGYN, referral to cardiovascular, two appointments that I can't --
11 you know, first of all, getting an appointment with a specialist in this town is
12 like an act of congress and you can't give it up. That's number one. That's
13 why I ask, because if it's just -- so, I would be inclined to excuse her, but if you
14 disagree, you should bring that to my attention.

15 MR. STANTON: State agrees.

16 MR. BASHOR: Defense agrees.

17 THE COURT: Okay, so she'll be excused. I didn't see a hardship
18 for Nancy Cardoza, so she would be in seat 11. Miles Vinluan would be in seat
19 number 12. Alyce Brown wants off so bad I can't even tell you, my opinion.
20 965, Alyce Brown, deferred 43 years ago, back, bone spurs, heart surgery, sick
21 dad, 96 years old, drives to Boulder City at least one day a week, deteriorating
22 discs, the list goes on and on.

23 MR. STANTON: State would agree.

24 THE COURT: Excuse?

25 MR. BASHOR: Yes, Your Honor.

1 THE COURT: Okay. I don't know how she could concentrate in this
2 trial with all of those problems, so she's excused. Verna Kinnard. She has a
3 gaming testing system, human resources. Only two people do it at this
4 gaming place for nine -- eight hours tomorrow. I'd be inclined to skip and see
5 how we do or --

6 MR. STANTON: State would agree to excuse her. I don't know
7 how you get around that.

8 MR. BASHOR: Same for Defense.

9 THE COURT: Okay. Victoria Farfan, I didn't see any problems for
10 Victoria Farfan. She's in seat 13. Perez, dad has a colon infection. Didn't
11 really want to hear any more about that. Clearly, mom works as janitorial
12 something or other, brother doesn't work. I don't know. I don't know what
13 you feel about it, but I'd be inclined to excuse her.

14 MR. STANTON: State would agree.

15 MR. BASHOR: Defense agrees.

16 THE COURT: Okay. Perri seemed to have no problems, so she --
17 he or she is -- excuse me. Benjamin Perri is in 14. Stephanie Mazzei is in 15.
18 Mr. Ho is going to be fine, I personally think, but if you feel differently, I can
19 leave him in the skip pile or be excused.

20 MR. STANTON: I would excuse, Your Honor.

21 MR. BASHOR: I have the same concerns about language as Mr.
22 Stanton.

23 THE COURT: So, you want to leave it --

24 MR. BASHOR: I would excuse.

25 THE COURT: -- excuse him?

1 MR. BASHOR: Yes, Your Honor.

2 THE COURT: All right. What about Nassif Haddad? My only
3 concern about Mr. Haddad is he doesn't seem to understand -- he seemed to
4 not understand questions when I was asking.

5 MR. BASHOR: I would ask to excuse.

6 MR. STANTON: And I would concur. The pain meds is my
7 problem.

8 THE COURT: Okay.

9 MR. STANTON: Along with the language.

10 THE COURT: All right. He'll be excused. Diane Morgan would be
11 in seat 16, David Harrell would be in 17, Susan Gevers would be in 18, Laurie
12 Renforth would be in 19, Robert Chiesi would be in 20, Frances Cortez in 21,
13 William Childs can only look straight ahead.

14 MR. BASHOR: Yeah. Sorry.

15 THE COURT: I mean, I have more IT equipment in here and
16 audio/visual stuff, but I don't have one right in front of him.

17 MR. BASHOR: Well, that and he's got appointments with
18 specialists on Thursday and Friday, Your Honor.

19 THE COURT: So, you want to excuse him?

20 MR. STANTON: Please.

21 THE COURT: Michael Tripp has -- or excuse me -- he has a wife
22 with six fusions on her back. Night sleeping, delivers milk and, you know,
23 graveyard, which can be concerning if you're a daytime --

24 MR. BASHOR: Yep.

25 THE COURT: -- trial person. What's your position? From the

1 Defense, first.

2 MR. BASHOR: Excuse him.

3 THE COURT: State, you agree?

4 MR. STANTON: Agree. I agree.

5 THE COURT: Okay. Aaron Emery works 88 hours a week, has to
6 have frequent restroom breaks every hour, is behind on his child support, and
7 is in arrears, so he claims financial hardship. What's your position? Starting
8 with the Defense.

9 MR. BASHOR: Yeah, I guess would be the arrears, Your Honor, we
10 would agree to excuse.

11 MR. STANTON: State would agree.

12 THE COURT: Not only that. It's 88 hours of security guard work.
13 That's not usually a defense's first pick for a juror, but I don't know.

14 MR. BASHOR: Well, I don't want to say things like that out loud,
15 Your Honor.

16 THE COURT: Okay. Okay. So, he'll be excused for financial
17 hardship. I mean, we could always accommodate his restroom issues. It's the
18 other hardship issue that makes you concerned. He might not give all time
19 and attention to this matter. Brenden Larson has a brand new job.

20 MR. BASHOR: We would agree to excuse.

21 MR. STANTON: State agrees, as well.

22 THE COURT: And for the record, he was the HVAC. He won't be
23 able to work, and they only do the training every other summer. I mean, I
24 asked everything -- every way to Sunday to see if maybe --

25 MR. BASHOR: And I appreciate that, Your Honor, but I, again --

1 just like what was going to be Prospective Juror Number 1, starting a new job,
2 again.

3 MR. STANTON: He's going from a food server at Capriotti's to a
4 technical job. I'm sure it's a substantial pay increase, as well.

5 THE COURT: Okay, so he'll be excused. Mario Reyna, I don't recall
6 any hardships there, so he would be in seat number 22. Roi Hillstead, 23.
7 Bryan Blake, 24. Teresa Fernandez, 25. Arian Tassy, 26. Ms. Godwin told me
8 she had a medical issue, but she didn't ask to be excused, correct?

9 MR. STANTON: Yes. She's a type II diabetic and said that she can
10 control it as --

11 THE COURT: Okay.

12 MR. STANTON: -- most type II can, with diet and exercise.

13 THE COURT: And what about knowing Kevin Emry? Apparently,
14 they were both the popular kids. I got that distinct impression that they were
15 clearly in the high school group I wasn't in when they were in high school.
16 Flag twirling and football and all.

17 MR. STANTON: We do not anticipate Officer Emry testifying, as
18 well.

19 MR. BASHOR: I'm sorry. Oh. That's fine, Your Honor. With that
20 indication, Ms. Godwin can remain.

21 THE COURT: All right. So, she is 27. Duane Miller, do we believe
22 he is disqualified from serving on this jury having a 1994 felony conviction for
23 receiving stolen property with no sealing, no restoration of civil rights? You
24 know, I don't have any way of knowing that information, so I rely on their
25 testimony under oath. It's hopefully truthful, and that's not something

1 everybody wants to talk about every day and seem genuine. I don't know. I
2 don't know.

3 MR. BASHOR: No objection to excusal from the Defense.

4 MR. STANTON: I believe that is -- he is excludable.

5 THE COURT: Okay. So, State, that's your request, as well?

6 MR. STANTON: Yes.

7 THE COURT: And there's no objection by the Defense, he'll be
8 excluded -- excused. Excuse me. Melissa Webster, I don't show any conflicts
9 with her, so she will be 28. Matthew Jones will be 29, unless you -- oh, wait.
10 English.

11 MR. BASHOR: That's Mr. Park.

12 THE COURT: Oh, yeah, yeah. Well, there's another Jones, Sun
13 Jones, but that's --

14 MR. BASHOR: Oh.

15 THE COURT: -- not her. Okay. So, Matthew Jones is 29. I assume
16 you're agreeing to excuse -- here's the thing. I've done this so many times,
17 and I'm staring at them, and you're not because your backs are to them. He
18 doesn't have a clue what's going on. Some of these people, respectfully, I
19 don't always believe them. This gentleman has no clue what's going on.

20 MR. STANTON: Are you talking about Jones or Park?

21 THE COURT: I'm talking about John Park.

22 MR. STANTON: Okay.

23 THE COURT: Like not -- unless he's going to get an Academy
24 Award, he might as well be -- you know, have dropped in on planet Mars from
25 the spaceship. He has no clue what's happening.

1 MR. BASHOR: No objection.

2 MR. STANTON: No objection.

3 THE COURT: Bethany Johnson, 151. I show no problem with her,
4 so she would be number 30. Paul Mejia did make any claim for hardship. He
5 would be 31. Stewart would be 32. Nicole Williams would be called to the
6 box, if needed. Do you agree?

7 MR. STANTON: Yes.

8 MR. BASHOR: Yes.

9 THE COURT: Number 175 claimed hardship. Jessica Meuir. She's
10 a school teacher, activities, charter school, so on and so on. What's your
11 position? School starts --

12 MR. STANTON: I don't --

13 THE COURT: -- Thursday, I think, or Monday.

14 MR. STANTON: -- I don't have a problem excusing her. To me, the
15 grade and the position is not in and of itself, but based upon the totality, I have
16 no problem excusing her or bringing her to the end.

17 MR. BASHOR: I would --

18 THE COURT: Skip or excuse? Which do you want?

19 MR. BASHOR: Excuse is fine with me, Your Honor.

20 THE COURT: Okay.

21 MR. BASHOR: Going back --

22 THE COURT: It's a hard time to pick a teacher. School starts like
23 anywhere from --

24 MR. BASHOR: Right.

25 THE COURT: -- Monday to the following Monday. Okay.

1 MR. STANTON: I think counsel wanted to go back to 166, Mr. De
2 Cespedes.

3 THE COURT: Oh, yeah. Mr. De Cespedes. Yes? What's your issue
4 with him?

5 MR. BASHOR: Your Honor, I didn't jot down. I know that you
6 inquired of a few of the people about their age and how long they've been
7 doing it. If he's one of the ones that is younger and started, you know, when
8 he was seven, I have no objection.

9 THE COURT: He's been speaking English since he was 10 years
10 old.

11 MR. BASHOR: Then I have no objection.

12 THE COURT: He said he was 20 years old and had been speaking
13 English 10 years. So, we're good?

14 MR. BASHOR: From the Defense perspective; yes, Your Honor.

15 THE COURT: Okay. You're good?

16 MR. STANTON: Good.

17 THE COURT: Okay. So, the next person I had that had an issue -- I
18 think Parker is okay. Having surgery on the 14th. We'll never get there. 204, is
19 that Kathy Garcia? Garcia. Sprint executive, supporting the whole family.

20 MR. BASHOR: I would ask to excuse.

21 MR. STANTON: Same.

22 THE COURT: Okay. Kathy Garcia will be excused at the end of the
23 day. Next is 210, Sun Jones. I believe she has an English impediment to
24 understanding English.

25 MR. STANTON: State agrees. State would ask for her to be

1 excused.

2 MR. BASHOR: Same from the Defense.

3 THE COURT: All right. She'll be excused at the end of the day.
4 Thank you. Next is 213, Burton. Burton works full-time, project engineer at
5 Resorts World, girlfriend, lives with girlfriend, financial hardship. Looks very
6 young.

7 MR. BASHOR: I would ask to excuse.

8 MR. STANTON: Same here.

9 THE COURT: 226 is Rodriguez, Ivan. He's a Jehovah's Witness,
10 but I'm going to get to that point where I can't pass judgment on someone, but
11 we're not there yet, but I'm just pointing that out to you to be on the lookout.
12 BOLO.

13 MR. STANTON: Is this 226?

14 THE COURT: Yeah.

15 MR. STANTON: Okay. Did you want to do anything with 221?

16 THE COURT: Hold on one second. She didn't claim it as a
17 -- yeah, see I don't know what to do with her. We might have to bring her in
18 here. 221, Ms. Dalcour claimed standing, sitting, headaches, an attorney for
19 disability.

20 MR. BASHOR: Vertigo.

21 THE COURT: Vertigo. None of those things are good for your trial,
22 but she didn't raise her hand for hardship. Maybe she thought the thing spoke
23 for itself because, you know, she's got a lot of problems, but why don't I just
24 call her in, in an abundance of caution, and doublecheck that before we bring
25 everybody else; is that acceptable?

1 MR. STANTON: Yes.

2 MR. BASHOR: Yes, Your Honor.

3 THE COURT: All right. Just make a super record on her. Okay.
4 So, going to 226, just be on the lookout for, you know, a religious problem,
5 objection. Next is Rivera, 228. Look, I'll keep my thoughts to myself. He
6 claims a language barrier, and I leave that to you to decide what you want to
7 do.

8 MR. STANTON: The State would ask to excuse. Forty percent, I
9 think, whether it's true or if it's a ballpark, it's still more than what the court, I
10 believe, would allow. The Supreme Court.

11 THE COURT: Cesar Rivera, what are your thoughts?

12 MR. BASHOR: I would agree, but I appreciate the entertainment.

13 THE COURT: You know, it's amazing how it'll shift. The
14 percentage will go way up when you're going to call their supervisor and ask
15 their supervisor --

16 MR. BASHOR: Oh, all of a sudden.

17 THE COURT: -- their opinion of their percentage. Okay. Next is
18 247, Wiseman. Well, I don't know. Let's go back to -- excuse me -- 229 and
19 231. I could probably bring them in with Ms. Dalcour and talk to them about
20 their knee, back and pain medication issues.

21 MR. BASHOR: I would agree, Your Honor.

22 MR. STANTON: I would agree.

23 THE COURT: So, I'll bring in 221, 229, and 231 for a little mini voir
24 dire before I bring in everybody else. Then we go to 247, Wiseman. He's got
25 some unexpected expenses associated with childcare. I'd be inclined to

1 excuse him because he's going to start school any minute, and he's got a 15
2 month old.

3 MR. STANTON: That's no problem with the State.

4 MR. BASHOR: Agreed, Your Honor.

5 THE COURT: Okay. 268, Clay. He is leaving, and I have the flight.
6 Here's the problem. He has a prepaid outbound flight to -- Alaska Airlines,
7 Thursday, August 2nd, 7:05 a.m., flight 617, arrives in Seattle 9:42 a.m., with
8 three family members. Apparently, traveling with a couple people.

9 MR. BASHOR: No objection.

10 MR. STANTON: No objection.

11 THE COURT: So, he paid for a ticket. I can't force him to skip a
12 family vacation, so he'll be excused. And that's Michael Clay. 283, paycheck
13 to paycheck, Dominguez. Graves Disease, memory loss.

14 MR. BASHOR: Excuse, Your Honor.

15 MR. STANTON: Excuse, Your Honor.

16 THE COURT: Okay. Is there anybody else that you'd like to bring
17 to my attention before we take a break?

18 MR. STANTON: Not on behalf of the State.

19 MR. BASHOR: Not on behalf of the Defense.

20 THE COURT: Okay. When we come back, we'll talk to those three
21 people, and then we'll take everybody else in.

22 MR. BASHOR: Thank you.

23 THE COURT: Thank you. So, a couple minutes, yeah?

24 MR. BASHOR: Yes, Your Honor.

25 [Recess at 3:29 p.m., recommencing at 3:37 p.m.]

1 THE MARSHAL: All rise. Please come to order.

2 MR. STANTON: Judge, could we just -- I'm trying to coordinate
3 with the charging document, get -- striking one of the counts. The issue
4 bumped it to the end, and then the court staff couldn't read the prohibited
5 person and the count.

6 THE CLERK: That's what they did in the court trial.

7 THE COURT: Right, but I mean, we're not even close to that yet.
8 We won't get to that until tomorrow. I have a better chance of a pig flying
9 through this room than getting the jury and reading a complaint -- I mean, an
10 admission.

11 MR. STANTON: No, I just wanted to get it going, but I'll get it done
12 tomorrow.

13 THE COURT: Okay. Okay. I need 221, 229, and 231.

14 THE MARSHAL: Okay.

15 THE COURT: And just sit them close so that, you know -- out there,
16 so that they're not --

17 THE MARSHAL: Okay.

18 THE COURT: -- uncomfortable or taking longer to sit down. So,
19 does anyone have a problem if I shred Michael Clay's airline ticket, and do you
20 want to see it before I do?

21 MR. STANTON: I have no objection to you shredding it.

22 MR. BASHOR: Same, Your Honor.

23 THE MARSHAL: Please have a seat in these three seats.

24 THE COURT: You can sit in any -- you can sit on the other side, if
25 you want. Anywhere that you're comfortable. All right. So, first of all, do you

1 all three understand you're still under oath?

2 PROSPECTIVE JUROR 231: Yes.

3 PROSPECTIVE JUROR 229: Yes.

4 PROSPECTIVE JUROR 221: Yes.

5 THE COURT: Okay. Do you have the mic? Can you give the mic to
6 Ms. Dalcour, please?

7 THE MARSHAL: Ms. Dalcour.

8 THE COURT: So, Ms. Dalcour --

9 PROSPECTIVE JUROR 221: Yes.

10 THE COURT: -- hi. You gave me a long list of problems,
11 physically, that you've been having. Have all of these problems been going on
12 since 2016 or is it intermittent, or do you have new problems? How is that?

13 PROSPECTIVE JUROR 221: Not -- this is something new.

14 THE COURT: Okay.

15 PROSPECTIVE JUROR 221: I just got out the hospital on Friday
16 because --

17 THE COURT: Okay.

18 PROSPECTIVE JUROR 221: -- I kept falling, and I didn't know why I
19 was falling.

20 THE COURT: Okay.

21 PROSPECTIVE JUROR 221: And the vertigo, it had went away, but
22 it's coming back.

23 THE COURT: Did you get here with help today, or how are you
24 maneuvering?

25 PROSPECTIVE JUROR 221: Yes.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR 221: I don't drive anymore. I was a bus

3 driver, and I don't drive anymore.

4 THE COURT: Since 2016?

5 PROSPECTIVE JUROR 221: Yes. I haven't been able to drive.

6 THE COURT: Okay. And how'd you get to court today?

7 PROSPECTIVE JUROR 221: I got a ride. My husband brought me.

8 THE COURT: Okay. And is he going to pick you up?

9 PROSPECTIVE JUROR 221: He's outside.

10 THE COURT: Okay. So, you told me that you applied for disability;

11 is that correct? Or you're working on it?

12 PROSPECTIVE JUROR 221: No, I didn't say I applied for disability.

13 THE COURT: Or you're working on it?

14 PROSPECTIVE JUROR 221: Not disability.

15 THE COURT: Well, SSI? Like what --

16 PROSPECTIVE JUROR 221: No, none of that. They -- I don't know

17 what they're doing. I got hurt on a job and --

18 THE COURT: Oh, worker's comp?

19 PROSPECTIVE JUROR 221: Yes, and --

20 THE COURT: Okay. Okay.

21 PROSPECTIVE JUROR 221: -- but I'm not getting any, my job fired

22 me. It's crazy. I've just been going through it right now.

23 THE COURT: Well, I'm not -- you know, the reason I'm asking you

24 is because --

25 PROSPECTIVE JUROR 221: Uh-huh.

1 THE COURT: -- I have to understand the significance of your
2 physical circumstances.

3 PROSPECTIVE JUROR 221: Yes.

4 THE COURT: And so, basically, what I'm hearing is, you had -- you
5 were a victim of a crime while on the job?

6 PROSPECTIVE JUROR 221: Yes.

7 THE COURT: And so, you have an attorney that you made pursue
8 workers' comp?

9 PROSPECTIVE JUROR 221: Yes.

10 THE COURT: Okay, and you're not able to work?

11 PROSPECTIVE JUROR 221: Right. I haven't been able to work.

12 THE COURT: And you can't drive?

13 PROSPECTIVE JUROR 221: And I haven't been able to drive.

14 THE COURT: And you have vertigo and --

15 PROSPECTIVE JUROR 221: Yes.

16 THE COURT: -- headaches?

17 PROSPECTIVE JUROR 221: Yes.

18 THE COURT: And are you on any medication?

19 PROSPECTIVE JUROR 221: Yes.

20 THE COURT: Okay. What kind of medication?

21 PROSPECTIVE JUROR 221: Pain medication and --

22 THE COURT: The narcotic kind --

23 PROSPECTIVE JUROR 221: Yes.

24 THE COURT: -- or the Advil kind?

25 PROSPECTIVE JUROR 221: No, 500 milligram and other kind of

1 milligrams.

2 THE COURT: So, you don't -- you need to tell me if you think
3 you're physically unable to serve.

4 PROSPECTIVE JUROR 221: The meds --

5 THE COURT: You didn't say it in those words, but you gave me a
6 long list --

7 PROSPECTIVE JUROR 221: Okay.

8 THE COURT: -- of problems.

9 PROSPECTIVE JUROR 221: Well, the medication that I take, and I
10 haven't taken any today, because when I take it, it knocks me out, and I'm not
11 able to function properly. So, I don't think I'm physically fit, which is kind of
12 bad for me, but, yes.

13 THE COURT: Okay. Thank you very much. Do any of the
14 attorneys have any questions for her?

15 MR. STANTON: No, Your Honor.

16 MR. BASHOR: No, Your Honor.

17 THE COURT: Okay. Could you pass the microphone to Ms.
18 Mayfield? Hi, Ms. Mayfield. You listed some physical challenges that you
19 endure, including type II diabetes, knee and back issues.

20 PROSPECTIVE JUROR 229: Yes. I was an employee at McCarran
21 Airport back in 2015, and I was on a machine, and I fell off the machine, and I
22 hurt my back and my knee.

23 THE COURT: Okay. And did you go back to work after that or were
24 you out?

25 PROSPECTIVE JUROR 229: No, they let me go on medical

1 separation.

2 THE COURT: Okay. And do you take medication for these injuries?

3 PROSPECTIVE JUROR 229: I do take insulin, but I just take like
4 over-the-counter Tylenol or something for the pain. I have the narcotic
5 medication, but I try not to take it.

6 THE COURT: Okay. And how do you think this affects your ability
7 to serve?

8 PROSPECTIVE JUROR 229: The only thing is, when I sit long, I get
9 -- my back gets real stiff and my knee kind of goes out, but other than that,
10 I'm --

11 THE COURT: You're okay?

12 PROSPECTIVE JUROR 229: That's -- yeah.

13 THE COURT: Because here's the thing. These seats are much
14 nicer. I'm not saying you're going to be on the jury. You may be done by
15 tomorrow.

16 PROSPECTIVE JUROR 229: Okay.

17 THE COURT: But if you were seated on the jury, you would be
18 seated in nicer seats. I go an hour, an hour and 20 minutes, hour and a half,
19 hour and 40 minutes, then I take a break. If I put you on an end seat, you could
20 stand up and lean against the little wall there, if you wanted to, if that would
21 work for you. If not, you just need to tell me.

22 PROSPECTIVE JUROR 229: No, I can give it a shot. Also, I didn't
23 let you know. I work at McDonald's like about four hours a day, just to have
24 something to do because I am semi-retired.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR 229: So --

2 THE COURT: So, my guess is, this would be a lot less physically
3 challenging than McDonald's?

4 PROSPECTIVE JUROR 229: Yeah, because I stand at the counter.
5 I'm like the front person.

6 THE COURT: Also, the people who are selected to serve on the
7 jury will be parking in a closer spot. I just can't do that for everyone right now.

8 PROSPECTIVE JUROR 229: Okay.

9 THE COURT: Would that also help?

10 PROSPECTIVE JUROR 229: Yes.

11 THE COURT: Okay. So, so far, you're okay?

12 PROSPECTIVE JUROR 229: Yes, I am.

13 THE COURT: Okay. Thank you very much.

14 PROSPECTIVE JUROR 229: You're welcome.

15 THE COURT: Mr. Robinson?

16 PROSPECTIVE JUROR 231: Yes. I've had both knees replaced, one
17 in 2016, and one in 2017.

18 THE COURT: Okay. And you said you are on pain medication?

19 PROSPECTIVE JUROR 231: I am. I'm on Naprosyn for
20 inflammatory, and I'm on -- I don't really know the name of it. It's like Norcal
21 625 oxycodone.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR 231: And I may have to take one of those
24 once or twice a week.

25 THE COURT: And so -- excuse me. Clearing my throat here. How

1 does that affect your ability to serve?

2 PROSPECTIVE JUROR 231: It doesn't. It just needs -- I think the
3 Court needs to be aware of it.

4 THE COURT: Okay. When you have to take the Norcal 625
5 milligrams, how does that affect you?

6 PROSPECTIVE JUROR 231: I normally do it at home. I don't go --
7 I'm on full disability. I don't go to work anymore.

8 THE COURT: And when you have to take it, what precipitates your
9 need to take it?

10 PROSPECTIVE JUROR 231: Sitting for much more than two hours
11 or driving for more than two hours, and the only way it seems to really work is
12 get up and move around every once in a while.

13 THE COURT: All right. Do either of the lawyers have any
14 questions for Ms. Mayfield or Mr. Robinson before I excuse them with
15 everybody?

16 MR. STANTON: No, Your Honor.

17 MR. BASHOR: No, Your Honor.

18 THE COURT: Okay. Ms. Dalcour, could you stay here for a second,
19 and Mr. Mayfield and -- I mean, Ms. Mayfield and Mr. Robinson, go ahead and
20 step outside. We're going to call you back in a few minutes. Can I see counsel
21 at the bench?

22 [Sidebar begins at 3:46 p.m.]

23 THE COURT: Do you object to Dalcour going now?

24 MR. STANTON: No.

25 MR. BASHOR: No.

1 THE COURT: Okay. I just wondered. She's -- okay.

2 MR. STANTON: Okay.

3 THE COURT: Thank you.

4 [Sidebar ends at 3:47 p.m.]

5 THE COURT: Okay. Ms. Dalcour, I'm going to excuse you from
6 service. Your physical challenges are just going to make it too hard for you,
7 and I don't really want you to have to suffer like that. And, ordinarily, I would
8 have you stay until the end of the day, but I just don't think you should. So,
9 you are excused with the thanks of the Court. You can go find your husband.
10 Thank you very much.

11 [Outside the presence of the prospective jurors.]

12 Okay. So, as the record should reflect, we're outside the panel of
13 the prospective jury -- we're outside the presence of the prospective jury
14 panel. Ronda Mayfield, I think she's going to be okay, and especially if she
15 had an end seat, if she was selected to serve. If you feel differently, please
16 speak up.

17 MR. BASHOR: I don't disagree, Your Honor.

18 MR. STANTON: I don't disagree either.

19 THE COURT: Okay. Daniel Robinson, though, is concerning to me
20 because the very thing we do, which is sit and listen, is going to -- you know, is
21 when he needs his Norcal 625 milligrams. So, I'll start with the Defense first.

22 MR. BASHOR: I have no objection to excuse him.

23 THE COURT: State?

24 MR. STANTON: I'd request his excusal.

25 THE COURT: Okay. He'll be excused at the end of the day. Was

1 there anyone else on this list that I neglected to discuss with you that you
2 wanted to discuss before we go seat everybody in the order that I had, and the
3 replacements will come, you know -- so for example, if we lose number 5, then
4 the next person in order, which will be Nicole Williams, will go into seat
5 number 5 and so on.

6 MR. BASHOR: Yes, Your Honor.

7 THE COURT: Okay? All right. So, are we good?

8 MR. STANTON: The State's good.

9 MR. BASHOR: The Defense is good.

10 THE COURT: Okay. Bring the jury in now.

11 THE MARSHAL: Okay.

12 THE COURT: When you can. Work your magic. My Marshall is
13 very, very good at running a jury, let me tell you.

14 [Pause]

15 THE MARSHAL: All rise for the jury. Go all the way down. Just fill
16 up the seats. Come on in. The jury is all present, ma'am.

17 [In the presence of the prospective jurors.]

18 THE COURT: Okay. Thank you very much. Counsel, you stipulate
19 to the presence of the prospective jury panel?

20 MR. STANTON: Yes, Your Honor.

21 MR. BASHOR: Yes, Your Honor.

22 THE COURT: Okay. Ladies and gentlemen, I am going to be
23 focused on, first, a group of 32 people. That would be this group, and then
24 that -- let me have Phyllis Stewart, raise your hand. All right. Ms. Stewart, you
25 are the end of the 32, meaning I'm going to have this group, and then I'm

1 going to ask you starting on the right, all the way down to Ms. Stewart. If you
2 are the two on the end or anybody else in the room, I'm not asking you any
3 questions right now. I just ask that you listen. I'm going to ask the same kinds
4 of questions of every single juror in the case, so this process goes much more
5 quickly if you're thinking about what your answers would be if you were called
6 upon to answer the questions.

7 So, for the first 32 people, which is this group, and from my right
8 over there, all the way to Ms. Stewart and everybody in between, here's what
9 the questions are going to be of each person. I'm going to ask you how long
10 you've lived in Clark County, and if it's less than 10 years, I'm going to ask you
11 to give me your residence history going back 10 years. I don't need addresses
12 or anything like that. What I'm looking for is, you know, Clark County, five
13 years, Seattle, three years, you know, New York, three years. Something like
14 that, okay?

15 Then I'm going to ask you about your educational background.
16 What I'm looking for is, you know, I graduated high school, or I have high
17 school and some technical school, high school and some college, high school,
18 college, and you know, graduate school. Just give me an idea of what your
19 general education is.

20 I'm going to ask you if you're working, and if so, what you do. I'm
21 going to ask you to give me a checklist of every job title that you've held going
22 back as far as you can remember. It sounds really, you know, challenging, but
23 it's not. I'm not asking where you worked, I'm not asking specific titles. Just
24 give me like a general understanding. Okay?

25 So, if I were going to be myself, I would tell you, here's a checklist

1 of all the job titles that I've held. Pool attendant, lifeguard, spa attendant, spa
2 receptionist, law clerk, lawyer, judge. I've had a lot more than seven jobs in
3 my life, but this gives you the gist, and what I'm looking for with your work
4 history is the gist, okay? All the job titles that you held, like, you know,
5 generally speaking.

6 I'm going to ask you if you're married and if so, your spouse is
7 working, what your spouse's employment is, or significant other. If you're
8 divorced, what your spouse did when you were married. I'm going to ask you
9 how many kids you have, how old they are, and if they're of working age, what
10 they do.

11 So, starting with -- and we're just going to pass that microphone
12 around and move it right along. Clinton. How long have you lived in Clark
13 County?

14 PROSPECTIVE JUROR 912: Twenty-eight years.

15 THE COURT: And your educational background?

16 PROSPECTIVE JUROR 912: High school and some college.

17 THE COURT: What do you do for a living?

18 PROSPECTIVE JUROR 912: I teach.

19 THE COURT: And what do you teach?

20 PROSPECTIVE JUROR 912: Manufacturing.

21 THE COURT: And how long have you taught manufacturing?

22 PROSPECTIVE JUROR 912: This is my third year.

23 THE COURT: In what industry? Like --

24 PROSPECTIVE JUROR 912: It's like a machine shop.

25 THE COURT: Machine shop. Can you give me a checklist of any

1 other job titles that you've held?

2 PROSPECTIVE JUROR 912: I've worked in a machine shop, and
3 I've worked in retail.

4 THE COURT: Okay. And are you married?

5 PROSPECTIVE JUROR 912: I am not.

6 THE COURT: Does your spouse -- or have you previously been
7 married? Excuse me.

8 PROSPECTIVE JUROR 912: No.

9 THE COURT: And do you have any kids?

10 PROSPECTIVE JUROR 912: I do not.

11 THE COURT: Okay. Thank you very much. Ms. Madrigal, how
12 long have you lived in Clark County?

13 PROSPECTIVE JUROR 913: Twelve years.

14 THE COURT: Your educational background?

15 PROSPECTIVE JUROR 913: College.

16 THE COURT: And what do you do now?

17 PROSPECTIVE JUROR 913: I'm a nurse at Desert Springs Hospital.

18 THE COURT: And how long have you done that?

19 PROSPECTIVE JUROR 913: Three months.

20 THE COURT: Are you in a particular assignment?

21 PROSPECTIVE JUROR 913: Med search.

22 THE COURT: Okay. And can you give me a checklist of any other
23 job titles that you've held?

24 PROSPECTIVE JUROR 913: Just cafeteria worker, home health,
25 and then this job now.

1 THE COURT: Okay. And when you say three months, have you
2 been a nurse three months, or just three months at that assignment?

3 PROSPECTIVE JUROR 913: A nurse for three months.

4 THE COURT: Okay. Are you married?

5 PROSPECTIVE JUROR 913: No.

6 THE COURT: And have you previously been married?

7 PROSPECTIVE JUROR 913: No.

8 THE COURT: Do you have a significant other currently?

9 PROSPECTIVE JUROR 913: No.

10 THE COURT: And do you have any kids?

11 PROSPECTIVE JUROR 913: No.

12 THE COURT: Mr. Bares, I forgot to ask you. Do you have a
13 significant other currently?

14 PROSPECTIVE JUROR 912: I do.

15 THE COURT: And your significant other's occupation?

16 PROSPECTIVE JUROR 912: She is an office manager for a law
17 office.

18 THE COURT: Okay. And what kind of law office?

19 PROSPECTIVE JUROR 913: I guess it's like personal injury.

20 THE COURT: Okay. What's the name of the law office?

21 PROSPECTIVE JUROR 913: Karen H. Ross.

22 THE COURT: Okay. And so, to your knowledge, does that law firm
23 do any criminal work?

24 PROSPECTIVE JUROR 913: Not to my knowledge.

25 THE COURT: Okay. Thank you very much. Mr. Graber, can you tell