

IN THE SUPREME COURT OF THE STATE OF NEVADA

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Elizabeth A. Brown
Clerk of Supreme Court

HECTOR HUGO RAMIREZ-DE LA)
TORRE,)

Appellant,)

Vs.)

No. 82891

THE STATE OF NEVADA,)

Respondent.)

JOINT APPENDIX – VOLUME 2

APPEAL FROM A JUDGMENT OF CONVICTION

FOURTH DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF ELKO

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FILED

1 Case Nos. CR-FP-19-2456 and CR-FP-19-2465

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IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF

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NEVADA, IN AND FOR THE COUNTY OF ELKO

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THE STATE OF NEVADA,

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Plaintiff,

:

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v.

:

JURY TRIAL

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HECTOR HUGO RAMIREZ-DE LA TORRE

:

VOLUME 6

13

and JORGE LANDEROS RUIZ,

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Defendants.

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TRANSCRIPT OF PROCEEDINGS

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BE IT REMEMBERED that the above-entitled matter

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came on for hearing on January 20, 2021, at the hour of

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8:50 a.m. of said day, in Elko, Nevada, before the

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HONORABLE ALVIN R. KACIN, District Judge.

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Stenographically Reported by Lisa M. Manley, CCR No. 271

COPY Vol 2, Pg. 458

A P P E A R A N C E S

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I N D E X

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PROCEEDINGS

THE COURT: We're on the record for CR-FP-19-2456 and 2465. State versus Ramirez-De La Torre and Jorge Landeros Ruiz.

The defendants are in court with their respective attorneys again, and also the Court's previously sworn interpreters, assisting them in court.

We have also got deputy district attorneys Mills and Barainca to represent the State.

Counsel stipulate to the full presence of the jury and the alternates?

MR. MILLS: Yes, Your Honor.

MR. WOODBURY: So stipulated.

MS. DUNN: Yes, Your Honor.

THE COURT: I think we are ready to call in another witness.

Witness, please.

MR. BARAINCA: Matt Miller.

THE COURT: Matt Miller, okay.

All right. Mr. Miller, please have a seat at the witness stand again. You have already been sworn in this proceeding. I will remind you, you are under oath.

Please drop the mask during testimony.

Thank you.

Mr. Barainca, is it?

Q. What was your -- your first involvement in that that day?

A. My first involvement was to conduct surveillance before the serving of the search warrant. So I was out there from the early hour morning -- early morning hours to watch the property, see who came, see who left and all that kind of stuff.

Q. Where did you do that from, sir?

A. From the weigh station on I-80.

Q. Did you have anybody with you?

A. I did. I had Special Agent J.V. Robinson from the FBI with me.

Q. Was he there just to help out, or was he there for any other reason?

A. He was there just to help out.

Q. Did you see anybody leave the property in your -- while you were watching it?

A. I believe I did see a vehicle leave. I think it was Ms. Ullica taking the kids to school.

Q. Now, did you watch from that vantage point while the SWAT team was securing the property?

A. I did.

Q. And do you recall about how long that took?

A. To secure the property?

Q. Yes.

MR. BARAINCA: Yes.

MATTIE MILLER

recalled as a witness in said case, having been previously duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. BARAINCA:

Q. Good morning, sir.

A. Good morning.

Q. Do you recall testifying regarding your surveillance of 5647 Kale Drive in Osino?

A. I do.

Q. And you were asked a bunch of questions about what you could see when you were surveilling the property?

A. Yes.

Q. Could you see any of the trailers on the eastern side of the property?

A. Yes, I could see part of the Travel Supreme trailer on the farther east, and then the roof of the brown travel trailer.

Q. And did you see anybody go in and out of those?

A. I couldn't see from that vantage point, no.

Q. Now, did you participate in the execution of the search warrant on the property on March 25, 2019?

A. I did.

A. From -- I would say maybe 30, 40 minutes.

Q. Did you stay at the weigh station the entire time the SWAT team -- the SWAT teams were securing the property?

A. I was there for a portion of it until Detective Gaylor called me to come to the staging area, which was a little closer.

Q. Do you recall when that was?

A. I do not, no.

Q. So what happened after you got to the staging area?

A. Once we got to the staging area, we waited for the SWAT team to finish securing the property, after which they would relay that to Detective Gaylor and he would have us go into the property to prepare to search the property.

Q. Did that happen?

A. That did.

Q. And did you participate in searching the property?

A. I did.

Q. What was your role in that search?

A. My role in that search was to search the Travel Supreme trailer and the brown travel trailer.

Q. Did you have any other involvement when it came to inventorying the -- the evidence that was seized?

1 A. After the service of the search warrant, I
2 took evidence that was collected from -- or myself and
3 Sergeant Smith took the evidence that I collected and also
4 been collected around the rest of the property back to the
5 Elko Combined Narcotics Unit office so that we could start
6 processing evidence.

7 And that was pretty much the rest of my time
8 with the evidence, was processing it.

9 Q. Did you write a report detailing what that
10 evidence was?

11 A. I did.

12 Q. And did you use identifiers for the evidence
13 that was collected?

14 A. I did.

15 Q. What were those?

16 A. MM would signify anything that I collected.
17 SS would signify anything that Sergeant Smith had
18 collected. And DG would signify anything that Detective
19 Gaylor collected.

20 Q. So what was your first task when you entered
21 the property?

22 A. My first task when I entered the property was
23 to wait for Detective Gaylor to photo the entire property
24 and delegate where he wanted everyone to be.

25 Q. And after that, did you start searching?

1 are being searched, I am directly overlooking those areas
2 being searched so that I can collect and photograph that
3 evidence.

4 Q. So --

5 MS. DUNK: I'm sorry, Your Honor. I didn't hear
6 the end of what he just stated.

7 A. I am -- so I will step back. I -- my -- what
8 I do is, once I am there, I delegate a certain area of the
9 trailer or whatever we are searching, the team starts
10 searching that. I am directly viewing what is being
11 searched so that any evidence that is found, I can collect
12 and photograph.

13 THE COURT: Okay. So did you need a readback of
14 the prior answer?

15 MS. DUNK: No, Your Honor. That was fine.

16 THE COURT: Okay.

17 MS. DUNK: Thank you.

18 Q. (By Mr. Barainca) So what was the process
19 when one of the team members would find something of
20 evidentiary value?

21 A. When an individual would find something of
22 evidentiary value, I'd be standing right there observing
23 what they are seeing. So they would bring my attention,
24 "hey, I think I found something." So before they -- I
25 would come in and I would photograph it in its state, and

1 A. I did.

2 Q. Go ahead, sorry.

3 A. After -- after I was told where I would be
4 searching, which is the two trailers, I first photographed
5 the exterior and the entry of the Travel Supreme trailer
6 before searching -- beginning searching that trailer.

7 Q. And you searched the Travel Supreme trailer
8 first?

9 A. Yes.

10 Q. Did you -- did you have an understanding as to
11 who lived there?

12 A. It had been relayed to me that Eduardo Ruiz
13 was staying in that trailer.

14 Q. Did you have anybody helping you search?

15 A. Yes.

16 Q. Who was that?

17 A. There was Lieutenant Jason Franklin, Detective
18 Damon Kuskie from Humboldt County, and Sergeant John
19 Banckhorst from the Winnemucca task force.

20 Q. Were you -- what was your role as being part
21 of this team?

22 A. My role as being part of that team was
23 supervising the searching of the trailer, photographs
24 collection. So when I go in, I tell a specific area of the
25 trailer, this is where we're going to begin. And as areas

1 then I would move -- manipulate it to see what it is and
2 continue photographing it.

3 If it is evidence, then I would collect it.

4 Q. So would you be the person that collected it
5 from the spot after it was found?

6 A. Correct.

7 Q. So you -- you testified that you -- you
8 searched the Travel Supreme trailer. We'll get into the
9 details of that in a bit. But did you -- what did you
10 search after the Travel Supreme trailer?

11 A. After the Travel Supreme trailer, I
12 photographed the entry of the -- the entirety of the brown
13 travel trailer and then the interior. And then we searched
14 the interior of the travel -- the brown travel trailer.

15 Q. And in doing these searches, is there an order
16 of operations as to how to go about photographing the area?

17 A. Yes. So typically what we do is we will
18 photograph before anything has been disturbed, and then
19 once we do our -- doing the search, we photograph from the
20 outside in so we can get a perspective of where things are
21 at.

22 Q. And did you do that with both of these
23 trailers?

24 A. I did.

25 Q. Now, sir -- Your Honor, may I approach?

1 THE COURT: Yes.
2 Q. So I'm going to start asking you questions
3 about the search of Eduardo's travel, the Travel Supreme
4 trailer.
5 I am handing you what's been marked for
6 identification as State's Exhibits 153 through 189.
7 Can you tell me what those are, sir?
8 A. These are photographs of the exterior and
9 interior of the Travel Supreme trailer as well as
10 photographs of evidentiary items found in that trailer.
11 Q. Did you take all those pictures, sir?
12 A. I did.
13 Q. Was that as part of your documentation of
14 the -- of the area and -- and the evidence that you found?
15 A. Yes.
16 Q. And do those pictures contain a fair and
17 accurate representation of what you observed that day?
18 A. It does.
19 MR. BARAJNCA: Your Honor, at this point in time
20 State moves for the admission of 153 through 189.
21 THE COURT: So they are in sequence?
22 MR. BARAJNCA: Yes.
23 THE COURT: Any objection?
24 MS. DUNN: No objection, Your Honor.
25 MR. WOODBURY: We have no objection.

11

1 A. Yes.
2 Q. What is going on in 158?
3 A. In 158 -- so, pair them together here. In
4 this photograph, you can see the center kind of cabinet
5 right here.
6 Q. What picture was that you were just holding
7 up?
8 A. 157.
9 Q. 157?
10 A. And in 158, there is a brown and green
11 container that was in the bottom of that cabinet underneath
12 all the drawers and everything.
13 Q. Did you have to remove the drawer to see it?
14 A. Yes.
15 Q. And what is going on with that container in
16 that picture, sir?
17 A. This container, what you can see is from here,
18 there is a -- appears to be a white bundle inside of it.
19 Q. And why is that important, sir?
20 A. It's important because a lot of times illicit
21 controlled substance are packaged -- they are packaged in
22 clear plastic a lot of times. And we had done controlled
23 purchases for methamphetamine, and methamphetamine is --
24 tends to be white-ish in color usually, and so it's a
25 possible indicator of that being of interest.

13

1 THE COURT: All right. Exhibits 153 through 189,
2 in sequence, for identification are admitted. So that
3 is -- those are now Exhibits 153 through 189 admitted.
4 (WHENEUPON, State's Exhibits 153 through 189 were
5 admitted into evidence)
6 Q. So it's going to be a long, arduous process,
7 but I'll just kind of go through these pictures one by one.
8 So what's going on with 153?
9 A. 153 is just the exterior of the Travel Supreme
10 trailer kind of as you are walking in towards it.
11 Q. Okay. And 154?
12 A. 154 is the entryway into the Travel Supreme
13 trailer.
14 Q. 155?
15 A. 155 is the door and interior of the Travel
16 Supreme trailer.
17 Q. 156?
18 A. 156 is the -- kind of the living room area of
19 the Travel Supreme trailer.
20 Q. 157?
21 A. 157 is the kitchen area of the Travel Supreme
22 trailer just off of the living room.
23 Q. Now, were these pictures you just testified
24 about, were these pictures taken in accordance with
25 documenting the layout working from the outside in?

14

1 Q. Did you suspect that the contents of that
2 container were controlled substances?
3 A. I did.
4 Q. And what controlled substance?
5 A. Methamphetamine.
6 Q. Did you collect those -- that evidence there?
7 A. I did.
8 Q. Sir, I am handing you what has been marked for
9 identification as State's 132. Can you tell me what that
10 is, sir?
11 A. Yes. This is the three bundles that were
12 discovered inside the brown and green container.
13 Q. Did you weigh those -- those bundles?
14 A. I did.
15 Q. And what were their weights?
16 A. The weights, they were 28.3 grams of
17 methamphetamine and one 28.36 grams and 28.1.
18 Q. And you weighed those?
19 A. I did.
20 Q. What did you use to weigh them?
21 A. A certified scale.
22 Q. Is that typical practice when you were
23 weighing controlled substances?
24 A. Yes.
25 Q. Where was the scale at?

15

1 A. The scale was at the Elko Combined Narcotics
2 Unit office.
3 Q. And are you certified in field testing or
4 presumptive testing of controlled substances?
5 A. I am.
6 Q. And did you do that with those bundles?
7 A. I did.
8 Q. Did you do that with all the evidence you
9 collected that you suspected was controlled substance
10 related?
11 A. All the evidence that I collected, yes.
12 Q. And did you KIK test those bundles?
13 A. I did.
14 Q. What did they test presumptively positive for?
15 A. They tested presumptively positive for
16 methamphetamine.
17 Q. Now, moving on to Exhibit 159, which would be
18 the next picture that -- from the one I was just asking
19 about.
20 A. Um-hmm.
21 Q. What is that a picture of, sir?
22 A. This is a picture of the brown and green
23 container once I removed it from underneath the cabinet.
24 Q. Is that the same one that was containing the
25 bundles that are in State's Exhibit 132 --

1 Q. Would that refresh your recollection?
2 A. Yes.
3 Q. Sir, I am handing you what has been marked for
4 identification State's Exhibit 110. I flipped to discovery
5 page 36 on here. Let me know if that -- give that a gander
6 and see if that'll refresh your recollection.
7 Let me know when you are ready.
8 A. Yes, sir.
9 Q. And does that refresh your recollection?
10 A. It does.
11 Q. What was the make and caliber of that rifle?
12 A. And it's a Marlin Model 60, .22 caliber.
13 Q. Moving on through the pictures.
14 Did you -- after you took those pictures and
15 moved into the living room, did you move back towards the
16 back like what you were describing with those pictures, or
17 did you do it in a different manner?
18 A. Yes. So once you take the photos of the front
19 area, then you just move to the back as well, yes.
20 Q. So -- so is it fair to say you went from the
21 outside to the living room and then into the back?
22 A. Correct.
23 Q. That is how you documented it?
24 A. Correct.
25 Q. So what is -- what is 164 a picture of?

1 A. That is correct.
2 Q. -- for identification?
3 And then what about 160?
4 A. This is 160. It's an interior photo of the
5 brown and green container showing the bundles that were
6 inside.
7 Q. The same ones?
8 A. Correct.
9 Q. Okay. 161, sir?
10 A. 161 is a photograph looking towards the back
11 of the trailer. So you have the living room and then the
12 hallway, and it has a bathroom shower and then the bedroom.
13 Q. And then as you told that one, what is going
14 on in 162?
15 A. 162 is a rifle that was found inside of the
16 living room.
17 Going back to 161, it was discovered inside of
18 this kind of a ledge right there.
19 Q. 163?
20 A. 163 is the rifle once it's been removed from
21 the -- the area it was found and then made sure it was
22 safe.
23 Q. Do you recall the make and the caliber of that
24 gun?
25 A. I would have to refer to my report, sir.

1 A. 164 is the bathroom. It's the hall in between
2 the living room, kitchen and bedroom.
3 Q. 165?
4 A. 165 is a picture of the sink and cabinet that
5 is below the sink.
6 Q. 166?
7 A. 166 is a picture of beneath the sink and the
8 cabinet being opened.
9 Q. Now, did you -- did -- did you or members of
10 your team remove the clothing and the items that were in
11 there?
12 A. Yes.
13 Q. Did you find anything of evidentiary value?
14 A. Yes, we did. There was this large package in
15 the back, and it contained what was suspected at the time
16 of being methamphetamine.
17 Q. And what -- what are you holding up, sir?
18 A. This is underneath the kitchen -- excuse me,
19 underneath the bathroom sink. You can see the sink right
20 here. And it was in the corner.
21 Q. What is the exhibit number?
22 A. The exhibit number is 167.
23 Q. Sir, I am handing you what's been marked for
24 identification as State's Exhibit 131.
25 Can you tell me what that is, sir?

1 A. Yes. This is a package that was found
2 underneath the bathroom sink. 976.68 grams of MKX-tested
3 methamphetamine.
4 Q. And --
5 INTERPRETER DAVIS: Excuse me, Your Honor. Would
6 you repeat the amount that was found?
7 THE COURT: She's -- apparently she did not hear
8 the amount that you said.
9 A. 976.68 grams.
10 Q. Did you weigh that -- that suspected
11 methamphetamine?
12 A. I did.
13 Q. Did you also do the MKX test?
14 A. I did.
15 Q. And -- just take a step back.
16 Did you take the weight from the scale and put
17 it on those bags?
18 A. I'm sorry?
19 Q. How did -- so do you transfer the -- do you
20 see the weight on the scale and transfer it on the bags,
21 the evidence bags, and you process it?
22 A. Yes.
23 Q. Is that what you did in this case with all the
24 pieces of evidence?
25 A. It is.

11

1 found?
2 A. The scales, I believe, were found in a bedroom
3 drawer.
4 Q. And 170?
5 A. 170 is a picture of the bed, and underneath
6 there is kind of a compartment under the bed.
7 Q. And is -- and can you see anything of
8 evidentiary value in that picture?
9 A. Yes. The light has kind of washed it out a
10 little bit, but right here there is another large package.
11 Q. And 171?
12 A. 171 is a closer-up picture of the large
13 package.
14 Q. Sir, I am handing you what has been marked for
15 identification as State's exhibit 131.
16 Can you tell me what that is, sir?
17 A. This is the package that was found underneath
18 the bed.
19 Q. And was that also weighed and MKX tested by
20 you?
21 A. It was.
22 Q. How much did it weigh?
23 A. 940.34 grams.
24 Q. And what did it test presumptively positive
25 for?

11

1 Q. And did you -- and I believe you testified
2 that you MKX tested that -- that suspected methamphetamine
3 there?
4 A. I did.
5 Q. What did it test presumptively positive for?
6 A. Methamphetamine.
7 Q. Now, kind of just moving on, what is 168 a
8 picture of?
9 A. 168 is a picture of the package that we just
10 looked at.
11 Q. Okay. Is that just -- where is it located
12 when you are taking the picture?
13 A. That would be the -- you can see the bathroom
14 sink right here. So it was removed from below the sink,
15 placed up there so I could a better photograph of it.
16 Q. After -- after you got done searching the
17 sink, where did you go from there?
18 A. I moved into the bedroom.
19 Q. And going into the bedroom, what is 169 a
20 picture of?
21 A. 169 is a picture of two digital scales.
22 Q. Why are those important, sir?
23 A. Digital scales are often used in the sales of
24 illicit controlled substances.
25 Q. Did you -- where did -- where were those

11

1 A. Methamphetamine.
2 Q. Thank you.
3 THE COURT: Exhibit number again, please?
4 MR. BARAINCA: 131, Judge.
5 THE COURT: Thank you.
6 Q. And now moving on with Exhibit 172.
7 A. 172, there is some money transfer receipts.
8 Q. And does anybody's name appear on the
9 receipts?
10 A. I can't really see from this photo.
11 Q. Can you -- can you depict the amounts on the
12 receipts?
13 A. Again, I can't quite see on that photo.
14 Q. That's fine.
15 173?
16 A. 173 is a closer-up photo of the money transfer
17 receipts.
18 Q. Just a better photo of the previous exhibit?
19 A. Correct.
20 Q. And can you make out a name on those ones?
21 A. Yes. It is Roger Larderos Pacheco and Jesus
22 Caribay Gutierrez.
23 Q. Does it say where the money is being sent to?
24 A. Guadalajara, Mexico.
25 Q. And is there an amount that was on there that

11

1 was sent?
 2 A. \$2,020 U.S. dollars.
 3 Q. 174?
 4 A. 174 is a picture of a black duffel bag.
 5 Q. Where was that found, sir?
 6 A. It was found inside the closet of the bedroom.
 7 Q. 175?
 8 A. 175 is like cardboard containers which inside
 9 those were spurs for chicken fighting.
 10 Q. What are the cardboard containers in right
 11 now -- or in that picture?
 12 A. They are inside the black duffel bag.
 13 Q. Is that -- did you just open it up and take
 14 pictures inside there?
 15 A. Correct.
 16 Q. 175 -- or 6?
 17 A. 176?
 18 Q. Yes.
 19 A. That's the cardboard containers that have been
 20 opened up and there is the spurs there.
 21 Q. And why were these documented as items of
 22 evidentiary value?
 23 A. Because spurs are often used in chicken
 24 fighting.
 25 Q. And they are those that -- are those contained

1 A. Approximately \$10,000.
 2 Q. And was there anything else to note of that
 3 cash with any of the bills in that shirt pocket?
 4 A. Yes. Later, after counting and comparing the
 5 serial numbers against our buy money, we found \$800 of our
 6 buy money in that \$10,000.
 7 Q. Would that \$800 have been -- been some of the
 8 bills that were provided during the controlled purchases?
 9 A. Correct.
 10 Q. And do you remember how that was -- how that
 11 \$800 was broken up?
 12 A. They were hundred dollar bills.
 13 Q. 181?
 14 A. 181 is a closer-up photo of the \$10,000.
 15 Q. And was that ten grand all in cash?
 16 A. It was.
 17 Q. 182?
 18 A. 182 is a black jacket that was hanging in the
 19 bedroom.
 20 Q. And what was the importance of the jacket,
 21 sir?
 22 A. There was a large amount of currency inside
 23 that jacket.
 24 Q. 183?
 25 A. 183, that's the photo of the U.S. currency

1 in those cardboard containers that you just testified
 2 about?
 3 A. They are.
 4 Q. Were they in that black duffel bag?
 5 A. Correct.
 6 Q. 177?
 7 A. 177 is a Sentry safe. The Sentry safe was
 8 found in the living room.
 9 Q. And 178?
 10 A. 178 is a pistol and magazine that was
 11 contained inside the safe.
 12 Q. 179?
 13 A. 179 is a closer-up photo of the pistol and
 14 magazine.
 15 Q. And do you recall the make and caliber of that
 16 pistol?
 17 A. Yes, that is a Smith & Wesson No. 9
 18 millimeter.
 19 Q. 180?
 20 A. 180 is a picture of a dress shirt that was in
 21 the closet.
 22 Q. And why was the dress shirt important, sir?
 23 A. Because there was a large amount of cash found
 24 in the front pocket.
 25 Q. Do you recall how much cash?

1 that was removed from the jacket.
 2 Q. Where was that jacket found again?
 3 A. I would have to refer to my report real quick.
 4 Q. Go right ahead. It should be right there.
 5 A. It was hanging behind the bedroom door.
 6 Q. In the -- the Travel Supreme trailer?
 7 A. Correct.
 8 Q. And do you recall how much cash was there?
 9 A. Approximately \$1,000.
 10 Q. And were they all the same denominations, or
 11 were they just totally -- just different bills or anything
 12 like that?
 13 A. I do not recall.
 14 Q. 184?
 15 A. 184 is a picture of a wallet that had currency
 16 inside of it.
 17 Q. Do you recall how much currency was inside the
 18 wallet?
 19 A. Yes, it was \$1,360.
 20 Q. 185?
 21 Before we get there, sir, actually where was
 22 the wallet found?
 23 A. The wallet was found on the nightstand next to
 24 the bed.
 25 Q. And how we go to 185.

1 A. 185, this is a -- one of the exterior
2 compartments of the Travel Supreme trailer. And there is
3 this blue paper towel and it has another cardboard case
4 inside of it.
5 Q. What was in the cardboard case?
6 A. More chicken fighting spurs.
7 Q. Do you recall how many?
8 A. I do not.
9 Q. 186?
10 A. 186 is a bag that was recovered from one of
11 the exterior compartments the Travel Supreme trailer.
12 Inside that, there was some indicia paperwork as well as
13 some U.S. currency.
14 Q. What you mean by indicia?
15 A. Paperwork that had names on it.
16 Q. Do you recall what the names were?
17 A. I believe there was -- the one that comes to
18 my mind is Maria Ulloa, but there were other names as well.
19 Q. And is there -- did you recover any cash out
20 of that bag?
21 A. I did.
22 Q. How much cash was there?
23 A. May I refer to my report?
24 Q. Yes.
25 A. That would have been \$41.

10

1 Collima, Mexico.
2 Q. Now, sir, we are going to be moving on to the
3 remainder of the search.
4 And I believe you testified that after you
5 were done with the Travel Supreme trailer, you and your
6 team had searched the brown travel trailer; is that
7 correct?
8 A. Correct.
9 Q. And who did you understand to be living in
10 that brown travel trailer?
11 A. It was relayed to me that Hector Ramirez was
12 living in that trailer.
13 Q. Sir, I am handing you what has been marked for
14 identification as State's Exhibits 11 through 26.
15 I'll trade you.
16 Sir, what are those pictures of?
17 A. These photos are the exterior entry and
18 interior as well as evidentiary items found in the brown
19 travel trailer.
20 Q. And did you take those pictures, sir?
21 A. I did.
22 Q. I'm going to ask you the same questions as
23 other pictures.
24 Were those part of your documentation of your
25 search of that trailer?

11

1 Q. Now I'm going to have you -- ask you questions
2 about 187, 188 and 189.
3 What are those pictures of, sir?
4 A. 187 is a picture of -- it's an insurance card.
5 Q. Is there a name on there?
6 A. There is.
7 Q. Who -- what name is there?
8 A. Maria Ulloa.
9 Q. 188?
10 A. 188 is -- it looks like a money wire piece --
11 receipt.
12 Q. Is there a sender's name on it?
13 A. The sender's name, yes.
14 Q. Who is that, sir?
15 A. Hector Hugo Ramirez-De La Torre.
16 Q. Is there an amount on there?
17 A. Yes. It is \$260.
18 Q. Does it say where the money was sent to?
19 A. Yes, it's Cososido, Mexico.
20 Q. 189?
21 A. That is also a money transfer sheet, and the
22 name on it is Hector Hugo Ramirez-De La Torre.
23 Q. What is the amount and location it was sent
24 to on that one?
25 A. The amount is \$360, and the location is

11

1 A. They were.
2 Q. On March 19, 2019?
3 A. Correct.
4 Q. And do those pictures contain a fair and
5 accurate representation of what you saw that day?
6 A. They do.
7 MR. BARRINCA: Your Honor, at this point the
8 State's moving for the admission of State's 11 through 29,
9 I believe it is. 26, excuse me.
10 THE COURT: In sequence again?
11 MR. BARRINCA: Yes, sir.
12 MS. DUNN: I have no objection, Your Honor.
13 MR. WOODBURY: We have no objection.
14 THE COURT: Hearing none, Exhibits 11 through 26
15 for identification are now admitted.
16 Those are now Exhibits 11 through 26.
17 (WHEREUPON, State's Exhibits 11 through 26 were was
18 admitted into evidence)
19 THE COURT: Please proceed.
20 Q. Now, luckily there is fewer pictures on this
21 one.
22 So what is going on in Exhibit 11, sir?
23 A. Okay. 11 is the exterior of the brown travel
24 trailer showing the entryway.
25 Q. And were these photographed in the same manner

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1 as you went about the Travel Supreme trailer?
 2 A. Correct.
 3 Q. And number -- number 12?
 4 A. Number 12 is another photo of the exterior of
 5 the trailer.
 6 Q. Where -- where from, sir?
 7 A. It's from the east side looking west at the
 8 trailer.
 9 Q. Number 13?
 10 A. Thirteen is a photo of the entryway and
 11 initial interior of the trailer.
 12 Q. Number 14?
 13 A. Fourteen is a photo of the interior as you
 14 immediately walk in, so it's your view from the door
 15 straight back.
 16 Q. Okay. Number 15?
 17 A. Fifteen is a photograph of the -- would be the
 18 east side. As you come in, look to your right, this would
 19 be right there. It's kind of a couch and a shelf above.
 20 Q. Now, was there anything of evidentiary value
 21 found in -- in that area of the trailer?
 22 A. Yes, there was a firearm found over in the
 23 corner there.
 24 Q. Go to State's Exhibit 16.
 25 A. That is a picture of the firearm that was

11

1 MR. BARRINCA: Yes, Your Honor.
 2 THE COURT: -- of any cartridges.
 3 MR. WOODBURY: May I see it as well?
 4 MS. DUNN: Your Honor, I have no objection.
 5 MR. WOODBURY: Mr. Ramirez has no objection.
 6 THE COURT: Exhibit 145 for identification is now
 7 admitted. That is now Exhibit 145.
 8 (WHEREUPON, State's Exhibit 145 was admitted into
 9 evidence)
 10 Q. (By Mr. Barrinca) Did that firearm appear to
 11 be hidden at all?
 12 A. Yes, it was -- if I could have the photos --
 13 it was tucked underneath all these -- this clothing.
 14 MR. WOODBURY: I'm sorry, I couldn't hear.
 15 A. It was tucked underneath all the clothing
 16 there in the corner, sir.
 17 THE COURT: Which exhibit were you referring to?
 18 THE WITNESS: That was Exhibit 15, sir.
 19 THE COURT: Thank you. All right.
 20 Next question, please.
 21 Q. (By Mr. Barrinca) After you kind of searched
 22 that general area, where did you go from next?
 23 A. Moved back towards the rear of the trailer.
 24 Q. So is that what is taking place in Exhibit
 25 Number 17?

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1 located on the couch.
 2 Q. Did you recover that firearm, sir?
 3 A. I did.
 4 Q. Do you recall the make and the caliber of that
 5 firearm?
 6 A. May I refer to my report?
 7 Q. Yes.
 8 Was your memory refreshed, sir?
 9 A. Yes.
 10 Q. Now, I am just going to hold on to this for
 11 consistency. But showing you what has been marked for
 12 identification as State's Exhibit 145, what is this, sir?
 13 A. That is the revolver that was found on the
 14 sofa.
 15 Q. And is it in a substantially similar condition
 16 as -- as the manner you found it in those photographs?
 17 A. It is.
 18 MR. BARRINCA: Your Honor, State is moving for
 19 the admission of Exhibit 145.
 20 MS. DUNN: Your Honor, I -- I would just like to
 21 see it.
 22 MR. BARRINCA: Oh, sorry. Absolutely. I forgot
 23 that.
 24 THE COURT: And we have checked and double
 25 checked this and it's clear --

13

1 A. Yes. This is a photograph from the entry area
 2 looking back towards what is the bedroom.
 3 Q. Now, what about Exhibit 18?
 4 A. Exhibit 18 is a photograph of -- a closer-up
 5 photograph of the bed and upper shelf area.
 6 Q. Now, is there anything of evidentiary value
 7 found in that upper shelf?
 8 A. Yes, there was a baggie up here on this shelf
 9 that contained a pink crystalline substance that was
 10 suspected to be methamphetamine.
 11 Q. Number 19?
 12 A. Nineteen is a picture of kind of a makeshift
 13 nightstand next to the bed.
 14 Q. And was there anything of evidentiary value on
 15 that makeshift nightstand?
 16 A. Yes, there was a container inside the drawer
 17 here that contained U.S. currency. There was a dollar bill
 18 here that had methamphetamine residue as well as the --
 19 there was a bag here that contained methamphetamine as
 20 well.
 21 Q. Throughout your training and experience, are
 22 you familiar with the manners of how methamphetamine is
 23 ingested?
 24 A. I am.
 25 Q. And what is the importance of residue on the

14

1 dollar bill on that nightstand?
 2 A. On the dollar bill, it -- dollar bills are
 3 often used as tooters for the ingestion of methamphetamine.
 4 Q. What is a tooter?
 5 A. A tooter is like -- it could be anything, a
 6 tube, rolled-up piece of paper, but it's used to inhale
 7 methamphetamine -- meth, illicit controlled substances,
 8 whether it's smoking or just breathing it in.
 9 Q. And did you -- did you ask test the residue on
 10 that dollar bill? Or on this dollar bill, I guess?
 11 A. I would have to refer to my full report, sir.
 12 Q. Go right ahead.
 13 Sir, I am handing you what has been marked for
 14 identification as State's Exhibit 130 and 127.
 15 Can you tell me what 131 is, sir?
 16 A. Yes. 131 is two dollar bills.
 17 Q. And -- is there a notation as to where those
 18 came from?
 19 A. Yes. They came from the brown travel trailer
 20 on the shelf.
 21 Q. Are those the ones that you testified as
 22 having methamphetamine residue on?
 23 A. Yes.
 24 Q. And did you collect those items of evidence,
 25 sir?

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1 that was found on the makeshift nightstand.
 2 Q. Did you weigh it?
 3 A. I did.
 4 Q. Did you ask test it?
 5 A. I did.
 6 Q. What, if anything, did it test presumptively
 7 positive for, and how much did it weigh?
 8 A. It weighed approximately 6.28 grams, and
 9 it weighed -- excuse me, it tested presumptively positive
 10 for methamphetamine.
 11 Q. Is there a bar code on that bag?
 12 A. Yes.
 13 Q. Is it your understanding -- what is the
 14 purpose of that bar code again?
 15 A. The bar code is how -- once it's booked into
 16 evidence, that is the State's tracking system of evidence.
 17 Q. What is that bar code on that bag, sir?
 18 A. The bar code is 187785.
 19 Q. Moving on to State's Exhibit 20.
 20 A. Twenty is a closer-up photo of the bundle of
 21 methamphetamine there. And there is a dollar bill tooter.
 22 Q. Is that one of the ones that was admitted as
 23 Exhibit 131?
 24 A. Yes.
 25 Q. Twenty-one?

40

1 A. I did.
 2 Q. And did you do the packaging?
 3 A. I did.
 4 Q. Is the packaging in the same condition as when
 5 you last had possession of those items?
 6 A. It is.
 7 Q. And was what you -- is what you observed among
 8 the dollar bills consistent with your training and
 9 experience as -- as dollar bills being used for the
 10 inhalation of methamphetamine?
 11 A. Yes.
 12 MR. BARRINCA: Your Honor, at this point in time
 13 the State is offering 131 into evidence.
 14 MS. DUNN: I have no objection, Your Honor.
 15 MR. WOODBURY: We have no objection.
 16 THE COURT: Exhibit 131 for identification is now
 17 admitted. That is now Exhibit 131.
 18 (WHEREUPON, State's Exhibit 131 was admitted into
 19 evidence)
 20 Q. (By Mr. Barrinca) I don't recall the number of
 21 the other exhibit I handed you, sir.
 22 THE COURT: 127.
 23 A. Yes. 127, sir.
 24 Q. And what is that, sir?
 25 A. 127, this is the bundle of methamphetamine

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1 A. Twenty-one is the drawer below the makeshift
 2 shelf. It has got a container and some U.S. currency.
 3 Q. Do you recall how much money was there?
 4 A. I would have to refer to my report, sir.
 5 Q. Go ahead, sir.
 6 A. Yes, that would have been \$83.35.
 7 Q. Number 22?
 8 A. Twenty-two is a picture of -- there is the bed
 9 here, the nightstand is here. This is the front of the
 10 bed, and there is a -- some US currency there as well.
 11 Q. So was the bed in close proximity to that --
 12 to what you are talking about there in that picture?
 13 A. Yes, the bed would have been right here.
 14 Q. It's on the left side of the exhibit?
 15 A. Correct.
 16 Q. Just noting it for the record.
 17 Okay. And -- do you -- was that \$0 dollar --
 18 \$80 and change amount, did that include what you just --
 19 the money that you had found, or is that a different
 20 amount?
 21 A. That is a different amount.
 22 Q. Do you -- do you recall how much money was
 23 found there?
 24 A. May I refer to my report, sir?
 25 Q. Yes, sir.

40

1 A. Okay, yes.
 2 Q. How much money was there?
 3 A. \$475.
 4 Q. Okay. So what is going on in State's --
 5 State's Exhibit 237?
 6 A. This is a -- the shelf up above the bed.
 7 There is a -- that larger bag of -- of pink
 8 methamphetamine.
 9 Q. Now, I am handing you what has been marked for
 10 identification as State's Exhibit 128.
 11 Can you tell me what that is, sir?
 12 A. Yes, this is the pink bag of methamphetamine.
 13 Q. Do you come across pink methamphetamine very
 14 often?
 15 A. No.
 16 Q. Can you -- do you know why it's a different
 17 color than other -- than the other methamphetamine that you
 18 found?
 19 A. It could be a number of reasons from
 20 processing, they could put dye into it, all sorts of
 21 reasons.
 22 Q. And did you weigh that -- that amount?
 23 A. I did.
 24 Q. How much did it -- how much did it weigh, sir?
 25 A. It was 288.47 grams.

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1 Q. Did you WIK test it?
 2 A. I did.
 3 Q. What did it test as presumptively positive
 4 for, if anything?
 5 A. Methamphetamine.
 6 Q. And was that -- was all those other items of
 7 evidence that -- on that same certified scale that you were
 8 talking about?
 9 A. Yes.
 10 Q. And where was that found again, sir?
 11 A. This was up above the bed in the cabinets.
 12 Q. Is there a bar code on that bag as well, sir?
 13 A. There is.
 14 Q. What is that bar code number?
 15 A. 187740.
 16 Q. I will come and get that from you in a second.
 17 Now, what is going on in State's Exhibit 24
 18 and 25?
 19 A. Twenty-four is a picture of some paperwork
 20 from the Elko County Sheriff's Office with the name of
 21 Hector Ramirez on it.
 22 Q. Okay. 25 -- or, excuse me, 25?
 23 A. Twenty-five is a picture of some paperwork
 24 from the Municipal Court of the City of Sparks with the
 25 name Hector Ramirez on it.

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1 Q. Sir, I am handing you what has been marked for
 2 identification as State's Exhibit 147.
 3 THE COURT: I'm sorry, number?
 4 MR. BARAINCA: 147.
 5 THE COURT: 147?
 6 MR. BARAINCA: 147.
 7 Q. And what is that, sir?
 8 A. This is a -- paper documents and indicia
 9 for -- with the name Hector Ramirez on it.
 10 Q. Is that the documents that were contained in
 11 those two pictures that you testified about?
 12 A. That is correct.
 13 Q. And are they in the same condition as you --
 14 as they were when you entered them into the -- entered them
 15 into evidence at the office?
 16 A. Yes.
 17 MR. BARAINCA: And, Your Honor, at this time the
 18 State's offering 147 for identification.
 19 MS. GUNN: I have no objection, Your Honor.
 20 MR. WOODBURY: We object as to relevance.
 21 THE COURT: All right. I think this was already
 22 dealt with, but did you have any further --
 23 MR. BARAINCA: It's relevant for identification
 24 purposes, Judge.
 25 THE COURT: All right. That objection is

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1 overruled.
 2 Exhibit 147 for identification is now admitted.
 3 (WHEREUPON, State's Exhibit 147 was admitted into
 4 evidence)
 5 Q. (By Mr. Barainca) Now, what is going on in,
 6 finally, with one -- with State's Exhibit 26?
 7 A. Twenty-six, it appears to be a -- what we call
 8 a pay/owe sheet.
 9 Q. And where was that found, sir?
 10 A. That was found inside the trailer in the
 11 cabinet area.
 12 Q. In the brown travel trailer?
 13 A. Yes, sir.
 14 Q. And what is the significance of that -- of
 15 that picture of the pay/owe sheet?
 16 A. The significance of it is the amounts here
 17 have one that is consistent with the controlled purchases
 18 that we made in the past in terms of the types of weights
 19 that we were purchasing.
 20 Q. So what -- and have you come across pay/owe
 21 sheets throughout your experience with -- as a narcotics
 22 detective?
 23 A. Yes.
 24 Q. Are you trained on them as well?
 25 A. Yes.

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1 Q. And what -- what you saw on that pay/owe
2 sheet, was that consistent with what you are trained and
3 what you saw in other areas?
4 A. Yes.
5 Q. And what is your belief the numbers represent?
6 A. I believe the numbers represent quantities of
7 illicit controlled substances.
8 Q. And is there also dollar amounts contained
9 within that picture?
10 A. There are, off in the corner here.
11 Q. And what are those dollar amounts?
12 A. The top one is \$24.89, the second one is
13 \$17.59, and the one below that is \$32.89.
14 Q. Now, what did you do -- grab those pictures
15 from you, the pay/owe sheet.
16 Sir, you testified earlier that you and
17 Sergeant Scott Smith logged in -- processed, logged the
18 evidence. Did that include all of the cash that was
19 found?
20 A. It did.
21 Q. And do you -- do you recall approximately --
22 or do you recall the amounts of cash -- the total amount of
23 cash that was seized?
24 A. May I refer to my report for that?
25 Q. Yes, sir.

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1 Q. Did that end your contact with 5647 Kale Drive
2 and the entirety of the investigation?
3 A. It did not.
4 Q. What -- what occurred after you were done with
5 the evidence?
6 A. After I was done with the evidence, we were
7 waiting for a resolution on what was going to happen to the
8 chickens, so we had to man the property 24 hours a day.
9 And so we rotated shifts manning the property and taking
10 care of the birds.
11 Q. And did you participate in taking care of the
12 birds?
13 A. Yes, I did.
14 Q. And what would you have to do to take care of
15 them?
16 A. We would water and feed them twice a day.
17 Q. Do you recall how long that went on for?
18 A. I do not off the top of my head, no.
19 Q. And do you recall what the ultimate
20 disposition of the birds was?
21 A. Yes. The ultimate disposition was that any
22 birds that were identified to be fighting chickens were to
23 be disposed of.
24 Q. How so?
25 A. They -- on the last day, the 27th vet that

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1 A. Yes.
2 Q. What was that amount, sir?
3 A. The amount was \$13,162 and some change, sir.
4 Q. And so what do you do with the cash after it
5 was seized?
6 A. After it's seized, it's taken back with the
7 rest of the evidence and it's locked in a safe until it's
8 able to be counted, counted a second time and counted a
9 third time by myself and Sergeant Smith, after which point
10 it is then deposited in a -- an account for safekeeping.
11 Q. What about the OAF money?
12 A. The OAF money, once it's identified, is
13 separated and the -- also deposited. It's just annotated.
14 Q. What is OAF again?
15 A. It's -- OAF is the buy funds.
16 Q. Would that be the \$800 that you found in this
17 case?
18 A. Correct.
19 Q. Now, after you concluded your search, what was
20 your next -- next task with 5647 Kale Drive?
21 A. After we concluded the search, myself and
22 Sergeant Smith, we transported all of the evidence seized
23 that day back to the office and we started processing.
24 That was the majority of my task for the remainder of the
25 time, was processing evidence as it came in.

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1 came, Dr. Tessa Morgan, and she had some crew with her. We
2 helped round up the birds, they were then put into plastic
3 barrels where they were passed so that they would be
4 knocked out. Then I would photograph any modifications
5 that were noted to me by Dr. Tessa Morgan, and then they
6 would have their heads removed.
7 Q. Were there any other -- were there any other
8 ways to document the birds as well?
9 A. How do you mean, sir?
10 Q. Were they -- was there any documentation that
11 went along with the birds themselves?
12 A. Yes. There were -- Sergeant Smith and the
13 27th County Animal Control had gone through prior and
14 identified any birds that had visible modifications, with
15 cards.
16 Q. And so were the cards with the birds after
17 they were done documenting those modifications or other
18 traits?
19 A. Correct.
20 Q. And so what was your role in all of this?
21 A. My role in all of this was to photograph the
22 birds after they were knocked out.
23 Q. And were -- did those pictures that you took,
24 do they contain the tags as well?
25 A. Yes.

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1 Q. Were you the only one taking pictures?
2 A. No.
3 Q. Who else took pictures?
4 A. Sergeant Smith also took photos.
5 Q. Why did he jump in?
6 A. He took photos because occasionally the -- the
7 vet techs would need -- they would need utensils sharpened
8 or I'd just need to stretch my knees for a moment.
9 Q. And how many -- and how many of the pictures
10 did you take?
11 A. The vast majority.
12 MR. BARAINCA: And your Honor, at this point in
13 time the state is offering Exhibits 1 through 10 into
14 evidence. And that is based upon a prior stipulation with
15 the parties as to -- we are stipulating to the
16 admissibility of them.
17 THE COURT: Is that correct?
18 MS. DUNN: We are stipulating to the
19 admissibility. I don't know if they need to be identified
20 first.
21 THE COURT: Okay.
22 MS. DUNN: I mean, we are agreeing to stipulate.
23 I just didn't know if they needed to be identified first at
24 least.
25 MR. BARAINCA: By the witness? I can do that.

1 A. I believe there were around 240 birds. I
2 would have to look at the actual numbers.
3 Q. Now, sir, was all of your involvement in this
4 case in Elko County, state of Nevada?
5 A. Yes.
6 MR. BARAINCA: And I will pass the witness, Your
7 Honor.
8 THE COURT: All right. Very good.
9 Then before we go to cross-examination, we're
10 dealing with this off the record -- we should be anyway.
11 I am assuming everybody's health is still in good
12 shape, no matter who you are here, and that you would
13 answer the questions we initially had for the jury,
14 prospective jurors, so that you could continue to
15 participate in this trial.
16 If that changes, no matter who it is, you need to
17 let us know. If someone falls ill, we need to deal with
18 that. All right. That's why we have four alternate jurors
19 for the jury anyway.
20 We have ways to deal with that, I hope, for the
21 rest of us.
22 So anyway, keep that in mind.
23 Also, I want to remind everybody, keep that mask
24 over the nose and mouth. I am not -- I will just confess,
25 I find it to be -- I'm among these people who thinks it's

1 THE COURT: Mr. Woodbury?
2 MR. WOODBURY: We stipulate to their entry.
3 THE COURT: All right. Well, Exhibits 1 through
4 10 for identification, if there is a stipulation to admit,
5 the Court is going to admit them, permit their admission.
6 They are now Exhibits 1 through 10.
7 (WHEREUPON, State's Exhibits 1 through 10 were
8 admitted into evidence)
9 THE COURT: If you would like to, you can show
10 them to the witness. Is that what you are doing.
11 MR. BARAINCA: Yes, he has got them.
12 Q. (By Mr. Barainca) Sir, what are those -- what
13 is contained in Exhibits 1 through 10?
14 A. These are photographs of the chickens. It has
15 got the card number, and then you can see there is some
16 annotations on some of them.
17 But it also shows any signs of modifications
18 or potential abuse that was identified by Dr. Morgan and
19 myself.
20 Q. And are those exhibits the -- the pictures
21 that you took, or the majority of them, that you testified
22 about?
23 A. Yes.
24 Q. And do you -- do you recall approximately how
25 many birds there were?

1 kind of uncomfortable, but I remind myself to do that.
2 The other thing is if -- I had some coffee go
3 down the wrong pipe earlier during this session. I got to
4 try to remind myself to keep my cough to myself. I know
5 the experts in this area say try to keep it into the croak
6 of your arm or something like that.
7 Please, everybody keep that in mind today.
8 We are going to keep the masks off the witnesses
9 and the questioners, obviously, because as you can see, we
10 need to hear them.
11 All right.
12 You need to hear them, most importantly.
13 All right.
14 Ms. Dunn, please proceed.
15 MS. DUNN: Thank you, Your Honor.

CROSS-EXAMINATION

17 BY MS. DUNN:
18 Q. Good morning, Detective. How are you?
19 A. Good. How are you?
20 Q. Good, thank you.
21 How long have you been on the Combined
22 Narcotic Task Force?
23 A. At that point in time?
24 Q. Sure.
25 A. At that point in time, I believe a little over

1 two years.
2 Q. And prior to that, how long had you been in
3 law enforcement?
4 A. Prior to that, at that time, about seven
5 years.
6 Q. So during your time in law enforcement, not
7 just the two years that you had been on the task force, but
8 how many drug cases do you think you had investigated?
9 A. Oh, a large amount.
10 Q. I don't need specifics, but I mean, is a large
11 amount to you ten or a hundred?
12 A. Considering I worked for parole and probation
13 and at one point in time, I supervised over 150
14 probationers, the majority of them had drug offenses, I
15 would say in the -- in the hundreds.
16 Q. Has all your law enforcement been -- you know,
17 you were down in Vegas first, correct?
18 A. Correct.
19 Q. All right. Then you have been up here in Elko
20 for approximately how long?
21 A. Since 2014.
22 Q. Okay. Up in this area and potentially down in
23 Vegas, is methamphetamine a -- a popular, as it were, drug?
24 A. It is, yes.
25 Q. And in your -- in your time either

1 investigating and/or supervising, is methamphetamine
2 more -- one of the more popular drugs, the ones that you
3 ended up investigating more often?
4 A. Yes, I would say especially at that point in
5 time.
6 Q. Now, during your time surveilling the property
7 the morning of the execution of the search warrant, you
8 stated that you believed only one vehicle left the
9 property?
10 A. If I remember rightly.
11 Q. And you believed that that was Maria taking
12 the kids to school, I think, is what you indicated?
13 A. I believe so, yes.
14 Q. And once you came on the property, how long
15 did you -- how long was it before you started searching?
16 A. Once I was on the property -- property, it's
17 hard to -- hard to say, but I would say probably about 30,
18 40 minutes --
19 Q. Okay.
20 A. -- before I was instructed to move in and
21 start photographing.
22 Q. Okay. And that was -- then you were assigned
23 the two trailers?
24 A. Correct.
25 Q. Okay. And you started with the Travel Supreme

1 trailer first, correct?
2 A. I did.
3 Q. Had you been told who -- by someone who you
4 believe -- who they believed was residing in that trailer?
5 A. Yes, Detective Gaylor informed me that Eduardo
6 Ruiz was staying in that trailer.
7 Q. Okay. Do you know how he gathered that
8 information?
9 A. I do not.
10 Q. Did you have any contact with Eduardo Ruiz?
11 A. I did not.
12 Q. Now, in that -- in this particular trailer,
13 the -- the Travel Supreme trailer that was Eduardo's, or
14 that he -- that's where he was staying anyway, did it
15 look -- did it look like he had a fair amount of personal
16 effects in it?
17 A. I would say yes.
18 Q. Now, there were -- what was the total amount
19 of methamphetamine, if you know, presumptive
20 methamphetamine that was actually seized from that trailer?
21 A. From that trailer, I would have to look to my
22 report to give you exact numbers.
23 Q. If it would help, please.
24 A. Yes. There was a baggie of methamphetamine
25 that had 5.50 grams. There was the two larger packages

1 that we talked about earlier, the 976.48 grams, 940.34
2 grams. And then the three bundles that were inside the
3 brown and green container, that was 28.1, 23.36, and 28.1
4 grams.
5 Q. And so you didn't total it up or anything as
6 part of your report?
7 A. I did not, no.
8 Q. Okay. And for those of us that math is not
9 their -- their first language, as it were, the way you
10 determined ounces and pounds when it comes to
11 methamphetamine, you have got 28 grams in an ounce,
12 correct?
13 A. Correct.
14 Q. And so when you are talking about 900 grams,
15 we're talking about pounds at that point?
16 A. Correct.
17 Q. Okay. So there was a lot of methamphetamine
18 in that particular trailer?
19 A. There was.
20 Q. Do you recall the total amount -- and -- and
21 if you don't, it's okay -- but the total amount of
22 methamphetamine, presumptive methamphetamine that was found
23 total on the property?
24 A. I don't recall total, no.
25 Q. Okay. And there was also, in this particular

1 trailer, over \$10,000 -- well, \$12,000, correct?
 2 A. Correct, a little over 12,000.
 3 Q. And out of -- I believe you testified, and
 4 please -- the total amount of money that was seized, that
 5 you just testified to earlier, that was the 13,000, was
 6 that seized completely or -- like the entirety of the
 7 property?
 8 A. Yes, that would have been the entirety of the
 9 property.
 10 Q. Okay. And so out of the \$13,126 that was
 11 seized for the entirety of the property, 12,000 of it was
 12 taken from Eduardo's trailer?
 13 A. Correct.
 14 Q. Did you find any other marked funds, as they
 15 were -- as -- as they called the -- the funds that were
 16 used for previous buys that -- that your team had done
 17 anywhere else on the property?
 18 A. Not that I believe.
 19 Q. And so the only marked funds from the buys you
 20 had done were found in that trailer?
 21 A. Correct.
 22 Q. Eduardo's trailer.
 23 And based upon your knowledge of the -- of
 24 this particular case, there was not a controlled buy that
 25 was done with Eduardo, was there?

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1 were trying to, obviously, secure and you were the one that
 2 was supervising, so --
 3 A. Yeah, it -- it would be really depending on
 4 the area. For instance, the -- like the bathroom area,
 5 there was really only room for myself and one other person.
 6 So we are not going to try to cram two people in to search
 7 such a small area.
 8 But if it was a larger area, we're going to
 9 try to keep it focused but also be efficient in terms of
 10 the searching. So like the kitchen, maybe three or four
 11 folks depending on which part of the kitchen.
 12 Q. Who made the ultimate decision whether or not
 13 something was evidentiary?
 14 A. That would have been my decision at the time.
 15 Q. So if somebody said, "hey, what about this,"
 16 then you would make that decision?
 17 A. I would. And if I was unsure, then I would
 18 ask Detective Saylor.
 19 Q. And because, obviously, some of the objects
 20 are not necessarily illegal, correct?
 21 A. Correct.
 22 Q. So it's all determining what you would
 23 consider to be evidentiary?
 24 A. Yes.
 25 Q. So when you found paperwork, for instance, the

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1 A. No, there was not.
 2 Q. How many people were in the trailer when --
 3 when you were doing your searching and -- and compiling of
 4 the evidence?
 5 A. Inside which trailer?
 6 Q. I'm sorry, the -- the Travel Supreme trailer
 7 that we are talking about right now.
 8 A. Okay. There were several -- we had -- as I
 9 said before, Lieutenant Franklin, Detective Rustie,
 10 Sergeant John Dunchhorst. And there may have been other --
 11 a couple others who -- who came in to help, either take
 12 notes or relieve somebody as things came up, since the day
 13 was quite long.
 14 Q. Were there -- were all of you in the trailer
 15 at the same time?
 16 A. Not always at the same time, no.
 17 Q. Okay?
 18 A. It's kind of small, so hard to pack many of us
 19 in there.
 20 Q. That's why I was asking, yeah.
 21 So if -- if you -- because obviously, you had
 22 to be there?
 23 A. Um-hum.
 24 Q. So what I am trying to figure out is how many
 25 people were in there at a time, as it were, as -- as you

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1 paperwork that was identified in the brown -- excuse me, in
 2 the Travel Supreme trailer, what paperwork would be
 3 considered evidentiary versus other paperwork?
 4 A. Paperwork that had names on it would be -- or
 5 if it looked like it was a transaction log, a pay/own
 6 sheet, some notebook with potential information in it, just
 7 so that that information can be again given to the
 8 detective in charge. If they have any information that
 9 would lead them -- that would help them in their
 10 investigation moving forward, whether it's identifying
 11 people or furthering the investigation.
 12 Q. What about cell phones?
 13 A. Yes.
 14 Q. Were there cell phones found in the Travel
 15 Supreme trailer?
 16 A. There were.
 17 Q. Okay. The State didn't ask you about any of
 18 the cell phones that were found --
 19 A. Okay.
 20 Q. -- so I'm assuming you would have taken
 21 pictures of the cell phones and done something with them,
 22 correct?
 23 A. Yes. So any cell phones that were found in
 24 this case, they were photographed and documented to the
 25 best of our abilities. Sometimes numbers can be rubbed off

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1 or hard to find, so we try to identify them and then they
2 are, as soon as possible, put into either a Faraday bag or
3 wrapped in tin foil.

4 Q. What was that first word you used?

5 A. A Faraday bag.

6 Q. What is a Faraday bag?

7 A. A Faraday bag, ideally that is the incoming
8 and outgoing signals from the phone.

9 Q. Okay. And why would you do that?

10 A. You would do that so that the phone wouldn't
11 be erased because you would be collecting the phones
12 anticipating writing an additional search warrant for their
13 contents.

14 Q. And so tin foil works for that as well?

15 A. It -- it can in my experience.

16 Q. And so was that done in -- were there any --
17 well, you said there were cell phones found in the brown --
18 or, excuse me, in the -- now I'm confusing them -- in the
19 Travel Supreme trailer.

20 How many cell phones were found in that
21 trailer?

22 A. May I refer to my report?

23 Q. Please.

24 A. Three phones.

25 Q. And were those put in these -- what did you

1 call them again?

2 A. Faraday bags.

3 Q. Faraday bags?

4 A. Those would have been wrapped in tin foil.

5 Typically, the -- we'd wrap -- tin foil had been more
6 consistent in keeping out the signals when they have to be
7 plugged in.

8 Q. When they what?

9 A. They have to be plugged in so that they don't
10 die.

11 Q. Okay. And so that was done in this case?

12 A. I'm sorry?

13 Q. Correct? That was done in this case with
14 those three?

15 A. I believe so.

16 Q. And then what do you do with them at that
17 point?

18 A. It's up to the case agent whether he wants
19 to -- or he or she wants to do a search warrant on them.
20 And then if they are not going to do a search warrant at
21 the time, then they would be, you know, powered down and
22 put into evidence.

23 Q. Okay. And do you know whether or not those
24 three phones were searched?

25 A. I do not know. I did not search them.

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1 Q. Okay. So you just collected them, that
2 particular evidence, and gave it to the case agent at that
3 point?

4 A. At that point, well, I took it back to the
5 office and processed it and then awaited instructions on
6 what he wanted done with the digital evidence.

7 Q. All right. Were there any other electronics
8 that were found in that particular trailer?

9 A. The digital scales.

10 Q. Okay. Anything else?

11 A. I would have to look through my report to see
12 if there was.

13 Q. If it would help, certainly --

14 A. Yes.

15 Q. -- if you don't recall.

16 A. I do not believe so.

17 Q. Now, you noticed that -- you said that the
18 digital scales were used for weighing out the
19 methamphetamine?

20 A. I said that -- that they typically indicate
21 that they can be used for that, yes.

22 Q. Okay. And what would -- did you find anything
23 in this particular trailer, again the Travel Supreme
24 trailer that Eduardo -- Eduardo was living in, did you find
25 baggies?

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1 A. I do not recall finding baggies.

2 Q. Is that something that you would look for? Is
3 that some type of indicia of -- of potentially selling
4 narcotics?

5 A. Yes, it can be.

6 Q. And so if you would have found, like, baggies,
7 is that something you would have documented?

8 A. Yeah, if we had found baggies, yeah.

9 Q. Was there in the -- obviously, you said you
10 found cash, you found methamphetamine, the scales.

11 Was there any other indicia found in this
12 particular trailer of somebody potentially selling
13 methamphetamine?

14 A. I'm sorry, say that one more time.

15 Q. Sorry?

16 A. I am just having a hard time hearing.

17 Q. Oh, I apologize. I'm normally loud enough. I
18 will try to bring this closer to me.

19 Ultimately, you found -- you found the cash,
20 correct?

21 A. Yes.

22 Q. You found meth -- presumptive methamphetamine?

23 A. Yes.

24 Q. You found the digital scales?

25 A. Yes.

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1 Q. And did you find anything else that would be
2 any type of indicia in this particular trailer, in the
3 trailer that Eduardo was residing in, indicia of somebody
4 potentially selling methamphetamine?

5 A. The money transfers are often indicative of
6 sales.

7 Q. And why would the money transfers be
8 indicative of that?

9 A. Because a lot of times when there is larger
10 quantities being sold, money is being sent down to
11 suppliers and stuff like that.

12 Q. And so the money transfers that you found in
13 the Travel Supreme trailer that was Eduardo's, those were
14 money transfers through what type of -- I mean, was it like
15 Western Union? Was it -- what type of transfer was it?

16 A. There were a couple different ones. I know
17 there was at least one MoneyGram one. But I would have to
18 look at the photos to see exactly what they were.

19 Q. And so do you include like money transfers,
20 like receipts of like my -- my word of what they are
21 called, not cashier's -- oh, not cashier's check but the --
22 why can't I think of the word? Where you go and you buy
23 a -- anyway, let's say a type of cashier's check.

24 A. Okay.

25 Q. Is that something that -- that type of thing

1 \$13.99 or something like that.

2 Is that normally the -- the way
3 methamphetamine or -- or any other kind of drugs are sold?

4 A. I couldn't speak to those amounts without
5 seeing the -- the full document. It's just kind of cut off
6 in that photo. But, you know, it can be sold any monetary
7 manner.

8 Q. All right. And so the document that you found
9 in that trailer, in the photo that was shown to you, was
10 that not the entirety of the document?

11 A. The primary focus of that photo was the one
12 that had the numbers, halves and the ones and all that.
13 Anything else would have been photo'd as well separately
14 as an entity by itself, sort of like a -- partial photos.

15 Q. All right.

16 MS. DUNN: And may I approach, Your Honor?

17 THE COURT: Yes.

18 Q. That has been marked and admitted as Exhibit
19 Number 26.

20 Do you recall that photo?

21 A. I do.

22 Q. So when the State was talking about the
23 \$24.99, that -- the photo that we're looking at has -- it's
24 photographed two sheets of paper, correct?

25 A. Correct. This -- this piece of paper is

1 where somebody goes and purchases, is certified funds to
2 send somewhere else?

3 A. Yeah, any documentation that would indicate or
4 show that, we would take note of as evidence, potentially
5 evidence of trafficking of illicit controlled substances.

6 Q. Could have just had family down in Mexico,
7 correct?

8 A. Correct. But typically, when it's in
9 conjunction with finding large quantities of
10 methamphetamine, it -- it's a little bit more indicative of
11 potentially sales.

12 Q. Now, the brown trailer, you were informed that
13 the brown trailer was being lived in by whom?

14 A. Hector.

15 Q. And who told you that?

16 A. Detective Taylor.

17 Q. All right. And in that particular trailer,
18 you found -- you were talking about this pay/owe sheets?

19 A. Yes.

20 Q. It is commonly referred to just pay and owe
21 sheets?

22 A. Yeah, pay and owe sheets.

23 Q. And on the pay and owe sheets that you stated
24 that you found in -- in the trailer, the brown trailer that
25 Hector was residing in, there were amounts that were like

1 captured in the photo as -- as well, but the intended
2 photograph is this one right here.

3 Q. All right. So when the State was asking you
4 about the numbers on the right-hand side where they were
5 24.99, you weren't talking about that particular document
6 as being part of a pay and owe sheet?

7 A. I don't know without actually looking at that
8 document.

9 Q. Okay. But the main piece of paper that is
10 photographed in that -- that you could see in its entirety,
11 that's what you were referring to as a pay and owe sheet?

12 A. Yes.

13 Q. All right. Thank you.

14 And so let me get back to my microphone here.

15 THE COURT: All right. And why don't we take a
16 morning recess. We have been at it for quite a bit now.

17 Ladies and gentlemen, please do not converse
18 amongst yourselves or with anyone else on any subject
19 connected with the trial. Do not read, watch or listen to
20 any report or commentary on the trial or any person
21 connected with the trial by any medium of information,
22 including, without limitation, newspapers, television,
23 radio or the Internet.

24 And do not form or express any opinion on any
25 subject connected with the trial until the cause is finally

1 submitted to you.
2 You may not use any electronic device or media,
3 such as the telephone, a cell phone, smartphone, iPhone,
4 Galaxy, or computer, the internet, any internet service,
5 any text or instant messaging service, any internet chat
6 room, blog, or website such as Facebook, Instagram,
7 LinkedIn, YouTube or Twitter, to communicate to anyone any
8 information about this case until I accept your verdict.

9 In other words, you cannot talk to anyone on the
10 phone, correspond with anyone, or electronically
11 communicate with anyone about this case.

12 Jurors shall not conduct any form of independent
13 research, investigations, or experiments prior to or during
14 jury deliberations.

15 This prohibition includes, but is not limited to,
16 communicating with anyone in any way regarding the case or
17 its merits, by phone, e-mail, texting, the internet, or
18 other means; reading, watching or listening to any news or
19 media accounts or commentary about the case; doing any
20 research such as consulting dictionaries, using the
21 internet, or using reference materials; and making any
22 investigation, testing a theory of the case, re-creating
23 any aspect of the case, or in any other way investigating
24 or learning about the case on one's own.

25 So we'll go into recess. Again, please leave

1 also helps the court reporter, I would think.

2 All right. It looks like mask is down for Mr.
3 Miller.

4 Please proceed. We are on cross-examination, I
5 believe, still with Ms. Dunn.

6 MS. DUNN: Thank you, Your Honor.

7 Q. (By Ms. Dunn) Detective Miller, before the
8 break we were talking about the pay/owe sheets, pay and owe
9 sheets.

10 A. Yes.

11 Q. Now, on the -- on this particular exhibit,
12 which is Exhibit 26 that has been admitted into evidence,
13 there is a -- excuse me, a pay and owe sheet.

14 You had made some remark on direct testimony
15 about this particular pay and owe sheet, that somehow you
16 believed connected it to an amount that was purchased at --
17 at one of the -- the buys?

18 A. It was consistent with the amounts that were
19 being purchased during the buys, and indicated that this is
20 potentially a very common practice.

21 Q. And so the buys in this case went from -- what
22 is your understanding?

23 A. In terms of amounts?

24 Q. The amounts, yes.

25 A. Ounces, 25 grams.

26

1 your pads on the chairs there.

2 Thank you again for your attention.

3 (Recess taken at 10:17 a.m.)

4 (Proceedings resumed at 10:49 a.m.)

5 THE COURT: All right. We are on the record
6 again for case CR-PP-19-2456 and 2465.

7 Again, State versus Ramirez-De La Torre and Jorge
8 Landeros Ruiz.

9 We do have the defendants in court with their
10 respective attorneys and the previously sworn interpreters.

11 We also have deputy district attorneys Mills and
12 Narainca to represent the State.

13 Will counsel stipulate to the full presence of
14 the jury and the alternates?

15 MR. NARAINCA: Yes, Your Honor.

16 MR. WOODBURY: So stipulated.

17 VS. DUNN: So stipulate.

18 THE COURT: It looks like we're all present and
19 accounted for. We are continuing on with Mr. Miller's
20 testimony.

21 I remind him he is under oath. There he is.

22 And, yeah, off the record we talked also about
23 keeping our voices at constant level, if that is at all
24 possible, which I think it is. Try to keep our voices up
25 at a constant level. That assists the interpreters and

1 Q. And these numbers on this particular pay and
2 one sheet that -- that you found, they had names on them,
3 correct?

4 A. Correct.

5 Q. And then they had numbers?

6 A. Correct.

7 Q. And did you recognize any of the names?

8 A. I did not.

9 Q. And so the numbers, you took this -- the
10 halves, 1-2 at -- you would take that as like a half-ounce?

11 A. Yes.

12 Q. And then there were 1s, and I'm assuming that
13 is what you took as an ounce?

14 A. Yes.

15 Q. Was this the only pay and owe sheet that you
16 found in the either of the trailers?

17 A. I do not believe I found one in the Travel
18 Supreme trailer. And I'm not sure if there is a photo of
19 the secondary page there. But as far as my recollection,
20 that is the main pay and owe sheet, yes.

21 Q. Okay. And this one was the one found in the
22 brown trailer?

23 A. Correct.

24 Q. Where Hector was living?

25 A. Correct.

26

1 Q. In your experience with your investigations of
2 drug sales, is it common for a -- a dealer, as it were, one
3 selling the drugs, to carry these pay -- pay/owe sheets?
4 A. Yes.
5 Q. Now, you found amounts of presumptive
6 methamphetamine in the brown trailer as well, correct?
7 A. Correct.
8 Q. But not nearly as much as you found in the --
9 the Travel Supreme, which was Eduardo's trailer, correct?
10 A. That is correct.
11 Q. The pink methamphetamine -- presumptive
12 methamphetamine that you found in the -- in Hector's
13 trailer, is that unusual to find pink methamphetamine?
14 A. I have never found pink methamphetamine
15 before, but I have attended training classes where they
16 have found various-colored methamphetamine, yes.
17 Q. Have you ever found any different color
18 besides the white?
19 A. I have.
20 Q. What other colors have you found in your
21 experience?
22 A. Sometimes it's more like a purity thing. It's
23 kind of a yellowish color, and then I have found
24 blue-colored methamphetamine.
25 Q. If you find a different color, not just a

1 purity thing but like a -- a blue or a pink, would that
2 somehow indicate like a particular area that it may have
3 come from or a particular place that it is being made?
4 A. It could. It could represent a lot of
5 different things. It could be branding for that dealer.
6 It could be where it came from. They could just have a
7 proclivity for the color blue or pink. So it could
8 represent a lot of different things.
9 Q. Now, you also found indicia of using
10 methamphetamine in Hector's trailer; is that correct?
11 A. Correct.
12 Q. Did you find any other indicia of sales in
13 Hector's trailer?
14 A. Do you -- how -- how do you mean?
15 Q. Well, you found presumptive methamphetamine,
16 correct?
17 A. Correct.
18 Q. You found a pay/owe sheet, correct?
19 A. Correct.
20 Q. Did you find any scales in Hector's trailer?
21 A. I did not.
22 Q. Any, you know, baggies?
23 A. Not that I can recall, no.
24 Q. And these were just -- these were the only two
25 places on the property that you searched, correct?

1 A. Correct.
2 MS. DUNK: I have no further questions at this
3 time.
4 THE COURT: And cross-examination, Mr. Woodbury?
5 MR. WOODBURY: Thank you, Your Honor.
6 CROSS-EXAMINATION
7 BY MR. WOODBURY:
8 Q. Maybe you could explain to the jury, Detective
9 Miller, what -- what -- what's the process that one has to
10 go through if one receives a large amount -- a seller
11 receives a large amount of a narcotic and wants to sell it?
12 What is the process -- in smaller amounts. What is the
13 process that has to be gone through?
14 A. Well, typically what they are going to do is
15 they are going to usually weigh it to see how much they
16 have, and then they either -- either cut it with a
17 different substance to make a higher yield or they break it
18 down into smaller amounts based off of what they are going
19 to be dealing.
20 Q. And in order to get that in smaller amounts or
21 the appropriate smaller amounts, that's why the scales are
22 necessary, I assume?
23 A. Correct.
24 Q. Okay. And in order to cut them, what do you
25 have to have?

1 A. It depends on what the illicit controlled
2 substance is.
3 Q. Well, assume methamphetamine.
4 A. In terms of methamphetamine, usually it's just
5 broken down into weight you would sell.
6 Q. And how were they packaged? How was -- how
7 are the smaller amounts packaged?
8 A. Depending on the amount, if you are selling
9 larger quantities like ounces and half-ounces, you would
10 have larger plastic baggies usually. Smaller personal use
11 methamphetamine, you would have tiny, smaller bags or tin
12 foil.
13 There is -- there is a lot of various ways
14 with smaller stuff. Not usually larger quantities are in
15 clear bags so that the people who are buying it can see
16 what they are getting.
17 Q. And did you find any tin foil in either the
18 Travel Supreme trailer or in Mr. Ruiz's trailer?
19 A. I don't believe so.
20 Q. And did you find any plastic bags in either
21 one of them?
22 A. I don't believe so.
23 Q. All right. And was there a search in --
24 with -- with some care that took place outside of the
25 chicken coop area or something like that for some kind of

1 baggies?
 2 A. The -- there was searching throughout the rest
 3 of the property, yes.
 4 Q. And did -- did anybody run into tin foil or
 5 plastic bags out there?
 6 A. I couldn't speak to what they found.
 7 Q. You -- you would have probably heard about it
 8 since -- if it had been found, right?
 9 A. Potentially, but not necessarily. I was very
 10 busy trying to make sure I booked everything appropriately.
 11 Q. Okay. And the quantities of the half-ounce or
 12 a -- a full ounce are -- would typically be put in a
 13 plastic bag of some sort?
 14 A. In general, they -- they would usually be, but
 15 not always.
 16 Q. Well, what -- what else would there be?
 17 A. They could be packaged really in anything that
 18 can hold up to a half-ounce or an ounce.
 19 Q. A folded-up paper or something like that,
 20 right?
 21 A. You -- you could potentially, yes.
 22 Q. And then so you need some kind of tape to hold
 23 it together. Did you find any of that around?
 24 A. I didn't look for tape, sir.
 25 Q. I'm sorry?

1 going to --
 2 A. Typically, yes, sir.
 3 THE COURT REPORTER: Gary, I couldn't hear the
 4 last of that question.
 5 INTERPRETER DAVIS: I could not hear
 6 Mr. Woodbury.
 7 THE COURT: All right. Why don't we read back
 8 his question.
 9 THE COURT REPORTER: I asked him to repeat it too.
 10 What I got was, "Okay. And by amenable, not being amenable,
 11 you mean they then tell you to shove off. They are not
 12 going to --"
 13 And then I couldn't hear the rest.
 14 MR. WOODBURY: Must have went to sleep.
 15 Q. And what I intended to ask you was, when you
 16 said they are not amenable to it, they just tell you to
 17 shove off, they are not going to do it?
 18 A. That is typically correct.
 19 Q. Okay. And I gather that your role in the
 20 execution of the search warrant was essentially just to
 21 find and locate what might be of -- might be evidence. It
 22 was not to think about the overall picture of what had been
 23 happening?
 24 A. Correct. My role was to collect the evidence,
 25 anything that may have been of evidentiary value to the

1 A. I wasn't looking for tape, sir.
 2 Q. Well, I don't care whether you were looking
 3 for it or not. Did you find it?
 4 A. Not that I know of.
 5 Q. Well, it must have come into your mind that
 6 there is that much methamphetamine in that Travel Supreme
 7 trailer, that something is wrong. If they are selling it,
 8 if Eduardo is selling it, there is something wrong because
 9 there is nothing that -- other than the scale, there is not
 10 anything to put it in or any way to wrap it up or anything
 11 like that?
 12 A. There was already pre-packaged ounce bundles,
 13 so they could have then just been waiting for those to sell
 14 first.
 15 Q. They were pre-packaged at an ounce apiece?
 16 A. About an ounce, yes, sir.
 17 Q. And as I understand it, you can't talk Washoe
 18 County into taking fingerprints off of bags?
 19 A. I have never seen them be amenable to that,
 20 sir.
 21 Q. I'm sorry?
 22 A. I have never seen them be amenable to that,
 23 sir.
 24 Q. Okay. And by amenable, not being amenable,
 25 you mean they then tell you to shove off. They are not

1 case agent so that they can continue furthering the
 2 investigation if they needed to.
 3 Q. And by -- by furthering their investigation,
 4 at least part of that typically comes down to being --
 5 figure out who did what and why?
 6 A. Typically, yes, sir.
 7 Q. So the pay and one sheet contains information
 8 about how much a person has paid for the methamphetamine
 9 and how much he or she continues to owe for it, right?
 10 A. It can contain both or one or the other. It
 11 depends on the sheet.
 12 Q. Well, it can't be on one sheet if nothing is
 13 written there about what's owed, can it?
 14 A. It could be. You could have -- for instance,
 15 I could write down that so-and-so has -- has received three
 16 ounces, and I know exactly how much I am selling those
 17 ounces for, and so in my mind, I can keep track of that --
 18 Q. Because keeping --
 19 A. -- track of quantities that they may have
 20 received.
 21 Q. You can keep track of the quantity they
 22 received, but how much did they pay you and how much did
 23 they owe you?
 24 A. Depends on the sheet, sir.
 25 Q. But if it's not on the sheet, it ain't a

1 pay-and-owe sheet, it's a this-is-what-I-sold-him sheet?
 2 A. Potentially.
 3 Q. Yeah. Well, I notice that "pay and owe"
 4 became a very common phrase used, but the document in
 5 State's Exhibit 26 doesn't have anything to do with
 6 anything owed, does it?
 7 A. I couldn't say for certain, sir.
 8 Q. 24.99 is a meaningless number in the meth
 9 world, is it not?
 10 A. It's a fairly low amount, sir, fairly
 11 specific.
 12 Q. Well, they are not charging in pennies, right?
 13 A. I have never seen that.
 14 Q. No. And 17.93 has the same problem, right?
 15 A. Typically, yes, sir.
 16 Q. Yeah. If it's written beside -- it says
 17 \$17.99, then dash "owes," that kind of suggests maybe
 18 somebody was calculating how much to pay -- they were going
 19 to have to pay for a hose or something, right?
 20 A. Potentially, yes, sir.
 21 Q. Yeah, well, that -- and the same thing for the
 22 32.99. The -- the point is that those numbers on that
 23 separate sheet of paper appear to be nonsensical in terms
 24 of being a part of a pay and owe sheet.
 25 A. Yeah, again, I don't know what is on that

1 Q. Okay. If it says, "Jose," dash, "one-half,"
 2 that pretty clear, right?
 3 A. Pretty clear, yes, sir.
 4 Q. And then if it says, "Jose's girl," dash,
 5 "one-half," that can mean something?
 6 A. It could mean that that is the girlfriend or
 7 sister or whoever it is of Jose.
 8 Q. And as you previously testified, you didn't
 9 have a clue who that would be?
 10 A. No, sir.
 11 Q. Okay. Then it says, "Melissa," dash,
 12 "one-half plus 1 plus 1 equals 2-and-a-half."
 13 And who is Melissa?
 14 A. I'm not sure, sir.
 15 Q. Is there -- where were this -- where were
 16 these documents located again?
 17 A. They were in the brown travel trailer, sir.
 18 Q. Yes, I got that part. Where at in it?
 19 A. In the cabinet area.
 20 Q. In a cabinet by the --
 21 A. By the -- where the pink methamphetamine --
 22 there was a lot of stuff up there.
 23 Q. And is the handwriting on this in pencil or
 24 pen, or do you know?
 25 A. I couldn't tell you without looking at it,

1 entirety of the sheet. The photo is more to reflect the
 2 other sheet, sir.
 3 Q. And then my assumption is that if you found
 4 this, quote, pay and owe sheet in Mr. Ramirez's trailer,
 5 you looked at the handwriting and compared it, or somebody
 6 did, compared it to Mr. Ramirez's?
 7 A. I am not a handwriting expert, so no, sir.
 8 Q. Well, I know you are not one, but -- I didn't
 9 know that, but I suspected that to be -- there are
 10 handwriting experts all over the place, aren't they?
 11 A. I imagine there are.
 12 Q. And you can actually get on the internet and
 13 have it done there, right?
 14 A. I'm not sure.
 15 Q. Well, one way to look at this, if it says,
 16 like on the top line, W-e-r-o, is that a name or what?
 17 A. It could a nickname.
 18 Q. A nickname. Wero?
 19 A. Yes, sir.
 20 Q. And have you heard Wero as a nickname before?
 21 A. I have not, no.
 22 Q. Okay. And it says, dash, "one-half," and
 23 there is a line under the "one-half." What does that mean?
 24 A. I would have to look at the sheet more in
 25 depth, sir.

1 sir.
 2 Q. And did there appear to be a writing
 3 instrument next to the sheet?
 4 A. I don't -- I do not recall.
 5 Q. And this could as easily be a direction to a
 6 person who was going to deliver the methamphetamine to
 7 Wero, Jose, Jose's girl, or Melissa, as -- as anything
 8 else. It could be a direction, that's what they have
 9 ordered and that's what you wanted to do, right?
 10 A. It could be.
 11 Q. Yeah. Okay. The pink methamphetamine. That
 12 was already packaged, right?
 13 A. It was in a giant plastic bag.
 14 Q. Okay. And it was in an odd amount that wasn't
 15 anywhere precisely an ounce, a half-ounce, or gram or
 16 anything like that, right?
 17 A. Correct.
 18 Q. All right. So it -- and, again, there --
 19 there are no fingerprints or anything on it.
 20 A. Not that I know, sir.
 21 Q. And I take it that when you got -- you found
 22 the pink methamphetamine, you didn't go on the internet to
 23 see where it's -- every -- everything there is to know
 24 about pink methamphetamine?
 25 A. I did not, no.

1 Q. And you didn't realize that from -- on the
2 internet there was an indicator of precisely why it was
3 pink and where it was manufactured if it was pink?

4 A. I -- I don't have knowledge of that.

5 Q. All right. Was there a reason you would
6 neglect to do that or that, from your point of view,
7 Mr. Gaylor would have had a reason to neglect to do that?

8 A. Well, I would not have done that because I am
9 not the case agent, so I am just processing the evidence
10 and testing it.

11 And as far as Detective Gaylor, I can't speculate
12 to why he would have or wouldn't have done that.

13 Q. Well, he kind of went through it with
14 Detective Gaylor yesterday. I don't want to go through it
15 entirely again.

16 But this is a significant amount of
17 methamphetamine that is involved in this case, right?

18 A. Correct.

19 Q. All right. And it would have suggested to you
20 that that methamphetamine was being supplied to some
21 pretty -- by some pretty high-powered people in
22 methamphetamine world, right?

23 A. It could have.

24 Q. Excuse me?

25 A. It could have, yes.

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1 A. I don't want -- since I am no longer in law
2 enforcement, I don't want to comment on any potentially
3 ongoing investigations. However, information was passed on
4 to different authorities.

5 Q. And as a practical matter, if you got
6 information back that would have been -- well, never mind.

7 THE COURT: All right. Everything still going
8 okay, Ms. Mendoza?

9 INTERPRETER MENDOZA: Yes, Your Honor.

10 THE COURT: All right. Ms. Davis?

11 INTERPRETER DAVIS: Yes, Your Honor.

12 THE COURT: Okay. Good.

13 Well, seems like everybody is keeping their voice
14 up and not trailing off. That's good.

15 Mr. Woodbury, sorry to interrupt.

16 Please proceed.

17 MR. WOODBURY: Thank you, Your Honor.

18 Q. (By Mr. Woodbury) You, I think, testified
19 that originally during the execution of the search warrant,
20 you were with an FBI agent?

21 A. Yes, sir.

22 Q. What did you understand he to be present with
23 you for?

24 A. I'm sorry, say that one more time.

25 Q. What was the reason he was with you?

42

1 Q. Well, it almost certainly does because there
2 is so much of it; isn't that correct?

3 A. In terms of where it came from or in terms of
4 the color?

5 Q. In terms of where it came from.

6 A. In terms of the entirety from all over the
7 property, it could have definitely come from somebody
8 powerful.

9 Q. Could have what?

10 A. It could definitely -- it definitely came from
11 somebody powerful. I don't know where, though.

12 Q. Yeah. And I -- my assumption is that not
13 would want to know where that was, who was the likely
14 source of the bigger amounts.

15 A. In the -- outside of the state of Nevada, we
16 don't have jurisdiction, sir.

17 Q. I know you don't have jurisdiction, but you do
18 have a command of the English language and you can talk to
19 each other, can't you?

20 A. Yes, sir.

21 Q. Did you?

22 A. Talk to each other within the unit?

23 Q. No. People in southern Nevada or -- to try to
24 figure out how and why -- or where this stuff is coming
25 from?

43

1 A. We were short on additional personnel for the
2 service of the search warrant, and he was available so he
3 was put in the unit with me.

4 Q. Did you find anything to do with the chickens
5 in the brown travel trailer?

6 A. I don't believe so.

7 Q. And if I understand correctly, there is great
8 concern for parts of the chickens having been cut off to
9 facilitate their ability to fight?

10 A. Yes, sir.

11 Q. And you didn't find either an instrument to
12 cut those things off or any remnants of them?

13 A. There were knives inside all of the trailers.
14 However, I didn't see anything that would specifically
15 relate to that, yes, sir.

16 Q. But you did find some paraphernalia of that
17 sort in the Travel Supreme trailer?

18 A. In terms of like removal stuff or fighting
19 stuff?

20 Q. Fighting stuff.

21 A. Yes, sir.

22 Q. If I understand correctly, not up here began
23 looking at Mr. Ramirez in -- in two thousand -- or 2018,
24 fall of 2018?

25 A. I believe so.

44

1 Q. Were you involved in that?
 2 A. In terms of the investigation?
 3 Q. Yeah.
 4 A. Very little, sir.
 5 Q. Okay. You talked about a couple of documents
 6 that you found in the Travel Supreme trailer of Mr. Ruiz
 7 with Mr. Ramirez's name on them?
 8 A. Yes, sir.
 9 Q. And how were they relevant to this case?
 10 A. They were contained in an outside compartment
 11 of the Travel Supreme trailer, and they had his names and
 12 he lived on the property.
 13 Q. The date on apparently the transfer of \$250
 14 was June 3, 2018. How is that relevant to --
 15 A. Again, it's a -- anytime we are doing an
 16 investigation like this, we are looking for paperwork,
 17 indicia, transfer documents. And that happened to be a
 18 transfer document, and so...
 19 Q. Well, June 3, 2018 was a long time before
 20 Hector Ramirez even came to your attention, right?
 21 A. It doesn't mean that he wasn't selling before
 22 that, sir.
 23 Q. It doesn't mean that he was either.
 24 A. Possibly.
 25 Q. So obviously, you looked at the beneficiary,

1 A. It could have been. It might have been; I'm
 2 not sure.
 3 Q. And then the other one was for \$350, and it
 4 was in October of 2018, right?
 5 A. Yes, sir.
 6 Q. Well before anything that happened in this
 7 case?
 8 A. Yes, sir.
 9 Q. And it went to a different person, however to
 10 the same place in Mexico?
 11 A. I'm not sure. I would have to look, sir.
 12 Q. Were you familiar before this case with
 13 Colima, Mexico?
 14 A. No, sir.
 15 Q. In any event, you can offer no evidence of why
 16 either one of these transfers is of relevance in this case?
 17 A. The reason that they are relevant is because
 18 they are money transfers, and that information would want
 19 to be passed on to the case investigator.
 20 Q. But it doesn't suggest that Hector Ramirez is
 21 guilty of trafficking or guilty of killing chickens or
 22 abusing chickens, does it?
 23 A. It goes along with potential indicators of
 24 sales and trafficking where overseas transfers are often
 25 commonly located and found.

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1 Erick Emmanuel Gonzalez Aguilar?
 2 A. I myself did not, sir.
 3 Q. Who -- who would have done that looking?
 4 A. Perhaps additional -- other -- other
 5 authorities that had purview outside of the United
 6 States -- or sorry, outside of Nevada.
 7 Q. It is very customary, is it not, in your
 8 knowledge, that money is sent by people who live in the
 9 United States that have relatives in Mexico to send money
 10 to?
 11 A. Yes, sir. And that money is also sent in drug
 12 trafficking organizations.
 13 Q. I'm sorry?
 14 A. That money is also sometimes sent during drug
 15 trafficking.
 16 Q. \$250 in trafficking?
 17 A. Could be.
 18 Q. So you could have figured that out if you all
 19 would have looked and seen who the person that received the
 20 money was, whether it was a relationship of -- relation of
 21 Mr. Ramirez or a drug trafficker?
 22 A. Again, that was not my portion of the
 23 investigation.
 24 Q. Except that you know that could have been
 25 done?

50

1 Q. Now, this gun that you found in the brown
 2 travel trailer, that was located where?
 3 A. It was located on the sofa, sir.
 4 Q. And there was a lot of other stuff on the
 5 sofa?
 6 A. Correct.
 7 Q. And the gun was empty?
 8 A. I don't recall, sir.
 9 Q. Well, when you testified on direct
 10 examination, you said the rifle that was found up there in
 11 Travel Supreme trailer, you made it safe?
 12 A. Correct.
 13 Q. What did you do by making it safe?
 14 A. By making it safe, I would remove any magazine
 15 or anything like that. So with the revolver, I would open
 16 the chamber, make sure that it was empty so that nobody
 17 could get injured by it.
 18 Q. And then you also took a photograph of making
 19 the rifle safe?
 20 A. Of the -- when I pulled the rifle out, yes, it
 21 was there, just to make it safe.
 22 Q. So can we depend on the proposition that if
 23 there isn't any photograph of making this pistol safe, it
 24 was empty?
 25 A. It was most likely empty, sir.

52

1 Q. And the fact is you didn't find a bullet for
2 it anywhere in that travel trailer, right?
3 A. I don't believe so.
4 Q. And as a matter of fact, you haven't got a
5 clue in the world whether it's even operable?
6 A. That is correct, sir.
7 Q. Did you say you found some cocaine?
8 A. I did not find it, sir.
9 Q. Did you understand there to be cocaine found
10 somewhere?
11 A. There was cocaine found somewhere on the
12 property.
13 Q. But you don't know where?
14 A. I'd have to look at the evidence report.
15 Q. But you weren't there for it?
16 A. I don't believe so.
17 MR. WOODBURN: I have nothing further.
18 THE COURT: Redirect.
19 MR. BARAINCA:
20 REDIRECT EXAMINATION
21 BY MR. BARAINCA:
22 Q. Sir, at the time of the investigation of
23 March 19, was the narcotic -- or was the eastern -- or the
24 Elko Narcotics -- Elko Combined Narcotics Unit, excuse me,
25 were -- was that -- were you guys in possession of a

1 sheet again?
2 A. I believe it was in the cabinet with the
3 methamphetamine.
4 Q. How far away from the meth?
5 A. It could have been inches. It was a small
6 cabinet.
7 Q. That was in Hector's trailer; is that correct?
8 A. Yes, sir.
9 Q. Now, this is going to sound like a stupid
10 question, but is that gun that you found on the -- found in
11 Hector's trailer considered a firearm?
12 A. I'm sorry, say that one more time?
13 Q. Is the gun that -- is Exhibit 145, the gun you
14 found, is it a firearm?
15 A. Yes, sir.
16 Q. I am going to hand it to you at this time.
17 Why do you say that, sir?
18 A. It's a firearm because it looks to me to have
19 all the components for firing. However, it also has a
20 serial number, make, model. It has a -- the weight and
21 feel of a firearm.
22 Q. Have you fired revolvers yourself, sir?
23 A. I have.
24 Q. And is that consistent with what you know?
25 A. Yes.

1 Faraday box or a Faraday bag?
2 A. We had Faraday bags, small ones, but not a
3 Faraday box.
4 Q. And why not?
5 A. Faraday boxes are very expensive, and we're a
6 small unit.
7 Q. And so do you know whether or not the cell
8 phones were tested or sent off or anything like that?
9 A. I believe Sergeant Smith handled the search
10 warrants and the -- sorry, search warrants and the -- that
11 end of the case, sir.
12 Q. To the best of your knowledge, did anything
13 come back on that?
14 A. I do not believe so.
15 Q. Now, do -- does the color of the meth give any
16 indication of -- at all where it comes from just by looking
17 at it?
18 A. I have never known it to, sir.
19 Q. Is it fair to say that it could come from a
20 variety of places?
21 A. It could.
22 Q. It could also just be a poor attempt at a TV
23 reference?
24 A. It could be.
25 Q. Now, where did you say you found a pay/cue

1 MR. BARAINCA: State would pass the witness, Your
2 Honor.
3 THE COURT: Recross, Ms. Dunn.
4 MS. DUNN: Thank you, Your Honor.
5 RECROSS-EXAMINATION
6 BY MS. DUNN:
7 Q. Detective, just so we're a little bit clearer,
8 if that's possible, but these -- and I'm going to say it
9 wrong, Faraday?
10 A. Faraday, yes.
11 Q. Faraday.
12 The purpose of these bags or boxes is to try
13 to -- as I think you said -- stop somebody from being able
14 to like erase their phone?
15 A. Potentially, yes.
16 Q. Is that --
17 A. For being corrupted from some sort of outside
18 signal.
19 Q. Okay. And so you attempted to do that, to
20 enable time to be able to get a search warrant and
21 potentially search the phones?
22 A. Yes, ma'am.
23 Q. Just in the two trailers that you searched,
24 how many cell phones did you find?
25 A. I believe it was just the three phones from

1 the Travel Supreme.
2 Q. All right. Were there any cell phones found
3 in the brown trailer?
4 A. I would have to refer to my report, but I do
5 not believe so.
6 Q. Do you want to check -- double-check?
7 A. Yes, please.
8 No, it does not look like that.
9 Q. Now, you processed -- well, let me ask: Did
10 you process all of the evidence in this case?
11 A. I worked in conjunction with Sergeant Smith in
12 terms of processing the evidence. And Detective Gaylor did
13 have one piece of evidence that he was working on
14 processing -- or a couple pieces, I believe.
15 Q. Okay. So when you brought the evidence back
16 to the station, as it were, did you have all the evidence
17 or was it you and Detective Smith?
18 A. The evidence continued to come in throughout
19 the -- the service of the search warrant. So initially we
20 had the evidence that was seized just upon the initial
21 search, and so it was myself and Sergeant Smith who
22 initially brought that evidence there.
23 Q. All right. And so as it continued to come in,
24 did you continue to process it along with Sergeant Smith?
25 A. Yes, I would continue to process the evidence,

1 Q. whether or not there's like an app of some
2 kind that could do that?
3 A. Again, I am not -- I have never heard of that.
4 Q. How big does a digital scale need to be?
5 A. They can range in size. Some of them are
6 quite small, some are large. It depends on what they are
7 doing with it and their preference.
8 Q. Does every pay and owe sheet that you've seen
9 during your time with narcotics investigation look -- look
10 the same?
11 A. No.
12 Q. Do different sellers do different things with
13 their pay and owe sheets?
14 A. Typically.
15 MS. DUNN: I have no further questions.
16 THE COURT: Recross-examination, Mr. Woodbury.
17 MR. WOODBURY: I have no further questions.
18 THE COURT: No other questions, okay.
19 Any jury questions this time for Mr. Miller?
20 And he's being held subject to recall still, I
21 assume?
22 MR. BARAINCA: Yes, Your Honor.
23 THE COURT: So the rule of exclusion is invoked.
24 I know you know what that means. We covered it on the
25 record.

1 at least in terms of making sure it's organized in the
2 proper area in terms of where it was found in the residence
3 so it doesn't get mixed up, and then as well as starting
4 the -- the photographing process and all that.
5 Q. And so between the two of you, all of the
6 evidence that was seized in this case would have gone
7 through the two of you?
8 A. Yes, with the exception of the -- the --
9 the -- I believe it was methamphetamine from 1G -- I
10 believe it was 3G-1. That would have gone through both
11 myself and Detective Gaylor.
12 Q. All right. But still would have touched --
13 well, you would have seen it as well?
14 A. Correct.
15 Q. When Mr. Barainca asked you if anything came
16 back on the cell phones, are you talking about all the cell
17 phones?
18 A. I'm not sure what all was sent off.
19 Q. So you don't know necessarily what came back
20 on what cell phones, if anything?
21 A. Yeah, I had not heard.
22 Q. Okay. Have you heard of -- in your experience
23 with the narcotics investigations of people being able to
24 use their cell phones as scales?
25 A. I have not heard that.

1 So all right. Any jury questions?
2 Appears not.
3 And thank you for your testimony. We'll have you
4 wash up and step down.
5 Thank you, Mr. Miller.
6 Okay. What exhibit is that?
7 THE CLERK: 110.
8 THE COURT: 110. So the report, okay. That is
9 back with the court. 110 for identification is there. I
10 think we got all the other exhibits.
11 Do you have a short witness?
12 MR. MILLS: The next witness is going to be
13 rather lengthy.
14 THE COURT: Who is the next witness?
15 MR. MILLS: Scott Smith.
16 THE COURT: Scott Smith.
17 Okay. Well, and then how many more witnesses do
18 you think you are going to call in your case? Do you think
19 we can wrap it up this week?
20 MR. MILLS: So Scott Smith. The next witness
21 after him, it will be Brad Taylor from the crime lab, who
22 is set to testify sometime tomorrow morning.
23 THE COURT: Okay.
24 MR. MILLS: Then there will be three witnesses
25 testifying about the chickens and two veterinarians and an

FILED

1 Case Nos. CR-FP-19-2456 and CR-FP-19-2465 2021 SEP 28 PM 3:49
2 Dept. II

4th JUDICIAL DISTRICT COURT
CLERK DEPUTY *[Signature]*

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5
6 IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF
7 NEVADA, IN AND FOR THE COUNTY OF ELKO

8 00000

9 THE STATE OF NEVADA, :
10 Plaintiff, :
11 v. : JURY TRIAL
12 HECTOR HUGO RAMIREZ-DE LA TORRE : VOLUME 7
13 and JORGE LANDEROS RUIZ, :
14 Defendants. :

15 _____/
16
17 TRANSCRIPT OF PROCEEDINGS
18

19 BE IT REMEMBERED that the above-entitled matter
20 came on for hearing on January 21, 2021, at the hour of
21 8:39 a.m of said day, in Elko, Nevada, before the HONORABLE
22 ALVIN R. KACIN, District Judge.

23
24
25 Stenographically Reported by Lisa M. Manley, CCR No. 271

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P R O C E E D I N G S

THE COURT: All right. We're back on the record for case CR-FJ-2013-2455 and 2455. State versus Hector Hugo Ramirez-De La Torre and Jorge Larderos Ruiz.

The defendants are each back in court with their respective attorneys and the Court's previously sworn interpreters assisting them in the court today.

We have deputy district attorneys Mills and Baralca here to represent the State.

Will counsel stipulate to the full presence of the jury and the alternates?

MR. MILLS: Yes, Your Honor.

MR. WOODBURY: So stipulated.

MS. DUVN: Yes, Your Honor.

THE COURT: Thank you. And we are continuing on with the trial.

State's next witness, please.

MR. MILLS: Scott Smith.

THE COURT: All right.

Sergeant Smith, please take the witness stand.

And yep, you got the mask down. I remind you, you are under oath. You have already been sworn in for this trial.

So please proceed.

You are being recalled as a witness in the State's case.

Counsel, please proceed.

SCOTT SMITH

recalled as a witness in said case, having been previously sworn, testified as follows:

DIRECT EXAMINATION

BY MR. MILLS:

Q. Welcome back, Sergeant.

A. Thank you.

Q. Good morning. Today we are going to ask you some questions about the execution of the search warrant.

You previously testified the other day about some controlled buys that were conducted with Hector Ramirez, correct?

A. Yes.

Q. Based on that information, plus additional information you may have obtained, was a search warrant obtained for 5647 Kale Drive?

A. Yes, it was.

Q. Was that search warrant executed on March 19 --

A. Yes, it was.

Q. -- 2019?

A. Yes.

Q. I want to direct your attention to that date. What was your particular involvement in the --

in the execution of the search warrant? Walk us through that morning.

A. The search warrant was initially executed by the SWAT teams arriving on the house. At that point, I was standing back a few blocks away with command staff and the police department, sheriff's office, basically all the non-SWAT personnel, until the scene was secured.

And then we approached the scene, let things calm down and developed our plan of how we were going to conduct the search of the premises.

Q. Okay. How far back from the premises were you stationed when the search warrant was -- when the SWAT team entered property and did their thing?

A. It was a few blocks away.

Q. Was it within sight of where you were?

A. No, because of hill and different houses, we couldn't actually see -- have line of sight to the house. We just knew where it was in relation to where we were.

Q. Who was with you?

A. I remember Police Chief Don Reed, my lieutenant from Winnemucca, I think our -- our personnel from Ely, other personnel from Winnemucca. I think Lieutenant Palhegyi from the PD was there. And I'm trying to remember if the sheriff was actually there at the time or not or -- Sergeant Fisher from the sheriff's office.

There was several people there.

Q. After the SWAT team cleared the property and you approached, how did you approach? Did you drive up there? Did you walk up?

A. We drove up.

Q. Where did you park?

A. Trying to remember the -- in the main kind of driveway area when you show up on -- I'm trying to remember the orientation of it, the house, if it was -- it would be southeast of the house.

Q. And what did you do after you parked?

A. We basically consolidated. We let the SWAT team finish their stuff and get out of the area. Basically just consolidated. We walked the area and kind of developed a plan of how we were going to go about conducting an organized search.

Q. And when you say "we," which law enforcement officers are you referring to specifically?

A. It would be me and Detective Gaylor, Detective Eisinger, Detective Miller, my lieutenant from Winnemucca, Jason Franklin.

INTERPRETER DAVES: Excuse me, Your Honor. This is the interpreter speaking. Is the microphone for the witness on?

THE WITNESS: There is no light on.

1 THE COURT: I think it may have been off. I
2 don't know.
3 THE WITNESS: Light is on now.
4 THE COURT: Please proceed.
5 A. I thought I was finished with that particular
6 question.
7 THE COURT: Okay. Next question then.
8 Q. (By Mr. Mills) So the way I understood your
9 response to that last question was that -- well, let me
10 follow up with this. Were those members of Elko Combined
11 Narcotics Unit that were going to actually search for items
12 of evidence?
13 A. Those were the ones that we were making plans
14 with. And then executing the search, we included the other
15 task forces from NOI, from Ely, and the Winnemucca task
16 force.
17 Q. Who was the case agent for this case?
18 A. Detective Gaylor.
19 Q. Did you assist in searching the property at
20 5567 Kale Drive?
21 A. Yes, I did.
22 Q. And what was your assignment specifically?
23 A. Well, we divided our forces basically into two
24 primary search teams with Detective Miller being the
25 evidence point of contact for his search team and then we

1 residence first then.
2 So what was the procedure for searching that
3 main residence as far as what your role was and Officers
4 Brewer and Cessford, what were their roles in the search?
5 A. All three of us conducted searching, but I was
6 photographer for the search. So I photographed the area
7 prior to the search, and then if something was discovered,
8 I would photograph it in place before it was collected.
9 Q. And who did you collect of any items of
10 evidence?
11 A. Each individual person may have brought it to
12 me, and then I logged it and packaged it for the main
13 residence.
14 I just don't recall that anybody else in the
15 house really found anything other than me.
16 MR. MILLS: Permission to approach, Your Honor.
17 THE COURT: Yes.
18 Q. Sergeant Smith, did you find anything of
19 evidentiary value in the -- I guess the living room area of
20 the residence?
21 A. Yes, I did.
22 Q. What was that?
23 A. It was a large trophy that was sitting in the
24 living room area. I believe the wording on it was "2018 4
25 Cock Champion."

1 being the evidence collector, it would be, on my search
2 team.
3 So my role with my team, we decided which
4 areas which team are going to search in which order.
5 My area started with the main residence, so I
6 went in and photographed the main residence to see how it
7 was at the time.
8 And then we started to -- myself and Sergeant
9 Brewer and Detective Cessford from the Ely Task Force began
10 the search of the main residence.
11 Q. So Brewer and Cessford were the other members
12 of your search team?
13 A. Yes.
14 Q. That you were in charge of that search team?
15 A. Yes.
16 Q. And before we get to the search of the
17 residence, let me ask you this. Were you involved in the
18 search of any vehicles outside of the residence?
19 A. Yes. After we had completed the main
20 residence, we moved on to other areas. So I did do the
21 search of the vehicles.
22 Q. That was after the search of the main
23 residence?
24 A. Yes.
25 Q. Let's talk about the search of the main

1 Q. I'm going to show you some photographs. These
2 have been marked as State's Exhibit 27 and 28 and 29. I'll
3 show them first to defense counsel.
4 Showing you first what has been marked as
5 State's Exhibit 27.
6 Do you recognize what is depicted in that
7 photograph?
8 A. Yes, I do.
9 Q. What is it?
10 A. It's a photograph of the living room. And to
11 the left of the sofa you can see the trophy that I just
12 referenced.
13 Q. Did you take this photograph?
14 A. I did.
15 Q. Does this fairly and accurately represent
16 what -- depict what you saw on that occasion?
17 A. Yes, it does.
18 Q. I'm going to show you State's Exhibit 28.
19 What is that?
20 A. That is a closer-up photograph of the trophy.
21 Q. And also State's 29.
22 A. It's a statue of a rooster.
23 Q. On 28 and 29 -- well, let me ask you this
24 about the rooster. Where was that?
25 A. That was in the living room as well.

1 Q. Do 28 and 29 fairly depict what you observed
2 on that occasion?
3 A. Yes.
4 Q. You took those photographs?
5 A. Yes.
6 MR. MILLS: State is going to offer 27 through 29
7 into evidence.
8 MS. DUNN: No objection, Your Honor.
9 MR. WOODBURY: We have no objection.
10 THE COURT: State's 27 through 29 for
11 identification are now admitted. Those are now Exhibits 27
12 through 29.
13 (WHEREUPON, State's Exhibits 27 through 29 were
14 admitted into evidence)
15 Q. Did you collect that -- the trophy that you
16 took a photograph of?
17 A. Yes.
18 Q. And you put it into evidence?
19 A. Yes.
20 MR. MILLS: Mr. Bailiff, can I see Exhibit
21 143?
22 Q. Sergeant Smith, do you recognize State's 143?
23 A. Yes, I do.
24 Q. What is that?
25 A. That is a trophy. The plaque reads "2016

1 for me being a layperson at the time, it just
2 looked like a first-aid kit for birds.
3 And then there was a firearm located in the
4 nightstand. There was a large incubator in the bedroom,
5 but we didn't collect that, because it just wouldn't be
6 logistically feasible.
7 There was actually several incubators in the
8 house, but there was one that was actually in the master
9 bedroom. We did not collect that. It just --
10 THE COURT: Okay. Okay. You are going to have
11 to slow down. I can already tell, looking at the
12 interpreters. You are a fast talker.
13 THE WITNESS: I'll try.
14 THE COURT: Yeah, I know. I know that is maybe
15 normally how you talk, but you are going to have to slow
16 down, you know, so that our interpreters have a chance
17 here. It is important. Thank you.
18 Q. (By Mr. Mills) Sergeant, did you photograph
19 the items of evidence that you observed in the master
20 bedroom?
21 A. Yes, I did.
22 Q. I'm going to show you -- I will just show you
23 these one at a time. Let's go with State's 30 first.
24 Do you recognize what is depicted in that
25 photograph?

1 Ultimate 4 Cock Champion."
2 Q. Okay. And what is on top of the trophy?
3 A. There is a -- a chicken, rooster or chicken on
4 top of the trophy.
5 Q. Is this the trophy you observed in the living
6 room that you testified to?
7 A. Yes, it is.
8 MR. MILLS: State's going to move for the
9 admission of 143.
10 MS. DUNN: No objection, Your Honor.
11 MR. WOODBURY: We have no objection.
12 THE COURT: All right. Exhibit 143 for
13 identification is now admitted. That is now Exhibit 143.
14 (WHEREUPON, State's Exhibit 143 was admitted into
15 evidence)
16 Q. (By Mr. Mills) Moving on into other areas of
17 the house, did you discover anything of evidentiary value
18 in the master bedroom?
19 A. Yes, I did.
20 Q. And what items did you discover there?
21 A. There was indicia in the name of Jorge
22 Landeros Ruiz by way of addressed envelopes.
23 There was written instructions about how to
24 train and prepare birds for fighting. There were -- there
25 was a plastic band that contains bands for wings.

1 A. Yes, I do.
2 Q. What is that?
3 A. Those are several items that were actually on
4 top of the incubator. What is of note is the Priority Mail
5 box -- or priority package for U.S. -- U.S. Postal Service
6 priority box, as well as a spiral notebook that's on top of
7 the stack.
8 Q. Where was this incubator located?
9 A. It was in the -- the master bedroom.
10 Q. Did you collect the paperwork or that notebook
11 that you mentioned?
12 A. I collected that paperwork and that Priority
13 Mail box.
14 Q. State's Exhibit 31, do you recognize what is
15 depicted in that photograph?
16 A. Yes. That's a package of the spurs or gaffs,
17 basically razor blades that get attached to the fighting
18 birds in -- that were inside that Priority Mail package.
19 Q. State's 32?
20 A. It's a photograph of a plastic bin located on
21 the floor next to the incubator that I described as a
22 first-aid kit for birds.
23 Q. So that plastic bin, where was it in relation
24 to the incubator?
25 A. It was on the floor right next to the

1 Incubator.
 2 Q. State's 33?
 3 A. Another package of -- or another photograph of
 4 the contents of the plastic bin.
 5 Q. State's 34?
 6 A. That is a zipper pouch containing spurs for
 7 their -- that attach to the legs of the birds.
 8 Q. Where was that located at?
 9 I can't specifically remember if it was within
 10 the plastic bin or not based off of that photograph. I
 11 just know that it was located in the master bedroom.
 12 Q. Okay. And State's 35?
 13 A. It's a photograph of wing bands, and -- and
 14 that I do recognize from being inside the bin from the
 15 previous photos.
 16 Q. State's 36?
 17 A. Those are photographs of spurs. It looks like
 18 these are the ones that came out of the Priority Mail box.
 19 MR. MILLS: I'm going to show these to defense
 20 counsel before I offer them.
 21 Q. (By Mr. Mills) Sergeant Smith, those
 22 photographs that we just reviewed, did you take those
 23 photographs?
 24 A. Yes, I did.
 25 Q. Do those photographs fairly and accurately

1 Q. And the other exhibit?
 2 A. The other one is a photograph of a W-2 to
 3 Jorge Landeros at 5547 Kale Drive.
 4 Q. Thank you.
 5 You took those photographs?
 6 A. Yes, I did.
 7 MR. MILLS: I'm going to offer State's 37 and 38
 8 into evidence.
 9 MS. DUNN: No objection, Your Honor.
 10 MR. WOODBURY: We have no objection.
 11 THE COURT: Exhibits 37 and 38 for identification
 12 are now admitted from those are now Exhibits 37 and 38.
 13 (WHEREUPON, State's Exhibits 37 and 38 were admitted
 14 into evidence)
 15 Q. (By Mr. Mills) I am now showing you what has
 16 been marked as State's Exhibits 40 and 42.
 17 Do you recognize what is depicted in those
 18 photographs?
 19 A. Yes, I do.
 20 Q. And what is depicted in those photographs?
 21 A. This is a photograph taken of the bottom part
 22 of the nightstands in the master bedroom, what would be the
 23 far side of the bedroom when you go in.
 24 And it shows a revolver with a scope and a
 25 holster on a shelf kind of midway between the top of the

1 depict the items as you observed them on that occasion?
 2 A. Yes, they do.
 3 Q. State will now offer into evidence Exhibits 39
 4 through 36.
 5 MS. DUNN: I have no objection, Your Honor.
 6 MR. WOODBURY: We have no objection.
 7 THE COURT: Exhibits 39 through 36 for
 8 identification are now admitted. Those are now Exhibits 39
 9 through 36.
 10 (WHEREUPON, State's Exhibits 39 through 36 were
 11 admitted into evidence)
 12 THE COURT: Please proceed.
 13 Q. (By Mr. Mills) Sergeant Smith, I believe you
 14 testified that -- that you found some indicia in the name
 15 of Jorge Landeros Ruiz or something along those lines?
 16 A. Yes, I did.
 17 Q. I'm going to show you what has been marked as
 18 State's Exhibits 37 and 38.
 19 Do you recognize what is depicted in those
 20 photographs?
 21 A. Yes, I do.
 22 Q. And what is depicted in those photographs?
 23 A. One photograph is a piece of mail from Wells
 24 Fargo addressed to Jorge L. Ruiz at 5547 Kale Drive in
 25 Elko, Nevada.

1 nightstand and the bottom.
 2 Q. And State's 42?
 3 A. It's a photograph of the revolver -- it's a
 4 revolver removed from the holster with the cylinder out.
 5 Q. You took those photographs?
 6 A. Yes, I did.
 7 Q. Are these fair and accurate depictions of what
 8 you observed?
 9 A. Yes, they are.
 10 MR. MILLS: State will offer State's 40 and 42
 11 into evidence.
 12 MS. DUNN: No objection, Your Honor.
 13 MR. WOODBURY: I would like to see them.
 14 THE COURT: Of course.
 15 MR. WOODBURY: We would object to them as to Mr.
 16 Ramirez as being irrelevant to him.
 17 MR. MILLS: I have no problem with that, Your
 18 Honor. This firearm is relevant as to defendant Jorge Ruiz
 19 and the State no objection for it being admitted in that
 20 case only.
 21 THE COURT: All right. So those are Exhibits 40
 22 and 42 for identification are now admitted in case
 23 CR-PP-19-2465.
 24 (WHEREUPON, State's Exhibits 40 and 42 were admitted
 25 into evidence in case CR-PP-19-2465 only)

1 THE COURT: Those are now Exhibits 40 and 42.
 2 Thank you, please proceed.
 3 MR. MILLS:
 4 Q. (By Mr. Mills) I am now showing you what has
 5 been marked as State's Exhibit 43.
 6 Do you recognize that?
 7 A. Yes, I do.
 8 Q. And what is that?
 9 A. So this is a photograph that was taken in one
 10 of the bedrooms. I believe it was the bedroom right off
 11 from the living room. That has a large incubator and on
 12 top of the incubator has a white plastic square-shaped
 13 bucket.
 14 Q. And which room was this incubator located in?
 15 A. It would be the bedroom off of the living
 16 room.
 17 Q. Sergeant Smith, we are going to get to this in
 18 a few minutes, but did you have some involvement with some
 19 three packages of -- three one-pound packages of suspected
 20 methamphetamine that were found in the chicken coops?
 21 A. Yes.
 22 Q. And were you aware of -- were there any other
 23 buckets found on the premises in the digging that occurred?
 24 A. Yes, there were.
 25 Q. Does this bucket that you see in -- is

21

1 (WHEREUPON, State's Exhibit 43 was admitted into
 2 evidence)
 3 Q. (By Mr. Mills) Sergeant Smith, did you collect
 4 some of this evidence, the actual physical items?
 5 A. Yes, I did.
 6 MR. MILLS: It appears my microphone had turned
 7 off, but I think it's back on and working again.
 8 Q. I am showing you what has been marked as
 9 State's exhibit 142.
 10 Just by looking at the label on that, do you
 11 recognize what that is?
 12 A. Yes, I do.
 13 Q. Okay. I would like you to open that up and
 14 take a look at what is inside.
 15 Do you have something to open it with, or
 16 should we get something from the bailiff?
 17 Do you have a knife?
 18 A. I have a knife.
 19 Q. Okay. If you are more comfortable using latex
 20 gloves, we have some of those as well?
 21 MS. DUNN: Your Honor, may we approach? May I
 22 approach while they are opening?
 23 THE COURT: Yes.
 24 MS. DUNN: Thank you.
 25 MR. MILLS: Mr. Woodbury is welcome.

22

1 photograph 43, is it similar to any of the other buckets
 2 that you encountered on the property?
 3 A. Yes, it was a similar size and shape of the
 4 buckets that were found buried underneath the chicken
 5 coops.
 6 Q. The empty buckets or the one with the three
 7 pounds of meth or both?
 8 A. Both.
 9 INTERPRETER DAVIS: Your Honor, I did not hear
 10 the last question from Mr. Mills.
 11 THE COURT: All right. Read it back.
 12 (WHEREUPON, the following was read back by the court
 13 reporter:)
 14 "QUESTION: The empty buckets or the one with the three
 15 pounds of meth or both?
 16 "ANSWER: Both."
 17 THE COURT: Okay. The answer has been read back
 18 too. I was going to ask about that.
 19 Please proceed.
 20 MR. MILLS: I'm not sure if I offered State's 43,
 21 but if I haven't, I will do so at this time.
 22 MS. DUNN: I have no objection, Your Honor.
 23 MR. WOODBURY: We have no objection.
 24 THE COURT: Exhibit 43 for identification is now
 25 admitted. That's now Exhibit 43.

22

1 THE COURT: Of course, if counsel needs to,
 2 certainly they ought to be able to do that. Yeah, I was
 3 going to suggest go around that side and -- let's hold on
 4 while we exchange batteries there for Mr. Mills' mic.
 5 Q. (By Mr. Mills) All right. It looks like my
 6 microphone is equipped now.
 7 So go ahead and open that box.
 8 A. This is the black zipper case that was in the
 9 photographs containing the spurs.
 10 Q. Okay. Is there anything else in that
 11 cardboard box?
 12 A. Yes, there is.
 13 Q. Okay. What else is in there?
 14 A. This is the priority -- U.S. -- U.S. Postal
 15 Service Priority Mail box. It was addressed to Luis Ruiz,
 16 509 Osiris, Unit 5.
 17 Q. Was there something in that box when you first
 18 obtained it, or was it always in that condition as empty?
 19 A. The box was not empty. The box contained
 20 these items, which were also in the photographs.
 21 There are five packages marked Guerrero
 22 Express.
 23 Q. Packages of what?
 24 A. These would be spurs. It looks like each
 25 package contains six spurs.

23

1 Q. Now, before we -- we move on, let's take a
2 minute to describe -- to talk about what spurs are.
3 When you talk about spurs and gaffs, what --
4 what are those?
5 A. The spur is a sharp razor blade implement that
6 gets attached to the leg of the fighting roosters.
7 Q. It attaches to the leg of the fighting
8 roosters?
9 A. Of the roosters, when they fight. So it
10 replaces the spur that gets trimmed off that actually can
11 slice and stab.
12 Q. Okay. Thank you. Go ahead and put that back.
13 Is there anything else in there?
14 A. There was nothing in the box.
15 Q. Are those the spurs or gaffs that you
16 previously testified to in the photographs?
17 A. Yes, they are.
18 MR. MILLS: State will offer State's 142 into
19 evidence.
20 MS. DUAN: I have no objection, Your Honor.
21 MR. WOODBURY: We have no objection.
22 THE COURT: Exhibit 142 for identification is now
23 admitted. That is now Exhibit 142.
24 (WHEREUPON, State's Exhibit 142 was admitted into
25 evidence)

26

1 been marked as State's Exhibit 152.
2 Do you recognize that?
3 A. Yes, I do.
4 Q. What is that?
5 A. This is a -- a purple spiral notebook, a blue
6 composition notebook and papers from Wood Enterprises that
7 were collected from -- on top of and around the incubator
8 in the master bedroom.
9 Q. Why did you collect those particular items of
10 evidence?
11 A. The notebooks had indications to us that had
12 to do with the activities of the birds being bred.
13 And the Wood Enterprises papers provides
14 descriptions on training and preparing roosters for
15 fighting.
16 Q. Go ahead and open that up.
17 Again, if defense counsel want to examine the
18 evidence, they are welcome to do so.
19 THE COURT: Yeah, counsel has an open invitation
20 to come up here.
21 MS. DUAN: Thank you, Your Honor.
22 THE COURT: Inspect more closely the opening of
23 this evidence. Thank you.
24 Q. So -- okay. So what is that brown evidence
25 bag?

27

1 THE COURT: Do you want that back with the clerk
2 then, Mr. Mills, 142?
3 MR. MILLS: Yes.
4 THE COURT: All right. I will take care of that.
5 MR. MILLS: Yes, please.
6 THE COURT: One of the nice things about being up
7 here in this area is reaching for evidence.
8 There you go.
9 Thank you.
10 Q. (By Mr. Mills) Sergeant, I am now handing you
11 -- yeah, I will hand it to you -- what has been marked as
12 State's Exhibit 144.
13 Do you recognize that?
14 A. Yes, I do.
15 Q. What is that?
16 A. This is the Colt Anaconda revolver with the
17 scope attached that was found on the nightstand -- in the
18 nightstand.
19 Q. All right. Go ahead and holster it. I
20 believe that has already been admitted is that correct
21 clerk.
22 THE CLERK: That's correct.
23 THE COURT: It has been admitted.
24 MR. MILLS: Okay.
25 Q. (By Mr. Mills) I am now showing you what has

28

1 A. The contents of the evidence bag, the Wood
2 Enterprises paperwork, the purple spiral notebook, and the
3 blue composition notebook.
4 Q. Okay. So let's talk about the notebooks
5 first.
6 What evidentiary value did you see in -- in
7 collecting those notebooks?
8 A. The notebooks contain descriptions of
9 different colors. And these basically just, I think, were
10 descriptions of as we went through. They reference things,
11 hatching, different descriptions, different colors of
12 heads.
13 Q. Okay. Is that -- is that --
14 That's -- that's the extent of the blue --
15 So that was the blue composition notebook?
16 A. Yes.
17 Q. What about the purple one?
18 A. The purple one, this has various numbers in it
19 that we weren't positive exactly what they meant, but we
20 knew that it had to do with the chickens. Whether it was
21 breeding patterns or -- something to do with the chickens,
22 so we felt it was relevant to collect.
23 Q. Were those notebooks -- where were they found
24 in relation to the incubator?
25 A. The notebooks were on top of the incubator.

29

1 Q. And I guess we haven't fleshed this out very
2 much, but what is an incubator?
3 A. It's where they -- where eggs are placed to
4 keep them warm until hatching, is a generic understanding
5 of incubator.
6 Q. All right. That loose paperwork there, what
7 is that?
8 A. This is the paperwork from Wood Enterprises.
9 Q. What is the nature of that paperwork?
10 A. It discusses the techniques for cockfighting.
11 It discusses pens that they house their birds for fly pens
12 and how they prepare for the fights.
13 It discusses sparring birds that the birds
14 need for sparring, that different birds need different
15 amounts of sparring. The two days before the fight they
16 are on the cords, no more fly pens. The day before the
17 fight is usually spent in stalls.
18 Feeding is like regular yard feed, plus one
19 whole egg per five to six roosters. The last two days of
20 feeding, increase corn content. For a Saturday daytime
21 fight, the last day of feed is Thursday at one-third
22 rations.
23 Q. Sergeant Smith, maybe I will just cut in and
24 cut to the chase here.
25 So, generally, is that just -- it sounds like

1 property?
2 A. That -- scanning my memory, at least four or
3 five.
4 Q. Were you aware of the vehicle that was used in
5 the controlled buys between Clinton Sandstrom and Hector
6 Ramirez?
7 A. Yes.
8 Q. What kind of vehicle was that?
9 A. It was a gray pickup truck.
10 Q. Did you see that vehicle on the premises on
11 the date of the execution of the search warrant?
12 A. Yes, I did.
13 Q. Did you do anything with that vehicle?
14 A. We searched that vehicle.
15 Q. And what did you find in there?
16 A. We found indicia in the name of Hector
17 Ramirez-De La Torre.
18 Q. Did you collect that?
19 A. Yes, I did.
20 Q. I'm going to show you what has been marked as
21 State's Exhibit 150.
22 Do you recognize that?
23 A. Yes, I do.
24 Q. What is that?
25 A. These are various items of indicia that were

1 it's instructions on how to train and raise roosters for
2 cockfighting?
3 A. Yes.
4 Q. All right. Do this -- do those items of
5 evidence that you have just discussed, do they fairly and
6 accurately depict -- or are those the same ones that you
7 recovered from the scene on March 10, 2019?
8 A. Yes, they are.
9 MR. MILLS: The State will offer State's 152 into
10 evidence.
11 MS. DUNN: I have no objection, Your Honor.
12 MR. KOCORNY: What number is that?
13 MR. MILLS: It's 152.
14 MR. KOCORNY: Mr. Ramirez has no objection.
15 THE COURT: Exhibit 152 for identification is now
16 admitted. That is now Exhibit 152.
17 (WHEREUPON, State's Exhibit 152 was admitted into
18 evidence)
19 Q. (By Mr. Mills) Sergeant Smith, shifting gears
20 here a little bit. After searching the residence, did you
21 have occasion to search any of the vehicles outside of the
22 residence?
23 A. Yes, I did.
24 Q. What is your recollection of how many
25 vehicles, I guess non-law enforcement vehicles, were on the

1 collected out of that truck.
2 Q. Go ahead open that up discuss the items.
3 And again, if defense counsel wants to examine
4 them, they are welcome to do so.
5 Sergeant Smith, we've kind of been throwing
6 around a word, "indicia." What -- what does that mean?
7 What do you mean by that?
8 A. When we say "indicia," it's usually something
9 that we found in the house that has the name of a person
10 affiliated with the house, or of a vehicle, associates a
11 person with that vehicle.
12 So in this case, we associated the vehicle
13 with Hector Ramirez-De La Torre driving that vehicle. And
14 then inside the vehicle we find items that have his name on
15 it. Those are indicia for Hector Ramirez-De La Torre.
16 Q. And specifically, what items of paperwork did
17 you find in the vehicle?
18 A. I will go item by item.
19 The receipt from Elko Justice Court dates
20 February 27, 2019, for Hector Ramirez-De La Torre.
21 Q. Okay.
22 A. For payment of \$340.
23 Q. What other paperwork?
24 A. It's a Nevada Highway Patrol citation signed
25 by Hector Ramirez.

1 It's a Wells Fargo transaction receipt. It
2 looks like a deposit of \$1750 cash.
3 This is a Walmart receipt which was dated
4 September of 2017. And it's a money transfer receipt, the
5 sender information being Hector Hugo Ramirez-De La Torre.
6 Q. What amount is that in?
7 MR. WOODBURY: I'm going to object. It's
8 irrelevant. It's 2017, for heavens sake.
9 A. Transfer amount --
10 THE COURT: Okay. There is an objection. What
11 is the response?
12 MR. MILLS: Response is that these items of
13 evidence are -- have Hector's on it and tie to the --
14 THE COURT: I understand. He is talking about
15 the amount, though. Why do we care about the amount in
16 2017? This is a 2019 case. I think that's what they are
17 getting at.
18 MR. MILLS: I believe there has been testimony in
19 this case about large transfers of money being associated
20 with drug trafficking.
21 THE COURT: Anything else, Mr. Woodbury?
22 INTERPRETER MENDOZA: I'm sorry, Your Honor. I
23 did not hear him.
24 MR. WOODBURY: I didn't hear his response, Judge.
25 MR. MILLS: I said there has been testimony that

1 Q. Do these items -- are those the same items
2 that you recovered from the truck on the date of the
3 execution of the search warrant?
4 A. Yes, they are.
5 MR. MILLS: Okay. I guess at this time the State
6 would offer State's 150, with the exception of the -- of
7 the objected-to item, into evidence at this time.
8 THE COURT: Any objection from Mr. Ruiz?
9 MS. DUNN: No, Your Honor.
10 THE COURT: Mr. Ramirez-De La Torre?
11 MR. WOODBURY: No.
12 THE COURT: All right. What we can do is take
13 the one item to which the objection was sustained out.
14 And it looks like that has been separated by
15 Sergeant Smith. Thank you, sir.
16 He is putting the remainder back in. Am I
17 correct with that, sir?
18 THE WITNESS: Yes.
19 THE COURT: And then Exhibit 150 for
20 identification is now admitted. That is now Exhibit 150.
21 (WHEREUPON, State's Exhibit 150 was admitted into
22 evidence)
23 THE COURT: And we'll just put the other piece of
24 paper in question, piece of paper constituting evidence to
25 which an objection was sustained, that will just be 150A.

1 large amounts of money are associated with drug
2 trafficking. It's relevant for that purpose.
3 MR. WOODBURY: My understanding was is this was
4 testified to by Sergeant Smith as being indicia of
5 connecting Mr. Ramirez to the pickup, not for the purposes
6 of showing a prior bad act.
7 THE COURT: The objection is sustained.
8 next question.
9 Q. (By Mr. Mills) Do you want to set that one to
10 the side, Sergeant Smith.
11 A. There is a U.S. Postal Service label addressed
12 to Hector Ramirez.
13 There is a Western Union transfer from -- from
14 sending -- from Hector Ramirez from December of 2018, of
15 \$2,200 cash -- or \$1,200 being wired.
16 There is a out-of-court disposition from
17 Sparks Municipal Court in the name of Hector Ramirez.
18 There were five transaction receipts for wire
19 transfers, and they are sent by Hector Hugo Ramirez-De La
20 Torre.
21 Q. What are the dates on those?
22 A. June 8 of 2018, August 6 of 2018, August 13 of
23 2018, September 3 of 2018, and September 28 of 2018.
24 Q. Is that all the paperwork?
25 A. Yes.

1 It will be remarked by the clerk. Then the
2 record will reflect that the objection was -- to the
3 admission of that exhibit was sustained. I think that's a
4 proper record.
5 Did you have anything else on that, Mr. Woodbury?
6 MR. WOODBURY: No, that's fine.
7 THE COURT: That's fine.
8 Okay. Anything else on that, Ms. Dunn?
9 MS. DUNN: No, Your Honor.
10 THE COURT: Mr. Mills?
11 MR. MILLS: That sounds good to the State.
12 THE COURT: That's fine.
13 Okay. Thank you, counsel. I will go ahead and
14 get that from the -- do you still need that with the
15 sergeant?
16 MR. MILLS: No, we're done with that.
17 THE COURT: I will help you out here.
18 THE WITNESS: Thank you, Judge.
19 Q. (By Mr. Mills) Sergeant Smith, so moving on,
20 we talked about the main residence, we talked about the
21 truck. Moving on to the main property.
22 Did you have any involvement in recovering
23 items of evidence, controlled substances that were found on
24 the property?
25 A. Yes, I did.

1 Q. I'm going to show you what's been marked and
2 admitted as State's exhibits 95, 96 and 97. I'm going to
3 show them first to defense counsel.
4 Do you recognize those photographs?
5 A. Yes, I do.
6 Q. And what is depicted in those photographs?
7 A. It's a brown and orange plastic container that
8 was located between a couple of chicken coops in what we
9 were calling the brown barn.
10 Q. And where was that container located at?
11 A. There was, to describe it, a set of coops that
12 are wooden coops with doors on them, and then a space of a
13 few inches, and then another set of coops on top.
14 This bottle was located between those two
15 levels of coops.
16 Q. And that barn that it was located in, where is
17 that in relation to the Travel Supreme trailer?
18 A. It would have been across from the front door
19 of the Travel Supreme trailer.
20 Q. Do you recall seeing mailing items in -- in
21 that barn or on -- in some other location on the property,
22 for the mailing of birds?
23 A. Yes, there were cardboard packages or
24 cardboard bird crates that had been sent in the mail with
25 addresses on them. Shipping containers, I guess.

1 individually-packaged bundles of methamphetamine and two
2 individually-packaged bundles of cocaine.
3 Q. Showing you State's Exhibit 134 and 135.
4 Do you recognize those?
5 A. Yes, I do.
6 Q. What are those?
7 A. These are the packages of methamphetamine and
8 cocaine that had been recovered from that brown and orange
9 container.
10 Q. What led you to conclude that those substances
11 might be methamphetamine and cocaine, respectively?
12 A. The -- from my years of training and
13 experience, just on first observation it appeared to be
14 methamphetamine. And then these were also packaged in a
15 very similar if not the exact same manner as controlled
16 substances being purchased that had come from this compound
17 or premises.
18 Q. For the record, you are holding one of the
19 items of evidence. Which one is it?
20 A. This is the methamphetamine.
21 Q. Is that 134 or 135?
22 A. 134.
23 Q. 134, okay.
24 What about 135?
25 A. Upon looking at it and seeing the nature of

1 Q. Where were those located at?
2 A. Those were located in the brown barn as well,
3 or top of another set of chicken crates, pens.
4 Q. And where were those -- those boxes for the
5 shipping of birds located -- located in relation to where
6 that -- that brown jar was located?
7 A. Operating off my memory, if I walked into that
8 brown barn, where this was located to -- sort of to my
9 right, and to the left where there were birds and
10 individual pens, those shipping containers would have been
11 above those pens.
12 Q. So how far apart, if you were to estimate in
13 feet, was that container found from those shipping boxes?
14 A. I would estimate 10, 15 feet.
15 Q. I'm going to show you what has been marked as
16 State's Exhibit 133, also 134 and 135.
17 Showing them first to defense counsel.
18 Showing you first State's Exhibit 133.
19 Do you recognize that?
20 A. I do.
21 Q. What is that?
22 A. That is the brown and orange plastic container
23 that is depicted in these photographs.
24 Q. And what was located inside that container?
25 A. Inside that container, there were six

1 the powder, my first professional opinion was that it was
2 cocaine.
3 Once these items were collected, I transported
4 them to the Elko department -- Elko Combined Narcotics Unit
5 office where I did presumptive tests on both substances.
6 And the weights.
7 And the 135 tested presumptively positive for
8 cocaine, and 134 tested presumptively positive for
9 methamphetamine.
10 Q. And what were the weights of those items?
11 A. The cocaine was 3.72 grams and 14.69 grams for
12 the gross weight.
13 The methamphetamine gross weights were 3.8
14 grams, 3.47 grams, 4.00 grams, 1 -- 14.6 grams, 14.67
15 grams, 14.77 grams, 14.4 grams, and 29.13 grams.
16 Q. Okay.
17 MR. MILLS: At this time, Your Honor, the State
18 will offer State's 133 into evidence. This is just the
19 container that contained the suspected drugs. We'll wait
20 for the expert to offer the other ones.
21 MS. DUVN: No objection to that, Your Honor.
22 THE COURT: Mr. Woodbury?
23 MR. WOODBURY: We have no objection.
24 THE COURT: Exhibit 133 for identification is now
25 admitted. That is now Exhibit 133.

1 (WHEREUPON, State's Exhibit 133 was admitted into
2 evidence)
3 Q. (By Mr. Mills) Sergeant, were there other
4 suspected controlled substances found on the property?
5 A. Yes, there were.
6 Q. How -- how were -- I guess, how did the SOI
7 detectives uncover the rest of the controlled substances
8 that were found?
9 A. Well, aside from the controlled substances
10 that had been found in the trailers -- aside from the
11 controlled substances that had been located in the
12 trailers --
13 Q. And that's what I am referring to, anything
14 outside of the -- of the trailers or the main residence,
15 yes.
16 A. Upon searching and beginning to dig underneath
17 the chicken coops, the -- I believe it was under chicken
18 coop number 18, we located a plastic, square-shaped,
19 five-gallon bucket which contains approximately three
20 pounds of methamphetamine.
21 Q. I'm going to show you what has been marked as
22 and admitted as State's Exhibits 98 through 103.
23 Showing them first to the defense counsel.
24 Showing you 98 to 103, if you could explain to
25 the jury what those photographs depict.

41

1 THE CLERK: Yes, Your Honor.
2 THE COURT: Maybe I'm looking at -- oh, I see.
3 Okay. All right.
4 So those are 95 through 103. They have been
5 admitted, so they may be published to the jury.
6 MR. MILLS: Go ahead and pass those around.
7 (WHEREUPON, Exhibits 95 through 103 were published to
8 the jury)
9 Q. (By Mr. Mills) Sergeant Smith, I am showing
10 you now what has been marked as State's Exhibits 136, 137
11 and 138.
12 MR. MILLS: Would defense counsel like to examine
13 them?
14 MS. DUNN: I have seen those.
15 Q. (By Mr. Mills) What are we looking at there,
16 Sergeant?
17 A. We are looking at the three packages of
18 methamphetamine that were recovered from beneath coop 18.
19 Q. Do those packages -- what -- what did you do
20 with those packages after recovering them?
21 A. After recovering them, I transported these
22 packages to the Elko Combined Narcotics Unit's office where
23 I weighed them and did a presumptive positive --
24 presumptive test which indicated positive for
25 methamphetamine.

42

1 A. Photograph 98 shows the chicken coop pen
2 number 18 after it had been moved out of position.
3 99 shows a hole that had been dug underneath
4 where the pen had been and the bucket in view.
5 100 is a view from directly above looking down
6 at the bucket with the lid placed back on the bucket,
7 showing where the shovel impacted the lid.
8 101 shows a view at the bucket with the lid
9 removed, showing packages inside.
10 102 shows the three packages just as they been
11 removed from the bucket.
12 And 103 shows the three packages laid out on
13 the tailgate of one of the -- our trucks on scene.
14 MR. MILLS: Your Honor, at this time I'm going to
15 request permission to publish photographs 95, 96 and 97,
16 which are the brown container, and also the photographs he
17 just discussed, 98 to 103, chicken coop 18, to the jury,
18 let them see them.
19 THE COURT: Have these been admitted?
20 MR. MILLS: They have.
21 THE COURT: 95, 96 and 97 were? I must have been
22 -- which ones are you seeking to have published?
23 MR. MILLS: 95 through 97 and 98 through 103.
24 THE COURT: So 95 through 103. Those have been
25 admitted, Ms. Clerk?

43

1 Q. Did you test all three bags?
2 A. I don't recall if I tested all three. I know
3 I tested at least one. I weighed all three.
4 Q. You tested at least one of them, weighed all
5 three of them?
6 A. Yes.
7 Q. What were the respective weights of the bags?
8 A. For 136, the weight was 508.35 grams gross
9 weight.
10 For 137, it was 510.58 grams net weight.
11 And 138, 506.68 grams net weight.
12 Q. Sergeant Smith, does the Department of Public
13 Safety, does it print off kind of a tag with a bar code for
14 items of evidence?
15 A. Yes, once it's placed into the evidence vault,
16 the evidence technician prints out the tag with the bar
17 code on it.
18 Q. And is there a bar code affixed to each of
19 those three items of evidence?
20 A. Yes, there is.
21 Q. And what is the bar code for item of evidence
22 Exhibit 136?
23 A. Bar code for 136?
24 Q. Um-hum.
25 A. Is 187824.

44

1 Q. I'm showing you again the suspected
2 methamphetamine and cocaine that were found in the brown
3 bottle. These are Exhibits 134 and 135.
4 Could you please state the exhibit number and
5 then the bar code associated with those two items of
6 evidence?
7 A. Item 134, bar code is 187811.
8 Exhibit 135, bar code is 187812.
9 Q. Now, Sergeant Smith, just a couple of last
10 questions about Exhibits 136, 137 and 138.
11 Do those -- do those bags of suspected
12 methamphetamine, does the substance inside of those appear
13 to be consistent with one another?
14 A. Yes, they do.
15 Q. And how much experience do you have dealing
16 with methamphetamine?
17 A. At least 20 years of my 21 years in law
18 enforcement I have been dealing with methamphetamine.
19 Q. Do those three items in evidence appear to be
20 packaged similarly?
21 A. Yes, they do.
22 Q. Were they found in the same location?
23 A. Yes, they were.
24 Q. That is all, if you want to hand those back to
25 me.

45

1 Q. Did you personally observe that?
2 A. I did.
3 Q. Who picked it up and placed it and showed it
4 to the chickens?
5 A. I can't recall if it was Detective Eisinger or
6 Detective Gaylor. We were all there when it was -- when
7 that happened.
8 Q. Where was that found?
9 A. In the brown barn.
10 MR. MILLS: State will offer State's 148 into
11 evidence.
12 MS. DUNN: No objection, Your Honor.
13 MR. WOODBURY: We have no objection.
14 THE COURT: And you said that's Exhibit 140?
15 MR. MILLS: 148.
16 THE COURT: Exhibit 148 for identification is now
17 admitted. This is now Exhibit 148.
18 (WHEREUPON, State's Exhibit 148 was admitted into
19 evidence)
20 Q. (By Mr. Mills) Sergeant Smith, did you send
21 any of this evidence that you have testified to today into
22 the crime lab for testing for DNA or for fingerprint
23 analysis?
24 A. I did not. No, I did not send any evidence
25 for fingerprint or DNA analysis.

47

1 Sergeant Smith, did you observe a training
2 dummy that was found on the property?
3 A. Yes, I did.
4 Q. I'm going to show you what has been marked and
5 packaged as State's Exhibit 148. I'm showing it to defense
6 counsel.
7 Do you recognize that?
8 A. Yes, I do.
9 Q. Could you open that up?
10 A. (Witness complies.)
11 Q. What is that, Sergeant Smith?
12 A. This would be a training dummy.
13 Q. Okay. What would that be used for?
14 A. This would be used for training and
15 conditioning the fighting birds.
16 Q. Did you collect that and put it into evidence?
17 A. I personally did not. I know that it was --
18 according to the label, it was Detective Eisinger that
19 actually collected it.
20 Q. Did you observe it or have any involvement
21 with that on the scene?
22 A. Yes. The -- this -- when this was located, we
23 looked at it, and when it was placed up close to one of the
24 chicken coops, the birds reacted very aggressively trying
25 to attack it through the doors of the chicken coops.

46

1 Q. Why not?
2 A. It's not standard procedure to -- to even try
3 to do those in our cases. Just it wouldn't have met the
4 criteria for us to call the Washoe County crime lab.
5 Because of their limited resources, if we
6 didn't have a body, they weren't going to send people into
7 Elko to help process or -- help process a scene, and I
8 wasn't going to ask them to do that for a narcotics case.
9 Q. And, Sergeant Smith, in your drug
10 investigations, is it -- is it like it is on TV with the
11 CSI shows where you have a crime scene investigator showing
12 up and sampling everything for DNA?
13 A. Not in a narcotics investigation, no.
14 Q. It doesn't work that way?
15 A. It does not work that way.
16 Q. Were cell phones collected in this case?
17 A. There were cell phones collected in this case.
18 Q. Do you know where any of those cell phones
19 were collected from?
20 A. One cell phone was collected from Mr.
21 Ramirez-De la Torre. One cell phone was collected from
22 Eduardo Ruiz. And there were two cell phones collected
23 from the nightstand in Mr. Landeros Ruiz's bedroom.
24 Q. Was any attempt made to -- to look at what was
25 on those cell phones?

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1 A. Search warrants were generated to search the
2 phones that were recovered from the master bedroom. And
3 the cell phones were sent to Washoe County Sheriff's Office
4 for their cell phone forensics.

5 They were able to bypass the security on the
6 iPhone, but there was no -- no information on that phone,
7 nothing relevant to the investigation.

8 The other phone was a Samsung, and they were
9 not able to bypass the security. So no downloads were
10 conducted on that phone.

11 Q. Sergeant Smith, I want to shift gears here for
12 a minute and talk about what happened with the -- with the
13 chickens.

14 Were there chickens located on the property?

15 A. Yes.

16 Q. How many?

17 A. Hundreds. Hundreds of chickens were located
18 on that property.

19 Q. Generally, if you could describe for the jury,
20 where were they and how were they housed?

21 A. They were everywhere. The -- once you went
22 through brown barn, the other side emptied out into kind of
23 a chicken compound area where there was just rows and rows
24 and rows of chicken coops.

25 And then there was another structure that had

1 A. Comb is the -- the ridge that's on top, the
2 red ridge that's on top of a rooster, kind of like the
3 bird's mohawk, if you will.

4 Q. What about the wattle?

5 A. The wattle is the part of the rooster that
6 hangs down from their beak, neck area.

7 Q. And a spur?

8 A. A spur grows out from their -- their leg. It
9 just naturally comes out and is -- with many of the birds,
10 the spurs had either -- you could tell had been kind of
11 completely removed or had been sharpened.

12 Q. And with the combs and wattles, did you
13 observe anything out of the ordinary with regards to those?

14 A. Many of the birds had combs or wattles or both
15 removed.

16 Q. You mentioned that there were upwards of like
17 400 total birds?

18 A. That would be a -- a safe estimate, yes.

19 Q. But that 248 of those, of the total number of
20 birds were processed; is that correct?

21 A. Yes. We didn't -- we didn't process the hens.
22 We just processed the roosters.

23 Q. Did you only process birds that you observed
24 alterations or other signs of cockfighting or other abuse
25 on?

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1 out to the compound, and we kind of sat in an assembly line
2 where they would go in numerical order, bird 1, grab the
3 bird and the tag, bring it up, put it in a -- a bucket that
4 had a hole in it. There was a carbon dioxide generator
5 with a wand. So the bird would go to the trash can or into
6 the bucket, the wand would go in, carbon dioxide would
7 flow until the bird was knocked out and docile.

8 Then the bird was taken to another
9 veterinarian, who photographed the bird with the card and
10 photographed areas of trauma or alteration to document it.
11 And then the heads were removed from the bird, and the
12 birds were thrown into a trash bag or, once we ran out of
13 trash bags, thrown into a body bag.

14 Q. And was all of that done with the cooperation
15 of and under the supervision of veterinarians?

16 A. Yes, it was.

17 Q. Were you involved in the process of
18 documenting the birds before they were euthanized?

19 A. Yes, I was.

20 Q. And what was your role in doing that?

21 I guess you described earlier that you looked
22 for alterations on the bird and whatnot?

23 A. Yes. And -- and attached the -- the cards to
24 the -- because we had index cards that are tags that we
25 zip-tied to each individual coop with the number and the

1 alterations.

2 Again, it was also kind of like an assembly
3 line between myself and Detective Miller and Ms. Smith.

4 Q. What kind of information was on the -- the
5 cards or the tags?

6 A. No spur or spurs removed, spurs sharpened, no
7 comb, no rattle. If there was other trauma noted, that was
8 put on there as well.

9 Q. And who was involved in writing those
10 observations on the cards?

11 A. It would have been myself or Ms. Smith. I
12 don't believe that Detective Miller actually wrote on those
13 cards.

14 Q. Was there a number written on the card to
15 distinguish each of the birds?

16 A. Yes.

17 Q. I'm going to show you what has been marked and
18 admitted as State's Exhibit Number 1.

19 Would you just briefly look through that, and
20 then I will ask you a couple questions about it.

21 Those are photographs of some of the birds?

22 A. Yes.

23 Q. Which -- which birds do those photographs
24 depict?

25 A. 1 through 25.

54

1 Q. Okay. And just generally, what are some of
2 the observations that were made about those birds?

3 A. Combs being removed, wattles being removed,
4 spurs having been cut, and whether they were cooped
5 individually or cooped with hens. And also marked if they
6 had responded aggressively.

7 And if -- at one point there was a -- a dead
8 rooster that Ms. Smith had picked up and would put up
9 and -- put up to count as the roosters would try to attack
10 it through the count. Once they saw it, they would be
11 hackled up and leap at it. So those were marked as
12 aggressive birds.

13 Q. All right. I will just show you State's 2,
14 and we can speed this up a little bit.

15 If you could just briefly look at that and
16 tell us which birds are depicted in the -- the second
17 packet of photos in State's 2.

18 A. State's 2 is more photographs of birds, 26
19 through 50.

20 Q. What about State's 3?

21 A. State's 3 is birds 51 through 57.

22 Q. And State's 4?

23 A. State's 4 is 76 through 100.

24 State's 5 is 101 through 125.

25 State's 6 is 126 through 150.

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1 State's 7 is 151 through 175.

2 State's Exhibit 8 is 176 through 200.

3 State's Exhibit 9 is 226 through 240.

4 And State's Exhibit 10 is 202 through 225.

5 Q. Okay. So as you have described the process of
6 processing those birds, would any observations about
7 alterations or the conditions of those birds, would those
8 have been made on those tags that are depicted in the
9 photographs next to the birds?

10 A. Yes.

11 VL. WILLS: That is all I have. I will pass the
12 witness.

13 THE COURT: All right. I think we got started
14 around a quarter till 9:00, if I am not mistaken. Maybe a
15 little earlier.

16 Now I have 12 after the hour, 12 after 10:00, so
17 I think we can go into our morning recess.

18 Please remember the rule of exclusion, Sergeant
19 Smith. When we come back we'll go to cross-examination.

20 But ladies and gentlemen of the jury, please do
21 not converse amongst yourselves or with anyone else on any
22 subject connected with the trial. Do not read, watch or
23 listen to any report or commentary on the trial or any
24 person connected with the trial by any medium of
25 information, including, without limitation, newspapers.

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