

IN THE SUPREME COURT OF THE STATE OF NEVADA

RYAN WILLIAMS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

Appeal from a Judgment of Conviction in Case Number CR20-0630B
The Second Judicial District Court of the State of Nevada
The Honorable Kathleen M. Drakulich, District Judge

JOINT APPENDIX VOLUME TWO

JOHN L. ARRASCADA
Washoe County Public Defender

JOHN REESE PETTY
Chief Deputy
350 South Center Street,
5th Floor
Reno, Nevada 89501

Attorneys for Appellant

CHRISTOPHER J. HICKS
Washoe County District Attorney

JENNIFER P. NOBLE
Chief Appellate Deputy
One South Sierra Street,
7th Floor
Reno, Nevada 89501

Attorneys for Respondent

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TABLE OF CONTENTS

1.	Amended Judgment of Conviction <u>filed</u> on	1JA 243
2.	Information <u>filed</u> on June 19, 2020	1JA 1
3.	Judgment of Acquittal and Notice <u>filed</u> on July 26, 2021 .	1JA 238
4.	Judgment of Conviction <u>filed</u> on July 26, 2021	1JA 235
5.	Jury Instructions (1-64) <u>filed</u> on April 29, 2021	1JA 154
6.	Motion in Limine Re: Other Act Evidence <u>filed</u> on November 9, 2020	1JA 12
7.	Notice of Appeal <u>filed</u> on August 23, 2021	1JA 241
8.	Opposition to Defendant's Motion in Limine Re: Other Act Evidence <u>filed</u> on November 21, 2020	1JA 23
9.	Opposition to State's Request for Hearing Re: Admission of Other Acts Evidence Regarding Defendant Williams' Prior Handgun Possession <u>filed</u> on December 1, 2020	1JA 35
10.	Order Granting Motion in Limine Re: Other Act Evidence <u>filed</u> on December 3, 2020	1JA 31
11.	Order Granting State's Motion Concerning the Admission of Defendant Williams' Prior Handgun Possession <u>filed</u> on February 18, 2021	1JA 143
12.	Reply in Support of Motion in Limine Re: Other Act Evidence <u>filed</u> on November 30, 2020	1JA 28
13.	Request for Hearing Re: Admission of Other Acts Evidence Regarding Defendant Williams' Prior Handgun Possession <u>filed</u> on November 19, 2020	1JA 16

14.	Transcript of Proceedings: Pretrial Motions <i>held</i> on January 25, 2021	1JA 44
15.	Transcript of Proceedings: Trial Day 4 <i>held</i> on April 15, 2021, <u>filed</u> on September 22, 2021	2JA 246
16.	Transcript of Proceedings: Trial Day 5 <i>held</i> on April 16, 2021, <u>filed</u> on September 19, 2021	3JA 317
17.	Transcript of Proceedings: Trial Day 5 <i>held</i> on April 16, 2021, <u>filed</u> on September 1, 2021	3JA 519
18.	Transcript of Proceedings: Trial Day 6 <i>held</i> on April 19, 2021	4JA 585
19.	Transcript of Proceedings: Trial Day 7 <i>held</i> on April 20, 2021, <u>filed</u> on September 1, 2021	5JA 779
20.	Transcript of Proceedings: Trial Day 8 <i>held</i> on April 21, 2021, <u>filed</u> on September 20, 2021	6JA 955
21.	Transcript of Proceedings: Trial Day 9 <i>held</i> on April 22, 2021	7JA 1160
22.	Transcript of Proceedings: Trial Day 10 <i>held</i> on April 23, 2021, <u>filed</u> on September 9, 2021	8JA 1388
23.	Transcript of Proceedings: Trial Day 11 <i>held</i> on April 26, 2021, <u>filed</u> on September 15, 2021	9JA 1609
24.	Transcript of Proceedings: Trial Day 12 <i>held</i> on April 27, 2021, <u>filed</u> on September 22, 2021	10JA 1869
25.	Transcript of Proceedings: Trial Day 13 <i>held</i> on April 28, 2021	10JA 2041
26.	Transcript of Proceedings: Trial Day 14 <i>held</i> on April 29, 2021, <u>filed</u> on September 1, 2021	10JA 2061

27. Verdict <u>filed</u> on April 29, 2021 (Count I)	1JA 229
28. Verdict <u>filed</u> on April 29, 2021 (Count II)	1JA 230
29. Verdict <u>filed</u> on April 29, 2021 (Count III)	1JA 231
30. Verdict <u>filed</u> on April 29, 2021 (Count V)	1JA 232
31. Verdict <u>filed</u> on April 29, 2021 (Count VI)	1JA 233
32. Verdict <u>filed</u> on April 29, 2021 (Count VII)	1JA 234

1 Code #4185

2 SUNSHINE LITIGATION SERVICES
3 151 Country Estates Circle
4 Reno, Nevada 89511
5 775-323-3411

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF WASHOE
8 HONORABLE KATHLEEN DRAKULICH, DISTRICT JUDGE

9 -oOo-

10 THE STATE OF NEVADA,
11 Plaintiff,

Case No. CR20-0630A
& CR20-0630B

Dept. 1

12 vs.

13 ADRIANNA MARIE NORMAN and
14 RYAN WILLIAMS,

Defendants.
15 _____/

16
17 TRANSCRIPT OF PROCEEDINGS

18 JURY TRIAL - DAY 4

19 P.M. SESSION - OPENING STATEMENTS

20 & TESTIMONY

21 April 15, 2021

22 Reno, Nevada

23
24 REPORTED BY: CONSTANCE S. EISENBERG, CCR #142, RMR, CRR

25 Job 746602

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2 APPEARANCES:

3
4 For the Plaintiff:

5 LUKE PRENGAMAN, ESQ.
6 Deputy District Attorney
7 1 S. Sierra Street
8 Reno, Nevada 89501

9 For Defendant Norman:

10 MARC PICKER, ESQ.
11 Alternate Public Defender
12 MELISSA ROSENTHAL, ESQ.
13 Deputy Alternate Public Defender
14 350 South Center Street, 6th Floor
15 Reno, Nevada 89501

16 For Defendant Williams:

17 KATHRYN HICKMAN, ESQ.
18 Deputy Public Defender
19 EVIE GROSENICK, ESQ.
20 Deputy Public Defender
21 350 South Center Street, 5th Floor
22 Reno, Nevada 89501
23
24
25

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22
23
24
25

I N D E X

<u>WITNESSES FOR THE STATE:</u>	<u>PAGE</u>
<u>MIKE SLATTERY</u>	
DIRECT EXAMINATION BY MR. PRENGAMAN	38
CROSS-EXAMINATION BY MS. HICKMAN	50
CROSS-EXAMINATION BY MS. ROSENTHAL	54
REDIRECT EXAMINATION BY MR. PRENGAMAN	57
 <u>CLIFFORD WEBSTER</u>	
DIRECT EXAMINATION MR. PRENGAMAN	59
VOIR DIRE EXAMINATION BY MS. ROSENTHAL	67
DIRECT EXAMINATION, RESUMED, BY MR. PRENGAMAN	68

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E X H I B I T S

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EVD</u>
1	Bob & Lucy's video, all channels	4/12/21	66
2	Bob & Lucy's video, edited	4/12/21	68
3	Slattery/dash camera video	4/12/21	45
4	Photo - truck approaching jeep	4/12/21	48
5	Photo - pre-collision	4/12/21	48
6	Photo - collision	4/12/21	48
7	Photo - crash scene overall from east	4/12/21	48
167	Aerial photo, Bob & Lucy's building	4/12/21	68

1 THURSDAY, APRIL 15, 2021, RENO, NEVADA, 1:10 P.M.

2 -oOo-

3 THE COURT: I'm just going to remain standing so you can
4 hear me, as I'm not going to use the microphone.

5 Counsel, I wanted to convene -- the record should
6 reflect that all parties are present, Mr. Williams, Ms. Norman,
7 here in the courtroom outside the presence of the jury.

8 Counsel, we have two questions from jurors already.
9 They are just -- I really view them as administrative in nature.
10 You should have been provided copies of both of them.

11 Ms. Hickman, Ms. Grosenick, do you have copies of those
12 questions?

13 MS. GROSENICK: Yes.

14 MS. HICKMAN: We do.

15 THE COURT: Mr. Picker, Ms. Rosenthal, same question.

16 MR. PICKER: We have copies of them.

17 THE COURT: Thank you. That's all right. I think if
18 you talk -- we tested this. If we all just talk in our own
19 voices, even with the headsets, the mikes on, there's no sound, so
20 we don't need to worry about that.

21 Okay. Let's look at Question Number One. The question
22 reads -- it's from Juror Number 12 -- "Are there 12 jurors and
23 three alternates, or all 15 jurors?" My response would be
24 nothing. I wouldn't intend to answer this question and just let
25 it go unanswered.

1 Mr. Prengaman?

2 MR. PRENGAMAN: No objection.

3 THE COURT: Ms. Hickman?

4 MS. HICKMAN: No objection.

5 THE COURT: Mr. Picker.

6 MR. PICKER: No objection.

7 THE COURT: Second question is, this is Juror Number
8 8 -- who sat right here directly across, I think, from counsel
9 table for Mr. Williams during most of the jury selection -- says,
10 "I have a hearing loss. I wear hearing aids. Could I please sit
11 in the front to make sure I hear everything? Seeing this is very
12 important. So far I have not had a problem hearing anything."

13 Deputy Wood, would you position yourself in front of
14 Juror Number 8's chair.

15 Okay. That's where Juror Number 8 is sitting.

16 Counsel, I'm willing to leave her there. It's pretty
17 central. Witness is just to her right. Counsel is directly in
18 front of her, sort of balanced there. She's not too far back.
19 She's sort of right in the middle.

20 Maybe test how that's going for her. And then if she
21 has an issue, have her check in with Deputy Wood.

22 Mr. Prengaman?

23 MR. PRENGAMAN: No objection.

24 THE COURT: Ms. Hickman?

25 MS. HICKMAN: No objection.

1 THE COURT: Okay.

2 MR. PICKER: No objection, Your Honor, but I would note,
3 just for the record, she's about as close to that speaker that's
4 on the wall that she could possibly be. I can't think of a better
5 place for her to be.

6 THE COURT: So, counsel, would you have any objection to
7 Deputy Wood letting her know that in the event she has an issue
8 with her seating, that she should inform him that hearing is a
9 problem, so that she knows she can revisit the issue with him?

10 Mr. Prengaman.

11 MR. PRENGAMAN: No, Your Honor.

12 MS. HICKMAN: No, Your Honor.

13 MR. PICKER: No objection.

14 THE COURT: So we'll have Deputy Wood do that.
15 And then I'm ready to go to opening statements.

16 Mr. Prengaman.

17 MR. PRENGAMAN: Judge, they gave me --

18 THE COURT: Step out, Counsel. I want you to step out
19 here so defense counsel can hear you.

20 Go ahead.

21 MR. PRENGAMAN: Judge, so they've given me Plexiglas. I
22 assume I'm okay to unmask while I'm at my table.

23 THE COURT: Yes, that's why we put it.

24 MR. PRENGAMAN: Thank you. I just wanted to make sure.

25 THE COURT: Counsel, remember today is that one day I

1 have a 3:30, so we're going to have a hard stop right at
2 3 o'clock. It's going to take me about 15 minutes to get to my
3 car and about 15 minutes to get there.

4 So today is a hard stop at 3:00. And we will start back
5 again tomorrow morning at 8:00 a.m. sharp. Okay?

6 All right. I'm hoping we get to all the opening
7 statements before 3 o'clock; all right? Okay.

8 Are we ready to bring the jurors in?

9 Okay. Deputy Wood.

10 THE BAILIFF: Yes, Your Honor.

11 THE COURT: No? Just a minute. Hang on.

12 (The jury entered the courtroom.)

13 THE COURT: Thank you, everyone. Please be seated.

14 Mr. Prengaman, sir, I turn to you for your opening
15 argument.

16 MR. PRENGAMAN: Yes, thank you, Your Honor.

17 Good afternoon, Members of the Jury.

18 I submit to you that this is a case of these two
19 defendants, Mr. Williams and Ms. Norman, attempting to get payback
20 from one person, Steve Sims, and in the course of events that
21 followed that attempt, killing another person completely
22 uninvolved in that beef, Jacob Edwards.

23 The evidence in this case will show that on
24 February 22nd, 2020, these two defendants, along with another
25 individual, entered Bob & Lucy's Tavern, a small tavern on Oddie

1 and Rock in Sparks, confronted Steve Sims inside. They confronted
2 him over a perceived beef that Ms. Norman had with him.

3 In the course of events that followed, the police were
4 called, and the defendant, Mr. Williams, ended up fleeing Bob &
5 Lucy's, with Ms. Norman still inside, in a white pickup truck, a
6 white Chevrolet pickup truck.

7 He led the Sparks police on a pursuit throughout various
8 areas of Sparks, in the general area of Bob & Lucy's, that
9 ultimately led them to the intersection of Victorian Avenue and
10 East McCarran Boulevard, where he then entered the freeway, going
11 eastbound on the westbound exit. So he entered the freeway going
12 against oncoming traffic.

13 He drove that truck into the middle of the traffic lanes
14 and collided with a truck, with a vehicle driven by Jacob Edwards,
15 and killed Mr. Edwards. And you'll hear that Mr. Edwards was
16 pronounced dead at the scene of that collision.

17 Now, the evidence you're going to hear is that Steve
18 Sims knew Defendant Norman prior to February 22nd. You'll hear
19 that he spent a number of weeks, a period of weeks staying with
20 her at her residence in Winnemucca. They were acquainted.

21 Mr. Sims ended up leaving her residence in mid January
22 of 2020. And when he left, he didn't tell her. He just left. He
23 up and left without telling her.

24 This prompted her to issue a series of text messages
25 where she accused him of stealing from her kids, and issued a

1 couple of threats along the lines of "Your day is coming," "Your
2 time will come soon," words to that effect.

3 Now Steve Sims did not respond to those text messages,
4 and he didn't see her again, Ms. Norman again, until the morning
5 of February 22nd. So February 22nd, 2020, early morning hours,
6 Steve Sims is at Bob & Lucy's in Sparks.

7 Now, he's a regular there. You'll hear, the evidence
8 will show, he's a regular at that little tavern. And it's a small
9 tavern. It's got sort of a small gaming area. And he frequents
10 that there.

11 He knows the bartender. In fact, the bartender -- he
12 was actually staying with the bartender at the time this happened.

13 So he knew the bartender, was acquainted with the
14 bartender.

15 So Steve Sims is in the casino and he's gambling. And
16 just after 6:00 a.m., a truck arrives. And you will see the truck
17 arrive because Bob & Lucy's is equipped with a surveillance camera
18 system. They've got a number of cameras both inside and outside
19 the casino and the tavern.

20 And so you'll be able to see the outside parking lot and
21 you'll be able to see that white Chevy pickup truck pull up, park
22 right in front of the tavern.

23 You'll also be able to see -- but not hear, because
24 there's no sound. You'll be able to see the events that transpire
25 inside the casino. So you will be able to see what happened, just

1 not hear the words that were spoken.

2 So just after, again, 6:00 a.m. that morning, the white
3 Chevy pickup truck pulls up and parks at Bob & Lucy's. You'll see
4 that it was -- there were three people inside that truck. You'll
5 be able to see that it was driven by Defendant Williams.

6 Mr. Williams was the driver. And there was a passenger,
7 Ms. Norman, and another passenger, a man that you'll again be
8 shown named Zane Kelly.

9 And what you'll see is that Zane Kelly gets out of that
10 truck while the two defendants stay inside. He enters the casino.
11 And as you'll again see in the surveillance footage, there's sort
12 of a breezeway, sort of a double set of doors. So you enter one
13 set of doors, there's an internal breezeway, and you enter --
14 actually enter the tavern through the second set of doors.

15 And there's a camera right inside that little breezeway,
16 so you'll be able to see the people come in.

17 So Mr. Kelly enters, enters the casino, the tavern. And
18 you'll see that he kind of makes a loop around the gaming floor.
19 He kind of makes a loop around where Mr. Sims is sitting at one of
20 the machines, playing.

21 And he goes right back out the door, spends a matter of
22 not even a minute inside and goes back out to the truck.

23 Now on his way out, he crosses paths with Mr. Williams,
24 who's on his way in, Defendant Williams. And you'll see from that
25 camera in the little breezeway that Mr. Kelly motions, thumbs

1 back, back into the casino, to Mr. Williams, as they cross paths.

2 Mr. Williams then enters the casino. You'll see that he
3 goes to the area where the bathroom is. He appears to go inside
4 the bathroom, and comes out. And then he does a smaller -- he
5 loops around that gaming floor, in the -- right in the area where
6 Mr. Sims is playing, and then he, too, goes right back out to the
7 truck.

8 And a couple of minutes, at most, later, Defendant
9 Williams -- I'm sorry, Defendant Norman then gets out of that
10 truck and she comes in.

11 Now she goes right to where Mr. Sims is sitting at the
12 machine, playing the game. And I submit to you that the evidence
13 of that video footage will show, without even hearing any
14 testimony, that she confronts him, because you'll see the vigorous
15 movements and the body language, that she begins confronting.

16 And you'll hear from Mr. Sims. Mr. Sims will tell you
17 that when she walks in, she immediately confronts him about the
18 accusations.

19 She basically confronts him, "You didn't think I'd find
20 you," and then starts accusing him of stealing a number of
21 items -- an Xbox, tablet -- from her home, that belong to her
22 children.

23 And they have a confrontation. You'll be able to see
24 them sitting -- she sits next to him, and you'll see them talking.
25 You'll see it's vigorous at that time. You can tell it's angry.

1 Now, in the meantime, Mr. Williams is out in that truck,
2 with Zane Kelly. And while Mr. Sims and Ms. Norman are inside,
3 talking, confronting -- confronting each other -- Mr. Kelly gets
4 out and he comes in at one point and again makes a loop. He loops
5 around that gaming floor, right? Right behind, right past where
6 Ms. Norman is confronting Mr. Sims. And he goes back out to the
7 truck.

8 Very shortly after that, he again comes in, but this
9 time -- and starts heading in the direction of Ms. Norman and
10 Mr. Sims.

11 But you'll see that Mr. Cole, the bartender, confronts
12 him, basically says "hey," because he's coming in and going out,
13 and so basically tells him go back out, and he does; at which
14 point Mr. Williams then enters the casino. And Mr. Williams goes
15 directly up to where Mr. Sims and Ms. Norman are. He takes the
16 position directly behind Mr. Sims.

17 As Mr. Sims will tell you, at that point, after
18 Mr. Williams arrives, he is afraid, and he has been. And that's
19 because when Ms. Norman initially came in, he -- Mr. Sims can see
20 that under her coat she had a gun.

21 And, in fact, at one point, he'll testify that she sees
22 him kind of looking, keep looking in that area, and she pulls out
23 the gun and shows him, to show, yeah, it's real, and then puts it
24 back.

25 And you'll be able to see that on the video, that she

1 pulls out the gun and puts it back in.

2 Now, Mr. Williams, after that has transpired,
3 Mr. Williams then comes and takes the position directly behind
4 Mr. Sims. And Mr. Sims has only seen or known Mr. Williams once
5 before. He's met him once before and that was during the time
6 period that he was living with Ms. Norman back in Winnemucca.

7 And on that day, Mr. Williams was carrying a gun on his
8 person, and had made a point of bringing it out and placing it on
9 the console of the car where they were together.

10 And that's the only day that Mr. Sims had met or had
11 contact with Mr. Williams.

12 Now, when Mr. Williams walks up, Mr. Sims basically will
13 testify, he'll tell that you he basically makes an appeal like,
14 "You don't think I did this, stole," because that's what they have
15 been talking about. She's been accusing him of stealing. He's
16 been denying.

17 He will tell you that Mr. Williams says "Let's go."
18 That's basically immediately after he gets there, "Let's go. You
19 know how I roll." And based on that, Mr. Sims' only contact with
20 Mr. Williams having been that prior occasion, Mr. Sims believed
21 that not just Ms. Norman, but that also Mr. Williams was armed by
22 virtue of "You know how I roll."

23 Mr. Williams then reaches across. He's right behind
24 Mr. Sims. He reaches across, presses the cashout button and takes
25 Mr. Sims's gaming ticket out of the machine that has his -- the

1 money that he has been playing on that machine, and says, "We're
2 going for a ride," and then ushers Mr. Sims toward the door.

3 So the three of them, Ms. Norman, Mr. Williams, and
4 Mr. Sims, then edge toward the door.

5 Mr. Sims, you'll hear from Mr. Sims that he was afraid.
6 He did not want to leave the casino. He was worried about what
7 was going to happen to him were he to leave the casino.

8 And so he starts offering up to them, "Hey" -- again,
9 he'll tell you his mind is racing. He starts offering up, "Hey, I
10 can get some money for you."

11 "How much?"

12 "How much is the Xbox? How much? How much will it take
13 to replace it," when they make that accusation.

14 And ultimately, he offers up that he believes he can get
15 the bartender -- again, Mr. Cole, who he knows -- to get his
16 brother to bring a hundred dollars.

17 And the defendants say okay, make it quick.

18 And so Mr. Williams then heads out to the truck while
19 Ms. Norman stays inside with Mr. Sims.

20 Now one thing that you'll see in that camera, in the
21 breezeway, is that while Mr. Sims sort of heads over to the bar to
22 talk to Mr. Cole, ostensibly to arrange for the money to come,
23 then you'll see Mr. Williams motioning to Ms. Norman.

24 Ms. Norman steps into the breezeway. And at that point
25 Mr. Williams reaches into, right under her coat, removes the gun,

1 places it in his sweatshirt pocket in front, then goes out to the
2 car.

3 And so Mr. Sims portrays to Ms. Norman that he has
4 arranged for Mr. Cole's brother to bring a hundred dollars to the
5 casino, it's going to take about 15 minutes.

6 He will -- you'll hear from him again. He'll say that
7 while standing there, at one point Ms. Norman says Mr. Williams is
8 calling, you better make it quick, basically because if he comes
9 back in, I can't stop what's going to happen.

10 And Mr. Sims is going to tell you he was worried, he was
11 afraid. He didn't want that to happen.

12 What he had actually done is ask Mr. Cole to call the
13 police. And that's what Mr. Cole did, he called the police.

14 And so Mr. Sims is basically stalling. The police begin
15 arriving. You'll be able to see that on surveillance camera
16 footage. You'll be able to see police cars arrive, pull in behind
17 the white Chevy pickup truck.

18 Mr. Williams is in the driver's seat and Mr. Kelly is
19 the passenger.

20 And as we go through, you'll hear testimony from
21 officers who responded. And what they will describe is that they
22 pulled in, they left some distance, because they believed from the
23 report that had come out from 911 that there were armed suspects
24 in that truck, so they kept a distance.

25 They got out. They began calling out to the truck,

1 calling out to the people in the truck to come out.

2 The evidence will show that Mr. Williams does not.
3 He -- he turns on the truck, and he pulls out and drives quickly
4 away from the Bob & Lucy's. And he is pursued, as you will see
5 from the camera footage from the police cars, by a number of
6 police officers.

7 Now, those police officers have their lights and sirens
8 activated. And you will see a number of them. And for a short
9 period of time, the very first car does not have its lights and
10 sirens activated because the equipment wasn't working. Now it
11 came on shortly, but that very first car for a short period of
12 time did not have its lights and sirens activated, but the other
13 cars following behind did.

14 And you will see those cars pursue Mr. Williams. And
15 Mr. Williams proceeds to drive at high rates of speed. He goes
16 down Rock Boulevard, he goes under the freeway. He goes down to
17 Glendale. He leads the police sort of through little industrial
18 areas on Glendale, attempting to evade them.

19 You'll hear that the police follow him, lights and
20 sirens activated, that whole way; that he does not stop on Rock,
21 he does not stop on Glendale. He does not stop, he does not yield
22 to those lights and sirens at all, the evidence will show.

23 Ultimately, you'll hear Officer Chambers, after a
24 pursuit around the little industrial area, he was further back in
25 line of cars pursuing Mr. Williams, but ultimately he becomes the

1 first car. He becomes the very first car behind Mr. Williams.

2 He will describe -- you'll see that pursuit from his
3 dash camera footage, him pursuing Mr. Williams up East McCarran,
4 under the freeway, into the -- into that area, there's a little
5 residential area where he turns on to Lincoln Street, and you'll
6 hear and see that footage of Officer Chambers' pursuit.

7 At one point on McCarran, right before turning on to
8 East Lincoln, you will see the defendant veers into the oncoming
9 traffic lane and then makes that turn on to Lincoln, and the
10 pursuit continues through a small residential neighborhood,
11 ultimately on to Stanford, and then south on Stanford to where
12 Stanford connects to Victorian.

13 Now at that point Officer Chambers -- again, you'll hear
14 his testimony, you'll see his footage -- but he has asked to be
15 authorized to use what the police call a PIT maneuver, which is a
16 way to disable a vehicle and stop it.

17 And he is authorized, and he engages that maneuver, but
18 it's not effective. It doesn't stop the truck. He engages it but
19 it doesn't stop the truck. And the truck kind of regains control
20 and then continues eastbound on Victorian.

21 And at that point, Officer Snow becomes the first car
22 pursuing the defendant driving that white truck.

23 And again, you'll hear testimony, you will see the
24 camera footage of Officer Snow, and the defendant -- again, on
25 Victorian, he kind of veers into the opposite bike lane for a

1 period of time, to get around the police cars. And then he heads
2 to the, ultimately, to the intersection of East McCarran and the
3 freeway.

4 And that's -- right across, is where the on-ramp -- I'm
5 sorry, the off-ramp. So the westbound traffic coming off of the
6 freeway, that westbound off-ramp is right there. And the
7 defendant drives up that off-ramp.

8 Now you'll see it. Again, you'll see the footage.
9 There's a semitruck coming off of the freeway. There are markings
10 on the road clearly indicating that it's the wrong way. There's
11 the sign that says "Do Not Enter."

12 The defendant drives up that off-ramp, followed by
13 Officer Snow, and further back another officer, Officer Guillen,
14 you will also hear from.

15 And he enters the freeway and he enters the westbound
16 travel lane going eastbound, and he does so at essentially freeway
17 speed.

18 Now, Officer Snow veers off onto the shoulder with his
19 lights and sirens activated, so he does not enter into the main
20 freeway traffic.

21 But the defendant, as he's driving down -- what I'll
22 submit to you, you'll see the middle of the freeway -- collides
23 with the vehicle, the Jeep Liberty, driven by Jacob Edwards.

24 And you'll see that collision, because there's a
25 semi-truck that happens to have a dash camera, it is traveling in

1 a different lane, but who happens to capture the collision on his
2 camera.

3 And so you will see the braking and you will see the
4 defendant's truck collide with Mr. Edwards' vehicle.

5 Now the police arrive very quickly. They get
6 Mr. Edwards out of his car.

7 First, they get Mr. Williams and Mr. Kelly out of the
8 truck, and they do that. You'll hear -- because they believe
9 they're armed and the first priority is to make sure that everyone
10 there is safe and not in danger. Once they have done that, and,
11 in fact, while they are doing that, other officers go and get
12 Mr. Edwards out of his Jeep Liberty.

13 And they render aid at the scene and do CPR, but as you
14 will be able to hear, he's pronounced dead at the scene in spite
15 of those efforts.

16 Mr. Williams is taken into custody there at the scene.
17 You will hear that the truck that he was driving was taken back to
18 the Sparks Police Department and searched, and that inside the
19 truck they found that same gun that was seen on the video tucked
20 up under the driver's seat. And they found that ticket under the,
21 basically, the floor mat of the driver's side.

22 The evidence will also show that upon being taken to the
23 hospital for his injuries that he sustained, Mr. Williams has his
24 blood drawn.

25 So the police applied for a warrant. They took samples

1 of Mr. Williams' blood. And you'll hear from -- you'll hear
2 testimony about the analysis of that blood, and you'll ultimately
3 hear that he had a level of methamphetamine in his blood that is
4 well above the legal limit.

5 You will also hear that on the -- from the camera
6 footage of one of the officers who rode in the ambulance from the
7 scene of the collision on the freeway to the hospital with
8 Mr. Williams, that in the course of getting information, that one
9 of the medics, the medic attending to Mr. Williams in the
10 ambulance, asked him whether he's had any substances or alcohol,
11 and he replies that, yes, he's had alcohol and methamphetamine.

12 You will also hear that back at the casino -- so the
13 police, a number of officers pursue Mr. Williams in that white
14 Chevy truck. Other officers show up at the scene. And they find
15 Mr. Sims coming, running out from the casino. You'll hear from
16 Sergeant McNeely who contacts Mr. Sims right there.

17 You'll also hear from Sergeant McNeely that shortly
18 after he contacts Mr. Sims and gets some basic information about
19 what's happening, so basically what happened. And he's concerned
20 about were there weapons involved and getting information out over
21 the police radios to the other officers responding, who were
22 involved in that pursuit.

23 He also redirects Mr. Sims to go back and wait in the
24 casino. And as Mr. Sims is heading back, he sees that Mr. Sims
25 has seen a woman walking away from the area of Bob & Lucy's. And

1 that woman ends up being Ms. Norman.

2 And so Sergeant McNeely calls to her, calls her over,
3 and he begins handcuffing her because he believes she's involved.
4 And in that process, Ms. Norman calls out to Mr. Sims, who is
5 heading back towards Bob & Lucy's, as directed by McNeely. And
6 there's an exchange between Mr. Sims and Ms. Norman.

7 And what you'll hear is Ms. Norman essentially pleading,
8 I submit to you, pleading with Mr. Sims, "Why are you doing this
9 to me?" But what she tells him is, "Okay, I'll drop" -- "the Xbox
10 is dropped." She indicates to him she will drop the Xbox, again,
11 I submit to you, if he will help her get out of this situation.

12 Ladies and gentlemen, based on that evidence, at the
13 conclusion of this case I will ask you to find both defendants
14 guilty of robbery, attempted robbery, and burglary for what
15 happened inside Bob & Lucy's Casino, for entering the casino, for
16 taking the ticket, and by attempting to take money that he has
17 offered them to avoid being taken outside.

18 I will ask you to find them guilty of murder, felony
19 murder, because the killing of Jacob Edwards occurred when the
20 defendant fled from the commission of felonies at Bob & Lucy's.

21 And I will ask you to find Defendant Williams, and him
22 alone, because he's the only one charged with these last three
23 offenses, of eluding the police causing death, of reckless
24 driving, and of driving under the influence causing death, because
25 that conduct was -- proximately caused the death of Jacob Edwards.

1 Thank you for listening.

2 THE COURT: Thank you, Mr. Prengaman.

3 Ms. Grosenick, Ms. Hickman.

4 MS. GROSENICK: Thank you, Your Honor. Permission to
5 use the podium?

6 THE COURT: Of course.

7 MS. GROSENICK: Thank you.

8 As you've heard already, the events of February 22nd,
9 2020, involved a lot of events and many things happened.

10 At the conclusion of this trial we will be asking you to
11 find our client not guilty of robbery, attempted robbery, burglary
12 and murder.

13 Now let's talk about some of the evidence that you will
14 see in this trial that you are not aware of yet.

15 I want to talk to you about why Mr. Williams and
16 Ms. Norman were at Bob & Lucy's in the first place that day.

17 I want to talk to you about evidence regarding the two
18 conversations that are at issue in this case that occurred inside
19 Bob & Lucy's, and then the police response and why they responded
20 the way that they did.

21 And if anybody has trouble hearing me, please let me
22 know. It seems like sometimes if I turn my head this way, I cut
23 out.

24 So let's begin with why Ms. Norman and Mr. Williams were
25 at Bob & Lucy's in the first place that day. You are going to

1 hear evidence that a third individual, Zane Kelly, asked them for
2 a ride to Bob & Lucy's because he was supposed to meet someone
3 there.

4 And that is why the three of them arrived in a white
5 pickup truck at Bob & Lucy's on February 22nd, 2020, around 6:00
6 in the morning.

7 You are also going to see in the video that Zane Kelly
8 is the first person to enter Bob & Lucy's.

9 You will see him do a lap around the bar and then exit
10 and go back out to the truck.

11 You will then see Mr. Williams get out of the truck,
12 enter Bob & Lucy's, go to the rest room area, disappear in there
13 momentarily, come back out, leave the bar, go back to the truck.

14 A couple of minutes later, Ms. Norman leaves the truck,
15 goes inside Bob & Lucy's and makes contact with Steven Sims.

16 So let's talk about the first conversation that's at
17 issue. And that is the conversation between Ms. Norman and
18 Mr. Sims. You'll see in that video that it is a heated
19 conversation and Mr. Sims will likely describe it that way
20 himself.

21 And the State has already given you a preview of the
22 subject matter of that conversation. And it was a confrontation.
23 And it was a confrontation about the way that the living situation
24 between Mr. Sims and Ms. Norman had ended over a month prior.

25 In December of 2019 Mr. Sims had moved in with Adrianna

1 Norman and her family. He slept at their house. He ate meals
2 with them. He spent Christmas Day with them. And then in January
3 he left, without a word and without explanation.

4 That was the topic of their conversation that day.

5 And you will see video of that conversation. As the
6 State has already told you, there's no audio recording of it.

7 You will have to look elsewhere to fill in the gaps and
8 for that evidence.

9 Now, one thing that you will see in that video is that
10 Ms. Norman does pull out what appears to be a shiny silver object
11 and that's alleged to be a gun, but that doesn't happen until
12 after Steven Sims stands up out of his chair and leans over her
13 during their heated conversation.

14 Another thing is that Steven Sims will tell you that
15 while it was heated, and while Ms. Norman did confront him about
16 the way that he left, she also accused him of taking her
17 children's Christmas presents, including the Xbox.

18 Steven Sims will tell you that Ms. Norman never
19 threatened him and that Ms. Norman never asked for money.

20 He will tell you that he offered to give her money to
21 make things right.

22 Now, this heated conversation, this conversation between
23 Mr. Sims and Ms. Norman lasts for approximately 10 minutes.

24 And during that time you will see Zane Kelly leave the
25 truck and come in and walk around twice. He walks towards the

1 conversation between Mr. Sims and Ms. Norman, both times, and then
2 exit.

3 And it's not until about 10 minutes after Ms. Norman had
4 entered Bob & Lucy's that Mr. Williams entered the bar for the
5 second time.

6 At that time he does enter Bob & Lucy's. He made
7 contact with Ms. Norman and Mr. Sims. You'll see in the video
8 that Mr. Williams and Mr. Sims are speaking, are having words.
9 And you'll also see it appears that they touched hands.

10 Mr. Williams, after a very brief conversation, then took
11 the ticket out of the gaming machine where Mr. Sims was playing,
12 and walked towards the front of the bar.

13 Adrianna Norman and Steven Sims got up and followed him.

14 There is a brief encounter at the front of the bar
15 between Mr. Williams and Ms. Norman, and he appears to be
16 motioning for people to follow.

17 Mr. Sims didn't follow Mr. Williams out of the bar. He
18 stayed in the bar. And what you'll see in the video is that
19 Mr. Williams' response is to go wait in the car.

20 He never forced Mr. Sims to come outside.

21 Adrianna Norman and Mr. Sims stayed inside the bar while
22 Mr. Williams returned to the truck where Zane Kelly was still
23 waiting. And it's during that time that Mr. Sims went to his
24 roommate and friend, the bartender, David Cole; told David Cole
25 that he had been threatened and needed money, and David Cole

1 called the police.

2 Several Sparks police officers responded within minutes.

3 So now I want to talk to you about their response and
4 why they responded the way that they did.

5 Within a few minutes of the 911 call, there were at
6 least three to four police cars outside of Bob & Lucy's parked
7 behind the truck that Mr. Williams and Mr. Kelly were in.

8 The truck did not have on headlights or brake lights and
9 the police cars did not have on red and blue lights or sirens.

10 You will hear from the officers that as they waited
11 there behind Mr. Williams' truck for several minutes, the
12 information that they had was the make of the truck, the color,
13 the body style, the license plate number, and that all that
14 information would allow them to find out who the registered owner
15 was.

16 After a couple of minutes, Mr. Williams' truck reversed
17 and left the parking lot.

18 Several Sparks police officers followed in their
19 vehicles and that was the beginning of a nearly eight-minute high
20 speed pursuit throughout portions of Sparks that did culminate,
21 tragically, in the death of Jacob Edwards.

22 You'll hear testimony that during that pursuit
23 Mr. Williams and the numerous police cars following him did run
24 red lights, were speeding, and did not obey the traffic lanes.

25 Now, the State mentioned that at one point Mr. Williams

1 was driving the wrong way on McCarran and turned left on to
2 Lincoln. And what you will see is that there are cars in oncoming
3 traffic that he could have run into head-on if he hadn't turned,
4 but he did turn left there and avoided a collision.

5 Now you will also hear that during that high speed
6 pursuit, two police vehicles collided into each other; a third was
7 disabled during the PIT maneuver, an intentional attempt to
8 disable Mr. Williams' vehicle; and two police Sparks vehicles
9 followed Mr. Williams the wrong way onto Interstate 80.

10 What you will also hear testimony about is the fact that
11 just before the collision with Jacob Edwards, Mr. Williams took
12 his foot off the gas applied the brakes and swerved.

13 Now I want to go back to why the police responded that
14 way, because the initial call was for threats with a gun; but you
15 will hear that that reason for the call was upgraded to robbery
16 with a gun after police on scene spoke with Steven Sims, based on
17 what Steven Sims told officers that morning. And that happened
18 during the pursuit throughout Sparks.

19 I want to stop and talk about Steven Sims for a moment,
20 because you're going to hear evidence on -- about things that
21 impacted his ability to recall and perceive events, as well as
22 evidence that contradicts or does not support things that he told
23 the police happened that morning.

24 You are going to hear evidence that Mr. Sims was at Bob
25 & Lucy's since approximately 5:00 a.m. that morning. He had not

1 slept at all the night before, and he had been using
2 methamphetamine and was actively high during the events in this
3 case.

4 You are also going to hear that the results of the
5 police investigation don't support some of the things that
6 Mr. Sims told police that morning. And you will see for yourself
7 in video evidence that some of his statements to police are
8 directly contradicted by the video.

9 For instance, Mr. Sims told police that he saw possibly
10 three guns that morning. He described two of them. One was a
11 silver gun that he says was in Ms. Norman's possession.

12 The second, he said that Mr. Norman (sic) pulled up his
13 shirt to show his waistband, and showed Mr. Sims, in Bob & Lucy's,
14 the butt of a black handgun tucked into his waistband.

15 You will see the video evidence for yourself, which does
16 not show that happening.

17 The police investigation also found only one gun; did
18 not find a second or third.

19 Another thing that Mr. Sims told police was that
20 Mr. Williams took his wallet. Again, the video evidence does not
21 show that. And Mr. Sims' wallet, nor any of its contents were
22 located on Mr. Williams, on Zane Kelly, or inside the truck.

23 So a lot of things happened on February 22nd of 2020.

24 And at the end of this trial it will be your job as the
25 jury to sort through all of that.

1 You get to decide what the facts are and what happened.
2 And then you will apply the law as given to you by the Court to
3 those facts and decide what our client is responsible for.

4 And at the end of this trial we will be asking you to
5 find Ryan Williams not guilty of robbery, attempted robbery,
6 burglary, and murder.

7 Thank you.

8 THE COURT: Ms. Grosenick, thank you very much.

9 Mr. Picker, Ms. Rosenthal.

10 MR. PICKER: Thank you, Your Honor.

11 Good afternoon, ladies and gentlemen.

12 As you remember, Ms. Rosenthal and I, we represent
13 Adrianna Norman.

14 And I apologize already, but some of this is going to be
15 repetitive, but you all know that each of these defendants, each
16 of these two people at these two tables need to be considered
17 separately. The charges against them have to be considered
18 separately. So some of the things I'm going to say, you've
19 already heard, but they apply now to Ms. Norman.

20 The prosecutor has told you that you this was a series
21 of events, connected events. And the problem is that you're going
22 to hear testimony that contradicts.

23 First, let's look at how everything began. You've heard
24 Steven Sims lived with Adrianna Norman at her residence in
25 Winnemucca. She let him stay with her, because the guy he was

1 staying with in Winnemucca got arrested for drugs.

2 You're going to hear that she allowed him to stay with
3 her, she didn't ask for money. He didn't pay any money. She
4 provided food. She provided the house.

5 Then you're going to hear Mr. Sims say, well, that he
6 left without saying anything to her.

7 After he left, she texted him a number of times saying,
8 "You left without saying anything, you took my children's Xbox,
9 you took some other things."

10 He ghosted her. Explaining that term, he didn't respond
11 to any texts, he didn't respond to any messages, he never offered
12 any information, despite the fact that the phone he was receiving
13 those messages on was one that once belonged to Ms. Norman and was
14 on her grandfather's account.

15 Days, weeks go by. That incident is over. Nothing
16 happened, no follow-up by anyone.

17 Then you're going to hear that Ms. Norman, Mr. Williams,
18 with Zane Kelly, they traveled to Reno.

19 They end up in Bob & Lucy's. They travel there so that
20 Mr. Kelly can meet a woman. That's his version of the story.

21 You'll see and hear that Mr. Kelly is not charged, was
22 never charged in this case. And obviously, he is not here.

23 So the morning, February 22nd, Mr. Kelly goes in to Bob
24 & Lucy's first. You can see him looking around. He comes up.

25 You see Mr. Williams on the video. He goes into

1 the entrance of Bob & Lucy's. He comes in.

2 Ms. Norman has not left the pickup at any point of this.

3 Then you see Ms. Norman go into Bob & Lucy's. She goes
4 directly to Mr. Sims. We agree with that. And she confronts him
5 about stealing her child's -- children's Xbox.

6 He offered -- he's going to tell you that he offered up
7 some explanations, and her response was, "Why didn't you respond
8 to any of my text messages? Why didn't you respond to any of my
9 Facebook messages? Why did you leave me hanging?"

10 He doesn't have any more response to that.

11 Then on the video, you're going to see Ms. Norman get up
12 and go to walk away. And you're going to see Sims motion her
13 back, and point to the chair. So she goes over and sits down.

14 You're going to see that that happens twice, where she
15 attempts to walk away and he calls her back.

16 Now the prosecutor said there was vigorous movement --
17 vigorous movement and body language of Ms. Norman as she confronts
18 Sims.

19 You're going to watch the video. And what you're going
20 to see is Mr. Sims get up and stand over Ms. Sims -- I mean
21 Ms. Norman, yelling at her. That is clear on the video.

22 Ms. Norman never does that to Mr. Sims. You're going to
23 see that.

24 The aggressive body language, the aggressive movement
25 only belongs to one person. You're going to that on the video.

1 There is a vigorous confrontation, and it is all on
2 behalf of Mr. Sims.

3 A few minutes later, you're going to, after discussion,
4 you're going to see that Mr. Sims looks, and Ms. Norman does pull
5 out a firearm. And what he's going to testify to is she said,
6 "Yeah, it's real."

7 But what he's also going to testify to is that before
8 she ever showed him that gun, he told her, "I've got a gun. I'm
9 armed. I've got people all around me. I'm not here alone."

10 During this lengthy conversation -- and it is lengthy.
11 It is a 20-minute conversation between Ms. Norman and Sims. You
12 are going to see at some point Zane Kelly come back in, circle
13 around. He doesn't say anything to anybody, he doesn't do
14 anything. And then he goes back out.

15 But what you're also going to see is that the bartender,
16 Sims' roommate, David Cole -- we're going to hear from him. He
17 comes over while Ms. Norman and Sims are having this discussion
18 and serves Sims a drink.

19 He doesn't react to anything. He doesn't ask Sims if
20 he's okay or if Ms. Norman is confronting him. You're going to
21 hear that he didn't respond or act in any way. He didn't react in
22 any way.

23 Okay. Mr. Williams then comes in, goes over directly to
24 where Ms. Norman and Sims are sitting.

25 And then on the video you're going to see Ms. Norman get

1 up and walk away, leaving Mr. Williams and Sims at the machine.
2 She's walked away.

3 So when the State tells you the three of them head
4 toward the door, the video is going to contradict that.

5 In fact, Mr. Sims is going to tell you she was at least
6 10 yards away at that point.

7 She doesn't -- she's not part of whatever happens over
8 there at the machine. She doesn't know. She's already headed
9 toward the door.

10 Mr. Williams and Sims come toward the door where she's
11 waiting, and at that point, for the very first time, somebody
12 mentions money.

13 The only person whoever mentions money in that entire
14 event, according to Steve Sims, is Steve Sims.

15 He offers to get it, give Ms. Norman some money to make
16 it good for this Xbox that he has denied taking. Okay.

17 You're going to see on the video that Mr. Williams then
18 leaves, goes back out to the pickup.

19 And Ms. Norman stays.

20 Now you're going to hear various information, especially
21 from David Cole and Steve Sims, that Ms. Norman stood over by that
22 door, that entrance and exit to Bob & Lucy's, and she held it open
23 with her foot so that Mr. Williams could come storming back in, in
24 case there was an issue.

25 You're going to see on the video that that testimony is

1 absolutely false.

2 Ms. Norman does not hold the door open, despite
3 Mr. Cole's written statement and Mr. Cole's information to police.

4 She's standing there. You're going to watch this video
5 and you're going to see Mr. Sims walk away, come back, walk away,
6 come back.

7 And at least, a couple of points, this person who is
8 supposedly -- what is it? He was worried and afraid, according to
9 the Prosecution, he's so worried and afraid that he stands leaning
10 against the wall like this, talking to Ms. Norman, chatting with
11 her.

12 I would suggest to you, from the body language, you're
13 going to be able to tell from the video that he was never worried
14 or afraid at all. He was nonchalant.

15 A few minutes after that, you're going to see the police
16 arrive, the white pickup leaves, and they leave Ms. Norman behind.

17 Again, another break in all of this action. She's left
18 standing there.

19 And at that point you're going to hear from Mr. Sims, he
20 headed for the back door and he ran out. He ran out.

21 Ms. Norman didn't run anywhere.

22 She goes out the front door, nobody is shown there,
23 according to Sims and the testimony we've heard before, but at the
24 point where Sims is coming back to Bob & Lucy's after telling the
25 police that Ms. Norman was in there robbing people, those are his

1 words, that's what he told the police, "She's robbing people with
2 a gun."

3 Later you're going to hear he testified, "No, she never
4 attempted to rob me. She didn't want to rob me. She never asked
5 for money. Not once did she mention money."

6 You'll see that Ms. Norman walks up to the police.
7 Walks up. And the first thing you're going to hear on that
8 video -- on that police officer's body cam, is "She's the one,"
9 coming out of Steve's mouth, Steve Sims' mouth. "She's the one.
10 She's got three guns."

11 He knows that's not true, and he's going to tell you he
12 knew that wasn't true then.

13 Ms. Norman is taken into custody and she talks to the
14 police. I think they described her as surprisingly cooperative.
15 And that's what you're going to hear from the police, in their
16 testimony, she was surprisingly cooperative.

17 Oh. When Steve Sims was asked under oath previously
18 whether he said Ms. Norman attempted to rob him, he said he never
19 said that. You're going to hear that on the body cam.

20 He says he never accused her of having three guns.
21 You're going to hear that on the body cam.

22 Your going to hear that Ms. Norman's version of what
23 happened that day is surprisingly similar to that of Zane Kelly's
24 version, and surprisingly different from what Steve Sims has to
25 say.

1 So Ms. Norman is not in the pickup when it leaves Bob &
2 Lucy's. The evidence will confirm she's not part of the chase,
3 she's not part of the collision. This is yet again another
4 separate incident.

5 Again, listening to Steve Sims, you're going to hear
6 that Ms. Norman never asked for money. She never even mentioned
7 money. She never even asked him to make it right.

8 You're going to hear from Steve Sims that Ms. Norman
9 never threatened him in any way. She never pointed the gun at
10 him. And the evidence is going to show that Ms. Norman didn't
11 flee, didn't leave the area.

12 At the end of this case, after the prosecution has
13 presented its evidence, and Ms. Norman has responded to those
14 allegations and those accusations, we're going to ask you to find
15 her not guilty, not guilty of any alleged crimes against Mr. Sims,
16 not guilty of entering Bob & Lucy's with any intent to commit any
17 crime there.

18 All she wanted to do, and it's going to be clear to you
19 from the evidence, she wanted to confront him and just call him
20 out for stealing from her children.

21 And we're going to go ask that you find her not guilty
22 of the murder charge. Thank you.

23 THE COURT: Thank you, Mr. Picker.

24 Mr. Prengaman, do you need a brief recess or are you
25 prepared to call your first witness?

1 MR. PRENGAMAN: I'm going to call my first witness.

2 THE COURT: Let's do that.

3 MR. PRENGAMAN: The State will call Mike Slattery.

4 MS. ROSENTHAL: Thank you, Your Honor. May we ask that
5 the doors be closed?

6 THE COURT: Yes.

7 THE CLERK: Sir, please raise your right hand.

8

9 MIKE SLATTERY

10 called as a witness, having been duly sworn,

11 testified as follows:

12

13 THE CLERK: Thank you.

14 THE BAILIFF: Right this way, sir.

15 THE COURT: Mr. Prengaman.

16 MR. PRENGAMAN: Thanks, Your Honor. Good afternoon.

17 THE WITNESS: Good afternoon, sir.

18 THE COURT: Mr. Slattery, I'm going to ask that you draw
19 the microphone up. Mine is just like yours. Sometimes it even
20 helps to hold it right here up against your mask.

21 THE WITNESS: Okay.

22

23 DIRECT EXAMINATION

24 BY MR. PRENGAMAN:

25 Q Can you please tell us your name.

1 A My name is Mike, last name is Slattery.

2 Q Could you please spell your last name so our court
3 reporter can take it down.

4 A S-L-A-T-T-E-R-Y.

5 Q Mr. Slattery, do you live in Washoe County?

6 A Yes, I do.

7 Q And how long have you been a resident of the county,
8 anywhere in Reno-Sparks, in Washoe County?

9 A Well, I've been with the company I was with, four years.
10 I've been here since 2014.

11 Q And what do you do for living?

12 A I'm a tractor trailer driver that hauls triples on back.

13 Q And when you stay "triples," tell us what you mean by
14 that.

15 A Well, there's three trailers hauled at one time.

16 Q So you drive one of those big semi-trucks?

17 A Yes, sir, I drive a three-axle drive load.

18 THE COURT: Mr. Slattery, sir, this is your decision --
19 you are behind Plexiglas -- you can remove your mask, if it's
20 easier for you.

21 THE WITNESS: Oh, if it's okay.

22 BY MR. PRENGAMAN:

23 Q And what company do you work for?

24 A I work for Batts Trucking.

25 Q And taking you back to February of 2020, so February of

1 last year, particularly February 22nd, back then did you have a
2 regular route that you drove?

3 A Yes. I'm still on the same regular route.

4 Q What is that route?

5 A It's called a Tonopah turn, which also means you can
6 also go to Las Vegas.

7 Q And taking you back to the early morning hours of
8 February 22nd, around 6:40 in the morning, do you recall where you
9 were on your route around that time?

10 A Well, I was on I-80, heading back towards the McCarran
11 Boulevard exit.

12 Q And so you were heading back from Tonopah?

13 A Uh-huh.

14 Q And then if you could, Mr. Slattery, if you'd answer
15 "yes" or "no" so the court reporter can take that down.

16 A (Nodding head affirmatively.)

17 Q And so which direction were you traveling, coming back
18 from Tonopah on the freeway?

19 A Westbound.

20 Q And you mentioned an exit. What was the exit?

21 A Near about McCarran Boulevard exit. It's actually
22 Exit 19.

23 Q You know that from driving that route so many times?

24 A Yes, sir.

25 Q As you were approaching Exit 19 that morning, did you

1 notice a particular vehicle?

2 A Yes, I noticed a white pickup truck getting on the
3 freeway.

4 Q And so when you first saw it, describe for us where that
5 truck was when you first laid eyes on it?

6 A Well, I was heading westbound, on the westbound side of
7 I-80, and the pickup truck had just got on the freeway, coming
8 eastbound, but he was on our side of the freeway, so he came on
9 the exit ramp the opposite way that he should have.

10 Q So driving against traffic?

11 A Yes, sir.

12 Q Describe what you saw happen after you first saw his
13 truck?

14 A Well, as I first saw, you know, I'm looking around,
15 because I have both hands on the wheel and I see vehicles all over
16 the freeway. And there was a, what I would describe as a Wagoneer
17 type vehicle coming up, the same direction I'm headed, in the
18 outside lane.

19 Q And what did you see happen next?

20 A Well, as the pickup truck came out onto the freeway
21 against all the traffic that's heading westbound, a few seconds
22 later I see a couple of police cars coming up with red lights and
23 sirens. And, I mean, they're moving.

24 And this pickup truck is way ahead.

25 Q And then what happened?

1 A Well, as I was looking back and forth at everything and
2 concentrating on what I was doing, I was hoping that nobody was
3 going to get alongside of me, in case this vehicle lost control
4 and come in there, because if it would have hit the tank, it would
5 have been a disaster.

6 But as they kept coming towards me, they were at a high
7 rate of speed. And I'm trying to maneuver, because I want to get
8 over to the right because I'm starting to come up by where the
9 exit lane has broken white lines, where you're starting to move
10 over, after you've turned your directional on and checked your
11 mirrors.

12 And I see the truck keep coming, and now I know, now I
13 know there's going to be a problem, because he's against the
14 traffic.

15 Q Okay. And then as you are making that, as you are
16 veering over, what do you see happen with regard to that white
17 pickup truck?

18 A Well, when the pickup truck kept coming, I mean, he's
19 zigzagging and everything, he's coming up.

20 When he got up near me, he went directly head on into
21 this other vehicle.

22 Q And was that the vehicle that you just described?

23 A Yes, the white pickup truck.

24 Q And the vehicle you saw it collide with, was that the
25 Wagoneer type vehicle you described earlier?

1 A Yeah.

2 Q What happened next?

3 A Well, the minute they collided, you know, naturally,
4 they were smoking. And it only was a few seconds when the smoke
5 cleared.

6 And as I looked over this way, which was my driver's
7 door, there's the pickup truck with a man and woman in it, facing
8 this way.

9 And the one I said was a Wagoneer, it got hit head on.
10 It pushed it up into the cement barrier. I mean, the rear end of
11 it went in the barrier.

12 Q And did you stop your truck?

13 A Oh, yeah, I was already stopped.

14 Q And then when you stopped your truck, did it come to a
15 stop near by where these two vehicles --

16 A Yeah, they were off to the left of me.

17 Q Very shortly after that, did some police vehicles start
18 arriving at the scene?

19 A Right after that, there was a whole bunch of other
20 police officers that come up, I mean, like they were straight
21 through, first county-mounties, and Sparks, everybody.

22 Q Now, that morning --

23 A Uh-huh.

24 Q -- was your truck, your semi-truck, equipped with a dash
25 camera type of --

1 A Oh, yes, it was.

2 Q Can you describe that for us.

3 A Oh, it sits up on the windshield, and whenever the truck
4 is started and whenever you're in it, around it, it's always
5 working.

6 Q And so does it have a camera that points in some
7 direction forward out of your cab?

8 A Oh, yes, you can see everything, forward position.

9 Q And then does it also capture whoever is in the driver's
10 seat?

11 A Yes, they can see me the whole time.

12 Q Okay. And have you had a chance to see the footage --
13 and was it working that morning?

14 A Yes, it was working.

15 Q And you've had a chance to see the footage from that
16 morning?

17 A Yes, I have.

18 Q And did your -- the dash camera mounted in your truck
19 capture the collision you described for us?

20 A Yes, it did.

21 Q Mr. Sims, I'm going to show you what we've marked for
22 identification as Exhibit Number 3.

23 THE COURT: "Mr. Slattery."

24 MR. PRENGAMAN: I'm sorry.

25 Thank you, Your Honor.

1 "Mr. Slattery." I'm sorry. My apologies.

2 BY MR. PRENGAMAN:

3 Q I would like you to take a look at that exhibit.

4 A Yeah, that's my initials on it.

5 Q Okay. So you recognize it?

6 A Yeah. The red ink, yeah. That was what I signed.

7 Q And so you previously have seen the contents of that
8 flash drive?

9 A Yes, sir.

10 Q And does that flash drive contain a copy of the
11 surveillance -- of the footage from your truck that captures the
12 collision?

13 A Yes, it does.

14 MR. PRENGAMAN: Your Honor, I move for admission of
15 Exhibit 3.

16 MS. HICKMAN: No objection.

17 MS. ROSENTHAL: No objection, Your Honor.

18 THE COURT: Thank you so much. Exhibit -- what number
19 exhibit is that?

20 MR. PRENGAMAN: Exhibit 3, Your Honor.

21 THE COURT: 3 is in.

22 (Exhibit 3 admitted into evidence.)

23 MR. PRENGAMAN: May I display it to the jury?

24 THE COURT: Yes.

25 (Video recording played.)

1 BY MR. PRENGAMAN:

2 Q Now, Mr. Slattery, I'm pausing this at one second in the
3 footage of Exhibit Number 3, and now you see what I would call a
4 split screen?

5 A Yes, it is, sir.

6 Q And on the left side of the screen, as we're looking at
7 the video, what do we see there?

8 A On the left -- on the left side of the screen?

9 THE COURT: The left side.

10 THE WITNESS: Left side. Oh, that's me in the truck.

11 BY MR. PRENGAMAN:

12 Q Okay. And then on the right side of the screen, what is
13 our viewpoint?

14 A Well, you can see the truck coming up, the white pickup
15 truck.

16 Q And this is Interstate 80?

17 A Yes, it is, sir.

18 Q Is this you traveling in the westbound lanes that you
19 described?

20 A Yes, I'm on the westbound side, traveling westbound.

21 Q Now, I'm going to pause it here at 5 seconds into the
22 footage.

23 Now, do we see the -- are we able to see the sign for
24 Exit 19 that you described earlier?

25 A Yes, sir, McCarran Boulevard is at 19 right there.

1 Q Now, on that camera view, on the right side of the
2 screen there's what I would say is a grayish-type of vehicle in
3 the lower left corner. Do you see that?

4 A Yes, sir.

5 Q Is that one of the vehicles that you were testifying
6 about earlier?

7 A Yes, sir.

8 Q Okay. Is that what you've described as the Wagoneer
9 type vehicle that collided -- that the truck collided with?

10 A Yes, sir.

11 (Video recording played.)

12 BY MR. PRENGAMAN:

13 Q Mr. Sims (sic), I'm going to show you now what we have
14 marked for identification as Exhibits 4, 5, 6 and 7.

15 Could you please take a moment and look at each of those
16 exhibits and let me know when you're done.

17 And, Mr. Sims (sic), you recognize what's shown in
18 Exhibits 4, 5 and 6?

19 A Yes, sir.

20 Q And do those, are those still photographs from the
21 footage from your truck that show those two vehicles?

22 A Yes.

23 Q And are those accurate pictures taken from the
24 surveillance footage?

25 A Yes, sir.

1 Q And then do you recognize Exhibit 7?

2 A Yes, sir, that's the white pickup truck that struck the
3 other vehicle.

4 Q And does that photograph display the scene of the
5 collision, the aftermath of the scene of the collision?

6 A Yes. The aftermath, yes.

7 Q And are you able to see your truck, where you pulled
8 over and stopped, in that photograph?

9 A Yeah, actually behind the pickup truck, you can just see
10 the rear axles and air lines out of my truck.

11 Q Does that photo accurately show the scene as it appeared
12 that morning?

13 A Yes, sir.

14 MR. PRENGAMAN: I move the admission of 4 through 7,
15 Your Honor.

16 THE COURT: Ms. Hickman, 4, 5, 6 and 7?

17 MS. HICKMAN: No objection.

18 THE COURT: Thank you.

19 Ms. Rosenthal?

20 MS. ROSENTHAL: No objection.

21 THE COURT: Those are in.

22 (Exhibits 4, 5, 6 & 7 admitted into evidence.)

23 MR. PRENGAMAN: Thank you, Your Honor.

24 BY MR. PRENGAMAN:

25 Q Now, Mr. Sims -- I'm sorry. "Mr. Slattery."

1 In a moment, Mr. Slattery -- I'm going to hold this back
2 up.

3 So Exhibit 7, I'm showing you Exhibit 7?

4 THE COURT: Mr. Prengaman, it's ready.

5 MR. PRENGAMAN: Oh, okay.

6 BY MR. PRENGAMAN:

7 Q Mr. Slattery, so tell us what we're looking at here.

8 A Well, that's the aftermath of the accident.

9 Q And in the -- and the semi, those trailers that we see
10 sort of behind the white truck, is that your truck?

11 A Yes, it is.

12 Q Okay. And I'm just circling -- is this the white truck
13 that you were testifying about?

14 A Yes, sir.

15 Q And then right here, is this where that -- what you
16 described as a Wagoneer type of vehicle?

17 A Yeah, that's the one that got ran into, that went into
18 the cement barricade.

19 Q Mr. Slattery, going back to -- back when you first saw
20 the truck and you talked about seeing some police cars at some
21 point.

22 Could you hear sirens?

23 A Yes, you could clearly hear the sirens.

24 Q Could you see their lights activated?

25 A Yes, sir.

1 Q And did you -- which came first, did you see the truck
2 first or did you hear the police sirens?

3 A The pickup truck was in sight first, and it was like --
4 it was in a few seconds after that some police cars came in.

5 MS. HICKMAN: I'm sorry, could you repeat that?

6 THE COURT: Yes. Mr. Slattery, repeat that, when you
7 were talking about what happened.

8 THE WITNESS: The pickup truck was in sight first, and
9 then was, a few seconds later, there were police cars showing up.
10 BY MR. PRENGAMAN:

11 Q Could you -- did you hear the -- did you see the truck
12 first or hear the sirens first?

13 A I heard the pickup truck -- or, pardon me, I seen the
14 pickup truck first, and then I heard the sirens a few seconds
15 later, and then there were some police cars.

16 MR. PRENGAMAN: Okay. Thank you, Mr. Slattery. I have
17 no further questions.

18 THE COURT: Thank you, Mr. Prengaman.

19 Ms. Hickman, Ms. Grosenick.

20 MS. HICKMAN: Thank you, Your Honor.

21

22 CROSS-EXAMINATION

23 BY MS. HICKMAN:

24 Q Mr. Slattery, I want to talk to you just a little bit
25 about that portion of the freeway. You're familiar with it?

1 A Yes, I am.

2 Q That exit, that McCarran exit off the freeway, Exit 19,
3 have you taken that exit?

4 A I take that every day, ma'am.

5 Q Okay. So that's right by the Sparks Marina?

6 A It's actually -- yes, it is right by the Sparks Marina.
7 It's right by the, also, the TA Truck Stop.

8 Q Right by the truck stop?

9 A Yes.

10 Q Okay. So that off-ramp, to go -- to get off the freeway
11 there, there's a longer off-ramp to go down to get onto McCarran,
12 right?

13 A Yes, when you exit off to the right, it has like a
14 little curve that you have to come around, to come up to McCarran.

15 Q So, from the freeway, after getting on that off-ramp to
16 get off the freeway onto McCarran, you can't actually see McCarran
17 until you go around that curve?

18 A Oh, no, you will see the sign, but you won't see
19 McCarran until you actually get pretty close to the middle of the
20 curve.

21 Q Okay.

22 A You know, in other words, right where the traffic light
23 is.

24 Q I'm sorry?

25 A In other words, right where the traffic light is.

1 Q Okay. And so then the reverse of that, from the bottom
2 of that off-ramp, you can't see the freeway until you get around
3 the curve?

4 A Well, you really -- if a vehicle, like what this one
5 did, when they came on there -- you don't see it right away, you
6 see it as it comes on to the freeway.

7 Q You see the vehicle?

8 A Yeah.

9 Q Okay. So from the bottom of the off-ramp where the
10 vehicle would have had to get onto the off-ramp to come up that
11 off-ramp onto the freeway, you can't see the freeway or the cars
12 that are on the freeway, from the bottom of that off-ramp?

13 A Well, if a driver comes on, like they did, the opposite
14 direction of the exit, that ramp, he won't be able to see a lot of
15 the traffic until he actually comes out off of the thing, off of
16 the -- in other words, I'm coming westbound, and he's coming
17 eastbound. He entered it the opposite way. And then when you
18 come off to the freeway, you know, when you can start to see him,
19 that's where he'd be able to see the traffic.

20 Q Okay. So that's when he'd be able to see the traffic
21 coming towards him?

22 A Yeah.

23 Q Okay. And you also testified that you were able to see
24 police cars, correct?

25 A A few seconds after he actually got on the freeway where

1 I could see him, they were coming right behind him.

2 Q Okay. So when you saw him, you also saw police cars on
3 that off-ramp, coming up?

4 A Yes. You could hear them and you could see them.

5 Q And you saw more than one, right?

6 A Well, there was, by that time when you first come on the
7 freeway, I would say there was probably about maybe three police
8 cars right off the bat, and then they just started coming in rows.

9 Q But prior to that vehicle actually getting onto the
10 freeway, going the wrong way, on the off-ramp, you were able to
11 see police cars also on that off-ramp?

12 A Yeah, by the time I got to the point I was, uh-huh.

13 Q Okay. And then as the accident happened, you were able
14 to see more police cars come up; correct?

15 A Oh, yeah.

16 MS. HICKMAN: Those are all the questions I have.

17 THE COURT: Thank you, Ms. Hickman.

18 Ms. Rosenthal.

19 MS. ROSENTHAL: Thank you.

20 THE COURT: Ms. Rosenthal, can I --

21 Deputy, can I have you turn the podium around so it's in
22 front of her?

23 THE BAILIFF: Yes, Your Honor.

24 THE COURT: So we've got the Plexiglas. Thank you.

25 Right up against where she's speaking. Excellent. Thank you so

1 much.

2 Ms. Rosenthal, can you still see the witness very
3 clearly?

4 MS. ROSENTHAL: I can see him through the glass, yes,
5 Your Honor.

6 THE COURT: Okay.

7 MS. ROSENTHAL: Can you see me okay, Mr. Slattery?

8 THE WITNESS: Yes, I can.

9 THE COURT: Excellent. All right.

10 MS. ROSENTHAL: Thank you.

11

12 CROSS-EXAMINATION

13 BY MS. ROSENTHAL:

14 Q Mr. Slattery, the State -- when you were speaking with
15 the State, identified that you saw a man and a woman in the white
16 truck; is that correct?

17 A Yes, I did.

18 Q Is it possible that you -- what made you determine that
19 there was a man and a woman in that truck?

20 A Well, just before the accident actually happened, when I
21 turned -- because I was looking back and forth -- as I turned,
22 they actually went by my cab, and I could catch the side profile
23 of a man driving.

24 Q So you just saw the male driver?

25 A At that point.

1 But there was a passenger, which I previously said in
2 testimony was a Black female, sitting in the passenger seat.

3 Q Okay. And at what point did you see the passenger?

4 A Just as -- they were just starting to come by, I could
5 see that there was a lady sitting there, but it was the man
6 driving the vehicle.

7 Q And what made you determine it was a lady?

8 A Hairstyle.

9 Q Okay. And could you please tell us what that hairstyle
10 was.

11 A A lady's hairstyle.

12 Q Was it in a pony --

13 A Like a -- well, kind of like, I don't know how to
14 describe the actual hairstyle, but it was, you know, it was neat,
15 like -- like American ladies would use.

16 Q Was it, per se, in a ponytail or braids, or just slicked
17 back?

18 A It looked like some of it was pulled back a little, you
19 know.

20 Q And anything besides the hair that made you determine it
21 was a female?

22 A The way that the person was dressed, you know.

23 Q Okay. And how was the person dressed?

24 A Well, they were dressed -- he was dressed like, if I
25 remember correctly, a T-shirt. And she had -- a dark color, I

1 don't know what you would call it, I guess a blouse or whatever.

2 I saw, like I said, that's when I first seen them. I
3 had never seen them before in my life.

4 Q Understood.

5 MS. ROSENTHAL: I'm sorry, Your Honor?

6 THE COURT: Nothing.

7 MS. ROSENTHAL: Oh, sorry, I thought you were --

8 BY MS. ROSENTHAL:

9 Q Did you see the occupants of the vehicle at any time
10 outside of them driving by you?

11 A Well, that was the first time I'd ever laid eyes on
12 them.

13 Q I understand.

14 A The next time I seen them was right after the impact,
15 because the pickup truck was facing this way. Just like it shows
16 in the film, because they, you know, they're still pictures.

17 Like I said, the vehicle that was hit head-on was pushed
18 all the way up to the car -- to the cement barrier. And the two
19 people were sitting, facing this direction. The girl was on this
20 side, and the man was over here.

21 Q And it was just your observation of the hairstyle that
22 you determined it was a female?

23 A Yes. Yes.

24 Q And did you ever make contact with the individuals that
25 were driving the white truck, after --

1 A Well, I had come in to a preliminary hearing, I guess it
2 was in the Fall --

3 Q Let me clarify. On February 22nd, after they passed --
4 after you say, the profile you saw, a gentleman driving and a
5 passenger that you identified had a female hairstyle, outside of
6 that instance, on that day, did anything else come in to play to
7 make you have this opinion that it was a female passenger?

8 A I didn't have any verbal contact. I wasn't talking to
9 them or near them.

10 When they were removed from the pickup truck, it was
11 police.

12 MS. ROSENTHAL: I have no further questions.

13 THE COURT: Ms. Rosenthal, thank you so much.

14 Mr. Prengaman, any redirect?

15 MR. PRENGAMAN: Thank you, Your Honor.

16

17 REDIRECT EXAMINATION

18 BY MR. PRENGAMAN:

19 Q Mr. Slattery, you were asked about some questions on
20 cross-examination, about just the timing of when you saw the
21 police cars.

22 A Uh-huh.

23 Q Are you saying you saw the truck and the police cars at
24 the same time?

25 A No. The first thing that I seen, when he was at the

1 point where you could see it, was the white pickup truck heading
2 eastbound on the westbound side against the traffic.

3 Q And then you heard sirens, and then shortly after that
4 saw police cars?

5 A Yeah, a few seconds after that, we started seeing the
6 police cars.

7 MR. PRENGAMAN: Thank you very much, Mr. Slattery.

8 THE COURT: Ms. Hickman, follow-up?

9 MS. HICKMAN: No, Your Honor. Thank you.

10 THE COURT: Ms. Rosenthal, anything further?

11 MS. ROSENTHAL: No, Your Honor.

12 THE COURT: Mr. Slattery, thank you so much for your
13 testimony, sir. You are excused.

14 THE WITNESS: Thank you very much.

15 THE COURT: Ladies and gentlemen, my intention was to
16 take our recess for the day today at 3 o'clock. It's about
17 20 minutes to 3:00.

18 Mr. Prengaman, is there value in having you call your
19 next witness?

20 MR. PRENGAMAN: Your Honor, it's not -- he's not super
21 long, but not short, so I think if we reach -- if we reach a point
22 we would have to break, we would be in the middle of the
23 examination.

24 I'll do whatever the Court would like. I can call him
25 and start the examination.

1 THE COURT: Why don't we do that. Go ahead and call
2 your next witness.

3 The State will call Clifford Webster.

4 THE CLERK: Sir, please raise your right hand.

5
6 CLIFFORD WEBSTER

7 called as a witness, having been duly sworn,
8 testified as follows:
9

10 THE CLERK: Thank you.

11 THE COURT: Mr. Webster -- the decision is yours --
12 because you have a piece of Plexiglas between you and everybody
13 else in the courtroom, you can remove your mask.

14 Your microphone is just like the Court's, so if you draw
15 up just like I have mine, you can talk right into the microphone.

16 THE WITNESS: Understood.
17

18 DIRECT EXAMINATION

19 MR. PRENGAMAN:

20 Q Good afternoon. Would you please tell us your name.

21 A My name is Clifford Webster.

22 Q And, Mr. Webster, what do you do for a living?

23 A I work surveillance for Cactus Jack's Corporation, which
24 also owns the Bob & Lucy's in question.

25 Q And do you have an official title or how would you

1 describe your position?

2 A I don't really have a title. I'm second in charge over
3 surveillance operations, installing, maintenance, reviews,
4 anything to do with surveillance.

5 Q And how long have you been second in charge of that area
6 of the business?

7 A About three years now.

8 Q And so you mentioned Bob & Lucy's. Does -- and is it
9 Scott Tate who owns the business?

10 A Yes, it is.

11 Q And Mr. Tate owns multiple businesses in Washoe County;
12 is that right?

13 A Correct.

14 Q And Bob & Lucy's -- the Bob & Lucy's properties being
15 one of them?

16 A Yes.

17 Q And how many Bob & Lucy's are there in our Washoe County
18 area?

19 A Two.

20 Q Can you tell us generally where they're located.

21 A Oddie Boulevard and Sun Valley.

22 Q Okay. And so you say the Bob & Lucy's in question, are
23 you referring to the one --

24 A Oddie.

25 Q -- on Oddie Boulevard?

1 So for purposes of my questioning you today, I'm only
2 going to be asking you about the Bob & Lucy's on Oddie Boulevard.

3 A Understood.

4 Q So if you ever need to refer to the other Bob & Lucy's
5 in Sun Valley, please let us know that you're specifically
6 referring to that one.

7 A Yes, sir.

8 Q Now, you said you've held your position for a number of
9 years, so back in February of this year, same position?

10 A Yes.

11 Q And do you have responsibilities with regard to the
12 security system at the Bob & Lucy's in Sparks?

13 A Yes. I'm responsible for maintenance, upkeep, any
14 surveillance requests we get.

15 Q And, first of all, can you just give us an idea of what,
16 the Bob & Lucy's in Sparks, what -- generally, what is the
17 business?

18 A It's a small tavern-type casino. I guess I can't really
19 call it a casino. There's 15 slot machines in the building. I
20 think they serve hot dogs. Just a little -- little tavern.

21 Q And is that Bob & Lucy's equipped with a surveillance
22 system?

23 A It is.

24 Q And can you just, again, generally describe -- I have
25 some more specific questions for you later, but at this point can

1 you just generally describe kind of the layout of the surveillance
2 system?

3 A There are two DVR units, one that services the inside of
4 the tavern and one that services the outside. And there's a row
5 of cameras hooked up to each unit to record the goings on.

6 Q Does that system -- are there cameras located both
7 inside as well as outside the business?

8 A Yes.

9 Q And those cameras, as you said, record what is in the
10 camera view?

11 A Correct.

12 Q Record into the DVR?

13 A Correct.

14 Q And does the system, both DVR systems, when that footage
15 is being recorded, is there a date and time stamp affixed to the
16 footage?

17 A Yes, there is.

18 Q And is the maintenance of that aspect, making sure the
19 time and date are correct, does that fall into your duties?

20 A Yes, sir.

21 Q And can you tell us, back on February 22nd of 2020, so
22 last year, based on your administration of that system, can you
23 tell us if the date and time stamp were accurate?

24 A Should be accurate within two to three minutes.

25 Q Now, back on that morning, so February 22nd, were you

1 scheduled to work at that particular Bob & Lucy's in Sparks?

2 A If I remember right, I was assigned to work both of the
3 Bob & Lucy's, Oddie and Sun Valley, just making sure everything
4 was operational, do a quick little shift review, just make sure
5 everything was working the way it should.

6 Q And at some point that morning, did you become aware
7 that there were -- something had happened with Bob & Lucy's in
8 Sparks?

9 A When I got to Bob & Lucy's on Oddie Boulevard I met with
10 a deputy -- I think it was a deputy. And I contacted my boss for,
11 you know, what I should do, and he told me to work with the deputy
12 to the best of my ability.

13 Q When you say deputy, a law enforcement officer?

14 A Yes.

15 Q And in what way were you, what way were you asked to
16 assist or what way did you assist the police officer?

17 A We went over surveillance footage from earlier that
18 morning. I recorded various clips and transferred them to a disk
19 for the law enforcement officer.

20 Q And so were you looking for footage of a particular
21 incident?

22 A Yes.

23 Q And particular individuals involved with that?

24 A Yes.

25 Q And so when you say you collected clips, were you, when

1 you were working with the officer, were you watching the footage
2 together or at the same time?

3 A Yes. We were side-by-side watching the footage.

4 Q And is that how you knew what to look for?

5 A He kind of directed me as to which cameras I should pull
6 up at various times, but for the most part it was just, you know,
7 tracking individuals from one camera to the next and so on, so
8 forth.

9 Q And so -- so that was going to be my next inquiry.

10 So the individuals that you were looking for or asked to
11 look for appeared at that -- different times on multiple cameras
12 in the business?

13 A Correct.

14 Q And did the footage that you ultimately provided to the
15 police capture them, or show or capture all those different camera
16 views?

17 A Yes.

18 Q Now, speaking of what you provided to the police, did
19 you provide footage from every single camera at Bob & Lucy's?

20 A I did not provide footage from every camera because most
21 of it was irrelevant.

22 Q Irrelevant meaning what?

23 A The people that I was told to look for did not appear at
24 any point in time in those cameras.

25 Q Okay. And in the course of working with the officer

1 that morning, did you have an opportunity to double-check, so to
2 speak, the date and time stamps?

3 A If I remember right, I checked it against my phone when
4 I got there just to make sure everything was as it should be.

5 Q And was it accurate?

6 A Yes, sir.

7 Do I need to mask up?

8 Q No, I will -- as the judge said, it's your choice. I'm
9 going to stay behind the Plexiglas. I just want to hand you
10 exhibits, so whatever you'd like.

11 So I'm going to show you what we've marked for
12 identification as Exhibits 1 and 2.

13 I would like to start with 1, ask you to take a look at
14 it and tell me if you recognize the exhibit.

15 A Yes.

16 Q You've previously had a chance to view the contents of
17 that exhibit?

18 A Yes.

19 Q And what does that contain?

20 A If I remember right, the first one has the raw footage
21 of my surveillance cameras.

22 Q And when you said raw footage --

23 A The clips pulled directly from the DVR unit.

24 Q Okay. And does that, the footage on that, does that
25 represent a copy of what you provided to the Sparks police?

1 A Yes.

2 Q And does that footage accurately show the events inside
3 and outside Bob & Lucy's as it was captured on the surveillance
4 system on the morning of February 22nd, 2020?

5 A Yes.

6 Q I'm sorry, it does? You said "yes"?

7 A Yes.

8 Mr. Prengaman: I move for the admission of Exhibit 1,
9 Your Honor.

10 THE COURT: Ms. Hickman?

11 MS. HICKMAN: Thank you. No objection.

12 THE COURT: Ms. Rosenthal.

13 MS. ROSENTHAL: No objection.

14 THE COURT: Thank you so much. One is in.

15 (Exhibit 1 admitted into evidence.)

16 MR. PRENGAMAN: Thank you, Your Honor.

17 BY MS. HICKMAN:

18 Q And then, Mr. Webster, do you recognize Exhibit
19 Number 2?

20 A Yes.

21 Q And does Exhibit Number 2 contain footage from the
22 surveillance system that was captured on February 22nd, 2020?

23 A Yes. Number 2 contains the footage in a more
24 comprehensible fashion.

25 Q And when you say more comprehensible, what do you mean?

1 A It's been spliced in such a way that it's easier to
2 follow the suspects around the casino without having to open
3 multiple video lines.

4 Q And so would it be fair to say it kind of plays more
5 like a movie than switching back and forth from various cameras?

6 A Right.

7 Q But in terms of the footage, the footage that it
8 contains is a copy of the footage from --

9 A It's the same footage.

10 MR. PRENGAMAN: Okay. Your Honor, I move for the
11 admission of Exhibit Number 2.

12 THE COURT: Ms. Hickman.

13 MS. HICKMAN: No objection.

14 THE COURT: Ms. Rosenthal.

15 MS. ROSENTHAL: Your Honor, I do have one follow-up
16 question.

17 THE COURT: Of course.

18

19 VOIR DIRE EXAMINATION

20 BY MS. ROSENTHAL:

21 Q Mr. Webster, were you the one that edited that video to
22 be in that order?

23 A No, I'm not.

24 MS. ROSENTHAL: We have no objection to it being
25 admitted.

1 THE COURT: Ms. Rosenthal, thank you so much.

2 Two is in.

3 (Exhibit 2 admitted into evidence.)

4 MR. PRENGAMAN: Thank you, Your Honor.

5

6 DIRECT EXAMINATION, RESUMED,

7 BY MR. PRENGAMAN:

8 Q Mr. Webster, I'm going to show you now what's been
9 marked for identification as Exhibit 167.

10 Do you recognize what's shown in that aerial photograph?

11 A It appears to be Bob & Lucy's, as viewed from above.

12 Q Okay. And you generally, just -- and not as to a
13 particular date, but does that generally show the business in
14 terms of the parking lot and the areas around it?

15 A Yes, sir.

16 MR. PRENGAMAN: I'm going to move for the admission of
17 167, Your Honor.

18 MS. HICKMAN: No objection.

19 THE COURT: Ms. Rosenthal?

20 MS. ROSENTHAL: No, no objection.

21 THE COURT: 167, Mr. Prengaman?

22 MR. PRENGAMAN: Yes, Your Honor.

23 THE COURT: 167 is in.

24 MR. PRENGAMAN: Thank you.

25 (Exhibit 167 admitted into evidence.)

1 BY MR. PRENGAMAN:

2 Q Now, Mr. Webster, looking at the contents of the Exhibit
3 Number 1, does this show the labels for the various cameras that
4 were including the different locations?

5 A Yes, sir.

6 Q And so the cameras at Bob & Lucy's are labeled -- is
7 that by channel?

8 A Yes, sir.

9 Q And so going to Channel 1, the inside.

10 A There should be a player file that will allow these to
11 play, or VLC works.

12 Q So -- and then, Mr. Webster, I'm showing you -- so in
13 Channel 1, inside, can you please tell us what we're looking at
14 here.

15 A This would be the entryway on the north end of
16 the building.

17 THE COURT: Mr. Prengaman, if I might be so bold, are
18 you about to take Mr. Webster through a series of videos?

19 MR. PRENGAMAN: I am, Your Honor.

20 THE COURT: Okay. Let's do this. This is an
21 appropriate time for our break then.

22 Ladies and gentlemen, we are going to recess until
23 tomorrow morning. I ask you to arrive about 20 minutes before
24 8 o'clock so that we can commence promptly at 8:00.

25 Remember your lunch and your snacks and your drinks.

1 During this evening's recess you must not discuss or
2 communicate with anyone, including fellow jurors, in any way
3 regarding the case or its merits, either by voice, phone, email,
4 text, Internet, or other means of communication or social media.

5 You must not read, watch or listen to any news or media
6 accounts or commentary about the case, do any research such as
7 consulting dictionaries, using the Internet, or using reference
8 materials.

9 You must not make any investigation, test a theory of
10 the case, recreate any aspect of the case, or in any other way
11 investigate or learn about the case on your own.

12 And you must not form or express any opinion regarding
13 the case until it's submitted to you.

14 Enjoy your evening and we'll see you back here tomorrow
15 morning. Thanks so much.

16 (The proceedings concluded at 2:54 p.m.)

17 -o0o-

1 STATE OF NEVADA)
)
2 WASHOE COUNTY) ss.

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I, CONSTANCE S. EISENBERG, an Official Reporter of the Second Judicial District Court of the State of Nevada, in and for the County of Washoe, DO HEREBY CERTIFY:

That I was present in Department 1 of the above-entitled Court on April 15, 2021, and took verbatim stenotype notes of the proceedings had upon the matter captioned within, and thereafter transcribed them into typewriting as herein appears;

That I am not a relative nor an employee of any of the parties, nor am I financially or otherwise interested in this action;

That the foregoing transcript, consisting of pages 1 through 71, is a full, true and correct transcription of my stenotype notes of said proceedings.

DATED: At Reno, Nevada, this 15th day of September, 2021.

/s/Constance S. Eisenberg

CONSTANCE S. EISENBERG
CCR #142, RMR, CRR

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.
By: ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe.

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 11th day of January 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Jennifer P. Noble, Chief Appellate Deputy,
Washoe County District Attorney

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

Ryan Williams (#96845)
Northern Nevada Correctional Center
P.O. Box 7000
Carson City, Nevada 89702

John Reese Petty
Washoe County Public Defender's Office