IN THE SUPREME COURT OF THE STATE OF NEVADA

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HECTOR HUGO RAMIREZ-DE LA) TORRE,)	
) Appellant,))	
Vs.	
THE STATE OF NEVADA,	
Respondent.	

No. 82891

JOINT APPENDIX – VOLUME 3

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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Attorney for Appellant

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	1 television, radio or the Internet.		1 any aspect of the case, or in any other way investigating
	2 And do not form or express any opinion on any		2 or learning about the case on your own.
	3 subject connected with the trial until the cause is final	у	3 So please leave your pads again on the chairs
	4 submitted to you.		4 there. Court's in recess.
	5 You may not use any electronic device or media,		5 (Recess taken at 10:13 a.m.)
	6 such as the telephone, a cell phone, smartphone, iPhone,		6 (Proceedings resumed at 10:38 a.m.)
	7 Galaxy, or computer, the internet, any internet service,		7 THE COURT: We're on the record again in state
	8 any text or instant messaging service, any internet chat		8 cases CR-FP-19-2456 and 2465.
	9 room, blog, or website such as Facebook, Instagram,		9 State versus Ramirez-De La Torre and Jorge
	0 LinkedIn, YouTube or Twitter, to communicate to anyone any		10 Landeros Ruiz.
1	and and another a accept your vertilet.		11. We do have the defendants back in court with
1	an ether nerael jeu cannot tark to anyone on the		12 their respective attorneys, and the Court's previously
1	i i i i i i i i i i i i i i i i i i i	1	13 sworn interpreters are assisting them in court.
1	and a set anyone about this case.	1	14 Deputy District Attorneys Mills and Barainca are
1	Jurord Sharr not conduct any form	1	15 back to represent the State.
1	the of the offering the original of caperinents	1	We have got Sergeant Smith on the witness stand,
1	i and a straig jury dorroct derollor		7 and I remind him he is under oath.
10	president instances, but is not fimited to	1	8 Counsel stipulate to the full presence of the
19	y and any may regulating the cuse of	1	9 jury and the alternates?
20	, , proved a marry contringy the internet, of	2	
21	in the second of	2.	of other and the second
22	any any about the cuber worky any	22	the substantiation of the second seco
23	and an	23	in the states of
24	any and any any and any	24	a nope storybowy is refreshed areer that
25	investigation, testing a theory of the case, re-creating	25	5 break. I know I needed one.
1	And we can proceed with group eveningting	-	58
2	And we can proceed with cross-examination. Ms. Dunn?	1	the venteres chat could be accessed were
3	MS. DUNN: Thank you, Your Nonor.	2	
4	CROSS-EXAMINATION	3	
5	BY MS. DUNN:	4	A. Some of the vehicles were locked, and we could
6	Q. Sir, how are you?	6	not gain access to them. And we didn't want to cause
7	A. I am good, ma'am. Thank you.	7	damage to vehicles, and they weren't at this point in
8	Q. You testified about a lot, so I'm going to	R	time, the truck was definitely a nexus to the investigation
9	bring you back a little bit to sort of the beginning of	9	and it was unlocked, so we were going to definitely search the truck.
10	what what you testified about.	10	
11	I am not going to go to the very beginning. I	11	and the state of the state were rocked, we wanted
12	want to talk about the cars real briefly, if we could.	12	weren't necessarily observed in the controlled buys, so
13	So as part of your search team, it was	13	they weren't as crucial to us to search.
14	yourself and two others; is that correct?	14	Q. All right. So I guess my question is, were
15	A. Yes, ma'am.	1.5	any of the other vehicles on the premises searched other
16	Q. And so the three of you searched all the cars	16	than the gray truck?
17	that were on the premises?	17	A. Yes. The there were other vehicles were
18	A. The three of us searched the main premises,	18	there were other vehicles searched. I know that the
19	the main house. As far as searching the cars, I don't I	1.9	side-by-side at least one side-by-side was on premises.
20	don't believe we maintained a team after that. We had a	20	That was searched. And there was another vehicle that was
21	team to keep organization in the house.	21	being repaired on the patio. That was searched.
22	Q. All right. And so then who ultimately	22	- And I am trying to recall if any of the other
	searched the vehicles?	23	vehicles we had keys to. But I know there was one Mercedes
24	A. I searched the gray pickup truck.	24	or BMW that we could not get into specifically. But I I
25		25	can't speak to the actual searching of vehicles that I
-	50. 	Transformer	60

1	a contract accurate a mush e party to those searches,		1 vehicles that were searched on the property, the
2	the right And chere were - there was		2 side-by-side, the broken down or the one that was being
3	and a mercedes on the property, and		3 repaired, and any other ones that may have been, is it fair
4.	you believe that was the one that you couldn't gain access		4 to say that there was nothing of evidentiary value found in
5			5 those, otherwise that is something you would have known?
6	A. Yes.		6 A. Yes, it would have been documented if
7	Q. There was also testimony that there was a		7 something evidence related or anything had been
8	Hummer on the property.		8 collected it would have been decurrented which will a start
9	A. Yes.		8 collected, it would have been documented which vehicle that 9 would have been come out of.
10	Q. Do you recall that?		
11	A. I remember the Hummer being associated with		
12	the case, yes.	1	the second child country out of the number, then
13	Q. Do you know whether or not that was searched?		and a corrected out of the number.
14	A. I don't I can't recall if that vehicle was		the second and becould duy for was the
15	searched or not.	14	and agained mate you ene supervisor on the scene:
16	Q. Who would have been responsible for searching		and apprendent on booner a way the
17	the other vehicles, if they were searched?	1.6	i separate in a conci
1.8	A. It it would have been whoever was searching	17	and for the case agency you kind of
19	that vehicle. Ultimately, Detective Gaylor was the case		
20	agent and was tracking what vehicles were searched and were	1.9	and a state of the becevere day for any
21	not searched.	20	st and preside preside and you doring: And then I
22	And at the time, I'm sure I was keeping track	21	pranty being my tote accually as
	of which vehicles had gotten into Just I don't needly	22	
24	of which vehicles had gotten into. Just I don't recall specifically if that Hummer got searched.	23	a a a a a a a a a a a a a a a a a a a
25		24	•
	Q. So let me ask you this. Any of the other 61	25	A. Yes. 62
1	Q. Now, Detective Gaylor is no longer a member of	1	
2	your team, correct?	2	selling of controlled substances, correct?
3	A. Correct.	3	A. Yes.
4	Q. He no longer works at the sheriff's office?	4	Q. You've talked about some of the evidence that
5	A. Correct.	5	you found in the main residence. And is it fair to say
6	Q. He has been terminated?	6	that you did not find any controlled substances in the main
7	A. Yes.	7	residence?
8	Q. Now, let's go to the main residence.	8	A. Yes, that is correct.
9	Now, we refer to it as the main residence, but	9	Q. So you didn't find any?
1.0 i	s it your understanding that the people that were residing	10	A. Correct.
11 i	n that particular main residence were Mr. Jorge Ruiz and	11	
1.2 h	is family?	12	y and the third would blic huy 1
3	A. Yes.	13	word that, it's almost the Judge reminded me of that yesterday.
.4	Q. His wife?	14	
5	A. Yes.		So you did not find any controlled substances in the residence?
6	Q. And some children?	16	
7	A. Yes.	17	
8	Q. Do you know do you recall how many		Q. Now, how many how big was the main residence?
9 cł	hildren, or do you know how many children?		
).	A. Living in the house, I know there were at	19	A. Four-bedroom, two-bath. I would not be able
	and the authors all'it		to guess an accurate square footage.
2	0 411 whether in 1	21	Q. Sure. But it was four bedrooms, two bath,
	in manufanna		living room, kitchen?
an	V avidance of controlled substances	23	A. Yes.
	A Voc	24 or •	Q. And yourself and your other two search team
	63	25 1	members searched the entire thing?
			64

-		
	1 A. Yes.	1 Q. Okay. And that person you understand to be
	2 Q. All of the bedrooms?	2 Mr. Jorge Ruiz's wife?
•	3 A. Yes.	3 A. Yes.
	4 Q. Now, the indicia, as you refer to it as, the	he 4 Q. And although it was registered to her, you
	5 paperwork that you found with Mr. Jorge Ruiz's name on it.	it, 5 found quite a bit of indicia, as it were, that it was
	6 the reason why you get that is just to say, okay, this	6 utilized by Hector Ramirez-De La Torre, correct?
	7 person lives there?	7 A. Yes.
	 A. It is just one more connecting fiber of we 	we 8 Q. There were receipts from 2018 in that vehicle.
	9 knew that that was his reported address, but it was just	9 correct?
1	y the a proce of main the first has his has	ame 10 A. Yes.
1		11 Q. And there were six, seven, eight pieces of
1	the short and and other people fifting fill	12 paper, those receipts and and most of them were receipts
13	(and propercy) ento papernotiki jou to cijing	ng 13 of some kind, so there were multiple pieces of paper that
14	and you are connecting the right person to the	14 connected that vehicle to Mr. Ramirez-De La Torre?
15	5 right place in which they are residing on the 2.7 acres.	15 A. Yes.
16		16 Q. In addition to the surveillance that your team
17	A. We would want to pin that down as accurately	y 17 had done in which Mr. Ramirez-De La Torre was actually
18		18 driving the vehicle?
19	Q. Now, you found the information that you have	had 19 A. Yes.
20		ed 20 Q. Now, one of the pictures of the living room of
21	to Mr. Hector Ramirez-De La Torre, correct?	21 the main residence showed the trophy, but also a statue of
22		22 a rooster?
23	Q. It was registered to Maria I am not going	
24		24 Q. Now, was that more like home decor like
25	A. I always I had always pronounced it Ulloa.	25 statue?
1		
1	fearly re would be constanted a nome decor	1 Q. You have been a sergeant here in you have
3		2 been in law enforcement here in Elko for how long?
4	Q. Something to decorate with? A. Yes.	3 A. Nearly two years.
5		4 Q. Prior to Elko, where were you again?
6	Q. And you took a picture of it just because it happened to be a rooster?	
7		6 Q. So you are familiar with rural Nevada?
8	A. It just taking pictures to document	7 A. Yes,
0	everything, and with the totality of the circumstances, just took note of it.	8 Q. Is it unusual to find firearms in houses in
9 10		9 rural Nevada?
10	Q. You took a picture of the living room. You	10 A. Not at all.
12	look at the the overall picture looking at like the	11. Q. It would almost be uncommon to not find one in
13	condition of the living spaces?	12 a in a home in rural Nevada; is that fair to say?
1.5	A. Yes.	13 A. I would say yeah, probably.
.5	Q. It was a well-kept living room?	14 Q. Now, in the with these incubators that you
.5	A. Yes.	15 found, were they being operated at that time, could you
.0	Q. Now, you found the in the main residence	16 tell?
	master bedroom, you saw you found the gun in the	17 A. Yes, they were powered on.
	nightstand?	18 Q. Okay. And that was were there eggs in
9 0	A. Yes.	19 there being
1	Q. That gun was holstered, correct?	20 A. Yes.
.i.	A. Yes.	21 Q I guess
	Q. Do you know if it was loaded?	22 A. Incubated.
2		
2	A. It was not loaded.	23 Q incubated? And that was to raise a chicken
2 3 1	A. It was not loaded. Q. It was not loaded?	
2	A. It was not loaded.	23 Q incubated? And that was to raise a chicken

-			<u> </u>	
:	Q. And there was nothing illegal about that?		1 Q. But there were many other buckets just like	Inclusion
ĩ	2. Ä. No.		2 that around the property?	
3	Q. Now, we talked about those I believe you		3 A, Yes,	
4	said that you found a bucket in the main residence that wa	5	4 Q. Any of them have like chicken food in it?	
5	the same type of bucket that was found buried under chicked	n	5 A. Most of the ones I saw were empty and just	
6			6 sort of stacked off to the side.	
7	A. Yes.		7 Q. All in the brown barn, or were they throughout	÷
8	Q. Were there other buckets of that type being		8 the property?	L
9			9 A. There were some that were close to the brown	
10	A. There were a lot of those buckets all over the		10 barn. There were some that were in other parts of the	
11	property. I wouldn't be able to speak about their		1. property.	
12	utilization. There was lots of those five-gallon buckets		2 Q. One of the items that you found was a Priority	
13	found stacked throughout the property.	1	the of and rooms that you round has a rifority	/
14	Q. And one of the many buckets that were found	1		
15	throughout the property was found buried, correct?	1		
16	A. There was there were a few buckets that	1	ourig zum forking	
17	were found buried, one of which contained the	1		
18	methamphetamine.		any may char particular packing box that you	
19	Q. Gotcha.	11	end brut in chemi	
20	So there were a couple other buckets that were	19		
21	buried that were empty?	20		
22	A. Yes.	21		
23	Q. And that was also in the brown barn underneath	22	t sector jour coornant into chuc it	
24	the chicken coops?	2.3		
25	A. Yes.	24		
		25	Q. Is that correct? 70	
1	A. (Nods head).	1	raising or the incubating of the the chickens?	
2	Q. Okay. Do you know who that was?	2	A. We believed it to be corresponding with the	
3	A. Not knowing the name of Luis Ruiz, no, I	3	the breeding and and hatching of the chickens, yes.	
4	whether that's a an alias or a different name for	4	Q. Why do you what brought you to that belief?	
	Mr. Jorge Landeros Ruiz or whether it's somebody else, I	5	A. Just the description of colors and the melding	
6	wouldn't be able to say for sure.		of lines that the melding of there is diagrams of	
7	But the location of it being in Mr. Landeros	7	lines that just made us think that that could be related to	
8	Ruiz's room just matched for that part.	8	the chickens.	
9	Q. Right. So it has his it has one of his	9		
10 1	names on it, Ruiz, right?	10		
11	A. Yes.	11	want to see it? Would that be helpful? A. Sure.	
12		12		
13 k	and had that the D	13	MS. DUNN: May I approach, Your Honor?	
14	n n l sl n n l	15 14	THE COURT: Yes.	
15	Q. Luis.	15	Q. All right. What I am bringing to you is	
16		10	Exhibit 152. And this has previously been admitted.	
	amo Lucio	1.6	So I believe my last question was, what	
18	Q. Okay. And do you know where it was mailed	17	what makes you believe that these were having to do with	
	nam)		the incubation and breeding of the chickens?	
20		19	And you were talking about yeah, go ahead	
	A. It's on the label. I wouldn't be able to tell : ou off the top of my head.	20	if you want to	
22	Q. Now, the notebooks. You stated that there	1	A. It's the this one. I believe this one was	
	an onloss and numbers literal to start a start of		just about the different chickens. This had different	
4			colors. It talked about April 1 through 4.	
5	A tail that we half a later of a later of the		Q. I'm sorry, you said April?	
-	Q. And that you believed that to be for the	5	A. April 1 through 4.	
		motens		

1 0. 0.00xy. And then it has Colors, you said? 1 A. It had colors. Thinked (choncil). 1 2 A. It had colors. Thinked (choncil). 2 4 0. Doy unknow what do you know what that says from the colors. This is addited by the colors. This is a color that and by ous dot it's only. 5 9. D you know what do you know what that says from the colors. The colors and the colors. The color is and the colors. This is a color that and colors that and color the colors. This is a color that and colors. This is a color that and colors. This color that and colors that and the colors. This is color that and colors. This color that and colors. This color that and colors. The color the color the colors. This is a color that the colors. This is the colors. This is the colors. This is the color the colors. This is the colors. This is the color the colors. This is the colors. The color the color the colors. The color the colors. The color the color the colors. The colors. The color the color		
2 A. It had colors. There was, written in Sparish, 3 3 of more and ther calexa, infonda (dhomes), if is a start is is addited into evidence, 4 4 0 0 5 yays? 5 6 A. I recognize cabera is head, negro is black. 7 Here is another one, linpos, negro. Ny Spanish is a 8 Not returnst. 9 Q. I getcha. 9 Q. I getcha. 10 All right. So there is different colors and different spanish things, and it's 10 A. There is colors that are referenced. 11 ist tart is colors. O. 12 A. And some of the serve also lists of 13 A. I wold says are some sont of a list that is 14 tot to coincide with composition notechand. O. 15 A. The blue composition notechand. 16 G. Add to other one is from the larger sotobol? 15 A. The blue composition notechand. 16 G. Add to other one is from the larger sotobol? 17 A. The soto coincide with aso	1 Q. Okay. And then it has colors, you said?	1 that, the jury can see that.
 3 of negro and then cabeca; rideada (phonecic). 4. 0. 00 you know what do you know what you know hat do you know what you know hat you know what you know what you know what you know hit you can hold that up a little bit so they can yee you a reason as to why he 4 watted to dig in the you are you - in you wan hold that up a little bit so they can yee you a reason as to why he 4 watted to dig in the you are you you you you you you you you you you		
 4 0. Do you know what - do you know what that say says 5 says² 6 A. I recugnize cabeza is head, negro is black. 7 There is annther one, linpos, negro. Ny Spanish is a 8 intite resty. 9 0. I getcha. It's oky. Yep. 9 1. I getcha. It's oky. Yep. 9 0. All right. So there is different calors and 11 different - and different Spanish thins, and it's 12 A. Theoluc concaling of the the chicknes. 13 A. The pulce system stor of a list. 14 A. The pulce system stor of a list that is 15 0. Okay. And the one that you mere just reading 16 fron, that was from the composition moteobol? 17 A. The Dile composition book. 18 0. Okay. And the one that you mere just reading 19 A. The pulce spiral notebook? 10 A. The purgle spiral notebook? 11 A. The purgle spiral notebook? 12 A. The Dile composition book. 13 A. The purgle spiral notebook? 14 A. The purgle spiral notebook? 15 A. The purgle spiral notebook? 16 A. The number of the incubator? 17 A. Yes. There was alse to us. Postal Service? 18 A. Not without looking at the photograph. 19 A. Yes. There was alse the us. Postal Service? 10 A. Yes. 11 A. Yes. There was alse the us. Postal Service? 12 A. Yes. 13 A. Not without looking at the photograph. 14 A. Yes. 15 A. Yes. 15 A. Yes. 16 A. Not without looking at the photograph. 17 A. Yes. 18 A. Not without looking at the photograph. 19 A. Yes. 10 A. Yes. 10 A. And sain, this was of the incubating of 11 A. Yes. 12 A. Yes. 13 A. Not without looking at the photograph. 14 A. Yes. 15 A. Yes. 16 A. Yes. 17 A. Net sut that sard to any sut the barn when betrettive Gaylor rioud the buried buried. 10 A. Yes.		y and the date the date the condition (
5 says? 6 mumbers across the side, currect? And the you built it's 6 A. I recognize cubeza is head, megro is black. for there is another one, limps, megro. My spatial is a 7 M. Some sort of aligness, yes. get some diagrams of some sort? 9 Q. I getch. It's okay. Yeg. 0. Okay. And you said there were also lists of 10 different - and different spanish things, and it's 0. Okay. And you said there were also lists of 11 different - and different spanish things, and it's 0. Okay. And you said there were also lists of 12 different - and different spanish things, and it's 0. Okay. And you said there were also lists of 12 different calls of the - the chickasy. 0. Okay. And was there anything else in that 13 do the other one is from the larger norebook? 0. Okay. And was there anything else on tab. 14 the sone is till references some colors, bit i composition book. 10. Okay. And does that have the same type of 14 the as - it still references some colors, bit i composition book. 10. Okay. And was diagrams and numbers in there that - 1 15 know if you can hold that up a litcle bit so they can get 11. U alig? 14 A. Yes. There were other items. just mo other items 12. A. Yes. 2 A. There were sais bit hue usay the incohar? 15 A. Distore of the saw of tha set here anything else o		
 A. 1 recognize Capez is head, eggo is black. 7 there is another one, lippos, negro. Nr Spanish is a 8 little rusty. 9 4. 1 getcha. It's skay. Yep. 9 4. 1 more is closes that re referenced. 11 4. 1 would say sene sort of a list. that is s- 9 6. 0 kay. And the one tast you emp just reading 16 from, that as from the larger notebook? 9 6. 0 kay. And the other one is from the larger notebook? 19 7. A. The purgle spiral notebook. 10 7 4. Yes. There was also the U.S. Postal service 11 6. A for yer. Anything else? 12 8. Any tribut looking at the photograph. 9 6. 0 kay. Anything else? 9 7 4. Nets. There was also the U.S. Postal service 10 plogged in, being used? 11 a. A frest. And was the particular incubator in the asking is used of ig. originally. 12 4. Yes. 13 4. Net without looking at the photograph. 9 6. 0 kay. Ang the sar of the fourd it. 1 and sking is, is - was four - in your 11 a kay ret it be karn when be found? 12 4. Yes. 13 the property. 4. Net sufface that was of the fourd it. 1 masking is, is - was you - in your 14 A. Yes. 15 4. Net without looking at the photograph. 16 a larger of - well, it en asky withis. 17 4. Net sufface that was of the fourd it. 1 masking is, is - was it on the ist without you 18 therow here a was on the fourd it. 1 m		5 numbers across the side correct? And then you caid it to
 7 There is another one. Timpes, negro. My Spanish is a silent ensry. 9 Q. I getcha. It's okay. Yep. 10 different referent Spanish things, and it's budy systeme sort of a list. And four that particular metbody fattate - the chickens. 11 A. Twould Say some sort of a list that is 12 A. Take blue composition book. 13 A. The pulse composition book. 14 C. And the other one is fras the larger notebok? 15 A. The pulse composition book. 16 Q. Okay. And does that have the same type of 21 lists in it? 17 A. The blue composition notebok? 18 Q. Okay. And does that have the same type of 21 lists in it? 19 A. The pulse sprain notebok? 10 A. The pulse sprain notebok? 11 actually has some diagrams and numbers in there that 12 A. Take some diagrams and numbers in there that 14 A. Yes. There was also the U.S. Postal Service bards as era whole lists. And don's there anything else? 14 A. Yes. There was also the U.S. Postal Service bards as era whole lists. And don's there anything else? 14 A. Yes. There was also the U.S. Postal Service bards as era whole sprain hoteboak? 15 A. Dust or of the incubator in the master bedorom. 16 Way. And there sate particular incubating of the other items were? 17 A. Yes. There was also the U.S. Postal Service bards as erabed as eridence from on top. 18 A. Nut without looking at the potograph. 19 A. Wes. There was of the incubating of the brown barn? 11 A. Yes. 12 A. Wes. 13 A. Nut without looking at the potograph. 14 A. Yes. 15 A. Mot without looking at the potograph. 15 A. Mot without looking at the potograph. 16 A. West in berrow barn? 17 A. Yes. 18 A. Nut without looking at the potogr	6 A. I recognize cabeza is head, neuro is black.	6 ant some diagrams of some cort?
 a) little rusty. a) I right. So there is different colors and ifferent and different spanish things, and it's different and different spanish things, and it's dolves. b) Chay. And you said there were also lists of go clors in that particular thrown in. c) Chay. And you said there were also lists of go clors in that particular thrown in. c) Chay. And some of these words that thrown in. c) Chay. And some of these words that thrown in. c) Chay. And some of the same. Diagrams. It talks is a clored with concealing of the the chickens. c) Chay. And the one that you were just reading is about a blue face or a has a green lip, hrown, red. Some of the same. Diagrams. It talks is about a blue face or a has a green lip, hrown, red. Some of the incubator in the master betrien. c) Chay. And dees that have the same type of lists in it? c) Chay. And dees that have the same type of lists in it? d. Arther is also the U.S. Postal Service in the master betroen. d. Yes. There was also the U.S. Postal Service inter that. d. Wes. There was also the U.S. Postal Service inter the same wanted to dig. driginally. f the other items were? A. Yes. Q. And so it has a a whole list. And I don't items were? A. Yes. There was also the U.S. Postal Service inter the same wanted to dig. driginally. f the other items were? A. We thout looking at the photograph. g. All right. and was that particular incubator in the brown barn? g. And you and that. But do you recall what it measting is, is were you in your if the same when betroit the brown barn? g. And you may sto d well, let mask you this. So did you have in the brown barn? g. And you and the brown b	7 There is another one, limpos, nearo. My Spanish is a	
 9 0. I getcha. It's okay. Yep. All right. So there is different colors and different spanish things, and it's boriously some sort of a list. A. I would say some sort of a list that is ttok to coincide with concelling of the - the chickes. 5 0. Okay. And the one that you were just reading 5 from, that was from the composition notebook? A. The blue composition motebook? A. The purple spiral netebook. C. Okay. And does that have the same type of 21 lists in it? A. The some diagrams and numbers in there that 23 A. The some diagrams and numbers in there that 24 Q. And so it has a a whole list. And I don't 25 know if you can hold that up a little bit so they can set A. There were other items, just no other items 5 that we collected as eridene from nto. 6 Q. Not, Anything else? 4 A. Yes. 5 A. Wet without looking at the photograph. 5 Q. And spin, this was of the incubating of 3 A. Yes. 5 Q. Mot again, this was of the incubating of 3 A. Yes. 5 Q. Mot, were you present when in the brown 5 A. Yes. 5 Q. Mot, were you present when in the brown 5 A. Yes. 5 Q. Mot, were you present when in the brown 5 A. Yes. 5 Q. Mot, were you present when in the brown 5 A. Yes. 5 Q. Mot again, this was of the incubating of 5 A. Yes. 5 Q. Mot again, this was of the incubating of 5 A. Yes. 5 Q. Mot again, this was of the incubating of 5 A. Yes. 5 Q. Mot again, this was of the incubating of 5 A. Yes. 5 Q. Mot again, this was of the incubating of 5 A. Yes. 5 Q. Mot again, this was of the incubating of 5 A. Yes. 5 Q. Mot again, this was of the incubating of 5 A. Yes. 5 Q. Mot again, this was of the	8 little rusty.	
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14 took to coloride with concealing of the the chickens. 14 particular notebook that 15 Q. Okay. And the one that you were just reading 15 A. Just more of the same. Diagrams. It talks 16 Q. And the other one is from the larger notebook? 15 A. The burge spiral notebook. 19 A. The burge spiral notebook. 10 0. So again, those those were assumptions that 20 Okay. And does that have the same type of 16 0. So again, those those more books found? 21 Ists in it? A. The purgle spiral notebook. 10 0. So again, those those more assumptions that 23 it actually has some diagrams and numbers in there that 21 A. Yes. 24 A. The re were older tiens, just no other items 70 A. Were schere were other items, just no other items 24 A. There were other items, just no other items 71 A. Yes. 11 10 dig? 25 A. I light. And was that particular incubator 72 A. Well, we knew we manted to dig. originally, 4 A. There were outher items, just no other items 11 10 dig in the brown barn? 5 A. Met without looking at the photograph. 0. Okay. So what I am asking is, without		A. And some of these words that thrown in.
15 Q. 0.83y. And the one that you were just reading 15 A. Just more of the same. Diagrams. It talks 16 from, that was from the composition motebook? 16 about a blue face or a has a green lip, brown, red. So 17 A. The bue composition book. 17 tabult a blue face or a has a green lip, brown, red. So 18 Q. And the other one is from the larger notebook? 18 about the birds. 19 A. The bue composition book. 19 the bace composition book. 20 O. O. A. The has it still references sone colors, but 21 lists in it? A. The s it still references sone colors, but 21 lists in it? A. Yes. 20 And so that was a whole list. And loa't O. Was there anything else on top of the 21 A. Yes. Yes. 1 to dig? 2 A. Net without looking at the photograph. 0. A. Yes. 3 Q. O. And oi the barried bare It to dig? A. Yes. 3 Q. O. And did he sal't. and was that particular	14 took to coincide with concolling of the the chickers	13 Q. Okay. And was there anything else in that
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18 Q. And the other one is from the larger notebook? 19 A. The purple spiral notebook. 19 A. The purple spiral notebook. 20 Q. Okay. And does that have the same type of 21 lists in it? A. 23 A. It has it still references some colors, but 23 A. On top of the incubator in the master bedroom. 24 Q. And so it has a a whole list. And I don't 25 know if you can hold that up a little bit so they can see 73 27 A. Yes. 3 Q. Okay. Anything else? 4. Yes. Yes. 3 Q. Okay. Anything else? 4. A. There were other itens, just no other itens 7 the other itens were? 1 6 Q. Not without looking at the photograph. 9 Q. And gain, this was of the incubating of 11 A. Yes. 12 A. Yes. 13 the chickens, correct? 14 A. Yes.	17 The blue composition hock	16 about a blue face or a has a green lip, brown, red. So
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21 lists in it? 21 A. Yes. 22 A. It has it still references some colors, but 22 Q. And where exactly were those notebooks found? 23 it actually has some diagrams and numbers in there that Q. And so it has a a whole list. And I don't 24 Q. And so it has a a whole list. And I don't 23 A. On top of the incubator in the master bedroom. 25 know if you can hold that up a little bit so they can see 72 74 25 know if you can hold that up a little bit so they can see 72 74 26 A. Yes. 74 27 A. Yes. 74 28 A. Mater exactly were those notebooks found? 29 O. And did he give you a reason as to why he 4 A. There were other items, just no other items 5 A. Well, we knew we manted to dig. Originally, 6 A. Not without looking at the photograph. 9 Q. And again, this was of the incubating of 1 A. Yes. 9 Q. And again, this was		19 Q. So again, those those were assumptions that
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24 Q. And so it has a a whole list. And I don't 24 Q. Was there anything else on top of the 25 know if you can hold that up a little bit so they can see 73 74 25 know if you can hold that up a little bit so they can see 73 74 1 A. Yes. There was also the U.S. Postal Service 73 74 2 box containing spurs. 74 3 Q. Okay. Anything else? A. There were other items, just no other items 74 4 A. There were other items, just no other items 74 5 box containing spurs. 3 Q. And did he give you a reason as to why he 4 A. There were other items, just no other items 74 5 A. Me other items were? 3 Q. And did he give you a reason as to why he 6 Wastle the wanted to dig in the brown barn. 76 9 Q. All right. And was that particular incubator 76 10 plugged in, being used? 11 14 11 A. Yes. 12 0. And again, this was of the incubating of 12 A. Yes. 12 A. Yes. 13 the chickens, correct?	22 A. It has it still references some colors, but	the charactery were those hocebooks found :
25C.And So It has a a whole list. And I don't 2324Q.Was there anything else on top of the 2325know if you can hold that up a little bit so they can see 2323incubator besides those notebooks?7426A.Yes.2A.Yes.74271A.Yes.1to dig?22A.A.Yes.3Q.And did he give you a reason as to why he 4 wanted to dig in the brown barn?3Q.Okay. Anything else?1to dig?4A.There were other itens, just no other itens 5 that we collected as evidence from on top.6A.Well, we knew we wanted to dig. Originally, 6 it wasn't even just limited to brown barn. There had been 7 information that had cone from Mr. Sandstrom that a 87M.Not without looking at the photograph.9Q.Okay. So what I am asking is, without you 10 plugged in, being used?11A.Yes.9Q.Okay. So what I am asking is, without you 10 telling talking about what somebody else told you, what 11 I am asking is, is was it were you in your 12 discussion with Detective Gaylor, in his decision to dig in 13 the brown barn, were you part of that?16barn when Detective Gaylor found the buried bucket? 14A.Yes.17A.Yes.10Okay. And was anyone other than Detective 26 Gaylor digging in the brown barn?18A. Not at that exact moment, no.11A.Yes.19Q.Okay. And was anyone other than Detecti	25 It actually has some diagrams and numbers in there that	23 A. On top of the incubator in the master bedroom.
25 know if you can not that up a little bit so they can see 73 25 incubator besides those notebooks? 74 1 A. Yes. There was also the U.S. Postal Service 2 box containing spurs. 1 to dig? 2 A. Yes. 3 Q. Okay. Anything else? A. There were other items, just no other items 5 that we collected as evidence from on top. 3 Q. And did he give you a reason as to why he 4 A. There were other items, just no other items 5 that we collected as evidence from on top. 3 Q. And did he give you a reason as to why he 6 Q. No, I understand that. But do you recall what 7 the other items were? 3 Q. And did he give you a reason as to why he 8 A. Not without looking at the photograph. 6 Q. And again, this was of the incubating of 11 A. Yes. 9 Q. Okay. So what I am asking is, is ware you in your 12 A. Yes. 12 discussion with Detective Gaylor, in his decision to dig in 13 the brown barn, were you part of that? 14 14 A. Yes. 15 Q. Okay. And was anyone other than Detective 15 Q. Okay. And was anyone other than Detective 2 A. To start digging, no. We just knew that we needed to dig and dig underneath where the coops were.	24 Q. And so it has a a whole list. And I don't	24 Q. Was there anything else on top of the
1A.Yes. There was also the U.S. Postal Service2box containing spurs.3Q.Okay. Anything else?4A.There were other items, just no other items5that we collected as evidence from on top.Q.6Q.No, I understand that. But do you recall what7the other items were?S.9Q.All right. And was that particular incubator10plugged in, being used?11A.Yes.12Q.And again, this was of the incubating of13the chickens, correct?14A.15Q.16Now, were you present when in the brown barn when Detective Gaylor found the buried bucket?17A.18Okay. And was anyone other than Detective19Q.10Did potective Gaylor talk to you about wanting to dig?12A.13Not at that exact moment, no.14A.15Q.16Wat at to you about wanting to dig?24A.25Q.26And did he talk to you about wanting to dig?27A.28Yes.29Q.20Not at that exact moment, no.20Were you part of well, let me ask you this.26Q.27A.28Yes.29Q.20So let me ask you this.20So let me ask you this.21	25 know if you can hold that up a little bit so they can see	25 incubator besides those notebooks?
 2 box containing spurs. 3 Q. Okay. Anything else? 4 A. There were other itens, just no other itens 5 that we collected as evidence from on top. 6 Q. No, I understand that. But do you recall what 7 the other itens were? 8 A. Not without looking at the photograph. 9 Q. All right. And was that particular incubator 10 plugged in, being used? 11 A. Yes. 12 Q. And again, this was of the incubating of 13 the chickens, correct? 14 A. Yes. 15 Q. Now, were you present when in the brown 16 barn when Detective Gaylor found the buried bucket? 17 A. I was not in the barn when he found it. I was 18 on the property. 19 Q. Okay. And was anyone other than Detective 19 G. Okay. And was anyone other than Detective 19 G. Okay. And was anyone other than Detective 19 G. War that exact moment, no. 20 Were you part of well, let me ask you this. 21 Did Detective Gaylor talk to you about wanting to dig? 22 A. Yes. 23 Did Detective Gaylor talk to you about wanting to dig? 24 A. Yes. 25 M. Well, we knew we wanted to dig. Originally, 24 A. Yes. 25 M. Well, we knew we wanted to dig. Originally, 24 A. Yes. 25 M. Well, we knew we wanted to dig. Originally, 24 A. Yes. 25 M. Well, we knew we wanted to dig. Originally, 24 A. Yes. 25 M. Well, we knew we wanted to dig. Originally, 25 M. Well, we knew we wanted to dig. Originally, 26 And did he talk to you about where he wanted 27 A. Yes. 28 A. Yes. 29 A. M did he talk to you about where he wanted 20 And did he talk to you about where he wanted 21 A. Yes. 22 A. M did he talk to you about where he wanted 23 Did Detective Gaylor talk to you about wanting to dig? 24 A. Yes. 25 M. We had		74
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75	25 Q. And did he talk to you about where he wanted 25	MR. WOODBURY: I'm sorry can I have that
	75	a working an overly can i have that

1 repeated? I didn't understand that.	1 controlled buys or if that was other information that
2 A. We had information that there were drugs	2 Sandstrom could have passed.
3 buried underneath the chicken coops on the property.	
4 Q. (By Ms. Dunn) So if Detective Gaylor	3 Q. And your information was you got the 4 information from Gaylor
5 testified that he didn't have any information about drugs	
6 being buried on that property, is that incorrect?	
7 A. To my knowledge, that would be incorrect	6 Q Correct.
8 because	7 Did that based upon what Detective Gaylor
	8 told you, did the information include that it was being
c of the belocitie day of testified that involume	9 that it was specific to the brown barn?
by which connectines people pully ulug put that the	
and the three three the three three the three the three the	11 specific to the brown barn.
12 being buried drugs, that would be incorrect?	12 Q. It was to the chicken coops?
13 A. From my understanding, yes.	13 A. It was to the chicken coops.
14 Q. So your testimony is the information so	14 Q. So out of all of the chicken coops that were
15 from your information, the information that you had	15 there there were a lot of chicken coops, correct?
16 gathered or that you had been privy to, was that this	16 A. Yes, there were.
17 information came from Clinton Sandstrom?	ruoj undro norci
18 A. Yes.	the che thist chicken coop that belective
19 Q. When?	and the second of the second char bucket, correct?
20 A. It was relayed from Sandstrom to Gaylor in	19 A. Yes.
21 discussion during the deals, one of the deals, that there	20 Q. So out of the how many chicken coops do you
22 had been complaints from Mr. De La Torre about having to	21 think were on that property?
23 dig up drugs.	22 A. Hundreds.
	23 Q. And so did it surprise you that Detective
the should be recorded, right?	24 Gaylor went to the exact chicken coop where there was three
25 A. If that was during one of the one of our	25 pounds of meth buried?
1 A. It surprised that he that he found it on	78
2 the first place where he dug, yes, that surprised all of	1 Q. Or was recorded?
3 US.	2 A. I don't I I don't know if that
4 Q. Did it surprise him?	3 conversation was took place during one of the controlled
5 A. Yes.	4 buys or not.
	5 Q. But you believe that it came during one of the
to bid you ask inim if he knew where it was	6 controlled buys?
7 where it was supposedly buried?	7 A. I believe it could have come during one of the
8 A. I didn't no, I did not ask him if he knew,	8 controlled buys. It could have come from Mr. Sandstrom's
9 if he had known it was under 18 all along. I did not ask	9 previous dealings.
10 him that.	10 Q. And just so we're clear, that information
11 Q. So if I asked Detective Gaylor yesterday if he	11 was that supposedly Mr. De La Torre complained about having
12 had any information about where those drugs were buried or	12 to dig up drugs?
13 that they were buried and he told me no, that was a lie?	
14 A. A lie or he didn't remember that we had that	that has all anactiscanding of it, yes,
15 information.	14 Q. Do you recall the day that that would have 15 been found?
16 Q. Do you think that is something you would	
17 toraet?	16 A. We executed the warrant on the 19th. I
18 A T don't know if it is a such	17 believe it was found on the 21st.
19 but T also haven't been through what patenting and torget,	18 Q. And the drugs that were found in the trailers,
U DEED through so I and I comit that if a share it is a start	19 those searches were done on the 19th?
" Mind or what his rocall is at this nature	20 A. Yes.
2 Q. And you don't know whether or not that	21 Q. There was no indicia, I guess, for lack of a
s. And you don't know whether of hot that	22 better word, since we keep going to indicia, but there was
was on was	23 no indicia of selling or possessing controlled substances
	24 that was found in the main residence, correct?
	5 A. Correct.
79	80

010				
	1 Q. Mr. Ruiz's main residence?		1 A.	Just a a mishap.
	2 A. Yes.		2 Q.	And you stated that one of the the Apple
:	 Now, you talked about the cell phones that 			to get in it and you talked about that the
1	4 were found in Mr. Ruiz's bedroom?		4 security	was bypassed?
t,	5 A. Yes.		5 A.	
6				Yes.
7			6 Q.	You are talking about like the the
8			7 A.	The PIN.
. 9	the same any and an Appres.		8 Q.	PIN number?
		19	9 A.	PIN number, yes.
10		10	0 Q.	So that phone was able to get into?
11	on the highestands next to the bearbon of	11	1 A.	Yes.
12	next to the the bed.	12	2 Q.	That was searched?
13	Q. One on each?	13	3 A.	Yes.
14	A. No. On the same nightstand, the same	14		And there was nothing of any evidentiary value
15	nightstand that had the revolver.	15		hat phone?
16	Q. All right. And you stated that both of those	16		
17	were sent to the Washoe County crime lab?			Correct.
18	A. Yes.	17	·.	When we talk about anything of any evidentiary
19	Q. Pursuant to a warrant?	18		are talking about text messages?
20		19	Α.	Correct.
21		20	Q.	That are talking about potential selling or
	Q. Which would have ultimately been served on	21	buying of a	trugs?
22	Mr. Ruiz, correct?	22	Α.	Or any criminal act, whether it was about the
23	A. It should have been. I don't believe Mr. Ruiz	23	birds fight	ing. Yeah, there was no nothing on that
24	got a copy of that warrant.	24	phone that	related to either the the birds fighting or
25	Q. Do you know why he didn't get a copy of it?	25	controlled	substances.
1	Q. And that is including like pictures?	1	A.	Sometimes they do, but yeah.
2	A. Correct.	2	Q.	A lot of times they will man here t
3	Q. Anything saved that way?	3	correct?	A lot of times they will use code words,
4	A. Nothing other than a picture of a rooster,			
5	which is not criminal in and of itself. Yeah, there was	4	Α.	Yes.
6	nothing.	5	Q.	Do you sometimes find we had a conversation
7		6	about a pay	and owe sheet. It was referred to as a pay and
8		7	owe sheet th	hat was found in one of the trailers.
	A. Yes.	8		Are you familiar with that?
9	Q. And on in your examination of or excuse	9	Α.	Yes.
10 r	ne, in your investigations of controlled substances, you	10	Q.	And you are familiar with a pay and owe sheet?
1 6	are also looking for potential other names that you know or	11	Α.	Yes.
.2 t	that you are familiar with	12	Q.	Or pay and owe sheets?
3	A. (Nods head).	13		
4	Q of people who buy or sell drugs?		Α.	Yes.
5	A Vac	14	Q.	Those are normally used by drug dealers to
6	A You are leading front in the	15	keep track of	^F who they sold to and who potentially owes
7	A Voc		them?	것이 지나 방법에서 강성에 걸려진 것을 수 있다.
3		17	Α.	Commonly it is, yeah.
	, and antidy continuous ages i	18	Q.	And are those sometimes found in cell phones?
	A. Yes.	19	Α.	Yes, sometimes.
	Q. A lot of people who deal drugs also use code	20		Start using digital technology and not
)	FUE TO TOVE MORODOWN	1 n	ecessarily w	riting it anymore, but you may be keeping
WC				and the submores over you may be keeping
WC	A. Yes.	2 1	otes of it i.	n vour cell nhone?
) . wc	A. Yes. Q. It's not like they necessarily text their 22	2 n	otes of it i.	n your cell phone?
) . wo	A. Yes. Q. It's not like they necessarily text their 22	2 n 3	otes of it i. A.	n your cell phone? Yes.
2 3 1 bu	A. Yes.	12 m 3 4	A. Q. I	n your cell phone?

1	Q. Now, you said that the Samsung you could not	1 shill and a shill be a shirt of the shirt
	et into?	
3	A. Correct.	2 A. Yes.
4	Q. Were those the only two cell phones that you	3 Q. Now, do you know how many other places on t 4 property were due into?
5 fo	und in the house?	property were ung into:
6	A. To my recollection, those are the only two	the state practo vacorat in the sala L
7 th	at we I I believe so. I think those were the only	6 had been dug into, as well as the majority of that brown
8 on	es.	
9	Q. Okay.	the start only,
10	A. They were definitely the only ones we	9 And like a place in the yard?
11 CO	llected from that house.	10 A. I want to say there was more than one place, 11 at least two places in the yard that got due into
12	Q. Were there any other were there laptops or	and practo in the yard that got any into.
13 con	puters or anything like that found?	the was chore a spectric reason that
14	A. I don't recall any computers.	13 you and this is a 2.7-acre property, correct? 14 A. Yes.
15	Q. If there were, is that something you would	
16 nor	mally look into?	i contra a reason char chose two aleas in
17	A. We would, we would. Especially if there	and yard here way filed:
18 was	especially if there was a reason pointing us in that	a borrore one of the areas tooked like it hat
19 dir	ection.	
20	Q. Okay. You either didn't find any or	19 looked like it had been dug into that also had a lot of 20 chicken carcasses in it.
21	A. Or there was a computer in a child's room	
22 that	that had indications that it was being used by the	they'r nowl chis brown burn, the I belleve
3 chil	d, we wouldn't necessarily have an interest in.	22 there was a picture Court's indulgence for just a 23 moment.
4	Q. Gotcha.	
.5	But you would have also searched the	24 Sergeant, what I am showing you, it's been 25 marked as actually and admitted as Plaintiff's 86
1 Exhi	bit 154.	1 A. Yes.
2	Do you recognize that picture	2 Q. Is that correct?
3	A. I do.	3 A. Yes.
4	Q or what it is?	4 Q. And who was it your understanding well, it
5	A. Yes, I do.	5 was your who did did you know to be residing in the
	Q. Sorry.	6 travel trailer?
	And what is that a picture of?	7 A. My understanding, it was Eduardo Ruiz who was
	A. It is a picture of the Travel Supreme trailer	8 residing in that travel trailer.
With	the eave over it, and to the left of the photo is	9 Q. Did you speak to anyone on the property?
	the brown barn would be.	10 A. No, I personally did not speak with anybody on
	Q. And so you are talking about the eave that	11 the property.
the t	hing that's connected to the trailer there?	12 Q. Were you there when Detective Gaylor or anyone
	A. The roof structure that	13 else spoke to Mr. Ruiz, Mr. Ramirez-De La Torre or
	And that roof structure is actually connected	14 Mr. Eduardo?
		15 A. I was on the property, and I could see Mr
	Without seeing it, I don't know if it's	16 see Detective Gaylor speaking with them, but I was not with
the co	ly physically connected or it's just on the post on	17 them while they were talking.
the to	ncrete just adjacent to it. But it goes right up to I own barn.	18 Q. Okay. Was anyone else in the brown barn when
	1	19 Detective Gaylor was digging?
Whara	Preserve Suco VII IS DUSICALLY IN	A. As he had been digging, there had been either
		21 myself or Detective Eisinger had been with him while he had
A	4	22 been digging. Just nobody was with him when he struck
Q. Travol	and the subscurry che door to the	3 plastic.
than +4	Supreme trailer opens, there is a concrete slab and 24	4 Q. Under the chicken coop 18?
chen Ci	here is the opening to the brown barn? 25	

-			
1	1 Q. It's your understanding that your team		1 A. Yes.
2	2 ultimately had to stay on the property to keep secure		2 MS. DUNN: I have no further questions at this
			3 time.
4	veterinarians could get there to do the evaluations of the		4 THE COURT: Cross-examination, Mr. Woodbury.
5			5 MR. WOODBURY: Thank you, Your Honor.
6	A. Yes, because we had the first the state		6 <u>CROSS-EXAMINATION</u>
7	veterinarians and Department of Agriculture inspectors were		7 BY MR. WOODBURY:
8	the first ones to show up and do their assessment and then		8 Q. Prior to the March 19 and the few days
9			9 following it, of 2019, had you known a lot about chickens
10		10	
11		11	
12		12	
13		13	ask it this way. Did when Detective Gaylor was no
14	Q that your team was basically caring for the	14	longer annioused by NDT did the control of this case
15	chickens?	15	a i j j i i j i i i i i i i i i i i i i
16	A. Yes.	16	A. As clarification. Detective Gavlor was never
17	Q. And so you guys were feeding and and giving	17	
18	water to the chickens?	1.8	
19	A. Yes.	1.0	the state of the state of the state of the state
20	Q. And there was food there	20	
21	A. Yes.	20	and any ter the ampropole when the LIKe
22	Q when you sorry. Lisa's going to yell at	22	
23	us,	23	Q. Excuse me?
24	There was food on the property when you guys	23	A. Detective Gaylor's employer was the Elko County Sheriff's Office.
25	got there?	25	
	89	LJ	Q. Okay. But what I am asking, he was the case
1	agent and he was then no longer employed by law	1	the brown trailer.
2	enforcement, and did the case, this case, supervision and	2	Q. In the brown travel trailer?
3	the supervision of it revert to you?	3	A. I would have to refer to the reports to see
4	A. Well, ultimately it reverts to me, but it has	4	exactly what he found.
	been in prosecution status for so long that there has not	5	Q. Well, if he testified he didn't find said
	been active investigation investigating steps on it	6	things, you wouldn't have any reason to disagree with that?
7	since Detective Gaylor left.	7	A. No.
8	Q. Okay, And that that would include any	8	Q. Okay.
9	attempt to Mr. Olsen ultimately got arrested, right?	9	A. And I know he found spurs in one of the
10	A. Yes, he did.	10	trailers. I just wouldn't be able without reviewing,
11		11	you know, which one it was.
12	A. I don't know. I know we didn't we arrested	12	Q. Okay. And no knives were found in the brown
13	him on the arrest warrant and did not seize anything from	13	travel trailer, or or you don't you don't know
4	his proparty fuct from his newson	14	anything more about what was in the brown travel trailer
.5		15	than what Detective Willer had known?
6		16	A. To my knowledge, because I never even
7 1	We showed up on his property or where he lived to take him	17	beyond sticking my head into the doorway, never really went
8 .	into custody solely.	18	in the brown trailer myself.
9	Q. Now, with respect to chickens and cutting off	19	Q. Okay. Then the documents that you found in
0 t	their spurs and wattles, all of that, was anything found in		the gray Chevy pickup, you you looked at those documents
1. t	the brown travel trailer that related to that?	21	as evidentiary value for showing what?
2	A. Regarding in regard to the spurs and	22	A. For tying Mr. Ramirez-De La Torre to the truck
	vattles, no.		was my viewpoint on those documents.
3 W	I would have to reference what Detective	4	Q. Okay. And there isn't a single document in
1			
1	illon found incide with the terms of the	5 1	there, is there, in that exhibit, of those documents, that

1 identify his identifies his residence as Kale Drive?	1 Drive and he was delivering narcotics when we called.
2 A. No, I don't believe that there are. I believe	2 Q. And prior to that, he had not been involved in
3 most of those say Bullion.	3 construction work in the Elko area?
4 Q. So, yeah. And that so I assume that at	4 A. I wouldn't be able to testify as to whether he
5 some point NDI checked in to see when it was that Hector	5 had or not.
6 Ramirez moved into Kale Drive or whether he ever really did	
7 or what happened to the property at 1160 Bullion Road and	and a set of the abaut
8 space number 72?	7 investigative technique to go back and look at the prior
9 A. I don't know that we ever established an exact	8 behavior of these guys, right?
10 date of when he moved.	9 A. We could look at the prior behavior of these
11 Q. But did you establish an inexact date?	10 guys, but that also doesn't change the investigation or the
12 A. I wouldn't be able to confirm that. When we	11 fact that he was still committing the acts.
13 opened the case on Mr. Ramirez-De La Torre he was	12 Q. And did you but you didn't do that for Mr.
14 associated with the Kale Drive address.	13 Ramirez?
	14 A. I I did not look into Mr. Ramirez's
and as rai as you know, you seem	15 employment history, no.
you coverned originally chat you you pegan	16 Q. Okay. Did I understand you to say that with
year advoor when the rocar aray enforcement forks in	17 respect to the roosters that you and the animal control
summer, or roomany.	18 officer processed, not a picture was not taken of every
	19 rooster out there, it was taken of 248 of them?
s. I want on a source conclusions	20 A. A picture was not taken of every chicken out
21 about well, did you go back at any point and try to find	21 there. But the 248 roosters that were put down were
22 out how Mr. Ramirez made a living while he was here in 23 Elko?	22 photographed and documented.
	23 Q. That part I got. Were there 249 roosters out
A. We didn't have any any leads to show that	24 there or more?
	25 A. To my recollection, I do not believe I
93 4 L-71 - 74 - 1	94
1 believe all the roosters were photographed and put down .	1 A. Yes.
2 Q. Okay. And Miss Ulloa wasn't arrested; is that	2 Q. Okay. And the do you know what time or did
3 correct?	3 anybody ever inquire as to what time of day or night
4 A. That is correct.	4 Mr. Ramirez was well, the the chickens of all kinds
5 Q. And was was she thrown off the property or	5 were being fed or watered?
6 required to stay away from the property?	6 A. We did not inquire as to what time the
7 A. She was required to stay away while we were	7 chickens had been fed or watered by any of the occupants of
8 still on premises.	8 the property.
	9 Q. And when you folks went on there about eleven
10 A. Yes.	0 o'clock on March 19, Mr. Ramirez was placed in handcuffs
11 Q. And	1 and put in a patrol car and never ever returned to the
12 A. She was allowed to come back and collect	2 property, right?
13 Clothing and things to take care of the children, though,	
14 Q. And how many total chickens were out there?	
15 A. I couldn't give an accurate count. Just in my 15	and dana cruc of Arr Kurz - Ul
16 estimate, it would be between 400 and 600 total chickens.	
17 Q. And when you went through the coops, you	
18 found, did you not, that virtually every coop that	the was the same true of Mr. Kulz, who is here
19 contained a chicken of some sort, whether it was a rooster in	
20 or hens or both, had a little container for water attached 20	
21 to the front of the cage?	where the spect to the transfer of money that
22 A Tam protity cure they all did have a	you found indicia of in the Chevy pickup, did you all
23 now we would have fed and watered them	investigate who that money was sent to?
24 0. And it had a containon for food attacked	A. No, we did not we didn't look into it at
25 well?	that point. My interest in those documents was simply
	tying Mr. Ramirez-De La Torre to the vehicle.

The bulk of them had -- were being sent in 1 Q. 1 Q. when were the chickens, the roosters 2 relatively small amounts to Zacatecas, Mexico, right? 2 euthanized? 3 Α. That would seem accurate, yes. 3 Approximately nine or ten days later. Α. 4 Do you know where Zacatecas, Mexico is? Q. 4 Q. And in the intervening time, who was caring 5 Α. Not without a map, no. 5 for the roosters? Is it possible for a person to look at a 6 Q. We were, and the officers that were on scene, 6 Α. chicken or a rooster or a hen and determine if it's thirsty 7 plus animal services, Deputy Smith. 7 or -- or has -- is being deprived of water? 8 And what did that care consist of? What did 8 Q. 9 Α. I personally don't have enough knowledge about 9 you guys do to take care of the bids? chickens to be able to answer that. 10 Filling the bowls with water and feed multiple 10 Α. 11 Q. And what was the date on that trophy, do you 11 times a day, remember? 12 12 What was the condition of those bowls on the Q, 13 2018. Α. 19th when you first started caring for the birds? In other 13 Do you remember what month? 14 Q. words, was there food and water in the bowls? 14 The trophy doesn't have a month. 15 Α. 15 I wouldn't be able to answer that. I was --A. 16 Oh, it just has "2018" on it? Q. the scope of everything, I wasn't looking at the bowls. 16 17 Α. (Nods head). 17 Now, just to follow up on what Mr. Woodbury Q. 1.8 MR. WOODBURY: Thank you. I don't think I have was asking you about roosters versus chickens being, you 18 19 anything further. know, put down and killed, I believe you testified that all 19 20 THE COURT: Redirect? of the roosters were put down? 20 21 REDIRECT EXAMINATION 21 A. That's my memory, yes. 22 BY MR. MILLS: 22 Now, when you were talking about chickens --Q, 23 0. Sergeant Smith, the search warrant was and just to get our terminology consistent for all of us, 23 executed on March 19; is that correct? 24 by chicken, do you mean a -- a rooster and a hen or just a 24 25 A. Yes. 25 hen? 97 98 1 Α. when I talk about the total number of 1 Q. what about the other phone? chickens, that would be including roosters and hens. 2 2 Α. The other phone, we were not able to access, 3 Okay. So the word "chicken," for you, when Q. and so I wouldn't be able to answer what -- what could be 3 you use that, would include both roosters and hens? 4 or would not be on that phone. 4 5 A. Yes. Sergeant Smith, how long have you been dealing 5 Q. 6 Male and female chickens? Q, with narcotics investigations over your career? 6 7 (Nods head). Α. 7 Maybe five years of my total time as a Α. 8 So it sounds like all of the roosters were --Q. detective. 8 9 were put down; is that correct? 9 Q. You have investigated a lot of cases involving 10 A. Yes, people that sell and traffic in -- in drugs? 10 But there were -- so the chickens that were 11 Q. 11 Α. Yes. not put down would have been hens? 12 12 In your experience, is it common for somebody Q. 13 Α. Yes. involved in that sort of business to have multiple phones? 13 14 And it's your recollection that there were --Q. 14 A. Ves. estimate that there would have been between 400 and 600 15 15 Q. A personal phone and then a business phone, so total chickens? 16 16 to speaks? 17 That is my estimate, yes. Α. 17 Α. Yes. 18 Q. With regards to the cell phones that Ms. Dunn 18 Q. With regards to the coops that -- that there was asking you about from the master bedroom, I believe you 19 was some digging under, it sounds like -- would it be fair 19 testified that there were two cell phones; is that correct? 20 to say that the majority of the coops that were dug under 20 21 A, Yes. 21 were inside the barn? 22 Q, And you testified about one of them, I believe 22 A. Yes, an Apple phone, that there was nothing of evidentiary value 23 23 I believe you did mention that there were --Q. 24 found on that phone; is that correct? there was some digging that took place outside of the barn; 24 25 Α. That is correct. 25 is that correct? 99 100

1 A. Yes. 2 0. Under approximately how many coops or in how 3 nany places outside of the harm did yog ugys dig? 4 A. Ispecifically remember two areas. 5 0. And were those areas under coops or were they? 6 A. Those areas were coops, or where 7 were they? 7 A. Those areas were outside of the the chicker 9 coop area, part of the compound of chicken coops. 1 0. And how many comps were outside that you 2 0. And how many comps were outside that you 1 0. And how many comps were outside that you 1 0. And how many comps were outside that you 1 0. And how many comps were outside that you 10 0. And how many comps were outside that you 11 0. And how many comps were outside that you 12 0. And it's subs I the comp harn. 13 0. We dig int't dig under? 14 0. And it's you'r recollection that there was a 15 0. Correct. 16 0. Out of how large a property? 17 0. Way was that? 16 0. And it's you'r recollection that there was ano	-		
 9. Under approximately for many coops or in how any coops or where they for the sen of dy any gos dig? A. I specifically remember to areas. 9. And were those areas under coops or where they four the promos areas were outside of the the coops or ownere they for areas were outside of the the coops of areas were in the back yard. 9. Coop areas part of the compound of chicken coops. These is a sating you, there were no chicken coops areas were outside that you for areas were in the back yard. 9. Coop areas part of the compound of chicken coops. These is were includer the coops were workide that you for areas were in the back yard. 9. Coops areas part of the compound of chicken coops. These is what was basis of the composent were not chicken coops areas as the did not try to nove the the coops in the did under any of these coops of the composent. The legistics of that are outside the barn, correct. 9. Correct. 9. Correct. 9. Constant, the promise outside of the barn that is coops in the would of the prom barn. A correct. 9. Coops do did't dig under any of these coops in the would is any in the prom barn. A correct. 9. Constant, the promise outside of the barn that is a confirming on that side of the barn that you could dig under any of these coops that would is estailar to chicken coops that would is estailar to chicken coops that would is in the there was an even as a chicken coops that would is the areas of the barn were as a chicken coops that would is the areas of the barn were as a chicken coops that would is the areas of the barn were as a deal hody. 9. Constant, the set of the area or is the brown barn. A try is a 2.7-area compound. 10. Constant, the promos area is what was basically three as that we could dig. Coops areas that we could did. Coops areas the is the soft of the barn. <	1	A. Yes.	1 0. So would it be fair to say that there were
3 amp places outside of the barn did you guys dig? A. Yes. 4 A. Ispecifically remember two areas: A. Yes. 5 0. And were thuse areas under coops or were they 6 just on the ground soewhere in between coops, or where 7 MECOMST. Recrass, Ns. Dunn, anything. 8 A. Those areas were outside of the coops. 9 coop area, part of the coops were outside that you 10 0. And were thist was divered the coops. 11 0. And were were in the back yard. 12 A. we dug under the coops that were inside the 13 A. we dug under the coops that were inside the 14 brow harn, but we did not try to now the the conps 15 the verse outside the frow barn. 16 was more than we were able to handle. 17 A. Yes. 18 outside the barn, correct. 19 A. Correct. 10 O. Mad were the the crime lab test for 10 A. Yes. <t< td=""><td>2</td><td>Q. Under approximately how many coops or in how</td><td>V 2 lots of places you didn't din?</td></t<>	2	Q. Under approximately how many coops or in how	V 2 lots of places you didn't din?
4 A. I specifically remember two areas. 5 0. And were those areas under coops or were they 6 just an the ground somewhere in between conso, or where 7 were they? 8 A. Those areas were outside of the the chicken 9 Op area, part of the conpound of chicken coops. Those 9 Op area, part of the conpound of chicken coops. Those 9 Op area, part of the conpound of chicken coops. Those 9 Op area, part of the conpound of chicken coops. Those 9 Op area, part of the conpound of chicken coops. Those 9 Op area, part of the conpound of chicken coops. Those 9 Op area, part of the conpound of chicken coops. Those 10 the areas were in the back yard. 12 A. Those areas were in the back yard. 12 A. Me dug under the coops that were inside that you 13 A. We dug under the coops that were inside that you 14 barne were able to handle. 15 that were outside the barn, norrect? 16 Op. Correct? 17 A. Yes. 21 A. Yes. 22 A. To's a 2.7-arce compound. 23 </td <td>3</td> <td>many places outside of the barn did you guys dig?</td> <td>, , , , , , , , , , , , , , , , , , ,</td>	3	many places outside of the barn did you guys dig?	, , , , , , , , , , , , , , , , , , ,
5 0. And mere those areas under coops, or where 6 just on the ground somewhere in between coops, or where 7 were they? 8 A. Those areas were outside of the the chicken 9 Q. So just to be clear, make sure I understood 10 Q. And how many coops were outside that you 20 Air at sis ware in the back yard. 11 Q. And how many coops were outside that you 12 A. Were outside of the how many coops were outside the how man? 13 A. Wed under the coops that were inside the 14 brown barn, but we did not try to nove the the coops 15 that were outside the hown barn. 16 was more than we mere able to handle. 17 Q. Yeu digint dig under 18 outside the barn, correct? 19 A. Correct. 20 Q. Out of hw large a property? 21 A. The would be flooring on there 24 Q. Out of hw large a property? 26 A. Tai try at would did to loor angi si what was basicil? <t< td=""><td>4</td><td></td><td></td></t<>	4		
6 just on the ground somewhere in between coops, or where MS. DUW: Yes, Your Honor. 7 were they? A. Those areas were outside of the the chicken 9 0. So just to be clear, make sore I understood 10 0. And how many coops were outside that you 11 0. And how many coops were outside that you 12 0. And how many coops were outside that you 13 A. We dug under the coops that were inside that 14 brown barn, but we did not try to move the the coops 10 that you dug under outside of the brown barn. 14 brown barn, but we did not try to move the the coops 11 that you dug under outside of the brown barn. 15 that were outside the horon barn. The logistics of that 40 16 that were outside the brown barn. 12 coops do you think were in the brown barn. 17 0. You didn't dig under any of those coops 18 outside the barn, correct? 12 coople of places otherwise outside of the barn that 19 A. Yes. 21 0. Why was that? 1 outside the barn, there was no evidence 22 A. Yes. 1	5		
7 RECROSS-EXAMINATION 8 A. Those areas were in the back yard. 9 Cop area, part of the compound of chicken coops. Those 10 0. And how many coops were outside that you 11 0. And how many coops were outside that you 12 A. We dug under the coops that were inside the 13 A. We dug under the coops that were inside the 14 brown harn, but we did not try to nove the the coops 15 that were outside the brown barn. 16 outside the brown barn, the logittics of that 17 0. You didn't dig under any of those coops 18 outside the bran, correct. 10 19 A. Correct. 20 0. And it's your recollection that there was a 21 couple of places otherwise outside of the barn that 22 A. Fer. 23 A. Text would be similar. 24 A. the own barn, the ver. 25 A. Gon areas at were in the brown barn. 26 O. And it's your recollection that there was a 26<	6	just on the ground somewhere in between coops, or where	and bed bed not built uny chiling.
8 A. Tose areas were outside of the the chicken 9 coop area, part of the compound of chicken coops. These 9 coop area, part of the compound of chicken coops. These 9 coop area, part of the compound of chicken coops. These 9 coop area, part of the compound of chicken coops. These 9 coop area, part of the compound of chicken coops. These 9 coops area, part of the compound of chicken coops. These 9 coops area, part of the compound of chicken coops. These 9 coops area, part of the compound of chicken coops. The 9 coops do you think were and the there was 15 that were outside the form barn. The logistics of that 16 was more than we were able to handle. 9 coops do you think were in the borm barn. But there was 15 chicken coops under 18 was in the borm barn. But how many 16 coops do you think were in the borm barn. But how many 16 coops do you think were in the borm barn. But how many 17 coops do folces otherwise outside of the barn that 19 cooplace of places otherwise outside of the barn that 20 there you dug? 10 the folce coops that were basically boxes that we could dig. 10 the barn were basically boxes that we could dig. 10 the bis or mot. 10 could of places otherwise outside of anything. 10 could dig under? 11 but his or mot. 12 that that had been manipulated or anything. 13 criter were not definite resources that there was a dead body, 14 could dig with dress there was a dead body. 15 chicken coops that were sat hat the could dig. 16 could dig with dress that the could dig. 17 could dig with dress that the could dig. 18 criter were not definite resources that the crime lab 19 cons of the cases that I would die the for. 19 con what would be his side of the bed. 10 which is where the three basically the 11 that would be his side of the bed. 10 which is where the three both of those phones that 10 couple of the cases that I would die the crime lab thaw 10 con what would be his side of the bed. 10 coupl	7	were they?	
9 Q. So just to be clear, make sure I understood 10 two areas were in the back yard. We day under the coops outside that you 11 Q. And how many coops were outside that you 12 didn't dig under? A. We day under the coops that were inside the 13 A. We day under the coops that were inside the Hat is what I recall, is we did not dig any 13 A. We day under the coops that were inside the Hat were outside of the brown barn. 14 brown barn, but we did not try to sove the the coops A. That is what I recall, is we did not dig any 15 that were outside the brown barn. The log soutside of the brown barn. A. 16 outside the brown barn. The log soutside of the brown barn. A. 16 outside the brown barn. The log soutside of the brown barn. A. 17 A. You didid't dig under any of those coops The were soutside of the brown barn. 18 outside of the brown barn. Correct? The would gu mder? 24 A. Yes. Yes. The would gu mder? 25 A. Yes. The re harn, those are the	8	A. Those areas were outside of the the chick	A RY MC DINNY
10 to a reas were in the back yard. 11 0. And how many coops were outside that you 12 didn't dig under? 13 A. We dug under the coops that were inside the 14 brown barn, but we did not try to nove the the coops 15 that were outside of the brown barn. 16 brown barn, but we did not try to nove the the coops 17 0. You didn't dig under any of those coops 18 outside the barn, correct? 19 A. Correct. 10 Ma t'r Syour recollection that there was a 10 0. And i'r sorry. I that section of the barn, torrect? 10 0. And i'r sorry. I that section of the barn, torrect? 10 0. And i'r sorry. I that section of the barn, torrect? 11 0. Wou dig? 12 0. And i'r sorry. I that section of the barn, those are the 13 0. Why was that? 14 0. Why was that? 15 10 16 0. Kay. 17 0. A. There would be flooring on there 18 0. That would that there was no evidence 19 0. Why was that? 10	9	coop area, part of the compound of chicken coops. Those	
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9 on what would be his side of the bed. 19 Q. For DNA? 0 Q. And it was his side of the bed because? 20 A. For DNA. 1 A. Because the items that were on the other side 21 Q. For fingerprints? 2 matched up with a woman sleeping on that side of the bed. 22 A. Yes, none of which would be standard in a		A. I don't have positive ID, just they both were	
Q. And it was his side of the bed because? A. For DNA. A. Because the items that were on the other side matched up with a woman sleeping on that side of the bed. 20 A. For DNA. 21 Q. For fingerprints? A. Yes, none of which would be standard in a	9 on	what would be his side of the bed.	
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2 matched up with a woman sleeping on that side of the bed. 22 A. Yes, none of which would be standard in a	1		
	2 ma		i i i i i i i i i i i i i i i i i i i
P Q. All right. And so you don't know whether they 123 narcotics investigation	3	Q. All right. And so you don't know whether they	23 narcotics investigation.
wana bath bis su well	wer	'e both his or not?	
A. No, I would not know for sure that they were 25 something that could be done, correct?		A. No, I would not know for sure that they were	125 something that could be done connect?
103 International contract of the contract of	4 Devices marine	103	

-			. (.)
1	reformarily, i nave nevel seen it uone, but		1 THE COURT: Any recross-examination,
2			2 Mr. Woodbury?
3	s asking you about Some of the		3 MR. WOODBURY: Yes, Your Honor.
4	wire transfers, the money transfers that were found in		4 RECROSS-EXAMINATION
5	the the gray pickup that were Mr. Ramirez-De La Torre's		5 BY MR. WOODBURY:
6	Did you find any receipts or paperwork of any		6 Q. Would you be surprised to learn that Eduardo
7	kind of wire transfers in the main residence?		7 did not call himself a caretaker, he just called himself
8	A. No, I do not.		8 chicken manager?
9	Q. And as you testified previously, that can be		9 A. That wouldn't surprise me, but
10	indicia of drug trafficking, correct?		10 Q. All right. And nobody, as far as you know,
11	A. I I don't know that I was even asked that		11 ever inquired of Mr. Ramirez what a caretaker what
12	question. But I would say it could be indicia of drug		12 What obligations he had towards the chickons, might 2
13	trafficking; it could not be.		 what obligations he had towards the chickens, right? A. No.
14	Q. Had you found any in the main residence, you		
15	would have considered it evidentiary value?		14 MR. WOODBURY: Thank you. I have nothing 15 further.
16	A. I think it would have been worth collecting		
17	and looking into, yes.		and donal may jury questions for sergeant
18	Q. But you didn't find any?	1	7 Smith?
19	A. No.	1	and a start where you are chrinking about
20		1	and a double he to here subject to recarri
21	find and beauting; bused upon the	20	grad transfer your jurot number on the
	investigation, your knowledge of the investigation, that	2:	i indice of paper per question. Indik you,
23	Mr. Ramirez-De La Torre and Eduardo Ruiz were caretakers for the chickens?	22	2 (WHEREUPON, the following proceedings were had at side
		23	B bar:)
24	A. Yes.	24	THE COURT: We are on side bar.
25	MS. DUNN: I have no further questions.	25	and a worker by you know it anyone was
1	with Gaylor when he went into the barn under coop"	1	106
2.	"under 18 coop to dig?"	2	in the second seco
3	Any objections?		terten er har built.
. 4	MR. MILLS: None from the State.	3	MS. DUNN: Just real quick.
5	MS. DUNN: No.	5	RECROSS-EXAMINATION BY MS. DUNN:
6	MR. WOODBURY: I don't have any.	1	
7	THE COURT: Okay. Court will ask the question.	6	Q. Were any of you guys wearing body cams at that
8 1	hank you.		time?
9		8	A. No, we don't even have body cameras.
10	(WHEREUPON, the side bar conference was concluded)	9	Q. Some law enforcement did that was present on
	JURY QUESTION Y THE COURT:	10	the scene, correct?
цт в 12		11	A. Not on that date, but the uniformed
	Q. One jury question for you, sir. Of course you	12	personnel wear body cams. Because we are plain-clothes, we
	re still under oath.	13	don't wear them.
14	Do you know if anyone was with Gaylor when he	14	MS. DUNN: Okay. Nothing further.
	ent into the barn under number 18 coop to dig?	15	THE COURT: Mr. Woodbury, anything else?
16		16	MR. WOODBURY: I have nothing.
.7 Sa	ly whether somebody walked in with him. But I know that	17	THE COURT: All right.
18 WI		18	Thank you for your testimony, sir.
.9 De	tective Eisinger had been in and out of the barn. And	19	Remember the rule of exclusion.
0 De	tective Eisinger and I were standing outside the barn	20	And we'll go ahead and take our afternoon recess.
1 wh	en Detective Gaylor hit plastic and said, "Guys, you are	21	If you could just walk that around and set it on
2 go	And the most to and the Hard state of the st		the clerk's table. Thank you, Sergeant Smith.
3 th		23	THE WITNESS: Thank you, Your Honor.
	ckat	24	THE COURT: She'll come grab it from you. Even
4 bu			
4 DU 5	THE COURTS F. 11	25	better. Thank you, Darla.

CERTIFICATE OF SERVICE

I certify that this document was filed electronically with the Nevada

Supreme Court on the 15 day of November, 2021. Electronic service of

the foregoing document shall be made in accordance with the Master Service

List as follows:

Elko County District Attorney

Gary D. Woodbury

Nevada Attorney General

I further certify that I served a copy of this document by mailing a true

and correct copy thereof, postage prepaid to the following address(es):

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