

1
2 IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Dec 30 2021 09:49 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

3
4 HECTOR HUGO RAMIREZ-DE L.
TORRE,

5 Appellant,

CASE NO. 82891

6 vs.

THE STATE OF NEVADA,

Respondent.

7
8 SUPPLEMENTAL APPENDIX TO RESPONDENT'S BRIEF

Appeal From The Fourth Judicial District Court

Of The State of Nevada

9 In And For The County Of Elko

10 THE HONORABLE AARON D. FORD
11 ATTORNEY GENERAL OF NEVADA
100 N. CARSON STREET
CARSON CITY, NV 89701

12 TYLER J. INGRAM
13 Elko County District Attorney's
Office
540 Court Street, 2nd Floor
14 Elko, NV 89801
By: Justin M. Barainca
State Bar No. 14163
15 ATTORNEYS FOR RESPONDENT

GARY D. WOODBURY
1053 Idaho Street
Elko, NV 89801
Attorney for Appellant
ATTORNEY FOR APPELLANT

1 **Table Of Contents**

2 **Page No.**

3 1. Jury Trial Vol. 4001

4 2. Jury Trial Vol. 9.....076

5 3. Jury Trial Vol. 10.....099

6 **Chronological Index**

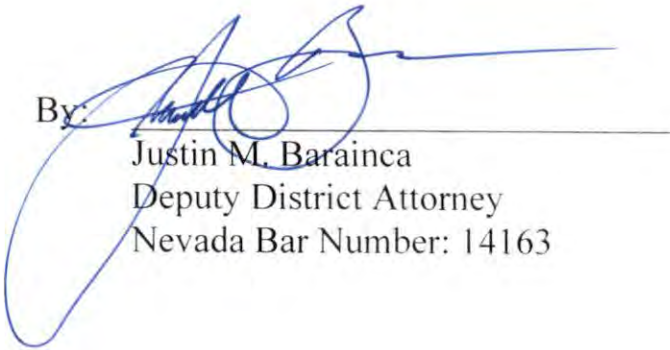
7 1. Jury Trial Vol. 4001

8 2. Jury Trial Vol. 9.....076

9 3. Jury Trial Vol. 10.....099

10 Dated this 30th day of December, 2021.

11 TYLER J. INGRAM
12 Elko County District Attorney
13 540 Court Street, 2nd Floor
14 Elko, NV 89801
15 (775) 738-3101

16 By: 
Justin M. Barainca
Deputy District Attorney
Nevada Bar Number: 14163

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6

-3-

2021 SEP 29 AM 9:50

FILED

2021 SEP 28 PM 3:44

JUDGE

CLERK

FILED

1 Case Nos. CR-FP-19-2456 and CR-FP-19-2465
2 Dept. II

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

8 00000

9 THE STATE OF NEVADA :
10 Plaintiff, :
11 v. : JURY TRIAL
12 HECTOR HUGO RAMIREZ-DE LA TORRE, : VOLUME 4
13 and JORGE LANDEROS RUIZ, :
14 Defendants. :
15 _____/

17 TRANSCRIPT OF PROCEEDINGS

19 BE IT REMEMBERED that the above-entitled matter
20 came on for hearing on January 15, 2021, at the hour of
21 8:45 a.m. of said day, in Elko, Nevada, before the
22 HONORABLE ALVIN R. KACIN, District Judge.

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

- 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

MARK S. MILLS, ESQ.
Elko County
Deputy District Attorney
540 Court Street
2nd Floor
Elko, Nevada 89801

JUSTIN BARAINCA, ESQ.
Elko County
Deputy District Attorney
540 Court Street
Second Floor
Elko, NV 89801

GARY D. WOODBURY, ESQ.
ATTORNEY AT LAW
1053 Idaho Street
Elko, Nevada 89801

KARENA K. DUNN, ESQ
LARRY K. DUNN & ASSOCIATES
1201 Terminal Way, #221B
Reno, Nevada 89502

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

I N D E X

WITNESSES CALLED FOR THE STATE:

PAGE

MATTHEW MILLER

Direct Examination by Mr. Mills	6
Cross-Examination by Ms. Dunn	15
Cross-Examination by Mr. Woodbury	19
Redirect Examination by Mr. Mills	29
Recross-Examination by Ms. Dunn	31
Recross-Examination by Mr. Woodbury	33

SCOTT SMITH

Direct Examination by Mr. Barainca	34
Cross-Examination by Ms. Dunn	45
Cross-Examination by Mr. Woodbury	51
Redirect Examination by Mr. Barainca	62
Recross-Examination by Ms. Dunn	31
Recross-Examination by Mr. Woodbury	33

JOHN GAYLOR

Direct Examination by Mr. Mills	74
Cross-Examination by Ms. Dunn	101
Cross-Examination by Mr. Woodbury	111
(Cont. Cross-Examination by Mr. Woodbury)	154
Redirect Examination by Mr. Mills	157
Recross-Examination by Ms. Dunn	157
Jury Questions	161

SHELDON OLSEN

Direct Examination by Mr. Barainca	164
Cross-Examination by Ms. Dunn	176
Cross-Examination by Mr. Woodbury	194
Redirect Examination by Mr. Barainca	210
Recross-Examination by Ms. Dunn	212

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

I N D E X (Cont.)

WITNESSES CALLED FOR THE STATE:

PAGE

CLINTON SANDSTROM

Direct Examination by Mr. Mills

225

EXHIBITS ADMITTED FOR THE STATE:

PAGE

Ex. 108 - Deed to Property, Jorge Landeros

90

Ex. 144 - Colt Anaconda revolver

177

Ex. 197 - Plea Agreement, Sheldon Olsen

167

P R O C E E D I N G S

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

We do have the defendants here with their respective attorneys and the Court's previously sworn interpreters assisting them today.

And then also we have deputy district attorneys Mills and Barainca to represent the State.

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

MR. MILLS: Yes, Your Honor.

MR. WOODBURY: So stipulated.

MS. DUNN: We would stipulate, Your Honor.

THE COURT: Thank you.

Okay. So we are going to broadcast then, correct, Mr. Nunes?

THE BAILIFF: Um-hmm.

THE COURT: Okay. Hope you had a nice evening last night, ladies and gentlemen. And we are continuing on with our second day of the presentation of the evidence.

So next witness for the State?

MR. MILLS: Matthew Miller.

THE COURT: Matthew Miller.

And by the way, if you have to shift a seat a

little bit just to make sure you get a full view of the witness, please go ahead and do that, okay.

Why don't we have you come up to the stand, we'll do it that way. And during your testimony, please drop your mask, sir.

We'll have you take the oath.

(WHEREUPON, the witness was sworn)

THE COURT: Please be seated, sir.

And is it Mr. Mills?

MR. MILLS: Yes.

THE COURT: Okay. Please proceed.

MATTHEW MILLER

called as a witness in said case, having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. MILLS:

Q. Good morning, Mr. Miller.

A. Good morning.

Q. Can you hear me okay?

A. I can.

Q. Could you please state and spell your first and last name for the Court.

A. Yes. Matthew Miller. M-a-t-t-h-e-w M-i-l-l-e-r.

Q. And, Mr. Miller, I understand you currently

work in the private sector; is that correct?

A. I do.

Q. Previously did you work in law enforcement?

A. I did.

Q. I want to direct your attention back to February of 2019. And at that point in time in your life and career, where were you working?

A. I was working for the Nevada Department of Public Safety, Investigations Division, as a detective.

Q. And what kind of detective were you?

A. I was a narcotics detective.

Q. Were you associated with the Elko Combined Narcotics Unit?

A. I was.

Q. And where were you based out of?

A. Elko.

Q. How long had you worked for the narcotics unit at that point?

A. At that point in time, it would have been approximately a little over two years.

Q. And prior to that, what kind of law enforcement experience did you have?

A. I worked for the Nevada Division of Parole and Probation.

Q. As a narcotics detective for the Elko Combined

Narcotics Unit, what were your primary duties and responsibilities?

A. To investigate the transportation and sales of illicit controlled substances.

Q. And what were some of the common controlled substances that you investigated here in Elko County?

A. In Elko County, it was primarily methamphetamine and heroin.

Q. And are you familiar with methamphetamine specifically?

A. I am.

Q. Was it part of your duties and responsibilities as a narcotics detective to conduct controlled buys?

A. Yes, it was.

Q. I want to direct your attention back to February 27, 2019. Were you involved in a controlled buy on that occasion?

A. I'm sorry, could you say that again.

Q. Were you involved with a controlled buy on February 2, 2019?

A. I was.

Q. Okay. And what was your -- your role in conducting that controlled buy?

A. My role was to conduct surveillance on a

1 residence.

2 Q. And just to provide a little more context for
3 the jury, what was the overall situation that was going on?
4 What was the plan?

5 A. The plan was that there would be a controlled
6 purchase of illicit narcotics at another location. My job
7 was to sit from a distance on the -- at the weigh station
8 on I-80 westbound and observe the residence that the
9 suspected seller was going to be coming from -- coming
10 from, 5647 Kale Drive.

11 Q. Okay. And where was the -- so the person who
12 was going to be providing the methamphetamine was coming
13 from 5647 Kale Drive?

14 A. Correct.

15 Q. And did you know at that time who that person
16 was suspected to be?

17 A. Yes.

18 Q. And who was that?

19 A. At that time, we just knew him as Hector -- or
20 I knew him only as Hector.

21 Q. Okay. So a person named Hector. Okay.

22 And where was the -- I guess, who was the
23 cooperating source that was helping you guys out with
24 conducting the controlled buy on that date?

25 A. Clinton Sandstrom.

1 weigh station that Nevada Highway Patrol utilizes to weigh
2 and inspect their trucks. It's just set off of the
3 interstate, and so the -- the weigh station has -- you have
4 your -- the interstate, and then the weigh station is here
5 and then there's just a chain link fence, have views of all
6 of Ryndon.

7 Q. How far away from that -- your location at
8 that weigh station was the property at 5647?

9 A. Again, I couldn't give an exact distance.
10 It's a little ways. I had to use binoculars to see the
11 residence.

12 Q. Using the binoculars, what kind of view did
13 you have of the -- vantage point did you have of the
14 residence?

15 A. I could see the main gates of the residence, I
16 could see part of the main residence itself, and then I
17 could see two vehicles on a typical basis.

18 Q. Could you elaborate further as far as what --
19 describe the property at 5647 Kale Drive.

20 A. From that time point or from --

21 Q. From that -- I guess from that vantage point.

22 A. From that vantage point, when you look from
23 the weigh station, you can see a main fence, and then there
24 is a large, I guess, entryway through the -- through the
25 gate.

1 Q. And so what was the plan as far as where the
2 purchase was going to take place?

3 A. The purchase was supposed to take place on
4 Arthur out there in Ryndon/Osino.

5 INTERPRETER DAVIS: Excuse me, Your Honor. The
6 interpreter did not hear the last sentence from the
7 witness. Could you please repeat that.

8 A. The purchase was to take place on Arthur.

9 Q. (By Mr. Mills) Is Arthur a street?

10 A. It is.

11 Q. Okay. So on a street called Arthur in Osino?

12 A. Correct.

13 Q. Okay. And who resided at that location?

14 A. Bob Olsen.

15 Q. Just again to paint a picture of the -- you
16 know, the layout of everything, how far away is Bob's place
17 from the 5647 Kale Drive location?

18 A. It's a ways. I couldn't give you an exact
19 distance, but as the crow flies it's -- you have to go from
20 Ryndon over the hill to Osino, so to get there you have to
21 get out on the interstate most likely. There are dirt
22 roads that you can go.

23 Q. And so describe the location where you were
24 set up at to observe the 5647 Kale Drive residence?

25 A. The location I was at is -- it's a typical

1 And then I could see, well, what looked to be
2 a house, a single-story house residence, and part of that
3 house, not the entirety of it.

4 And then I could see usually two cars that
5 looked as though they were parked up to that residence.

6 Q. Could you observe any other structures on the
7 property at that time?

8 A. At that time, I don't believe I could.

9 Q. So on February 27 of 2019, as you were taking
10 up your station there at the weigh station, tell us what
11 happened.

12 A. I'm sorry, say that again.

13 Q. So what happened on February 27, 2019, as you
14 were stationed there at the weigh station?

15 A. At that -- on February 27, as I was sitting
16 there, I was informed through radio traffic what was going
17 on during the controlled purchase. I was informed that
18 the -- Clinton had made contact with Bob at the Arthur
19 residence.

20 And a short time later, I viewed an individual
21 walk from the east part of 5647 Kale to a gray pickup
22 truck. He got in that pickup truck and then left the
23 residence.

24 And I could see the vehicle drive all the way
25 through Ryndon and it got on the eastbound entrance for

1 I-80 and then drove past my location out towards Osino.
 2 Q. How long was the pickup truck gone at that
 3 point?
 4 A. Approximately -- about 30 minutes.
 5 Q. And did you observe that pickup truck again?
 6 A. I did.
 7 Q. And tell us about that.
 8 A. The pickup truck then passed my location going
 9 westbound, got off on the westbound off ramp, drove through
 10 Ryndon and then parked back at the 5647 Kale address.
 11 Q. Did you observe anyone exit the vehicle?
 12 A. I saw a single occupant get out of the
 13 vehicle.
 14 Q. Where did that person go?
 15 A. Back towards the east side of the property.
 16 Q. From your vantage point, were you able to
 17 identify the person?
 18 A. I could not identify them from that distance.
 19 Q. Mr. Miller, were there additional controlled
 20 buys between Clinton Sandstrom and -- and the person you
 21 referred to as Hector?
 22 A. Yes.
 23 Q. And when did those occur in proximity to the
 24 February 27 controlled buy?
 25 A. They were a short time period afterward. I do

13

CROSS-EXAMINATION

1 BY MS. DUNN:
 2 Q. Do we call you Mr. Miller now?
 3 A. That's fine.
 4 Q. All right. All right.
 5 Mr. Miller, back in February of 2019, you
 6 participated in other controlled buys prior to the
 7 February 27 date, correct?
 8 A. I believe so, yes.
 9 Q. And just so we're clear, the controlled buys
 10 that you dealt with prior to the February 27 date, those
 11 were between Mr. Sandstrom and Sheldon "Bob" Olsen,
 12 correct?
 13 A. I would have to refer to the reports for the
 14 specifics on the dates. But I believe, yes, there were
 15 purchases between those two.
 16 Q. All right. Well, I wasn't asking you for the
 17 dates. I was just -- I was asking in February, did you do
 18 those controlled buys, were you participating in those
 19 controlled buys between Clinton Sandstrom and Sheldon "Bob"
 20 Olsen?
 21 A. Again, I would have to refer to the reports.
 22 It has been a while.
 23 Q. All right. Prior to testifying today, have
 24 you reviewed your reports?
 25

15

1 not remember the exact dates.
 2 Q. Okay. And if the -- if the other officers'
 3 reports reflected March 4 and March 7, does that sound
 4 accurate?
 5 A. It does.
 6 Q. Were you involved in those two subsequent
 7 controlled buys?
 8 A. I was.
 9 Q. Okay. And what was your role in those
 10 subsequent controlled buys?
 11 A. My role was also to conduct surveillance on
 12 the residence.
 13 Q. Anything different in what you did in the
 14 other two controlled buys than what you described with the
 15 February 27 controlled buy?
 16 A. No.
 17 Q. Along those lines, was it the -- did you
 18 observe the same gray pickup, I guess, leave and come back
 19 to the property on those other two occasions?
 20 A. I did.
 21 MR. MILLS: That's all I have. I will pass the
 22 witness.
 23 THE COURT: Cross-examination.
 24 MS. DUNN: Thank you, Your Honor.
 25 /

14

1 A. I have not received those specific reports,
 2 so...
 3 Q. And when you mean those specific reports, you
 4 mean on the dates for the controlled buys prior to
 5 February 27?
 6 A. Correct.
 7 Q. Now, once the February 27 date came around,
 8 your job was simply to do the surveillance; is that
 9 correct?
 10 A. Yes.
 11 Q. Had you done surveillance with -- on this
 12 particular property at Kale Drive prior to that date?
 13 A. I have, yes.
 14 Q. All right. And explain this property. You
 15 had described it as having a fence around the property?
 16 A. Correct.
 17 Q. Now, that fence, it wasn't -- you could see
 18 through it, correct?
 19 A. Correct.
 20 Q. And you stated that there was a gate that, I
 21 guess, led through the driveway or enables you to get into
 22 the property; is that fair to say?
 23 A. Correct.
 24 Q. At that point, did you know approximately how
 25 big this piece of property was?

16

1 A. At that point, I did not know.
2 Q. All right. From your surveillance, you could
3 tell that it was -- it was bigger than just the one house,
4 correct?
5 A. Correct.
6 Q. And you described this vehicle as -- or,
7 excuse me, you described this property as having the
8 single-story house and two cars parked out front?
9 A. Correct.
10 Q. And next -- basically parked in front of or by
11 the house?
12 A. Correct.
13 Q. And the individual that you witnessed on
14 the 27th get into one of the vehicles, you stated that this
15 individual came from the east side of the property,
16 correct?
17 A. I did.
18 Q. That -- so this individual did not come from
19 the house?
20 A. Not that I could see.
21 Q. Came from a different direction, correct?
22 A. Correct.
23 Q. So you could see that it -- that he wasn't
24 coming from the house?
25 A. I could see that he didn't come from the

17

1 controlled purchases that you did in this case -- that you
2 participated in this case.
3 Those additional controlled purchases were
4 between Mr. Sandstrom and this individual that you knew to
5 be Hector, correct?
6 A. Correct.
7 Q. The controlled purchases that you participated
8 in prior to February 27 and the controlled purchases after
9 the February 27 date, none of those controlled purchases
10 were with Mr. Jorge Ruiz, correct?
11 A. Correct.
12 MS. DUNN: I have no further questions at this
13 time.
14 THE COURT: Cross-examination, Mr. Woodbury.
15 MR. WOODBURY: Thank you, Your Honor.
16 CROSS-EXAMINATION
17 BY MR. WOODBURY:
18 Q. At the time of the -- at the time of the
19 February 27, 2019, buy, is that -- do I got that date
20 right?
21 A. February 27, 2019, correct.
22 Q. Had -- how many officers were working for the
23 Elko Combined Narcotics Unit?
24 A. At that point in time, there were three of us
25 and not including our sergeant, sir.

19

1 portion of the house that I could observe. At that point,
2 I didn't know how large the house was or where it wrapped
3 around to, so I could see that he didn't come directly,
4 from my vantage point.
5 Q. And when we're talking about this house, it's
6 a -- it's a double-wide?
7 A. From the distance, it looked like a
8 single-story, stick-built house.
9 Q. All right. At some point, did you come to
10 have the knowledge that it was a single -- or a
11 single-story, double-wide?
12 A. It -- single story, I believe probably a
13 modular.
14 Q. Okay. Now, when you saw this individual that
15 came from the east side of the property and then drove this
16 vehicle past your location and then returned past your
17 location back to the Kale street address, again, when this
18 individual got out of the vehicle, went to the east side of
19 the property, correct?
20 A. Correct.
21 Q. From the portion of the house that you could
22 see, it did not appear as though this individual went into
23 the house, correct?
24 A. Correct.
25 Q. Mr. Mills asked you about some subsequent

18

1 Q. And who was the sergeant at the time?
2 A. Sergeant Scott Smith.
3 Q. Okay. And your role was -- were the three
4 detectives that were working, are they of equivalent rank
5 and power?
6 A. Correct. The three detectives that were
7 assigned to the task force, we were all detectives. We
8 were just from different agencies. One was from the Elko
9 County Sheriff's Office; one was from the Elko Police
10 Department; and then myself, I worked for the State.
11 Q. And the general determination of who you are
12 going to investigate and where you are going to
13 investigate, that was -- that was determined by Sergeant
14 Smith?
15 A. No, that would have been determined by the
16 case agent.
17 Q. By the case agent?
18 A. Correct, the -- the lead agent in charge of
19 the investigation.
20 Q. Okay. And the -- there must have been some
21 kind of protocol or some kind of priority that you placed
22 in certain areas as to what a lead agent would investigate?
23 A. A lead agent, they would investigate any time
24 you got tips or just areas of interest that came across the
25 desk from outside, from sources of information, so it could

20

1 really be anywhere inside of Elko County.

2 Q. So there were no priorities with respect to
3 kinds of controlled substances or amounts of controlled
4 substances or anything else, no priorities for the lead
5 agent?

6 A. I'm sorry, I don't quite understand the
7 question.

8 Q. Well, if I understand what you said correctly,
9 what you said was that the lead agent could pick what he
10 wanted to do based on information that he was getting --
11 getting from some source.

12 Now I am asking you the question of whether
13 there were, in fact, no priorities other than the lead
14 agent decided to act on those -- on a -- on a tip.

15 A. The priorities usually include large
16 quantities, not what we would consider personal use, so
17 anything under 4 grams.

18 Harder substances, methamphetamine, heroin,
19 would be of more interest. And so if we heard that there
20 was quantities, ounces, pounds, whatever it may be, that
21 would be more of a priority than if we heard of, you know,
22 just somebody who's using narcotics.

23 Q. And was Mr. Olsen involved in big quantities?

24 A. He was.

25 Q. And what was the big quantity that Olsen was

21

1 caseload, whether it's -- could be gross misdemeanor, sex
2 offenders, all of it.

3 And my job was to make sure that they comply
4 with the terms and conditions set down by the court, and
5 then hopefully that they would complete their probation and
6 then continue on being productive members of society. If
7 not, it was my job to make sure that they didn't reoffend
8 and victimize anybody in the community.

9 Q. As a parole and probation officer in Elko, how
10 long did you spend in Elko doing that?

11 A. In Elko, I was -- I did that for approximately
12 two years.

13 Q. Okay. And you had previously done it in Las
14 Vegas?

15 A. I had.

16 Q. Okay. And were -- was methamphetamine a big
17 problem in Vegas when you were down there in parole and
18 probation?

19 A. Methamphetamine was, yes.

20 Q. Okay. And so I assume that you supervised a
21 number of people who were under your supervision because
22 they had involved themselves somehow or another in
23 methamphetamine sales or use?

24 A. Depending on the time, yes. Both.

25 Q. I'm sorry?

23

1 involved in?

2 A. Ounces is what we had heard.

3 Q. Did those ounces go beyond what you described
4 as personal use?

5 A. Typically, in my training and experience, yes.

6 Q. And what -- what is your training and
7 experience regarding narcotics?

8 A. Throughout my time with parole and probation,
9 I attended numerous training courses in terms of addiction
10 and drug recognition.

11 And when I became a detective with Nevada
12 Division of Investigation, I attended the California
13 Narcotics Association, which is 40 hours of training on
14 various controlled substances, their use, their sales. And
15 continued training throughout my time with investigations.

16 Q. And that's -- that was pretty typical kinds of
17 training for narcotics officers?

18 A. Yes.

19 Q. Okay. And could you describe for the jury
20 what your duties as a parole and probation officer were?

21 A. My duties as a parole and probation officer,
22 they changed throughout the time. When I first started, I
23 supervised gang members in Las Vegas. And then when I
24 moved to Elko, I was what was considered a general
25 supervision officer, so I supervised every type of

22

1 A. Depending on which part of the units I was in,
2 yes.

3 Q. So in order -- and your obligation was not
4 only to supervise but to supervise in a way that helped
5 these young men or women to finish parole or finish
6 probation and get on with their lives?

7 A. Correct.

8 Q. Okay. So I assume that you knew quite a bit
9 about the cartels and so on when you were in parole and
10 probation?

11 A. In parole and probation, my understanding of
12 the cartels was somewhat limited because I mostly dealt
13 with local on-the-street gangs in Las Vegas.

14 Q. But you did know about them?

15 A. I did.

16 Q. Okay. And then as you became a narcotics
17 officer and maybe moved to parole and probation in Elko,
18 you became more involved -- more knowledgeable?

19 A. I did.

20 Q. Okay. And did you understand the nature of
21 the relationship of various members of a cartel from upper
22 hierarchy to the lower hierarchy and the obligations that
23 were imposed on people in the lower hierarchy?

24 A. It was discussed in training, yes, sir.

25 Q. And can you say roughly whether that hierarchy

24

1 was such that the lower people were told what to do and if
2 they didn't do it, they would get fired?

3 A. Yes, it essentially is run just like a
4 business.

5 Q. I'm sorry?

6 A. Yes, it is essentially run just like a
7 business.

8 Q. And are there penalties involved if you -- in
9 addition to being fired?

10 A. There are reports of that, yes, sir.

11 Q. Well, there are several thousand lower
12 hierarchy cartel members killed a year in Mexico?

13 A. Yes. I couldn't give you an exact number, but
14 there is a lot of violence.

15 Q. Yes. And what about discussions with law
16 enforcement or other people about what these young men or
17 women know about the cartel, people that are not in the
18 cartel, can they -- is there a prohibition against them
19 discussing that further with anybody outside the cartel?

20 A. I'm sorry, can you say -- restate that for me.

21 Q. I don't know. It was so much fun spitting it
22 out that way.

23 I'll take another run at it.

24 The -- basically what I am talking about,
25 Mr. Miller, is just the disclosure by lower members of the

1 cartel about what is going on in the cartel and what is
2 going on in the drug world and that.

3 Is that -- is that generally prohibited by the
4 cartel?

5 A. Yes, it's generally frowned upon.

6 Q. All right. And is it also enforced by
7 physical violence?

8 A. Yes.

9 Q. Okay. This is -- you are anticipating being
10 recalled for the execution of the search warrant, I assume?

11 A. Yes, sir.

12 Q. How -- if you -- if you know, how -- when did
13 Hector's name first come up as a possible person that would
14 be involved in sales of drugs or methamphetamine with
15 Mr. Olsen?

16 A. I believe it was during the controlled
17 purchases with Mr. Olsen.

18 Q. Okay. And you didn't have any straightforward
19 direct knowledge of it, you just heard it in discussions
20 back and forth between the detectives?

21 A. I believe so, yes.

22 Q. And at the time, Detective Gaylor was in
23 charge of the -- was the case agent?

24 A. Yes, sir.

25 Q. And there was a case report in Discovery 57

25

26

1 that indicates that there had been a -- they started -- you
2 guys started -- well, in Discovery 60, that you guys
3 started looking at Hector in September of 2018?

4 A. The -- the residence itself.

5 Q. The residence itself?

6 A. Yes. I believe. I do not recall that far
7 back. I'm sorry, sir.

8 Q. And it would not have been your
9 responsibility?

10 A. No, I was involved in other investigations and
11 at times would assist with large investigations or
12 surveillance whenever it was needed. We worked as a team.

13 Q. But there -- you do -- let me check.

14 Do you recall looking at the residence several
15 months prior to this February 27 date?

16 A. Yes, sir.

17 Q. And that -- do you have a recollection of who
18 the case agent was that was involved in that Kale Drive
19 business?

20 A. That would have been Detective Gaylor.

21 Q. All right. So he -- apparently he was the
22 lead agent from at least September of 2018 up until
23 March 19, 2019?

24 A. I believe so, sir.

25 Q. All right. Going back to this September --

27

1 excuse me, the February 27 event, your job, as I
2 understand it, was at least in part to park on the freeway
3 at the Nevada Highway Patrol weigh station, whatever it is,
4 and to keep an eye on Kale Drive?

5 A. Yes, sir.

6 Q. Okay. And were you alone in doing that?

7 A. I was.

8 Q. And I assume that you were -- it was reported
9 to you when an order had been made and that would cause you
10 to start looking at Kale Drive, and then you would watch to
11 see what happened at Kale Drive. And I assume that you
12 were also informed by radio when the buy or the meeting had
13 ended and the vehicle would be headed back towards Osino?

14 A. Yes, typically when I'm tasked with
15 surveillance, the second I arrive at my position to do
16 surveillance, I start watching whether -- I have been told
17 that the purchase has started or anything, just because we
18 want to know what is going on. If our individual leaves,
19 we want to know that they have left. If they are there, we
20 want to make sure -- we want to know that they're there.
21 If the car isn't there, we want to know that as well. So
22 the entire time, we conduct --

23 (Court reporter clarification.)

24 A. So the entire time we conduct surveillance.

25 Q. And before the controlled buy is set in

28

1 motion, physical motion, there is a meeting of the various
2 detectives, including the lead detective or lead
3 investigator, and a discussion is had about what is going
4 to happen, where and when?

5 A. Yes, there is an operational briefing.

6 Q. And what -- what is the subject matter that is
7 contained within an operational briefing?

8 A. An operational briefing, it's going to contain
9 essentially what the objective, so what we are there for,
10 and it's going to locations of where the suspected
11 activities are going to happen, whether it's a controlled
12 purchase, where that is to happen, the duties of each
13 participating detective or officer, and that kind of
14 information, suspected vehicles.

15 MR. WOODBURY: I have nothing further at this
16 time.

17 THE COURT: Redirect?

18 MR. MILLS: Mr. Miller, I do have a couple
19 questions for you.

20 REDIRECT EXAMINATION

21 BY MR. MILLS:

22 Q. So Mr. Woodbury was asking you about your
23 knowledge of drug cartels and whatnot. Would that -- would
24 you consider that an area of specialization for you?

25 A. I am not an expert in cartels, no.

29

1 sort of thing, did you ever investigate that sort of thing
2 here in Elko County?

3 A. I have not dealt with any specific cartel
4 branding here in Elko County, no.

5 Q. And had -- did you ever deal with a scenario
6 where somebody was -- was killed or harmed by the cartel
7 here in Elko County?

8 A. Not that I know of, no.

9 Q. Now, Ms. Dunn was asking you about --
10 actually, both of us were asking you about the residence
11 that you observed from the weigh station, and you mentioned
12 that -- the portion of the residence that you could see
13 from that vantage point.

14 So I just wanted to clarify. Were you -- from
15 that vantage point, was the portion of the residence that
16 you could see, was it the front, the side, or the back?
17 Which part of the residence were you looking at?

18 A. It would have been the front.

19 MR. MILLS: That's all I have. I will pass the
20 witness.

21 THE COURT: Any recross-examination?

22 MS. DUNN: Just briefly, Your Honor.

23 RECROSS-EXAMINATION

24 BY MS. DUNN:

25 Q. Mr. Miller, you were just talking about the

31

1 Q. You mentioned you had some training. What did
2 that -- how extensive was that training you had in the
3 cartel stuff that Mr. Woodbury was asking you about?

4 A. I have attended several courses on cartel
5 operations, types of narcotics and illicit substances that
6 they sell, their typical structure, so that we're aware of
7 how they kind of work and what the -- essentially the
8 branding of each cartel would be so that we can keep an eye
9 out to see if we see a package that would have branding of
10 the cartels and stuff like that.

11 Q. Did you observe any of that stuff here in Elko
12 in the couple of years you worked as a narcotics detective?

13 MR. WOODBURY: Your Honor, I cannot understand
14 Mr. Mills. I apologize. I know he's moved his microphone
15 up, but it's -- it's just not clear.

16 THE COURT: Okay. Well, please repeat the
17 question then.

18 Q. (By Mr. Mills) Mr. Miller, in the couple of
19 years that you worked as a narcotics detective here in
20 Elko, did you -- did you investigate the Mexican drug
21 cartels in that time?

22 A. I have never investigated any specific
23 cartels, no.

24 Q. And the stuff that you referred to that you
25 were trained about as far as distinct packaging and that

30

1 front of the house, single-story house that you were
2 surveilling, that that is the area which you could see from
3 your vantage point from your surveillance.

4 And just to clarify, when you saw this
5 individual get into a vehicle and leave that particular
6 property, that person did not come out of that house,
7 correct?

8 A. I could not see them come out of the house,
9 that is correct.

10 Q. And you were looking at the front of the
11 house?

12 A. The front. I could see -- if you -- if you
13 imagine the residence, I could see the -- the part of the
14 side of the residence, and then I could see the front going
15 off to the side. And I did not see anybody come out of
16 that area, correct.

17 Q. All right. And, in fact, this individual that
18 you saw come out, came from the east side of the residence?
19 I mean the east side of the property?

20 A. That is correct, the east side of the
21 property.

22 MS. DUNN: Nothing further, Your Honor.

23 THE COURT: Any recross, Mr. Woodbury?

24 MR. WOODBURY: Yes, Your Honor.

25 /

32

RE-CROSS-EXAMINATION

1 BY MR. WOODBURY:

2 Q. The -- even though, Detective -- Mister, you
3 don't have a -- you don't have a great deal of hands-on
4 experience with cartels, it was -- the classes that you
5 took and the information you were given is something like
6 formal education about them, right?

7 A. Correct.

8 Q. And in order to advance in the field of
9 narcotics investigators, you needed to take those courses,
10 among others I guess, to -- to seek advancement?

11 A. And just to be able to do our jobs better,
12 yes, sir.

13 Q. All right. Okay. Sure, of course, yeah.

14 MR. WOODBURY: We have nothing further.

15 THE COURT: All right. Any jury questions for
16 Mr. Miller?

17 And while you are thinking about that, he is
18 being held subject to recall, I take it, so I am assuming
19 the prosecutor has your telephone number.

20 The rule of exclusion is invoked. So don't
21 discuss this case or your testimony while the trial is
22 going on. We expect it not to end for two more weeks,
23 couple of Fridays from now. So with the exception you can
24 talk to the lawyers about it, of course.

33

1 Q. And, sir, where do you work?

2 A. I am the sergeant for the Nevada Department of
3 Public Safety, Investigations Division. Or NDI, Nevada
4 Division of Investigations, is our old name.

5 THE COURT: I'm going to ask you to slow down
6 before Ms. Manley does. So if you can slow down a little
7 bit, it also helps the interpreters.

8 THE WITNESS: Okay.

9 Q. And, sir, when did you become a sergeant?

10 A. I promoted to sergeant in February of 2019.

11 Q. And where are you currently stationed at?

12 A. I am assigned as the task force commander of
13 the Elko Combined Narcotics Unit here in Elko.

14 Q. And was that -- was -- was the same true when
15 you promoted to sergeant in February of 2019?

16 A. Yes, that was the position I promoted to.

17 Q. And what are your primary duties as a sergeant
18 for the narcotics unit?

19 A. To supervise the operations of the unit. As
20 the detectives conduct their investigations, just
21 monitoring their investigations, approving their reports,
22 participating in the investigations.

23 Q. What was your occupation prior to becoming
24 sergeant?

25 A. I was a detective with NDI since November of

35

1 All right. Any jury questions for Mr. Miller?

2 All right. It appears not.

3 We'll go ahead and let you go. Thank you, sir.

4 THE WITNESS: Thank you.

5 THE COURT: Next witness, please.

6 MR. BARAINCA: Scott Smith.

7 THE COURT: You will be asking questions.

8 MR. BARAINCA: Yes, Your Honor.

9 THE COURT: All right, sir. If we could have you
10 lower your mask there during testimony.

11 Welcome to the court.

12 We'll have you take the oath. Please raise your
13 right hand.

14 (WHEREUPON, the witness was sworn)

15 THE COURT: All right. Please have a seat.

16 Mr. Barainca, please proceed.

17 SCOTT SMITH

18 called as a witness in said case, having been first
19 duly sworn, testified as follows:

20 DIRECT EXAMINATION

21 BY MR. BARAINCA:

22 Q. Sir, could you please state your name and
23 spell both your first and last name for the record.

24 A. Yes. My name is Scott Smith. S-C-O-T-T
25 S-m-i-t-h.

36

1 2007.

2 Q. Where was that at?

3 A. Various assignments in Carson City, Fallon,
4 between general investigations and narcotics.

5 Q. And were you in the same role as a narcotics
6 detective during that time?

7 A. Narcotics detective, similar investigation,
8 just different jurisdictions.

9 Q. And what was your occupation prior to becoming
10 a detective for NDI?

11 A. Before NDI, I was with the Nevada Division of
12 Parole and Probation for approximately eight years. And
13 prior to that, one year with the Nevada Department of
14 Corrections as an officer.

15 Q. And, sir --

16 INTERPRETER MENDOZA: Your Honor, may I just ask
17 him to slow down a little bit, please.

18 THE COURT: Yeah, the problem is, especially with
19 the interpreters, we've got to just take it slow. Pauses
20 are fine. We got three weeks for the trial. Don't worry
21 about rushing.

22 If you are talking about like I am here, that's
23 probably pretty darn good.

24 See, they are smiling at me.

25 Okay. Mr. Barainca, please proceed.

36

1 Q. (By Mr. Barainca) Sir, when you promoted to
2 sergeant, moved to Elko, did the task force already have
3 investigations going on?
4 A. Yes. Yes, they did.
5 Q. And just -- just to generally talk about the
6 investigations, how -- how does the task force go about
7 investigating narcotics offenses here in Elko County?
8 A. It's -- it can be all sorts of different ways.
9 Just information comes in, we get flooded with information,
10 and it's corroborating and validating information until it
11 actually turns into a tangible actionable case where we can
12 actually start getting into, whether it's controlled buys
13 or search warrants or trash runs, surveillance, any numbers
14 of things that lead us into it.
15 Q. And have you participated in controlled buys
16 and the execution of search warrants?
17 A. Yes, I have.
18 Q. And when these investigations are conducted,
19 do you personally oversee them?
20 A. Yes, I do.
21 Q. And what is a case agent?
22 A. A case agent is the individual who is assigned
23 that investigation. So if -- using the example of a case I
24 had in major crimes out here in Elko where there was an
25 officer-involved shooting, and I was the case agent.

37

1 A. A few weeks. I believe that February 11 was
2 my first actual day.
3 Q. And were you involved in the controlled
4 purchase of methamphetamine that day?
5 A. Yes.
6 Q. What was your role, sir?
7 A. I was in the role of during the actual
8 operation, what we would call rescue, that we were in the
9 vehicle closest to where the transaction was taking place.
10 And if the CS had said a certain phrase or we detected a
11 problem go over the -- the wire, we would roll up as a
12 rescue and intervene and stop the deal and make sure
13 everybody was safe.
14 Q. Who was the case agent that day?
15 A. The individual running the deal was Detective
16 Eisinger, the case agent. It was Gaylor's case, but
17 Eisinger was running the deal that day.
18 Q. Is that John Gaylor?
19 A. Yes.
20 Q. And was -- was Mr. Gaylor just unavailable
21 that day?
22 A. I believe he was on leave that week.
23 Q. And what was your -- did you participate in
24 meeting with the cooperating source prior to the buy?
25 A. Yes.

39

1 It was my investigation. And then I would
2 delegate other detectives to tasks to contribute throughout
3 that investigation and how it -- consolidate everything,
4 but it was still my case.
5 Q. So are there situations where the detectives
6 you supervise would be case agents?
7 A. Yes.
8 Q. Would it be their task to also delegate
9 duties?
10 A. Yes, it would.
11 Q. Would that include to be -- to be delegating
12 duties to you?
13 A. Yes.
14 Q. So is it fair to say it's your case and your
15 lead?
16 A. If -- if you are the case agent, you are the
17 lead. And that's part of my role of being part of the
18 team. If the case agent has something and they say, "Hey,
19 search the CS's car," I will search the CS's car.
20 Q. Now, I want to direct your attention to
21 February 27 of 2019.
22 Now, how long had you been with the -- were
23 you working here in Elko at that time?
24 A. Yes, I was.
25 Q. Do you recall approximately how long?

38

1 Q. And what was your role in that, sir?
2 A. It was being present while the CS was
3 interviewed and briefed. And also participating in the
4 search of the CS for contraband, weapons, searching the
5 CS's vehicle contraband, weapons.
6 Q. Did you search the CS's vehicle?
7 A. I believe I did.
8 Q. Did you find anything of note?
9 A. No, I do not.
10 Q. What was the purpose of searching that
11 vehicle?
12 A. It was making sure that they are not taking
13 items into the deal, whether it's weapons, whether it's
14 money aside from the money we are using for the purchases,
15 or if there was controlled substances, just contraband that
16 they shouldn't have that could interfere with the case.
17 Q. We heard testimony from Detective Eisinger
18 that WDI provides the funds for the controlled purchases;
19 is that correct?
20 A. Yes.
21 Q. Where does that money come from?
22 A. We have grant sources. There is a State
23 account for our -- for purchase of evidence, for those
24 funds. And also, we have grant money through a federal
25 account for those funds.

40

1 Q. And how do you monitor those funds?
2 A. Very carefully. For every single transaction
3 that we run, we have forms that have to be filled out and
4 itemizing all the money that comes out and recording the
5 expenditures, photocopying all the money that we get from
6 the bank, and just documenting.
7 And so when we turn in the evidence, we
8 document the money that has been spent. If the money
9 doesn't get spent, we have to go through a rebate process
10 to document where exactly that money comes and goes from.
11 Q. Are you dealing primarily in cash?
12 A. Yes.
13 Q. Do you keep track of the serial numbers of
14 that cash?
15 A. Yes, we do.
16 Q. And that's just -- is that the bills -- the
17 numbers from the bills?
18 A. Yes, that's why we photocopy the money, to
19 keep track of the serial numbers of the bills.
20 Q. Now, at this point in time in the
21 investigation, who were you -- on February 27, who were you
22 intending to buy methamphetamine from that day?
23 A. That day, we started a buy to purchase from
24 Sheldon Olsen.
25 Q. And where were you going to go to -- were you

41

1 A. I'm trying to recall from what the buyer said.
2 I can't recall specifically the wording of the wire. But I
3 do remember from that -- that deal that day, that the CS
4 actually did not purchase the methamphetamine from Sheldon.
5 The meth happened -- the transfer actually happened outside
6 of Mr. Olsen's trailer.
7 Q. Who do you believe the meth was -- who sold
8 the meth?
9 A. Mr. Ramirez-De La Torre.
10 Q. What -- did you -- did you know this person or
11 believe this person to be the person named Hector at that
12 time?
13 A. Yes.
14 Q. Now, were you involved in subsequent buys
15 with -- involving the cooperating source and Hector?
16 A. Yes.
17 Q. Do you recall those dates?
18 A. March 4 and March 11.
19 Q. If the report said March 7, would that be
20 accurate?
21 A. Probably, yes.
22 Q. Then, to the best of your knowledge, was
23 Hector involved in those?
24 A. Yes.
25 Q. I forgot to ask you, who was the cooperating

43

1 going to Mr. Olsen's residence to --
2 A. Sheldon's residence was on Arthur Drive in
3 Ryndon.
4 Q. Now, from -- I know you've testified to this,
5 but remind me again. What was your role during the
6 controlled purchase?
7 A. Rescue.
8 Q. And were you with anybody during that time?
9 A. I was with Detective Eisinger. And I'm pretty
10 sure there was at least one other person in the vehicle.
11 Q. Do you remember who that was?
12 A. I can't recall at this time.
13 Q. Now, were there any other detectives involved?
14 A. There were other detectives, yes.
15 Q. Who was -- who was that?
16 A. Detective Miller was involved in a
17 surveillance capacity. Detective Morrell was involved.
18 And I want to say we had detectives from
19 Winnemucca, in the NDI office in Winnemucca, participating
20 as well.
21 Q. Now, were you able to listen in on the buy at
22 all?
23 A. Yes.
24 Q. Did -- from what you could hear, did the CS
25 purchase the methamphetamine from Sheldon that day?

42

1 source for these buys?
2 A. Clinton Sandstrom.
3 Q. And did you have the same role in the two
4 subsequent buys?
5 A. Yes.
6 Q. And what -- did Gaylor return at that point in
7 time?
8 A. Yes, he had.
9 Q. Was he the handler during those buys?
10 A. Yes.
11 Q. What's the role of a handler?
12 A. The handler is your primary contact with the
13 informant, and they are the ones that are -- usually the
14 ones doing the briefing and recording and all the personal
15 interactions with the informant.
16 Q. And I believe you testified that your role was
17 the exact same on March 4 and March 7?
18 A. Yes.
19 Q. And were you -- does that mean you were in the
20 same vehicle with Detective Gaylor?
21 A. Yes.
22 Q. And did the controlled purchases go about the
23 same manner as they did on February 27?
24 A. Yes.
25 Q. And was all this in Elko County, state of

44

1 Nevada?

2 A. Yes, it was.

3 MR. BARAINCA: Thank you. I will pass the

4 witness.

5 THE COURT: Cross-examination.

6 MS. DUNN: Thank you.

7 CROSS-EXAMINATION

8 BY MS. DUNN:

9 Q. Good morning, Sergeant. How are you?

10 A. I am good. Thank you.

11 Q. Now, Sergeant, you had indicated that you

12 actually started in Elko in February of 2019, correct?

13 A. Yes.

14 Q. And at that time, based upon the information

15 you had when you came in and started supervising this crew,

16 there was already some ongoing controlled buys that were

17 happening between this cooperating -- is it cooperating

18 source?

19 A. Yes.

20 Q. Clinton Sandstrom and Mr. Olsen?

21 A. Yes.

22 Q. And, again, Detective Gaylor was the case

23 agent?

24 A. Yes.

25 Q. And I think Mr. Barainca touched on this

1 my first day of working. And they said, "This is the case

2 we're working, we have a buy for tonight." And I said,

3 "Let's go."

4 Q. All right. So Detective Gaylor brought you up

5 to speed?

6 A. Yes.

7 Q. And how -- how do you get sources?

8 A. There is several different ways. One of the

9 more common ways is when sources are trying to work off

10 charges if they have been arrested, they want to provide

11 substantial assistance to minimize criminal charges they

12 are facing.

13 There is other sources that generally just

14 want for the best of the community, they feel that I know

15 where the drugs and I can help you this way.

16 There is mercenary sources that want to be

17 paid.

18 So the most common is usually the -- you know,

19 what we call restricted sources, the ones that are working

20 off other charges.

21 Q. And based upon the information that you

22 received from Detective Gaylor, Clinton Sandstrom was

23 attempting to work off charges; isn't that correct?

24 A. Yes.

25 Q. Do you know what type of charges he was

1 with Mr. -- excuse me, Detective Gaylor being the handler.

2 Is that because this cooperating source,

3 Mr. Sandstrom, was maybe a person that -- that he got, as

4 it were, that -- that he was able to agree to cooperate?

5 A. The term "handler" is -- it's whoever develops

6 their source. So if -- if Detective Gaylor made contact

7 with Sandstrom and they agreed to be the source, then

8 Gaylor becomes the handler. So, yeah, I think that is

9 probably the easiest way to describe that.

10 Q. Right. So I think that was what I was getting

11 at. And thank you for clearing it up and making it a

12 little bit cleaner for me.

13 So at some point prior to your involvement,

14 prior to you coming to Elko, it's your understanding that

15 Detective Gaylor got Clinton Sandstrom to agree to be a

16 cooperating source?

17 A. Yes, he would have -- Mr. Sandstrom would have

18 had to have signed the cooperating source agreement and

19 dotted the i's and crossed the t's, and would have

20 officially been a cooperating source.

21 Q. And once you came in and became the sergeant

22 over this unit, were you brought up to speed by your

23 detectives as far as what cases they were working on at the

24 time?

25 A. I was. And I believe that this buy was the --

1 facing?

2 A. I am not exactly sure. I know that he himself

3 had been arrested by use of a confidential source, so I

4 know that he was involved in sales of controlled substances

5 and was trying to work those charges off.

6 Q. All right. Versus potentially spending a long

7 time in prison?

8 A. Potentially, yes.

9 Q. And so it's your understanding that the way

10 Detective Gaylor got started working with Mr. Sandstrom was

11 that a -- a different cooperating source basically ratted

12 on Clinton?

13 A. Clinton sold to another source, yeah.

14 Q. Now, in the month of February, Mr. Sandstrom

15 did quite a few controlled buys for you; is that correct?

16 A. Yes.

17 Q. And those controlled buys that were done in

18 the month of February, some of them were with Clinton

19 Sandstrom and Sheldon "Bob" Olsen, correct?

20 A. Yes.

21 Q. And no one went out and arrested Mr. Olsen as

22 soon as Mr. Sandstrom sold to him, correct?

23 A. Correct.

24 Q. And are you attempting to do -- get multiple

25 buys from a potential seller?

1 A. Typically, yes, we would want to get multiple
2 buys from any seller.
3 Q. And during the month of February, there
4 were -- Sheldon "Bob" Olsen sold quite a few times to
5 Clinton Sandstrom, correct?
6 A. Yes.
7 Q. Then on this February 27 date that the State
8 was asking you about, you were the -- you were the rescue?
9 A. Yes.
10 Q. Is that correct?
11 So could you see the house, Sheldon "Bob"
12 Olsen's house there on Arthur?
13 A. I personally could not see. There was a house
14 in a direction that -- blocking my direct line of view.
15 But we knew exactly where the house was and we had another
16 unit from -- our Winnemucca detective that did have line of
17 sight to the front of Mr. Olsen's house.
18 Q. And everyone was -- was talking over the
19 radio?
20 A. We were all in communication with each other,
21 yes.
22 Q. All right. And did you know on February 27,
23 -- well, let me ask it this way.
24 On February 27, this controlled buy that has
25 been discussed, did -- was it expecting to be between

49

1 my team knew prior to opening a case on Mr. Olsen.
2 Q. Sure. Now, the controlled buys that you
3 participated in, that you helped with, that you supervised
4 during February and then subsequently in March, were never
5 between -- never involved Jorge Ruiz, correct?
6 A. He was never an active participant, no.
7 MS. DUNN: I have no further questions.
8 THE COURT: Cross-examination, Mr. Woodbury.
9 MR. WOODBURY: Thank you, Your Honor.
10 CROSS-EXAMINATION
11 BY MR. WOODBURY:
12 Q. I apologize, Sergeant Smith, I am not clear
13 what happened on February 11, 2019.
14 Is that when you started with the NDI or is
15 that when you got promoted to sergeant?
16 A. That's when I -- that was my first day as
17 sergeant with NDI Elko.
18 Q. But you had been in Elko prior to that time?
19 A. No, I had not.
20 Q. You had simply arrived in Elko and were
21 promoted to sergeant at your arrival?
22 A. Well, I had interviewed the month prior --
23 Q. Okay.
24 A. -- and had been named I was going to be
25 sergeant. And my official start date was February 11.

51

1 Sheldon "Bob" Olsen and Clinton Sandstrom?
2 A. That was the expectation, yes.
3 Q. But ultimately another person came and
4 ultimately did the selling?
5 A. Yes.
6 Q. And that was not expected?
7 A. Correct. That was not expected.
8 Q. So when something like that happens, as a
9 sergeant, did anything change in the way the buy was going
10 down, as it were?
11 A. Not -- it really didn't change the way the buy
12 went down at all. It's -- it was still the same pattern
13 that happened in previous buys.
14 Q. So everyone was just keeping real close tabs
15 on what was happening; is that fair to say?
16 A. Yes.
17 Q. How long did it take this other individual to
18 get there and ultimately do the selling?
19 A. I wouldn't be able to tell you specific amount
20 of time for departure and arrival without reviewing the
21 reports. But it was not -- not an unreasonable extended
22 period of time.
23 Q. Prior to February of 2019, was Sheldon "Bob"
24 Olsen known to your team?
25 A. I don't believe so, but I am not too sure what

50

1 Q. Okay. So you don't know anything about any of
2 this prior to February 11?
3 A. Correct.
4 Q. And in performing your duties as the newly
5 appointed sergeant, I gather you would have been briefed
6 essentially across the board by all the detectives of what
7 was going on up here in Elko?
8 A. Yes. And coming in on the first day and
9 getting the information that I could and the business that
10 was at hand, so coming in and taking care of housekeeping
11 businesses and then being told, hey, we have got a case and
12 we can do a deal today. And I said, okay, lay it out and
13 let's do it.
14 Q. Well, the deal today is a deal on February 27
15 or prior to that?
16 A. February 11.
17 Q. You did a deal on February 11?
18 A. Yes.
19 Q. And was it -- was that somehow connected to
20 this case? Was Sheldon Olsen involved?
21 A. Yes.
22 Q. And it was a buy by Sandstrom from Olsen?
23 A. Yes.
24 Q. Okay. And the -- do you recall if -- and I
25 realize this is somewhat repetitive -- how this person

52

1 named Hector Ramirez came to your attention, whether -- as
2 a sergeant with NDI?

3 A. Hector Ramirez was brought to my attention
4 because there was already an open investigation into him
5 before I came to Elko.

6 Q. When was that open investigation opened?

7 A. That was opened in the fall of 2018.

8 Q. Ah. And did it involve Mr. Olsen?

9 A. No, it did not.

10 Q. Okay. And what -- what happens during an
11 investigation that's open? What does that mean?

12 A. That's trying to gather information and
13 corroborate information and --

14 Q. Okay.

15 A. -- build the case.

16 Q. All right. And I gather that that information
17 was never corroborated? Or at least Mr. Ramirez has never
18 been charged with anything occurring prior to February 27?

19 A. No, because Mr. Ramirez was not the target of
20 investigation on February 11.

21 Q. Oh, somebody else was the target of -- when
22 Hector Ramirez came to your attention in the fall of 2018,
23 came to the attention not of you, but of NDI, it was
24 concerning somebody and something else?

25 A. I am not understanding what you are asking me.

53

1 Q. All right. And what -- what do you understand
2 was found out about Mr. Ramirez?

3 A. That he was operating out of the residence on
4 Kale Drive, and that's where he would start and leave --
5 start from and return to.

6 Q. And were you under the impression throughout
7 this entire investigation that he owns something at Kale
8 Drive?

9 A. No, I wasn't under the impression that he
10 owned anything at Kale Drive, just that he was involved in
11 the transportation, sale of controlled substance, and was
12 coming from Kale Drive and returning to Kale Drive.

13 Q. And did you all investigate, see whether he
14 had an automobile?

15 A. We identified that he had seemed to be driving
16 the same gray pickup truck.

17 Q. And that gray pickup truck turned out to be
18 somebody else's pickup truck, not his, right?

19 A. That was not his.

20 Q. All right. Now, the question goes back. Did
21 you find out whether he had an automobile? His own?

22 A. To my knowledge, he did not have an automobile
23 of his own.

24 Q. And did you understand where he was living up
25 on Kale Drive? Where was his residence and what kind was

55

1 Q. Well, I asked you originally when it was that
2 Hector Ramirez came to the attention of NDI, and I gathered
3 that you said in the fall of 2018?

4 A. Yes.

5 Q. And was that -- and then I asked you, did that
6 involve Sheldon Olsen, and you said no.

7 A. When a case was opened on Mr. Ramirez, it did
8 not involve Sheldon Olsen.

9 Q. Okay. And the case being opened, was it in
10 the fall of 2018 that you are talking about?

11 A. Yes.

12 Q. Okay. Then I asked you, did that case ever
13 result in any action being taken against Mr. Ramirez,
14 the --

15 A. Yes. Yes, it did.

16 Q. When did that happen?

17 A. Once Mr. Ramirez sold drugs to Mr. Sheldon,
18 the case numbers switched from purchases with Mr. Olsen to
19 purchases with Mr. Ramirez-De La Torre.

20 Q. Okay. And as part of the surveillance and
21 the -- this open case, I assume you all were looking pretty
22 closely at Mr. Ramirez and his lifestyle and what he owned
23 and what he was otherwise doing with his daily life?

24 A. Conducting surveillance, trying to build the
25 case, yes.

54

1 it?

2 A. We understood he was living up there. Until
3 we actually executed the search warrant, we didn't know in
4 what structure he was actually living.

5 Q. And there was another guy up there named
6 Eduardo?

7 A. Yes, sir, there was.

8 Q. And did you -- had you -- when had NDI learned
9 that Eduardo was up there as well?

10 A. On the day we executed the search warrant.

11 Q. All right. Prior to that time you had never
12 heard or seen him?

13 A. No, we had not.

14 Q. And the surveillance that was conducted from
15 the fall of -- September 2018 to the execution of the
16 search warrant, March of 2019, had never revealed the
17 presence of anybody that you came to know as Eduardo?

18 A. That's correct.

19 Q. How many -- how many different surveillance
20 episodes had there been through that six- or seven-month
21 period?

22 A. There has been several surveillances up there.

23 Q. I'm sorry?

24 A. There had been several.

25 Q. Several being ten?

56

1 A. I wouldn't be able to give you an exact number
2 because surveillance can be as short as a five-minute drive
3 through the neighborhood versus setting up for four hours
4 at a check site from a distance. But there were many
5 surveillances.

6 Q. One of the things surveillance revealed was an
7 enormous amount of traffic in and out of the Kale Drive
8 property?

9 A. High traffic, yes.

10 Q. And that didn't appear every time, but
11 sometimes it did?

12 A. Yes, it did.

13 Q. And when you see high traffic going in and
14 out, what does that -- does that suggest anything to a
15 highly trained narcotics investigator?

16 A. It could be an indicator of drug trafficking,
17 drug activity. People showing up and leaving, that is a
18 very common occurrence that happens at places where drugs
19 are being sold.

20 Q. You didn't ever ascertain when Mr. Ramirez had
21 started living up at Kale Drive?

22 A. No, we did not know when he began living up
23 there.

24 Q. And when -- the relationship between Olsen and
25 Ramirez, when were you aware of that -- when did you become

57

1 MR. BARAINCA: No, Your Honor. We'll submit it.

2 THE COURT: Well, that being submitted to the
3 Court, the Court will strike just the last answer.

4 The jury is directed to disregard that -- just
5 that piece of testimony.

6 Next question from Mr. Woodbury, please.

7 Q. (By Mr. Woodbury) I want to know when you
8 learned that there were discussions between Mr. Olsen and
9 Mr. Ramirez?

10 A. I personally learned that during listening to
11 the live wire conversation during the transaction that
12 happened on February 11.

13 Q. Okay. And the transaction that happened on
14 February 11 and the conversation, not the content of it,
15 was between Mr. Olsen and Mr. Sandstrom?

16 A. Correct.

17 Q. Okay. Are there characteristics of people
18 involved in these drug sales that tells you where on the --
19 where on the hierarchy they are?

20 I mean, did you -- I'm sorry, I -- I'm going
21 way beyond where I should be going.

22 I just want to know if -- were you under the
23 impression on February 11, or thereafter, that these drugs
24 actually belonged to Mr. Ramirez, or was he simply serving
25 as an employee sort of or somehow?

59

1 aware of that relationship?

2 A. The one that sticks out is on February 11, the
3 purchase with Mr. Olsen, the conversation that transpired
4 between Mr. Sandstrom and Mr. Olsen was specifically
5 bringing up the name Hector, to call Hector to bring
6 methamphetamines to the house.

7 And there was discussion about --

8 MS. DUNN: Your Honor, I'm going to object. This
9 is hearsay at this point.

10 THE COURT: Mr. Woodbury?

11 MR. WOODBURY: I can -- I can ask it in a
12 different way.

13 THE COURT: That's fine.

14 Well, are you moving to strike some portion of an
15 answer, or are you simply objecting to an ongoing answer?

16 MS. DUNN: Your Honor, I guess, at this point, I
17 am -- I am objecting to any portion of his testimony that
18 was him -- excuse me, that it was Sergeant Smith testifying
19 about what someone else said.

20 So yes, it would be moving to strike.

21 THE COURT: All right. Do you have any response
22 to that motion?

23 MR. WOODBURY: I don't.

24 THE COURT: Any response from the State to the
25 objection?

58

1 A. Knowing -- at that point, we wouldn't be able
2 to ascertain whether he was an employee or they were his
3 personal.

4 For the elements of the crime that we were
5 investigating, that wasn't the primary concern. Our
6 concern was that we were ordering drugs, then they are
7 being delivered, that these are the individuals that are
8 responsible for that.

9 Q. So you never attributed any importance to the
10 fact that you didn't find a vehicle that was registered to
11 him, that he was driving someone else's vehicle?

12 A. In narcotics investigations, that is not
13 uncommon at all.

14 Q. Okay. And in narcotics investigations of the
15 magnitude that's involved here, which is, I guess an ounce
16 of -- of methamphetamine. That's a lot of methamphetamine,
17 right?

18 A. Yes.

19 Q. All right. And do you often see the people
20 that are at that level, that have an ounce of
21 methamphetamine to sell, to be involved in the actual
22 face-to-face transaction?

23 A. That happens, yes.

24 Q. It happens is one thing; that it happens
25 regularly is quite another.

60

1 A. I would say it happens regularly every day in
2 every town in this country.

3 Q. Every town in the country?

4 A. I would -- I would hazard a guess, after 21
5 years in law enforcement, that one-ounce deals like that
6 happen every single day.

7 Q. Out of how many transactions in the country?

8 A. I wouldn't even be able to count that high.

9 Q. So all you can say is it happens?

10 A. It happens.

11 Q. And during that period on February -- of
12 February 11 and March 19, did you find any other evidence
13 that led you to believe that Mr. Ramirez might be the
14 person who was importing the methamphetamine and was the
15 owner of it and the only person concerned?

16 A. All that we knew is that Mr. Ramirez was
17 involved, and that when methamphetamine wanted to be
18 purchased, he was the one that showed up with it.

19 Q. And then you -- I thought there was a
20 discussion about cocaine. Was there cocaine involved in
21 any of these transactions?

22 A. There was no cocaine in the transactions but
23 there was cocaine recovered in the search warrant.

24 Q. Okay. Thank you.

25 MR. WOODBURY: I have nothing further.

61

1 identification of Mr. Ramirez-De La Torre, the defendant.

2 Next question, please.

3 Q. Now, sir, I am just going to take a step back
4 because I want you to be able to clear up the record so we
5 can start using some of the slang.

6 Are controlled substances referred commonly
7 referred to as dope?

8 A. Yes.

9 Q. And would the dope in this case be primarily
10 methamphetamine?

11 A. Yes.

12 Q. Okay. How much dope were you buying off of
13 Sheldon Olsen?

14 A. I believe my first day, February 11, we were
15 going in to buy an ounce. We ended up buying a half ounce
16 because Sheldon didn't want -- the money that we had to buy
17 an ounce is what he paid for it, so he didn't --

18 THE COURT REPORTER: Excuse me, can I get you to
19 slow down, please.

20 A. The money that we were -- that we were
21 offering for the ounce is what he was paying for the ounce.
22 So he didn't want to pay that. So we split the difference
23 and just bought a half ounce.

24 Q. When -- when Hector became involved in these
25 controlled buys, did the focus shift to Hector?

63

1 THE COURT: Redirect?

2 REDIRECT EXAMINATION

3 BY MR. BARAINCA:

4 Q. Sir, throughout the course of the
5 investigation, did you come to a belief as to who was
6 supplying Sheldon with the methamphetamine?

7 A. Yes, our belief that Sheldon was getting his
8 methamphetamine from Hector Ramirez-De La Torre.

9 Q. Did you ever come to know who Hector
10 Ramirez-De La Torre was or -- or were you able to identify
11 him?

12 A. Yes, the -- we were able to have Hector De La
13 Torre identified.

14 Q. Is he here in court today?

15 A. Yes, he is.

16 Q. Where is he seated?

17 A. He is sitting next to Mr. Woodbury.

18 Q. What's he wearing?

19 A. Black shirt -- or black suit, gray shirt, blue
20 tie.

21 MR. BARAINCA: Your Honor, may the record reflect
22 that the witness has identified the defendant. Defendant
23 Ramirez.

24 THE COURT: I understand. And I will specify.

25 The record will reflect and does reflect the

62

1 A. Yes, it did.

2 Q. And how frequently were you -- do you recall
3 how frequently you were buying dope from Sheldon?

4 A. I think at least once a week.

5 Q. And for the record, I didn't mean you,
6 collectively as the narcotics team?

7 A. Yes.

8 Q. And what was the goal of buying dope at a
9 frequent basis from Sheldon?

10 A. There was a few functions in that.

11 Number one is multiple purchases, for a
12 prosecution standpoint, it's better to have multiple
13 purchases. That way, the prosecution has the option to
14 offer plea negotiations if we had multiple solid deals.

15 As also we do more deals, we will increase how
16 much we want to purchase. That also goes into negotiation
17 powers because now you have more significant charges to
18 negotiate with.

19 When using an informant, going through
20 multiple purchases also is building the credibility of the
21 informant, not just for the prosecution standpoint that we
22 have more and more, but also kind of on the
23 street-credibility level. The more buys that our
24 informants buy and the police aren't showing up, the more
25 the drug dealers are feeling safer with our informant and

64

1 selling to them.
2 So that's why we would keep repeatedly buying
3 and increasing our quantities of buying.
4 Q. Were these methods being utilized to get -- to
5 further investigations on Hector as well?
6 A. Yes.
7 Q. And so is it fair to say that you were buying
8 dope on a frequent basis from Sheldon to get to Hector?
9 A. Yes, it would.
10 MR. BARAINCA: I'll pass the witness.
11 THE COURT: Recross-examination.
12 MS. DUNN: Thank you, Your Honor.
13 RECROSS-EXAMINATION
14 BY MS. DUNN:
15 Q. Sergeant, Mr. Woodbury talked to you about the
16 high traffic that was ultimately surveilled at the Kale
17 Drive address.
18 Do you recall that?
19 A. Yes.
20 Q. Now, do you know when the surveillance
21 started?
22 A. I know that they started surveying the house
23 in fall of 2018.
24 Q. And that was due to a case being opened on
25 Hector Ramirez-De La Torre?

65

1 A. Yes.
2 Q. They were coming and going?
3 A. Yes.
4 Q. Do you know if their friends were coming and
5 going?
6 A. I wouldn't be able to ascertain who was a
7 friend versus who was family.
8 Q. So at some point you made the determination
9 that Mr. Hector Ramirez-De La Torre was residing at that
10 property, correct?
11 A. Yes.
12 Q. Mr. Ruiz and his wife and his -- their four
13 children were residing on the property, correct?
14 A. Yes.
15 Q. Could that have been one of the reasons why
16 there was a lot of traffic coming in and out?
17 A. That would be a contributing factor to the
18 high traffic, but it wouldn't be the excluding factor to
19 the high traffic.
20 Q. I'm sorry?
21 A. It would be a contributing factor, but not
22 necessarily the excluding factor or the totality factor for
23 the high traffic.
24 Q. Sure. You didn't stop every car that went in
25 and out of this property, did you?

67

1 A. Yes.
2 Q. And it was determined that he was residing at
3 that location, correct?
4 A. Yes.
5 Q. Based upon your surveillance, was it
6 determined that other people were also residing at that
7 location?
8 A. Yes.
9 Q. And one of those people was Mr. Jorge Ruiz,
10 correct?
11 A. Yes.
12 Q. But you didn't -- ultimately, at some point,
13 you -- you made the determination that this property was
14 owned by Mr. Jorge Ruiz and his wife, correct?
15 A. Yes.
16 Q. And -- but in the fall of 2018 there was no
17 case opened on Mr. Jorge Ruiz, correct?
18 A. Correct.
19 Q. And in your surveillance of the Kale Drive
20 property, was it also determined that Mr. Ruiz lived there
21 with his family?
22 A. Yes, it was.
23 Q. He had four kids living there, correct?
24 A. Yes.
25 Q. Some of them old enough to drive?

66

1 A. Not -- that would not be helpful for our
2 investigation.
3 Q. Right. So did you follow every vehicle that
4 came in and out of the property?
5 A. Not every vehicle, no.
6 Q. Did you follow a lot of them?
7 A. I know that several of them were followed,
8 yes.
9 Q. And obviously you didn't have surveillance on
10 this property 24/7, correct?
11 A. It was a very difficult property to surveil,
12 yes.
13 Q. Why do you say that?
14 A. The neighborhood of Osino, just how it is, the
15 streets, a vehicle that does not reside there is very well
16 noted by neighbors and gets approached. Just line of sight
17 with the hills and whatnot. It was just a difficult
18 property to surveil.
19 Q. And there was some testimony earlier about the
20 property itself and there being fencing around the
21 property?
22 A. Yes.
23 Q. You could see through the fencing, correct?
24 A. Depending on your angle and what kind of
25 fencing, whether you could see over it or if you were just

68

1 looking at it and seeing -- because not all the fencing --
2 like along the back, to my memory, was a solid wood privacy
3 fence, as opposed to the white ranch-style fence on the
4 front of the house.

5 So some sides of the house you could see more
6 clearly; other ones you couldn't.

7 Q. And, again, as you state, part of it, it was
8 just because of the hilly nature of the terrain?

9 A. Yes.

10 Q. It wasn't like there was a six- or eight-foot
11 privacy fence around the entire property, correct?

12 A. No, ma'am. No.

13 Q. And the front of the property, again, you
14 could see into the -- onto the property. It wasn't
15 being -- it didn't have it all privacy fencing, correct?

16 A. No, it did not.

17 MS. DUNN: I have no further questions at this
18 time.

19 THE COURT: Further questions on recross,
20 Mr. Woodbury?

21 MR. WOODBURY: Thank you, Your Honor.

22 RECCROSS-EXAMINATION

23 BY MR. WOODBURY:

24 Q. Based on your training and experience,
25 Sergeant Smith, is selling methamphetamine a profitable,

69

1 It appears not. We'll go ahead and let Sergeant
2 Smith go for now.

3 Thank you.

4 THE WITNESS: Thank you, Your Honor.

5 THE COURT: All right. Let's go ahead and take a
6 10-minute recess. It's a little bit ahead of 10:30, but
7 we'll just take an early recess, get back in here, work
8 until about noon again.

9 The standard directions for the break.

10 Please do not converse amongst yourselves or with
11 anyone else on any subject connected with the trial. Do
12 not read, watch or listen to any report or commentary on
13 the trial or any person connected with the trial by any
14 medium of information, including, without limitation,
15 newspapers, television, radio or the Internet.

16 And do not form or express any opinion on any
17 subject connected with the trial until the cause is finally
18 submitted to you.

19 You may not use any electronic device or media,
20 such as the telephone, a cell phone, smartphone, iPhone,
21 Galaxy, or computer, the internet, any internet service,
22 any text or instant messaging service, any internet chat
23 room, blog, or website such as Facebook, Instagram,
24 LinkedIn, YouTube or Twitter, to communicate to anyone any
25 information about this case until I accept your verdict.

71

1 very profitable endeavor, assuming you don't get caught?

2 A. I would say it could be. That -- it would
3 vary from person to person and what their personal habits
4 are.

5 Q. But, in fact, you as a trained narcotics
6 officer know that it costs very little to manufacture
7 methamphetamine, and it sells for a significant price,
8 right?

9 A. It costs very little and I know that -- that
10 it -- it costs -- you buy in bulk and sell small and your
11 profit margin goes up huge.

12 Q. Okay. Thank you.

13 MR. WOODBURY: I have nothing further.

14 THE COURT: Okay. Any jury questions for
15 Sergeant Smith?

16 And while you are thinking about that, I'm
17 assuming he is also subject to recall?

18 MR. BARRINCA: Yes, Your Honor.

19 THE COURT: So the rule of exclusion is invoked.
20 Trial is not over for another couple of weeks from today.

21 Please remember the rule of exclusion. Don't
22 discuss the case or your testimony with anyone while the
23 trial is going on, with the exception of defense lawyers
24 and the prosecutors.

25 Any jury questions?

70

1 In other words, you cannot talk to anyone on the
2 phone, correspond with anyone, or electronically
3 communicate with anyone about this case.

4 Also, jurors shall not conduct any form of
5 independent research, investigations, or experiments prior
6 to or during jury deliberations.

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

17 And then let's try to make this one 10 to 15
18 minutes. Just ask the lawyers, defendants, prosecutors,
19 court participants, be back here in 10 minutes, and then
20 Carlos can go up and get the jury and the alternates.

21 (Recess taken at 10:22 a.m.)

22 (Proceedings resumed at 10:39 a.m.)

23 THE COURT: We are back on the record for
24 CR-FP-19-2456 and 2465. State versus Ramirez-De La Torre
25 and Jorge Landeros Ruiz.

72

1 We have both defendants in court with their
2 respective attorneys and assisted again by the Court's
3 previously sworn interpreters.
4 We have also got the deputy district attorneys
5 Mills and Barainca back in court.
6 Counsel will stipulate to the full presence of
7 the jury and the alternates?
8 MR. WOODBURY: So stipulated.
9 MS. DUNN: So stipulated, Your Honor.
10 MR. MILLS: Yes.
11 THE COURT: Thank you.
12 It looks like we are all present and accounted
13 for. We are moving along with the State's case. Or the
14 State's moving along with its case.
15 Next witness, please.
16 MR. MILLS: John Gaylor.
17 THE COURT: All right.
18 Sir, please lower your mask so we can see your
19 face
20 And please take the oath. Raise your right hand,
21 be sworn.
22 (WHEREUPON, the witness was sworn)
23 THE COURT: Please have a seat, sir.
24 Again, if the jurors need to adjust a little bit
25 to see the witness, please do so. It's very important you

1 At that point in time in your life and career,
2 what was your position?
3 A. I was a plain clothes narcotics detective for
4 the Elko County Sheriff's Office assigned to the NDI
5 narcotics task force.
6 Q. And how long had you been in law enforcement
7 at that point?
8 A. At that time, I believe it was approximately
9 six years.
10 Q. Could you just briefly describe your history
11 in law enforcement up to your involvement in this case?
12 A. I was hired in Elko County as a jail deputy in
13 2013. I worked in the Elko County jail for approximately
14 two years, transferred to our operations division. And I
15 worked in patrol for almost two years.
16 And then I transferred to Investigations
17 Division up on the NDI task force.
18 Q. Approximately when did you start working with
19 the NDI task force?
20 A. I believe it was either early 2016 or '17.
21 Q. Okay. And another term that is going to be
22 thrown around is the Elko Combined Narcotics Unit. Are you
23 familiar with that term?
24 A. Yes, sir. That's typically what our unit was
25 referred to is ECNU. Short for Elko Combined Narcotics

1 see him testify.
2 So Mr. Mills, it looks like, is asking questions
3 this time.
4 Please proceed.
5 JOHN GAYLOR
6 called as a witness in said case, having been first
7 duly sworn, testified as follows:
8 DIRECT EXAMINATION
9 BY MR. MILLS:
10 Q. Good morning, Mr. Gaylor.
11 A. Good morning.
12 THE COURT: We're on broadcast, too; is that
13 correct?
14 THE BAILIFF: Yes, we are broadcasting.
15 THE COURT: That is how the public is going to
16 get to see this trial. I just wanted to check.
17 All right. Sorry for the disruption. Go ahead.
18 MR. MILLS: Let's try that again. It looks like
19 it's working. Okay.
20 Q. Mr. Gaylor, could you please state and spell
21 your first and last name for the court.
22 A. My name is John Gaylor. Spelling on the first
23 name is J-o-h-n. Last name is G-a-y-l-o-r.
24 Q. Mr. Gaylor, I want to direct your attention
25 back to the fall of 2018 and the early months of 2019.

1 Unit.
2 Q. Okay. Just for clarity sake, when you refer
3 to the NDI task force, is that the same thing as the Elko
4 Combined Narcotics Unit?
5 A. Yes, sir. They are the exact same thing.
6 Q. Okay. What was your -- what were your primary
7 duties and responsibilities as a narcotics officer or
8 detective with the -- with NDI or with the Elko Combined
9 Narcotics Unit?
10 A. Predominantly my main objective or my main
11 responsibilities were narcotics investigations, the
12 importation and distribution of narcotics throughout Elko
13 County and the state of Nevada.
14 Q. Prior to becoming a detective with the Elko
15 Combined Narcotics Unit, did you receive any training in
16 investigating drug crimes?
17 A. Yeah, I received various trainings on drug
18 recognition and investigative skills. I mean, POST academy
19 and then various training classes. But my real narcotics
20 investigation trainings did start when I got onto the task
21 force.
22 Q. Let's talk about that. So after you came onto
23 the task force, did you -- well, tell us about the training
24 into narcotics investigations that you received from that
25 point on?

1 A. Pretty much every day initially when you first
2 get to that unit is some training in some form or aspect.
3 And then you go to narcotics conferences that have
4 individual classes. I went to what is called CNOA, which
5 is an undercover narcotics class in Las Vegas.

6 I have been to the CMS, the meth stimulant
7 summit in -- I think it was Florida. And then I have also
8 been to the opioid epidemic summit in Orlando -- in
9 Alabama, sorry, or in Atlanta, Georgia.

10 Q. So it sounds like you have had some formal
11 trainings, as you just mentioned. It also sounded like --
12 and it also sounded like you had some day-to-day informal
13 training, I assume, from other more experienced officers
14 when you first started, that sort of thing?

15 A. That is correct. My -- the main individual
16 who trained me when I first got onto the unit was Detective
17 Mike Keema, and also the sergeant we had at that time, Mark
18 Conley.

19 MR. MILLS: Your Honor, it appears that my
20 microphone has stopped working.

21 (off the record)

22 MR. MILLS: All right. Let's see if this works.
23 It looks like it's working okay now.

24 Q. (By Mr. Mills) So, Mr. Gaylor, I believe we
25 were -- you were talking about how when you first started

77

1 MR. MILLS: That's fine.

2 THE COURT: Thank you.

3 Anything else?

4 I don't think there was an answer, so nothing to
5 strike.

6 Mr. Mills.

7 MR. WOODBURY: I think there was an answer, Your
8 Honor. We move to dismiss the charges.

9 THE COURT: Well, okay. We'll have to deal with
10 that -- I don't know if that's a motion for a mistrial or
11 what.

12 MR. WOODBURY: It is.

13 THE COURT: Okay. We'll have to deal with that
14 shortly then.

15 Next question.

16 And to the extent there was an answer, the jury
17 is directed to disregard the last answer.

18 Next question, please.

19 Q. (By Mr. Mills) Detective, Mr. Gaylor, did
20 you -- at any point, did your attention become focused on a
21 property at 5647 Kale Drive?

22 A. Yes.

23 Q. Okay. And did you surveil that property?

24 A. Yes, I did.

25 Q. And what kinds of activities did you see

79

1 with the narcotics unit that you were trained up by I
2 believe it was Detective Keema, and who was the other
3 person you mentioned?

4 A. My sergeant at the time, Mark Conley.

5 Q. Mark Conley. Okay.

6 I want to direct your attention back to the
7 fall of 2018. Were you involved -- you were employed at
8 that -- at that time with the narcotics division?

9 A. Correct.

10 Q. And during that time frame, back in about
11 October 2018, were you investigating a person who was
12 involved in this case that we're here on today?

13 A. In the fall of 2018, due to traffic -- various
14 traffic stops and roadside interviews, there was a specific
15 name that kept coming up as an individual who sold larger
16 quantities of methamphetamine in Elko County.

17 MR. WOODBURY: I'm going to object to this,
18 Judge. This is a -- as I understand it -- a lot of
19 information about other bad acts that aren't at issue in
20 this case.

21 MR. MILLS: I believe that this has been touched
22 on already by Mr. Woodbury, but we can -- I can take it in
23 a different question.

24 THE COURT: Question is withdrawn. It's my
25 understanding you will ask another question.

78

1 there?

2 A. On the days I specifically surveilled the
3 property, there was a lot of vehicle traffic. Some cars
4 would show up and stay for approximately 10 to 15 minutes
5 and then would leave.

6 And it was all throughout the day, and also in
7 the evening, sometimes into the late night.

8 Q. Okay. Now fast forwarding a little bit to
9 this February and March of 2019.

10 Did you end up working with a cooperating
11 source by the name of Clinton Sandstrom?

12 A. Yes, I did.

13 Q. And how did that come about?

14 A. I started utilizing Clinton Sandstrom as an
15 informant after I had conducted a jail interview with him
16 and he showed a willingness to work with the Elko Combined
17 Narcotics Unit.

18 Q. And did you, in fact -- you know, he showed a
19 willingness to work with the Elko Combined Narcotics unit.
20 Did you, in fact, work with him?

21 A. Yes, I was the -- a -- the detective that was
22 directly his supervisor as an informant.

23 Q. And who did he do controlled buys with?

24 A. Overall?

25 Q. Well, during the month of February, generally,

80

1 who did he start out doing controlled buys with?
2 A. Sheldon Olsen.
3 Q. Then, eventually, did that turn into
4 controlled buys with the -- with the defendant Hector
5 Ramirez?
6 A. Yes.
7 Q. Were you case agent for this case?
8 A. Yes.
9 Q. Now, which controlled buys with -- with Mr.
10 Ramirez were you directly involved with?
11 A. The two buys in March. The one on March 4 and
12 the additional buy on March 7.
13 Q. And were you informed that there had been a
14 previous controlled buy a little bit earlier than that?
15 A. Yes. Detective Eisinger had informed me that
16 they had already made a purchase from Mr. Ramirez prior to
17 last two purchases in March.
18 Q. And you were the case agent. What was the --
19 what was the reason that -- that you weren't involved in
20 that previous controlled buy back on February 27?
21 A. I was out of town.
22 Q. So let's talk about the controlled buy on
23 March 4.
24 So what happened on that date as far as --
25 just take it from the beginning and tell us how the buy was

1 set up and how it is -- well, how was it set up?
2 A. So initially Sandstrom would call me stating
3 that he could make a purchase for, in his term -- our
4 terminology would be considered two large ones, which is
5 two ounces of methamphetamine.
6 Once he makes that contact with me, I then
7 have to organize with my supervisor to get the organized
8 funds and then also get additional personnel to ensure the
9 safety of the operation.
10 Q. Okay. And did you meet up with Mr. Sandstrom
11 on that date?
12 A. I did, yes.
13 Q. Who all was there at that meeting with Mr.
14 Sandstrom?
15 A. The initial meeting, I believe it was myself,
16 and I -- I believe it was Damon Kuskie, a detective out of
17 Winnemucca. But I would have to review my report to know
18 exactly which detective was in the vehicle with me that
19 day.
20 Q. And at the meet-up with Mr. Sandstrom, what
21 did you do?
22 A. It's a -- a typical procedure. The informant
23 themselves is searched to make sure they have no
24 contraband, to include narcotics or weapons, and their
25 vehicle is also searched to make sure they have no

81

87

1 narcotics or weapons.
2 They are provided the funds. They are -- I
3 place body wire on the individual. And then we have a
4 recorded briefing, what the arrangement is for the
5 controlled purchase.
6 And then we break from that location, and the
7 CS or the informants are -- stays under constant
8 surveillance to the controlled buy. And then after the
9 controlled buy, I then meet up with the informant again to
10 retrieve the controlled substance, the body wire.
11 And then they are searched again and their
12 vehicle is searched again.
13 Q. So that's the general procedure. Did you do
14 all of that in this case?
15 A. Yes, sir.
16 Q. Was Mr. Sandstrom searched?
17 A. Yes, sir.
18 Q. And his vehicle?
19 A. Yes, sir.
20 Q. And was there any -- any drugs or weapons or
21 contraband?
22 A. No.
23 Q. Did you provide him with a -- with the money?
24 A. Yes, sir.
25 Q. And how much money was that that you provided

1 him?
2 A. I believe it was a thousand dollars.
3 Q. And what was the plan as far as what he was
4 going to do with that thousand dollars that you provided
5 him?
6 A. Sandstrom was provided the thousand dollars to
7 complete a controlled purchase for two ounces of
8 methamphetamine.
9 Q. And was he equipped with a wire?
10 A. Yes.
11 Q. Were you able to listen in to what he was
12 doing during the controlled buy?
13 A. During the controlled buy, I was not able to
14 hear him directly.
15 Q. Which portions of the event were you able to
16 hear through the wire?
17 A. I actively heard the wire on the time from
18 when he was wired until he parked in the driveway for the
19 controlled purchase, and then I drove out of wire range.
20 Q. How far is that wire range typically?
21 A. It can vary based on if you are doing a
22 controlled buy inside of a building or outside. But
23 typically, even if we have a repeater placed in the
24 vehicle, it's still limited. So roughly 20 to 30 yards.
25 Q. So after the meeting where you searched him,

83

84

1 gave him the cash and came up with your plan, where did you
2 go personally after that?
3 A. I -- I after he parked in the driveway on
4 Arthur Avenue, I drove and parked on Indian Hills by the --
5 I guess the best way to say it is the gas station on Coal
6 Mine Canyon Road.
7 Q. Okay. So what happened then after you -- so
8 when you got to that location where you set up, was Mr.
9 Sandstrom already there at Mr. Olsen's residence?
10 A. Yes, he was.
11 Q. At that point in time, were you out of range
12 or could you hear what was going on?
13 A. At that time I was out of range of the wire.
14 Q. Did you see anyone else arrive at that
15 location?
16 A. No.
17 Q. And so what -- what was the plan as far as who
18 the -- Mr. Sandstrom was going to purchase the two ounces
19 of meth from on that occasion?
20 A. On the March 4 buy?
21 Q. Yes.
22 A. The plan was to buy two ounces from Hector.
23 Q. Okay. Did Hector show up?
24 A. Yes, he did.
25 Q. What was he driving?

85

1 A. I followed the vehicle.
2 Q. Where did -- how far did you follow the
3 vehicle?
4 A. To the Osino exit. And then I stayed on I-80.
5 Q. And what did the vehicle do?
6 A. As I -- we had a detective for surveillance at
7 the weigh station. I was notified at a later time that the
8 vehicle returned to 5647 Kale Drive.
9 Q. And was there a detective surveilling 5647
10 Kale Drive?
11 A. Yes.
12 Q. And why were you guys surveilling that
13 particular property?
14 A. Because through our investigations and through
15 informants we were told that that is where Mr. Ramirez --
16 MS. DUNN: Your Honor, I'm going to object as to
17 hearsay.
18 THE COURT: Mr. Mills.
19 MR. MILLS: This clearly goes for the state of
20 mind purposes as far as why they were surveilling 5647 Kale
21 Drive.
22 THE COURT: All right. So you are not seeking to
23 have it -- this testimony come in for its truth?
24 MR. MILLS: That's correct.
25 THE COURT: Anything based on that?

87

1 A. I believe it was a Chevy pickup.
2 Q. How far away was the truck from you when you
3 saw it?
4 A. When I initially saw the truck is when it
5 exited from I-80 onto Coal Mine Canyon Road, and then
6 proceeded down Arthur, and then I lost visual -- sorry, as
7 it went down Indian Hills -- I apologize -- I lost visual
8 of the truck before it turned onto Arthur Avenue.
9 Q. So at that point, when you lost visual of the
10 truck, how -- how far away was the truck from Mr. Olsen's
11 residence?
12 A. Maybe a hundred yards or so.
13 Q. When was the next time you saw that truck
14 after that?
15 A. After I had been -- I was notified by
16 detectives that were in the surveillance van that they were
17 in-pocket, which means that the deal had been completed and
18 that the suspect and the informant were to leave the
19 residence.
20 I then picked up visual of the truck again as
21 it drove back down Indian Hills.
22 Q. Okay. And where did the truck go from there?
23 A. It turned onto Coal Mine Canyon Road and then
24 entered the interstate westbound.
25 Q. And what did you do?

86

1 MS. DUNN: Your Honor, if that's all he wants the
2 testimony to come in for is the truth, I have no objection.
3 THE COURT: All right. Then the Court will give
4 a limiting instruction on this bit of testimony.
5 This is an evidentiary issue dealing with
6 evidence, in other words, ladies and gentlemen.
7 The Court is permitting this testimony to come in
8 not for its truth, which means the jury cannot consider
9 this testimony for the truth of the content of the
10 testimony, but rather to show its effect on Mr. Gaylor's
11 state of mind and why he acted as he did or detectives
12 acted as they did in this investigation.
13 The jury will consider it -- the testimony only
14 for that limited purpose.
15 That is called a limiting instruction.
16 All right. Mr. Mills, did you want him to finish
17 the answer then?
18 Q. (By Mr. Mills) Sure.
19 A. To the course of the investigation I was
20 surveilling 5647 Kale Drive to lockdown a residence for the
21 suspect.
22 Q. Okay. So the limiting instruction that was
23 just given by the judge pertains to statements that were
24 communicated to you that otherwise would be hearsay.
25 So I want to -- to switch the question a

88

1 little bit to what you personally observed and not what was
2 communicated to you.

3 Did you ever personally observe that truck
4 come and go from the property?

5 A. Yes.

6 Q. Okay. On how many occasions?

7 A. At least two to three separate occasions.

8 Q. Do you know who the owner of that property
9 was?

10 A. Based on a -- I think it was the Elko County
11 property deed, it was Jorge Landeros Ruiz.

12 MR. MILLS: Your Honor, at this time I'm going to
13 offer into evidence State's Exhibit 108, which is the
14 certified deed to the property.

15 Show it first to defense counsel if they want to
16 see that.

17 THE COURT: Please do that.

18 Any objections?

19 MS. DUNN: Your Honor, I have no objection for
20 the admissibility of this document.

21 THE COURT: Mr. Woodbury?

22 MR. WOODBURY: We have no objection.

23 THE COURT: Exhibit 108, is it?

24 MR. MILLS: That's correct.

25 THE COURT: Exhibit 108 for identification is now

89

1 A. Yes.

2 Q. What did he do with the approximately two
3 ounces of methamphetamine?

4 A. He gave it to me.

5 Q. What did you do with it?

6 A. I entered it into evidence.

7 Q. Are you familiar with -- with what a NIK test
8 is?

9 A. Yes.

10 Q. Did you conduct a NIK test on it?

11 A. Yes. So the two bags of suspected
12 methamphetamine are taken back to our office -- or my
13 office, sorry, and they are both NIK tested for the
14 presumptive presence of methamphetamine. Which both tested
15 positive for the presence of methamphetamine.

16 Then both substances are weighed on a
17 certified scale. And then they are repackaged in an
18 evidence bag and it is then placed into the evidence vault.

19 MR. MILLS: Ms. Clerk, can I get Exhibit 125.

20 Q. Mr. Gaylor, I'm going to show you what has
21 been marked as State's Exhibit 125.

22 Showing it to defense counsel.

23 Mr. Gaylor, do you recognize that?

24 A. Yes, I do.

25 Q. What is that?

91

1 admitted. So that's Exhibit 108, ladies and gentlemen.

2 (WHEREUPON, State's Exhibit 108 was admitted into
3 evidence)

4 THE COURT: Then I want you to keep in mind, you
5 are not looking at the exhibit now, but you can -- when you
6 go to deliberate, you will be provided the admitted
7 exhibits for your scrutiny in deliberations, okay.

8 All right. Mr. Mills, please proceed.

9 Q. (By Mr. Mills) So Mr. Gaylor, did you meet
10 back up with Mr. Sandstrom after the controlled buy on
11 March 4?

12 A. Yes.

13 Q. And what did you do at the post-buy meet-up?

14 A. At the post-buy, I recovered the suspected
15 narcotics, the body wire. And then Mr. Sandstrom was
16 searched again and the vehicle was searched again.

17 Q. And the thousand dollars that you provided to
18 him, did you find that either on his person or in his
19 vehicle?

20 A. No.

21 Q. And what did he have that he didn't have
22 before he went to do the controlled buy?

23 A. Approximately two ounces of methamphetamine.

24 Q. Was that consistent with what the prearranged
25 plan was?

90

1 A. Based on the evidence packaging, this is two
2 bags of methamphetamine. Bag 1 containing 28.26 grams of
3 methamphetamine. Bag 2 is 28 grams of methamphetamine.
4 Collected on March 4, 2019.

5 Q. Is that signed by you on there somewhere?

6 A. Yes, it is.

7 Q. Is that the two bags of methamphetamine that
8 Mr. Sandstrom provided to you on March 4?

9 A. Yes.

10 MR. MILLS: State's going to offer this exhibit
11 into evidence. It is --

12 THE COURT: 125.

13 MR. MILLS: 125, that's correct.

14 MS. DUNN: Your Honor, I have no objection.

15 MR. WOODBURY: Our objection is that it has so
16 far been tested and testified to as presumptive
17 methamphetamine, not methamphetamine.

18 THE COURT: Foundation, Mr. Mills?

19 MR. MILLS: I believe there has been sufficient
20 foundation, Your Honor.

21 I could lay a little bit more or we can wait
22 until next week after the crime lab expert testifies and
23 then I can reoffer it.

24 But I can attempt to lay a little more
25 foundation.

92

1 THE COURT: Okay.
2 MR. MILLS: Although I think it has been laid. I
3 mean, we had testimony --
4 THE COURT: Let me cut you off. I will sustain
5 the objection for now.
6 MR. MILLS: Okay.
7 THE COURT: I don't think enough foundation has
8 been laid.
9 MR. MILLS: Okay.
10 Q. (By Mr. Mills) All right. So on March 4, what
11 was the drug that you guys were -- that you were going to
12 have Mr. Sandstrom purchase from Mr. Ruiz, Hector Ruiz?
13 A. Methamphetamine.
14 Q. Okay. And the substance in this bag -- maybe
15 I will leave this bag with you for a minute.
16 MS. DUNN: Your Honor, I believe that Mr. Mills
17 just misspoke and referred to the buy being done with
18 Hector Ruiz.
19 MR. MILLS: Oh, yeah. Hector Ramirez is what I
20 meant. Thank you for that clarification.
21 THE COURT: I think he did. And that question, I
22 take it, is withdrawn and you can ask another question.
23 MR. MILLS: Yes.
24 Q. (By Mr. Mills) So what was the controlled
25 substance that was the intent to have Mr. Sandstrom

1 purchase from Hector Ramirez, Mr. Woodbury's client?
2 A. Methamphetamine.
3 Q. Okay. So that was the plan?
4 A. Yes.
5 Q. Okay. And is -- the substance in that bag, is
6 that what Mr. Sandstrom handed to you after the buy?
7 A. Yes, it is.
8 Q. And let me just back up and ask a little bit
9 about your knowledge of controlled substances.
10 So you testified earlier about you had drug
11 recognition training; is that correct?
12 A. Yes.
13 Q. Did that include training as far as
14 identifying methamphetamine?
15 A. Yes.
16 Q. And in your work as a narcotics officer, are
17 you familiar with what methamphetamine looks like?
18 A. Yes.
19 Q. And what it feels like, as far as the
20 consistency of it, and that sort of thing?
21 A. Yes.
22 Q. How many cases do you think you worked on
23 dealing personally with methamphetamine?
24 A. Easily like a hundred.
25 Q. Now, you have testified about a NIK test.

1 That is a narcotics identification test; is that correct?
2 A. Yes, it is.
3 Q. Okay. So tell us about -- were you certified
4 to use a narcotics identification test at that time?
5 A. Yes, I was.
6 Q. So could you tell the jury how you conduct a
7 narcotics identification test on methamphetamine?
8 A. Okay. So the NIK test itself comes in a small
9 packet that's sealed at the top. You have to remove the
10 top of it. And it has a small, almost like a paper
11 applicator that you can recover material of whatever your
12 suspected substance is. You place it into the bag. You
13 then reseal the top of it.
14 You break -- there is -- in different kits,
15 there are different number of vials. But typically there
16 is three vials. You will break it. You will agitate it
17 for approximately 45 seconds to a minute. Then you break
18 another vial and you continue so.
19 And on the NIK kit tests, they have color
20 indicators on what your -- what the substance is
21 presumptively positive for.
22 In this instance, with methamphetamine, it
23 flashes blue or the whole package will turn blue.
24 And in this instance it turned presumptively
25 positive for the presence of methamphetamine.

1 Q. And you testified that you are familiar, just
2 from working on all these narcotics case with meth, you are
3 familiar with what methamphetamine looks and feels like?
4 A. Yes.
5 Q. Could you examine the stuff in there?
6 A. (Nods head).
7 Q. And you examined it at the time when he handed
8 it to you?
9 A. Yes, I did.
10 Q. And based on your training and experience, is
11 that consistent with methamphetamine?
12 A. It's consistent with the look and feel of
13 methamphetamine.
14 MR. MILLS: Your Honor, the State is going to
15 reoffer State's 125 into evidence.
16 THE COURT: We have already heard no objection
17 from Mr. Ruiz. I assume that stands.
18 Any objection from Mr. Ramirez?
19 MR. WOODBURY: Yes. I think that I -- from the
20 point of view of Mr. Ramirez, they have to bring an expert
21 in to say that it is methamphetamine, it was appropriately
22 tested.
23 I -- they got an expert listed on the witness
24 list.
25 THE COURT: Anything else, Mr. Mills?

1 MR. MILLS: I will submit it, Your Honor.
2 THE COURT: Sustained.
3 That's the Court's view. Someone with special
4 qualifications has to have the final say on this maybe,
5 it's always been my view in a jury trial.
6 Q. (By Mr. Mills) Mr. Gaylor, let's move forward
7 in time just a few days to March 7, 2019.
8 Were you involved in another controlled buy
9 with -- involving Clinton Sandstrom and Hector Ramirez?
10 A. Yes.
11 Q. And so tell us what happened on that date?
12 A. Typically it starts out the same. Sandstrom
13 called me, stating he could yet again purchase two large
14 ones, which is -- in his terminology is two ounces of
15 methamphetamine.
16 He calls me, states that exact thing. Then
17 tells me -- so now that I have this information, I then get
18 ahold of my sergeant who can get me the funds.
19 Then I have to contact the Elko Police
20 Department or sometimes the Elko County Sheriff's Office to
21 get additional personnel so we can arrange this controlled
22 buy.
23 Q. Everything happen substantially -- similarly
24 the same with regards to the March 7 controlled buy?
25 A. Yes. Sandstrom -- I met up with Sandstrom at

1 a predisposed location. He was searched, his vehicle was
2 searched. He was provided with a body wire and he was
3 provided with the funds.
4 Q. And you were there and personally witnessed
5 all of that?
6 A. Yes. I personally did all that.
7 Q. Okay. Then he drove over to Mr. Olsen's
8 residence?
9 A. Yes, he did.
10 Q. Okay. And where were you stationed that
11 second time on March 7?
12 A. I believe I went back to my position on Indian
13 Hills.
14 Q. The same location as March 4?
15 A. Yes.
16 Q. Then you met back up with Mr. Sandstrom after
17 that controlled buy?
18 A. Yes, I did.
19 Q. So on that -- on that second one, on March 7,
20 were you able to hear what was going on on the wire on that
21 one?
22 A. I think during the buy itself I don't believe
23 I was.
24 Q. Same thing as on March 4?
25 A. Yes.

98

1 Q. So afterwards you met back up with Mr.
2 Sandstrom?
3 A. Yes, I did.
4 Q. And what happened when you met back up with
5 him?
6 A. I searched Mr. Sandstrom again and I searched
7 his vehicle again. I retrieved the body wire and, in this
8 instance, two additional bags of suspected methamphetamine.
9 Q. Okay. What did you do with those suspected
10 bags of methamphetamine?
11 A. The same as before. I took them back to my
12 office. They were both NIK tested. They both returned
13 presumptively positive for the presence of methamphetamine.
14 Both bags were weighed and both bags were entered into our
15 evidence vault.
16 Q. I'm going to show you what has been marked as
17 State's Exhibit 126.
18 Showing it first to defense counsel.
19 Do you recognize what is in -- what you are
20 looking at in State's Exhibit 126?
21 A. Yes, I do.
22 Q. And what is that?
23 A. Two bags of methamphetamine. Bag 1, 28.3
24 grams. Bag 2, 28 grams.
25 Q. Is that the stuff that Mr. Sandstrom handed to

1 you after the March 7 controlled buy?
2 A. Yes, it is.
3 Q. Your signature is on that?
4 A. Yes, it is.
5 Q. Let me ask you just a procedural question with
6 the Department of Public Safety. Is there a sticker on
7 there that has like a case number and a bar code number on
8 it?
9 A. Yes.
10 Q. And what is the purpose of that sticker and
11 bar code that is affixed to these exhibits?
12 A. Mainly it's for tracking and for evidentiary
13 testing purposes when they get down to Washoe.
14 Q. And what is the bar code number on that
15 particular exhibit?
16 A. On this exhibit it is 187337.
17 Q. Okay. I'm going to rehand you State's 125.
18 What is the bar code on that one?
19 A. The bar code on this package is 187221.
20 Q. Now, Mr. Gaylor, the information on that bag,
21 as far as like the weight and whatnot that you read, who
22 wrote that stuff on there? Was that you or somebody else?
23 A. I wrote that.
24 Q. Thank you.
25 MR. MILLS: That is all I have. I'll pass the

100

1 witness.
2 THE COURT: Cross-examination.
3 MS. DUNN: Thank you, Your Honor.
4 CROSS-EXAMINATION
5 BY MS. DUNN:
6 Q. Good morning. How are you?
7 A. Excellent, ma'am. How are you?
8 Q. Good.
9 Mr. Gaylor, you are no longer employed by the
10 Elko County Sheriff's Office; is that correct?
11 A. That is correct.
12 Q. When did you leave employment with the Elko
13 County Sheriff?
14 A. November 6, 2020.
15 Q. So just this last November?
16 A. Yes, ma'am.
17 Q. And why did you leave employment with the
18 sheriff's office?
19 A. I was terminated without just cause.
20 Q. All right. You say without just cause. What
21 does that mean?
22 A. Currently I am in a grievance and arbitration
23 process with the County of Elko for wrongful termination.
24 Q. All right. And do you know what led to their
25 terminating you?

101

1 Now, in this case, back in March of 2019 when
2 you did these controlled buys, they were based upon a
3 lengthier investigation with this handler -- or you were
4 the handler for Clinton Sandstrom, correct?
5 A. Yes, ma'am.
6 Q. Now, we've talked a little bit about Mr.
7 Sandstrom. He was a confidential source that you had
8 brought into the program, as it were?
9 A. Yes, ma'am.
10 Q. And I believe you said that that started with
11 a jail interview?
12 A. Yes, ma'am.
13 Q. So Mr. Sandstrom had been arrested?
14 A. Yes.
15 Q. For what?
16 A. I believe his case went to warrant. But he
17 was arrested on a warrant of arrest for trafficking in a
18 controlled substance.
19 Q. Okay. And so when you went and did that jail
20 interview, were you attempting to see if he would be
21 willing to work with you?
22 A. Yes, ma'am.
23 Q. All right. Is that normally the way -- one of
24 the ways that you can come into contact with -- get a
25 potential confidential informant or contributing -- there

103

1 A. Specifically, no.
2 Q. Now, Mr. Gaylor, are you employed currently?
3 A. No, ma'am.
4 Q. And did the Elko County Sheriff's Office give
5 you any reason for terminating you?
6 A. In my termination documentation, Sheriff Aitor
7 Narvaiza cited the same things we covered in a hearing that
8 he voted against for termination.
9 But those specific things were -- I think it
10 was a critical incident that impacted public view of Elko
11 County Sheriff's Office.
12 Q. What does that mean specifically?
13 A. That's an excellent question. I don't have
14 the specifics on that. I think it's open to a lot of
15 interpretation.
16 Q. Back in June, did you get into an accident in
17 your patrol vehicle -- in your -- your official vehicle?
18 Because it's not a patrol vehicle, you're not a patrolman.
19 A. Yes, ma'am. I was involved in an accident in
20 my unmarked county vehicle.
21 Q. All right. And had you been drinking prior to
22 that?
23 A. Yes, ma'am.
24 Q. Now, I want to bring your attention to what
25 occurred in this case.

102

1 is so many different names for them.
2 A. Yes, ma'am. That is one of the ways.
3 Q. And I believe he was attempting to work off
4 charges; is that fair to say?
5 A. Yeah, he was -- he wanted to work with the
6 narcotics unit to -- in exchange for consideration on the
7 charges he was arrested on.
8 Q. Okay. Hoping that he would potentially not go
9 to prison on those charges?
10 A. Yes.
11 Q. And so when you -- when you started working
12 with Mr. Sandstrom, did you start working with him prior to
13 the controlled buys you did with Mr. Sandstrom and
14 Mr. Sheldon "Bob" Olsen?
15 A. I think at that time his -- that was one of
16 the first sets of controlled buys he had done. But we
17 were, I believe -- I would have to reread all my reports --
18 but I believe we had another set of controlled purchases
19 that were on a completely unrelated case in the city of
20 Elko.
21 Q. All right. And so when you started the
22 controlled buys with Sheldon "Bob" Olsen, that was because
23 Mr. Sandstrom told you that he buys drugs from him?
24 A. Yes.
25 Q. And is willing to basically set up

104

1 confidential buys and potentially get Mr. Olsen into a
2 position where he can get arrested and Mr. Sandstrom can
3 get the credit?

4 A. He was willing to arrange controlled buys from
5 Sheldon Olsen. We didn't have the -- there was never a
6 discussion between Sandstrom and myself of just getting
7 buys into Sheldon Olsen so we could then turn him into an
8 informant.

9 Q. All right. So when you -- how many controlled
10 buys did you do with Mr. Sandstrom and Mr. Olsen?

11 A. I believe it was six controlled purchases.

12 Q. And was that all in the month of February?

13 A. I would have to review, but I believe it was.

14 Q. All right. And it was during this time that
15 you, I guess, didn't first hear the name Hector, but you
16 heard it again; is that fair to say?

17 A. Yes, ma'am.

18 Q. And that on -- we have talked about --
19 previously with other witnesses about a February 27
20 controlled buy; do you recall that?

21 A. I would have to review reports. If that --
22 was that the controlled purchase I wasn't present for?

23 Q. Correct.

24 A. Yeah. I am familiar with it as in other
25 detectives have informed me. But yes, I was not there in

105

1 Q. Now, the Kale property, at some point it
2 became -- your attention was drawn to this location. And I
3 believe it was back in the fall of 2018?

4 A. Yes, ma'am.

5 Q. Why was that?

6 A. I had heard information that there was a
7 source of methamphetamine sales in Osino, but the name
8 Hector continuously came up.

9 We did -- well, I did, sorry, myself
10 personally did information searches on our data bases and
11 was eventually able to narrow the name down to Hector
12 Ramirez -- well, it was -- sorry, it was several names, but
13 all combined, it's Hector Rameriz-De La Torre -- I'm sorry,
14 Hector Hugo Ramirez-De La Torre.

15 And then through surveillance, providing a
16 photo to my CS of Mr. Ramirez, and then asking them where
17 they believed he currently resided, it kept coming back to
18 5647 Kale Drive.

19 Q. All right. And so your attention drawn to
20 Kale Drive, again, had nothing to do with Jorge Ruiz;
21 correct?

22 A. No, ma'am, it did not.

23 Q. Now, at some point you either got the deed or
24 you looked up the deed or you somehow determined whose
25 property this was?

107

1 person.

2 Q. But you were still the case agent on this
3 particular investigation, correct?

4 A. Yes, ma'am.

5 Q. So were you aware that this controlled buy was
6 going to happen prior to you -- I guess -- I guess you were
7 on vacation or you were out of town for that week?

8 A. I found out while I was on vacation that this
9 was to take place, and then that is when the decision was
10 made to put Detective Eisinger in charge of that controlled
11 buy.

12 Q. All right. So you were still participating,
13 as it were, even when you were out of town?

14 A. Just over-the-phone contact, yes.

15 Q. All right. Now, you have talked about -- and
16 before I go there.

17 The controlled buys that you discussed today
18 that occurred with Mr. Hector Ramirez-De La Torre, those
19 were not with Mr. Jorge Ruiz, correct?

20 A. That is correct.

21 Q. He was not present at either of those buys?

22 A. No, ma'am. He was not.

23 Q. Now, the State asked you about the Kale
24 property?

25 A. Yes, ma'am.

106

1 A. Yes, ma'am.

2 MS. DUNN: Your Honor, may I approach the table
3 here?

4 THE COURT: Of course.

5 MS. DUNN: All right.

6 Q. This is Plaintiff's Exhibit Number 108, which
7 is the -- that was admitted into evidence -- is the grant,
8 bargain or sales deed.

9 Did you actually review this?

10 A. It's been a very long time since I have
11 reviewed that document.

12 Q. All right. But you had reviewed it at some
13 point?

14 A. Yes, ma'am.

15 MS. DUNN: May I approach the witness?

16 THE COURT: Yes.

17 Q. Now, on that particular document, you had
18 indicated -- you had asked a question -- let me try to get
19 over here so I am out of everyone's way.

20 The State had asked you questions as to who
21 owned this property.

22 A. Yes, ma'am.

23 Q. And you had said Jorge Ruiz. Is there
24 somebody else on the deed as well?

25 A. Yes, ma'am.

108

1 Q. And who is that?
2 A. That is Maria Guadalupe Ulloa, if I am saying
3 that correct.
4 Q. Were you ever -- did you ever find out who
5 that was?
6 A. Yes, ma'am.
7 Q. And who was that?
8 A. It was Mr. Ruiz's wife.
9 Q. Okay. During your surveillance of this
10 property, did you make a determination that Mr. Ruiz and
11 his family lived there?
12 A. Yes, ma'am.
13 Q. And at some point you made a determination or
14 you made an observation during your surveillance that Mr.
15 Ruiz and his four children also lived there?
16 A. Yes, ma'am.
17 Q. Now, you had indicated that -- when you did
18 surveillance of this house, did you notice vehicles coming
19 and going?
20 A. Yes, ma'am.
21 Q. How many times do you think you surveyed --
22 surveilled this property?
23 A. From the fall of 2018 up until the date of the
24 search warrant, probably 20 to 30 different times.
25 Q. And every time you surveilled it, was there

109

1 MR. MILLS: Yes.
2 Q. So you will be coming back for that.
3 But up until the -- the execution of the
4 search warrant, you had no reason to believe -- well, let
5 me ask it this way.
6 You had not done any controlled buys with one
7 of your informants where the target was Mr. Jorge Ruiz,
8 correct?
9 A. That is correct.
10 MS. DUNN: I have no further questions at this
11 time.
12 THE COURT: Cross-examination, Mr. Woodbury.
13 MR. WOODBURY: Thank you, Your Honor.
14 CROSS-EXAMINATION
15 BY MR. WOODBURY:
16 Q. During the March 4 and March 7 transactions,
17 you were never able to see Hector Ramirez directly. Would
18 that be correct?
19 A. Not during the transactions. The only time I
20 could identify him was when he was driving.
21 Q. When -- and you did identify him as the driver
22 on March 4 or March 7?
23 A. I would have to review my reports, but I
24 believe on one of those occasions I did follow him on I-80
25 and was able to identify him based on he had the same look

111

1 lots of cars coming and going?
2 A. No, ma'am, not every time. There was some
3 times there was literally no activity whatsoever.
4 Q. All right. And so during the time that you
5 saw vehicles coming and going, did you stop every vehicle
6 that came and went?
7 A. No, we didn't stop -- sorry, I didn't stop
8 every vehicle. The process I had is if I could identify a
9 vehicle that left the residence, I would try to follow or
10 pick up that vehicle when I got onto I-80. And then I
11 would get the registration plate of the vehicle and then
12 run the vehicle itself.
13 But for being by myself, I wasn't able to
14 always identify the driver, just -- and you can't do that
15 just based off of a vehicle registration.
16 Q. Certainly. So some of these people coming and
17 going? Friends? Family? Acquaintances?
18 A. Absolutely.
19 Q. Prior to the execution of the search
20 warrant -- and I know you are going to be coming back to
21 testify regarding that. At least that's your
22 understanding, correct?
23 A. Yes, ma'am.
24 MS. DUNN: And I think that gets into act 2, is
25 that what it is?

110

1 and demeanor as the time I had stood next to him at a gas
2 station. So I believed it to be Mr. Ramirez.
3 Q. The same look and demeanor?
4 A. Yeah, had the -- sorry, same hair cut, same
5 height, same clothes.
6 Q. And he was sitting in a car?
7 A. Yes, sir. I would have to review the buys of
8 it. But on the one where I identified him, I got parallel
9 to him in my vehicle. So roughly from the -- my -- the
10 distance from my passenger seat to the driver's seat of
11 another vehicle.
12 Q. So the windows weren't tinted so that you
13 couldn't look in?
14 A. No, I could see him. But my -- it should be
15 noted that the passenger-side window on my unmarked unit
16 was tinted.
17 Q. All right. Did you write in your report that
18 the defendant was positively identified by detectives on
19 all three buys?
20 A. I would have to review my reports to see if
21 that's been reported.
22 Q. If you had written that, though, it would be
23 wrong?
24 A. Huh.
25 Q. If you had written that, that wouldn't be

112

1 correct. Would that be right?

2 A. That if I wrote that he was positively
3 identified that wouldn't be correct?

4 Q. If you wrote that he was positively identified
5 by detectives at all three buys, you have no information to
6 that effect, do you?

7 A. I apologize, Mr. Woodbury. I am confused by
8 your question.

9 Q. If you wrote in the police report that the
10 defendant was positively identified by detectives at all
11 three buys, meaning February 27, March 4 and March 7, that
12 would be incorrect; would it not?

13 A. I would have to review it before I could give
14 an accurate statement whether or not he was positively
15 identified on every buy or not.

16 Q. Okay. How -- how did it -- how did you
17 make -- how was a determination made of -- where you
18 approved a purchase of narcotics or methamphetamine from
19 Hector by Clinton Sandstrom?

20 What precisely occurred?

21 A. So initially when I had -- sorry, this is
22 going to be a long answer.

23 When I initially had the name Hector, I had
24 the duty to identify the alleged individual we would be
25 attempting to make controlled purchases from.

113

1 He was -- searched his vehicle. Vehicle is
2 searched to ensure he doesn't have narcotics on him to
3 manufacture a controlled purchase.

4 And then we also have the question if he has
5 been present or had bought -- or been present during the
6 sale of narcotics or had previously bought narcotics from
7 Hector.

8 Q. And then in order to ensure that he is telling
9 you the truth, you follow that up as well?

10 A. Yes.

11 Q. And how do you do that?

12 A. It's based on the reliability of the
13 informant, pre-existing knowledge we have on our suspect,
14 and then I just seek approval through my sergeant.

15 Q. But you don't have a -- anything in place that
16 goes into -- did you ask Mr. Sandstrom, "well, did you have
17 some hard feelings towards Mr. Ramirez?"

18 A. No, I didn't ask him about their feelings.

19 Q. That would be a problem, would it not, in the
20 narcotics investigation if a cooperating individual had
21 some hard feelings toward a persons he was setting up?

22 A. I don't believe so, based on the -- when we
23 sign people up to be an informant, there is a written
24 agreement.

25 And on that agreement is we will not entrap

115

1 And at the initial, I had approximately three
2 different names to go off of from various dates of birth.
3 So I went through our database systems --

4 Q. No, you are not answering the question. The
5 question is, what specifically happened between you and
6 Clinton Sandstrom to cause an approval by you or a
7 direction by you that Sandstrom should make a purchase
8 from -- from Mr. Ramirez?

9 A. Just as simple as Sandstrom called me and said
10 he could arrange a purchase of two ounces of
11 methamphetamine.

12 Q. So Clinton Sandstrom initiated the call to you
13 about --

14 A. Yes.

15 Q. -- Hector Ramirez participating, correct?

16 A. Yes.

17 Q. All right. And when that -- when you get that
18 information, is there or was there a protocol that existed
19 that said you needed to make sure that Mr. Sandstrom wasn't
20 entrapping somebody into something?

21 A. Yes.

22 Q. And what is that protocol? What did you do?

23 A. The first part of that protocol is positively
24 identifying the individual that he had mentioned to me to
25 be Hector.

114

1 other individuals, we are not your personal police -- there
2 is a whole agreement that you go through -- and turn in
3 someone who is either a user or not even a seller of
4 narcotics into that so you can try to get out from your
5 charges is prohibited.

6 Q. But there is no follow up on that other than
7 the word of the -- Mr. Sandstrom?

8 A. I would agree.

9 Q. Yeah. And you knew, I guess, that -- well,
10 did you participate in a phone conversation before the --

11 A. I listened to a phone conversation. I didn't
12 participate in it.

13 Q. I didn't finish the question.

14 A. Oh.

15 Q. You were not here for the February 27
16 conversation?

17 A. No, sir.

18 Q. And that was the first time, as far as we
19 know, that Mr. Sandstrom and Mr. Ramirez are alleged to
20 have exchanged money for narcotics or money for
21 methamphetamine, right?

22 A. Yes, sir.

23 Q. And is your understanding that it was Mr.
24 Sandstrom that brought up Mr. Ramirez?

25 A. Yes, it is.

116

1 Q. And -- but he didn't bring it up to you?
2 A. I was -- while I was out of town, Mr.
3 Sandstrom was still required to check in every day, and
4 that was with Detective Eisinger. So that would be
5 initially who he brought the conversation up with.
6 Q. All right. And you knew that Mr. Sandstrom
7 and Mr. Olsen had been friends for a significant period of
8 time?
9 A. It was something Sandstrom had mentioned, yes.
10 Q. And even Mr. Sandstrom had lived out where Mr.
11 Olsen was at sometime?
12 A. Yes, he did make mention of that.
13 Q. And did you know who owned the Olsen property?
14 A. No, I do not.
15 Q. There was another residence on that Olsen
16 property, was there not?
17 A. On the 6156 Arthur Avenue property, there was
18 a house and then some travel trailers. And I believe Mr.
19 Olsen was residing in one of them.
20 Q. Yeah. But there was some other folks living
21 in others?
22 A. In that main house, I believe there were
23 different people that lived there, yes.
24 Q. And who were they?
25 A. I do not know to this day.

117

1 A. Yes. The informant told me that him and
2 Hector were not in direct contact with each other.
3 Q. But he did tell you, too, he was trying his
4 level best to get in contact with him, right?
5 A. Yes, sir.
6 Q. And that was part of -- with your
7 encouragement?
8 A. The plan was to figure out the supply of
9 Sheldon Olsen's narcotics. And as we increased the amount
10 and the quantity of buys from Olsen, once he starts to run
11 out of controlled substances, we could then move past Mr.
12 Olsen as a middle man directly to supply.
13 Q. And as time passed, you were attempting to
14 find out the circumstances under which Mr. Ramirez was
15 living up at Kale Drive?
16 A. Yes, sir.
17 Q. And what did you determine?
18 A. Based on records checks, he had initially had
19 a residence on Bullion. But through surveillance and him
20 continually returning to 5647 Kale, we made the
21 determination that he resided somewhere on the property.
22 Q. And when did -- when did you determine that he
23 had no longer resided on Bullion Road?
24 A. I believe it was in -- I want to say it was
25 either in February or March. Because I would go from Osino

119

1 Q. And when you conducted the jail interview with
2 Mr. Sandstrom, what -- was bail arranged for him or somehow
3 his release arranged for him as a consequence of agreeing
4 to provide services to you?
5 A. That -- I am not privy to that part of the
6 conversation. I interview the individual and then I bring
7 it to the District Attorney's office attention. Then
8 whatever agreement they come to, I am not privy to.
9 Q. And then -- then how do you know an agreement
10 has been reached? Does somebody notify you?
11 A. Usually, yes.
12 Q. And who would that be?
13 A. I -- in this instance, I can't specifically
14 remember who contacted me.
15 Q. But your understanding of the six sales that
16 Mr. Olsen made, do you know where he was getting those --
17 that methamphetamine from?
18 A. The main information I had at the beginning of
19 those buys is that it's -- was just the informant telling
20 me that Olsen gets his methamphetamine from Hector. And
21 then I think it came up on body wire audio on one of the
22 controlled purchases.
23 Q. And was it also a part of your knowledge that
24 Hector had declined to talk to Mr. Sandstrom prior to
25 February 27?

118

1 doing surveillance to the old address on Bullion, and I
2 would see no traffic, no vehicles registered to anyone of
3 that nature.
4 But then as I go back to Kale Drive, I would
5 continually see the pickup registered to Maria Ulloa and
6 then I would see him at various times driving that said
7 vehicle.
8 THE COURT: All right. Can you specify the year
9 of the February and March?
10 THE WITNESS: Oh, I apologize. 2019.
11 THE COURT: Thank you. All right.
12 THE WITNESS: Sorry, Your Honor.
13 THE COURT: That's just something the Court was
14 interested in. The opening instructions deal with that.
15 Mr. Woodbury, next question, please.
16 Q. (By Mr. Woodbury) Okay. The question I asked
17 you concerned how long Mr. Ramirez had lived at Kale Drive.
18 A. I don't know the -- how long he had been
19 residing at Kale Drive.
20 Q. And you don't know therefore when he left 611
21 Bullion Road?
22 A. Correct.
23 Q. 611 Bullion Road is a trailer park of some
24 sort?
25 A. I believe it is.

120

1 Q. And you had found no -- saw no evidence ever
2 that he owned the trailer that he had been living in at 611
3 Bullion Road?

4 A. Besides information checks in our database,
5 that was all the information I came up with.

6 Q. And did you go back and did you check on the
7 occupational history of Mr. Ramirez?

8 A. Besides him being listed in our systems, I
9 didn't have a way of checking his occupation.

10 Q. Well, you -- you had a way. I mean, all you
11 had to do was find it. Did he have friends or associates
12 that you could talk to about that?

13 A. I had spoken with Sandstrom to see if he
14 worked, but Sandstrom could never specify when or where Mr.
15 Ramirez worked.

16 Q. Okay. And what about locating an automobile
17 for -- owned by Mr. Ramirez?

18 A. I believe I never located a vehicle that Mr.
19 Ramirez directly owned.

20 Q. And did you find any other assets that Mr.
21 Ramirez had around the county of Elko?

22 A. I don't believe I did.

23 Q. Two ounces of methamphetamine at a single
24 purchase is a significant amount of -- significant sale?

25 A. Yes, sir.

121

1 value prices were.

2 Q. The current prices for, say, a gram of
3 methamphetamine in March and February of -- February or
4 March of 2019 was what?

5 A. Just a gram itself, you could get it from
6 anywhere to \$15 to \$25.

7 Q. 15 to 25?

8 A. Yes, sir.

9 Q. Okay. And was that pretty standard?

10 A. Yes, sir.

11 Q. And so to buy a -- 28 grams then that amounts
12 to an ounce, you can buy an ounce for how much?

13 A. It was roughly, I think, a little over five
14 hundred dollars is what we were getting an ounce for.

15 Q. And it costs more to buy an ounce of
16 methamphetamine per gram than it did to buy just a gram?

17 A. No, that would be incorrect.

18 Q. Well, I thought you said \$15 to \$20 for a
19 gram?

20 A. I apologize, sir. That's a -- roughly about
21 3.5 grams. Twenty to twenty-five dollars is for heroin. I
22 apologize.

23 Q. Well, all right. So what's -- what is the
24 price for meth back in those days?

25 A. Sorry. It would vary based on the town. But

123

1 Q. And it suggests that a significant amount of
2 methamphetamine -- amounts of methamphetamine were coming
3 into Kale Drive?

4 A. Yes, sir.

5 Q. You didn't have any suggestion in any way that
6 methamphetamine was originating in Elko County from some
7 place other than Kale Drive?

8 A. That's correct.

9 Q. And you had also determined, had you not, that
10 the amounts might be so great at Kale Drive that some of
11 them would be buried?

12 A. Yes. In past investigations, the one thing we
13 were always told, and I have had various informants tell
14 me, that areas that have large quantities of
15 methamphetamine, one of the ways to hide it from law
16 enforcement is to bury it on your property.

17 Q. And did you -- did you, say, during February
18 and March of 2019, have a -- did you know the difference
19 between buying large quantities of methamphetamine and what
20 you paid and what you sold methamphetamine for?

21 A. If you are asking about, like, street prices
22 of methamphetamine, I think I had a good idea of what the
23 current prices were.

24 Q. Huh?

25 A. I think I had a good idea of what the street

122

1 typically for an 8 ball, which is 3.5 grams of
2 methamphetamine, in the city of Elko could be anywhere 25,
3 30 dollars. But you could see in Wendover or Wells, those
4 prices could go all the way up to a hundred dollars. It
5 just varied on supply and demand.

6 Q. And is it a kind of -- selling
7 methamphetamine, whether you sell it in bulk or you sell it
8 per gram, is a pretty profitable sort of thing if you don't
9 get caught doing it?

10 A. I imagine if you are good at concealing
11 yourself from law enforcement, it could be lucrative.

12 Q. I'm sorry?

13 A. Yes, it could be profitable.

14 Q. Very profitable?

15 A. Yes.

16 Q. For example, I guess, the -- the thousand
17 dollars paid for two ounces -- two ounces of
18 methamphetamine?

19 A. Um-hmm.

20 Q. Yes?

21 A. Yes.

22 Q. And what do you expect that a large supplier,
23 much larger than anybody involved in this case, would
24 charge for those two ounces?

25 A. Probably a lot -- even less than what we

124

1 purchased it for. If you were -- if you can supply kilos
2 to multiple pounds of methamphetamine, you can sell a pound
3 of meth for \$1,200.

4 So the -- relatively the same price for a
5 pound what we are buying for two ounces.

6 Q. Paying for two ounces?

7 A. Yes, sir.

8 Q. Okay. And were you looking -- did it trigger
9 in the investigators' minds the proposition that if these
10 folks had -- or Mr. Ramirez had two ounces of
11 methamphetamine, he must have access to huge amounts?

12 A. Yes, sir. Based on the short time frame we
13 had in between our buys of multiple ounces, it led myself
14 and the lead investigator and all the individuals on my
15 team to believe that there was a much larger supply in Elko
16 County.

17 Q. Okay. And that would be kind of -- that was
18 not the only large supplier in Elko County, was it?

19 You saw other people that were involved in
20 methamphetamine in Elko County that were selling equal
21 amounts? Couple ounces?

22 A. Yes.

23 Q. During that period of time?

24 A. Yes.

25 Q. Lots of them?

125

1 A. Yes.

2 Q. There are other places down there that --

3 A. Yes, sir.

4 Q. Then I guess you were probably familiar with
5 the various means that were used to get the methamphetamine
6 across the border?

7 A. Yes, sir.

8 Q. And what were those?

9 A. There is various methods. There is smuggling
10 using coyotes, which is individuals with backpacks that
11 carry it over the border. There is concealment in
12 vehicles. There is also large container concealment.
13 Ports of entry are also utilized in drug trafficking.

14 Now, since it's 2021, drones are actually
15 being used to drop methamphetamine north of our border.

16 Q. But that is recent?

17 A. Yeah. Yes, sir.

18 Q. Okay. Mexican cartels, you were familiar with
19 all those?

20 A. Not every single one of them. But I have been
21 to trainings regarding Hispanic cartels, yes.

22 Q. And what was the training about?

23 A. Typically, it's the -- like, we just discussed
24 the methods of use of entry and moreover their power
25 structure and their methods of operating a business.

127

1 A. I can't really talk about what could be

2 potentially ongoing in current investigations, but --

3 trying to figure out the best way to answer your question.

4 Q. Well, just say there were a number of others,
5 some other cases in which -- at that time, a year or ago,
6 or whatever it is now, two years ago?

7 A. It's -- it's possible.

8 Q. Okay. And I take it as a part of your
9 training and experience you went to multiple training
10 courses on where these -- where methamphetamine was coming
11 from?

12 A. Yes, sir.

13 Q. And there wasn't any question whatever that it
14 was originating in Mexico?

15 A. No, sir. Based on the quantity and the fact
16 that we were buying crystalline methamphetamine, we
17 believed it originated not in the state of Nevada or even
18 this side of the border.

19 Q. It originated in Mexico?

20 A. I -- I couldn't say if it was specifically
21 Mexico.

22 Q. But it --

23 A. But outside the continental United States is
24 probable.

25 Q. South of the border of the United States?

126

1 Q. And they -- any violence involved in those
2 cartels?

3 A. Typically, south of the border, yes. From
4 what I have seen, you don't see a lot of violence north of
5 the border. But there is always allegations.

6 Q. And did you ever take into account that kind
7 of violence as a part of being a -- dealing with the cartel
8 in this investigation?

9 A. In this investigation specifically, yes, based
10 on Clinton Sandstrom's concerns, and then also Paul Cowles
11 who brought up Mr. Sandstrom's safety as well.

12 Q. And as a matter of fact, you were involved in
13 a conversation with Mr. Olsen, right, about his concerns?

14 A. Yes, I was, yes.

15 Q. And he was -- he had -- Mr. Olsen ultimately
16 got arrested for something?

17 A. Yeah, Mr. Olsen ultimately got arrested
18 because his charges for drug trafficking went to a warrant
19 of arrest, and he was subsequently placed under arrest.

20 Q. And that -- was that for the things with Mr.
21 Olsen -- or with Mr. Sandstrom?

22 A. Yes, sir.

23 Q. And he got -- what, he got very light
24 treatment, right?

25 A. I believe he is still in custody.

128

1 Q. Yeah. But he was participating in talking
2 with you, with NDI, and with the D.A. and stuff?
3 A. Yeah, for -- I believe it was for
4 consideration on his charges as well.
5 Q. Okay. And just based on what Mr. Sandstrom
6 said that it was very clear he was concerned for his
7 well-being?
8 A. Yes, sir.
9 Q. Okay. And based on his concerns, he had --
10 you had a conversation with Mr. Sandstrom and with his
11 lawyer and the prosecutors?
12 A. I believe that conversation -- yeah, we had
13 that conversation.
14 Q. And that was a -- I'm sorry, I said Sandstrom.
15 That was an Olsen conversation?
16 A. I had that conversation with attorneys on both
17 of them. One for Mr. Olsen's safety in remaining in
18 custody in Elko County, and then one was the conversation
19 about relocating Mr. Sandstrom outside of Elko County.
20 Q. And Mr. Sandstrom got jammed up again. He
21 fell out of the -- didn't do the agreement, right? And got
22 rearrested, right, after all this?
23 A. I am not privy to that knowledge.
24 Q. It -- it happened after you left?
25 A. I left. I don't know.

129

1 jury deliberations.
2 This prohibition includes, but is not limited to,
3 communicating with anyone in any way regarding the case or
4 its merits, by phone, e-mail, texting, the internet, or
5 other means; reading, watching or listening to any news or
6 media accounts or commentary about the case; doing any
7 research such as consulting dictionaries, using the
8 internet, or using reference materials; and making any
9 investigation, testing a theory of the case, re-creating
10 any aspect of the case, or in any other way investigating
11 or learning about the case on one's own.
12 Please leave your note pads there with your
13 chairs. And then I think you can be excused until 1:20
14 p.m. Thank you.
15 (WHEREUPON, the jury left the courtroom)
16 THE COURT: Can we take up a matter, please?
17 Thank you.
18 All right. We're still on the record.
19 We're still on the record without the jury in the
20 room.
21 The jury and the alternates are all gone.
22 And all right. I did want to note something, you
23 know, with regard to the February 25, 2019 activities, and
24 other issues, or other testimony about Hector's prior
25 involvement perhaps in controlled substances, I have not

131

1 Q. Okay.
2 THE COURT: All right. It is noon, so I'm going
3 to take a recess. Jury, please be back at 1:20 p.m. in the
4 jury room.
5 Please do not converse amongst yourselves or with
6 anyone else on any subject connected with the trial. Do
7 not read, watch or listen to any report or commentary on
8 the trial or any person connected with the trial by any
9 medium of information, including, without limitation,
10 newspapers, television, radio or the Internet.
11 And do not form or express any opinion on any
12 subject connected with the trial until the cause is finally
13 submitted to you.
14 You may not use any electronic device or media,
15 such as the telephone, a cell phone, smartphone, iPhone,
16 Galaxy, or computer, the internet, any internet service,
17 any text or instant messaging service, any internet chat
18 room, blog, or website such as Facebook, Instagram,
19 LinkedIn, YouTube or Twitter, to communicate to anyone any
20 information about this case until I accept your verdict.
21 In other words, you cannot talk to anyone on the
22 phone, correspond with anyone, or electronically
23 communicate with anyone about this case.
24 Jurors shall not conduct any form of independent
25 research, investigations, or experiments prior to or during

130

1 asked defense counsel if he wants a limiting instruction.
2 In my experience, Mr. Woodbury, if he don't want
3 it, then I don't -- he doesn't want me to address it.
4 You know, that is a tactical decision in my mind.
5 And I respect that, so I haven't been doing that. But if
6 you want that, I can certainly give it.
7 He is very experienced and knowledgeable and he
8 has his reasons in my experience.
9 So that's one thing.
10 The other thing is you've got this -- I guess
11 it's a motion to dismiss charges and mistrial is what I'm
12 hearing.
13 Did you want to make a record on that?
14 MR. WOODBURY: Yeah. I think that Mr. Mills'
15 response was that I had touched on it.
16 And -- and the fact of course is that I did touch
17 on it, but I didn't touch on it in a way that he did, which
18 suggested that there was an ongoing investigation in which
19 Mr. Ramirez had done something, and that the -- you could
20 see, it was very clear that it is a prior bad act, or
21 allegedly a prior bad act, that didn't actually exist.
22 They didn't know nothing about Mr. Ramirez except
23 some -- some statements.
24 So I -- I don't know -- we get to a point at
25 which it -- if I even touch on anything as a part of the

132

1 strategic -- as a part -- on behalf of Mr. Ramirez and what
2 we are trying to show, all of a sudden, it opens the door
3 to prior bad acts.

4 And that -- they got in it and now they have
5 suggested it, and it's clear that the jury will be under
6 the impression that there were prior bad acts by Mr.
7 Ramirez that he didn't get -- that they -- they haven't
8 been informed about, but that he was involved in some other
9 way.

10 And so our suggestion is that the Court declare a
11 mistrial and we try this again with a little less talking
12 about prior bad acts.

13 THE COURT: Okay. Mr. Mills.

14 MR. MILLS: Thank you, Your Honor.

15 It's the State's position that nothing remotely
16 improper has occurred here.

17 You know, where to begin.

18 So both defense attorneys have been eliciting all
19 kinds of testimony about Hector's involvement in delivering
20 methamphetamine to Bob.

21 This is clearly res gestae. If you will note
22 what happened after the objection by Mr. Woodbury, it
23 disrupted the flow of the chronology and the narrative of
24 my case.

25 I had to skip over that part of the case and skip
133

1 mistrial should be declared.

2 I think that's -- that's not reasonable, Your
3 Honor

4 This clearly -- this is res gestae. It's been
5 raised by the defense attorneys already. It was already in
6 evidence.

7 There is no reason whatsoever to grant a motion
8 to dismiss or a motion for mistrial. If Mr. Woodbury wants
9 a limiting instruction, I obviously would not object to
10 that.

11 Thank you.

12 THE COURT: All right. Thank you for your
13 arguments, counsel.

14 Any limiting instructions -- I got experienced
15 lawyers here, which is a nice thing to have as a judge -- I
16 know you are going to ask for them if you want them. The
17 Court will give appropriate limiting instructions, when
18 sought, when we're dealing with arguably propensity
19 evidence.

20 Here the Court has already directed the jury not
21 to consider the testimony. The jury has taken an oath to
22 follow my directions, my instructions.

23 And the Court doesn't find that there is
24 prejudice here, given the body of evidence that is in this
25 case and what I expect to come into evidence.

135

1 a huge piece of the puzzle, which was done -- actually very
2 helpfully filled in on cross-examination. "So why were you
3 surveilling 5647 Kale Drive?"

4 Well, because the name Hector kept coming up as
5 somebody who was delivering quantities of methamphetamine
6 in the community. That's why we were focused on finding
7 out who this Hector was, that's why we were eventually
8 identifying who this Hector was, and that's what eventually
9 led us to 5647 Kale Drive.

10 The State cannot and has not been able to tell
11 the complete story of the case without that huge piece of
12 the puzzle.

13 And it has been largely filled in, but again
14 through the cross-examination of Ms. Dunn and in other
15 testimony, because I wasn't allowed to go into that on
16 my -- on my direct with Gaylor.

17 Furthermore, I fail to see any kind of prejudice
18 whatsoever. His client -- it's undisputed that his client
19 is a drug dealer. That is not even going to be the defense
20 in this case and that he isn't a drug dealer. He is
21 charged with three controlled buys.

22 And Mr. Woodbury is suggesting that a reference
23 to Hector maybe having been involved in delivering drugs in
24 the months preceding that is so inflammatory and
25 prejudicial that the case ought to be dismissed and that a
134

1 And that motion for mistrial is denied. Motion
2 to dismiss is denied.

3 Have a nice break.

4 Please be back here at 1:20 p.m.

5 (Noon recess taken at 12:10 p.m.)

6 (Proceedings resumed at 1:36 p.m.)

7 THE COURT: This is CR-FP-19-2456 and 2465.
8 Again State versus Ramirez-De La Torre and Ruiz, Jorge
9 Landeros Ruiz.

10 We do have the defendants back in court with
11 their respective attorneys and the Court's previously sworn
12 interpreters assisting them.

13 Deputy district attorneys Mills and Barainca are
14 here to represent the State.

15 I checked off the record what the witness lineup
16 is here. The State says it's going to be Detective Gaylor;
17 Olsen, Sheldon James Olsen, he goes by Bob. He is
18 testifying pursuant to a memorandum of plea agreement,
19 which is now -- a copy has been provided, I think, to
20 defense as well as the Court, and then one is marked in
21 evidence.

22 Under NRS 175.282, of course, the Court is
23 required to, after excising any portion it deems irrelevant
24 or prejudicial, permit the jury to inspect the agreement.
25 I guess we have got it teed up and ready to go now.

136

1 I assume you will show it to him. It will come
2 into evidence.
3 MR. MILLS: Your Honor, that was the procedure.
4 We just discussed this with Ms. Dunn. We haven't -- didn't
5 have a to discuss it with Mr. Woodbury.
6 But our plan was to just to show the marked plea
7 agreement to Mr. Olsen, offer it into evidence, and that
8 way -- would that satisfy the statute if it's offered into
9 evidence?
10 THE COURT: Well, it says, "after excising any
11 portion the Court deems irrelevant or prejudicial."
12 I have read it. But I will leave it up to the
13 parties to argue if there is anything irrelevant or
14 prejudicial.
15 MR. MILLS: I will leave it up to defense
16 counsel, but we are willing to excise --
17 THE COURT: Do you see anything?
18 MR. MILLS: I don't.
19 THE COURT: Okay. Does defense counsel?
20 MS. DUNN: I do not, Your Honor.
21 MR. WOODBURY: No.
22 THE COURT: Mr. Woodbury, no.
23 Okay. It seems defense counsel has gotten their
24 copies. Have you had enough time to inspect them? I'll
25 give you more time if you need it.

137

1 the whole file gets shipped up here.
2 MS. DUNN: All right.
3 THE COURT: They don't do that in Reno?
4 MS. DUNN: Well, they do. We normally don't file
5 the plea agreements in justice court. They are only filed
6 in district court. So I don't know if there was an
7 additional plea agreement that was filed up in district
8 court.
9 THE COURT: Good question. Is there?
10 MR. BARAINCA: I don't believe so, Judge. I just
11 only remember filing -- or signing that one. And there is
12 a couple of local attorneys here that do like to file plea
13 agreements downstairs.
14 And I do -- I think Mr. Loreman wanted us -- I
15 can't speculate as to what he was thinking -- but we had
16 this deal on the record in some fashion before Mr. Olsen
17 waived the prelim.
18 THE COURT: Okay. Well, you know the case
19 number. The clerk's office can always double check the
20 file.
21 Mr. Olsen, I guess, is incarcerated at the Elko
22 County Jail.
23 MR. BARAINCA: He no longer is, Judge. He was
24 released within the last few weeks. I don't know when.
25 THE COURT: All right. Well, he is going to be

139

1 MR. WOODBURY: I have.
2 THE COURT: Okay.
3 MS. DUNN: Not a problem, Your Honor.
4 THE COURT: What exhibit is it now, Ms. Clerk?
5 THE CLERK: 197.
6 THE COURT: Okay, 197 for identification is this
7 copy of Mr. Olsen's memorandum of plea agreement in case
8 EL-JC-CR-F-19-10002. It looks like it was actually entered
9 into in justice court and filed in June this year.
10 But -- yeah.
11 So is his case up in district court now?
12 MR. BARAINCA: Yes, Your Honor. It's set for
13 sentencing on January 25.
14 THE COURT: In department?
15 MR. BARAINCA: One.
16 THE COURT: Okay.
17 MS. DUNN: Out of curiosity -- and again, I am
18 not -- I normally do plea agreements up in district court,
19 so -- and I don't know, does this -- is this the entirety
20 of the plea agreement?
21 MR. BARAINCA: Yes.
22 MS. DUNN: Does this follow him up to district
23 court, or is there a district court one that needs to be
24 filed?
25 THE COURT: Well, it goes up to district court,

138

1 held subject to recall after this, I assume?
2 MR. BARAINCA: Yes.
3 THE COURT: Defense lawyers want him held?
4 MS. DUNN: Yes, Your Honor.
5 THE COURT: Yeah. All right. And that's going to
6 be the order of the Court. I'm going to order him to keep
7 in contact with the D.A.'s office so they can reach him in
8 a moment's notice.
9 And if there is some other memorandum of plea
10 agreement somewhere, if it comes up after this, then -- is
11 this his only case?
12 MR. BARAINCA: Yes. Well, with the exception of
13 another case that is going to be dismissed pursuant to that
14 plea agreement.
15 THE COURT: Is that covered in this memorandum of
16 plea agreement?
17 MR. BARAINCA: Yes.
18 THE COURT: Okay. Well, anyway, as I was saying,
19 if you got something else somewhere in that file up there
20 for that case I just said, he can always be called back and
21 questioned on it.
22 So -- all right. Then you are going to call
23 Clinton Sandstrom, who is another snitch. So what's the
24 deal with him?
25 MR. BARAINCA: I'll let Mr. Mills speak to that.

140

1 MR. MILLS: So, Your Honor, Mr. Sandstrom was --
2 was on the hook for selling some drugs to another
3 cooperating source just right before the events of this
4 case.

5 So he -- a warrant -- a case was submitted to our
6 office, charges were filed, a warrant was issued, Sandstrom
7 was picked up on the warrant, at which time the NDI guys
8 went and spoke to him and Sandstrom expressed a desire to
9 work with them.

10 So at that point his criminal case was going -- I
11 was the prosecutor on that, Sherb Macfarlan was the defense
12 attorney. And the plea agreement that we had originally
13 reached was that the trafficking charges stemming from
14 Sandstrom's selling methamphetamine to the controlled -- to
15 the cooperating source would be reduced to one count of
16 sale of a controlled substance and one count of step 1
17 trafficking.

18 And there was no agreement to testify or anything
19 like that. The idea was that he was just going to do his
20 thing with the Elko Combined Narcotics Unit and then argue
21 substantial assistance.

22 THE COURT: And this all comes down before
23 these -- the events alleged in this case?

24 MR. MILLS: At that time that I entered into that
25 initial preliminary plea agreement, this case hadn't

141

1 THE COURT: Now, does he know all this? I am
2 assuming he is going to get questioned on this?

3 MR. MILLS: He does know it, yes. I met with him
4 before court and I just kind of hashed out, hey, this is --

5 THE COURT: Are you going to ask him about it or
6 are you going to leave it up to the defense attorney?

7 MR. MILLS: Either way, it's going to come out.
8 I haven't decided whether I was going to go there.

9 THE COURT: I don't have a written memorandum of
10 plea agreement to show the jury then?

11 MR. MILLS: That's correct.

12 THE COURT: You are representing that as an
13 officer of the court --

14 MR. MILLS: Yes.

15 THE COURT: -- and the prosecutor for both
16 Clinton Sandstrom and for this case?

17 MR. MILLS: That's correct. In fact, to follow
18 up with that, I followed up with -- because I didn't have a
19 copy of even the unsigned and unfiled one. And I double
20 checked with Sherb Macfarlan and he showed me what he had
21 prepared, and it -- the unfiled one is consistent with what
22 I have represented as far as him -- you know, he was going
23 to plead to one count of sale, he was going to plead to one
24 count of step one trafficking. But it never got to that
25 point because of the preliminary hearing and granting of

143

1 happened yet. I was unaware of it.

2 But subsequently, right after that, this case did
3 happen. And I was involved in this case obviously.

4 So what happened is, before that plea agreement
5 that I just discussed that Mr. Macfarlan and I had
6 contemplated was consummated and signed and filed with the
7 Court, the preliminary hearing in this case happened.

8 And because there was no agreement in writing for
9 him to testify, the State went ahead and just granted him
10 immunity in exchange for his testimony at the time of the
11 preliminary hearing.

12 So, in essence, there is no filed plea agreement
13 for Mr. Sandstrom; rather, we ended up going down the road
14 of granting him statutory immunity.

15 And so this case, if it hasn't been already, will
16 be dismissed in its entirety due to the transactional
17 immunity that goes along with that statute.

18 And, in addition, I mean, we talked about this
19 before court --

20 THE COURT: So this is transactional immunity, not
21 use and/or derivative use?

22 MR. MILLS: That's correct. That is the way our
23 Supreme Court has interpreted our immunity statute.

24 THE COURT: Okay. Just making sure.

25 MR. MILLS: Yep, that's correct.

147

1 immunity.

2 MS. DUNN: Your Honor, to make this a little bit
3 messier, if at all possible, Mr. Sandstrom also was -- has
4 recent -- well, recently, I guess --

5 THE COURT: Got in trouble again?

6 MS. DUNN: Got in trouble again.

7 And because of the -- he did make an agreement
8 with the State, he is prepared to enter a plea on that
9 case.

10 I believe that there were some -- I believe that
11 it was negotiated differently than what it was originally
12 charged, correct?

13 MR. MILLS: Yes.

14 THE COURT: Who is his lawyer in that case,
15 before we go further?

16 MS. DUNN: I believe that that's Mr. Macfarlan.

17 MR. MILLS: And that is actually Dave Loreman.

18 MS. DUNN: Oh, that's Dave Loreman.

19 MR. MILLS: He got appointed on Sandstrom's new
20 case.

21 MS. DUNN: In some of the dealings prior to Mr.
22 Sandstrom agreeing to accept whatever the negotiation was,
23 there was further agreement -- knowing that he was going to
24 be testifying in this case, there was further agreement as
25 far as what the State was willing to do sentencing wise and

144

1 also be recommending probation, because Mr. Sandstrom
2 indicated that he -- if he went to prison, he was afraid he
3 was going to get killed.

4 THE COURT: Yeah. And so if this agreement is
5 not -- is it specifically in exchange for testimony as far
6 as you're aware?

7 MS. DUNN: Which one? The one that I just spoke
8 about?

9 THE COURT: Yes. Because apparently the other
10 agreement is dead due to transactional immunity.

11 MS. DUNN: Right. And I don't know that it was
12 specific. I don't believe it was specifically. But, of
13 course, they knew -- they knew that the testimony was going
14 to be upcoming, so I'm sure it was in -- yeah.

15 THE COURT: And the argument is going to be, well,
16 it colors his testimony still.

17 MS. DUNN: Sure.

18 THE COURT: Because he is trying to impress the
19 prosecutors and all the rest of it, so -- judges and --
20 yeah.

21 MS. DUNN: Yeah. Anyway --

22 THE COURT: As far as I'm concerned, this is all
23 fodder for cross-examination by defense counsel.

24 MR. MILLS: The State agrees, yeah.

25 THE COURT: All of this.

145

1 agreement to show for Mr. Sandstrom at this point, right?

2 MR. MILLS: That's kind of where I am going with
3 this. I agree with the proposition that they have to be
4 able to ask him about that.

5 And -- and especially in light of the fact -- we
6 discussed this before court -- that recently Mr. Sandstrom
7 in his new case, through his attorney Mr. Loreman,
8 expressed some trepidation about going to prison due to
9 possible retribution and that sort of thing.

10 And so I e-mailed back Mr. Loreman and told him,
11 well, the State will agree not to oppose probation in your
12 case.

13 So that is -- Ms. Dunn, we discussed this before
14 court -- that ties in a little bit more directly to this
15 case.

16 Again, I am not disputing or I am not trying to
17 prevent them from asking questions about this. I agree
18 with Your Honor that this is fair game.

19 But that new plea agreement, that doesn't fall
20 within the scope of that statute you are talking about,
21 does it?

22 Because it doesn't contain any kind -- anything
23 explicit about his agreeing to testify.

24 THE COURT: Well, that's it. The premise of the
25 statute -- and, again, it's 175.282. I will just read it.

147

MS. DUNN: Yeah.

MR. MILLS: I agree. And with regards to this
last wrinkle that Ms. Dunn is talking about, so what
happened with that is he was -- you know, a recent case was
submitted to our office, actually got assigned to me, I
charged it.

I charged it -- a couple felonies, agreed to
dismiss one -- I think it was an ex-felon in possession
felony. He was going to plead to an E felony.

There was no agreement for him to --

THE COURT: E felony for drugs?

MR. MILLS: Yeah, that's correct. That's
correct.

THE COURT: And possession of controlled
substance?

MR. MILLS: Yes. And there was no tying --
initially there was no tying that case to this one. It was
just, we'll just handle this separately. There was nothing
in exchange for testimony or anything like that.

Recently -- and I think this is what --

THE COURT: Yeah, but I think they can still
question about all that.

MR. MILLS: I agree. I don't dispute that.

THE COURT: Yeah. I am just -- I am just making
sure. I don't have any written memorandum of plea

146

"If a prosecuting attorney enters into an
agreement with a defendant in which the defendant agrees to
testify against another defendant in exchange for a plea of
guilty, guilty but mentally ill, or nolo contendere to a
lesser charge, or for a recommendation of a reduced
sentence, the Court shall: One, after excising any portion
it deems irrelevant or prejudicial, permit the jury to
inspect the agreement."

So that -- it doesn't say written agreement, but
it's assuming that, I think, by its language. Because you
can't inspect something -- to me that suggests some
document that they can look at, okay.

So if you don't have that for Sandstrom, then you
don't have it. Okay.

I just want to make sure so I am complying with
the statute. Because it says the Court "shall" do this.

And the legislature is obviously concerned with
this.

MS. DUNN: Well, and what -- and I guess my
question: Was there a written agreement? Has there been a
written plea agreement in that new case?

MR. MILLS: There has, but it's -- it doesn't
make any reference to this one or obligate him to testify.
I think. Let me look it up just to confirm.

MS. DUNN: Okay.

148

1 THE COURT: Just because this is in the statute,
2 though, doesn't necessarily mean that that would be
3 irrelevant cross-examination on that document; don't you
4 agree?

5 I mean, if they -- if that document is out there,
6 what prevents the defense counsel from grabbing the
7 document and showing it to him anyway, even though it's not
8 for testimony.

9 See what I mean?

10 MR. MILLS: Sure. Your Honor, I think I can nip
11 this in the bud. His arraignment in that case is not even
12 until like March 31, and I don't see that there is even a
13 plea agreement yet.

14 THE COURT: Okay. You don't recall ever signing
15 one?

16 MR. MILLS: No. And I don't see any in our
17 system or any notes.

18 Mr. Loreman is standing right outside and --

19 THE COURT: I was going to ask -- that was my
20 next -- one of my next questions. Are we going to have Mr.
21 Loreman here for both of these guys, Olsen and Sandstrom,
22 today?

23 MR. MILLS: Loreman was here, I think, just for
24 Olsen. Sherb Macfarlan is the attorney for Mr. Sandstrom.

25 THE COURT: Hold on. For the new case it's

149

1 MR. MILLS: That's correct.

2 THE COURT: But all I am saying is if there was,
3 you know, I would have no problem with that being displayed
4 either, even though it was not -- even though there is no
5 bargain for testimony in there, it arguably -- that could
6 be done.

7 But what I am hearing is there is no memorandum
8 of plea agreement?

9 MR. MILLS: It doesn't exist, that's correct.

10 THE COURT: It doesn't exist. No written
11 memorandum of plea agreement for Sandstrom dealing with any
12 outstanding cases.

13 Because I assume maybe some of these guys have
14 been in trouble before long ago and maybe had memoranda of
15 plea agreement way back when. But that all predated all
16 this, I guess.

17 I am trying to remember that preliminary hearing
18 transcript on Sandstrom. I leafed through some of it over
19 the weekend.

20 Of course, I remembered it very well for deciding
21 the motion to suppress, but that was awhile back.

22 Okay. Anything else on these issues?

23 MS. DUNN: Nothing that I can think of at this
24 time, Your Honor.

25 THE COURT: For the State?

151

1 Loreman.

2 MR. MILLS: That's correct.

3 MR. BARNICA: All of our communication regarding
4 Mr. Loreman's potential being in the building for whatever
5 reason has been directed mostly for Mr. Olsen.

6 THE COURT: Okay. Well, he can be in here for
7 Mr. Olsen, so -- and Mr. Sandstrom.

8 MR. BARNICA: And one thing I wanted to let Your
9 Honor know is I double checked our records and that copy of
10 the plea agreement that was provided to Your Honor and
11 defense counsel is the only copy that we have.

12 And looking at the notes, all of this was done
13 contemporaneously when I prepared the information and the
14 bindover happened. So I think Mr. Loreman just went ahead
15 and filed it in justice court knowing that the ball was
16 moving to -- for it to go upstairs.

17 THE COURT: Okay.

18 MR. BARNICA: Again, I can't speak to Mr.
19 Loreman's mind, but that is what I think happened.

20 THE COURT: All right. Well, anything else on
21 this?

22 Because it sounds to me like I have got the
23 memorandum of plea agreement, the only one that exists for
24 Sheldon Olsen. And it sounds to me like I don't have one
25 for Clinton Sandstrom.

150

1 MR. MILLS: No, Your Honor.

2 THE COURT: For Mr. Ramirez, Mr. Woodbury?

3 MR. WOODBURY: No.

4 THE COURT: All right. I did want to say, too, I
5 double checked with our court reporter, and if you want a
6 copy of that testimony that came down, the question and the
7 answer and the surrounding testimony, I'm sure we can get
8 that.

9 Right, Lisa?

10 THE COURT REPORTER: Yes.

11 THE COURT: And I'm talking about that place
12 where Mr. Woodbury moved for -- to dismiss and then for a
13 mistrial.

14 The question was phrased in terms of people
15 involved in this case. Now that is pretty vague. And I
16 think that could pertain to Olsen. We heard about Olsen,
17 we heard Sandstrom.

18 So I think that is just a further reason for the
19 Court to deny that motion and to -- because it didn't
20 specifically finger Mr. Ramirez, Mr. Ruiz, either of the
21 defendants on trial.

22 Maybe that is what the prosecutor was getting at,
23 I don't know. But the Court also directed the -- the jury
24 to disregard the answer. Which there was an answer.

25 So that's available if you want to look at it

152

1 too.
2 All right. So may we bring in the jury now?
3 Everybody ready to go?
4 MR. MILLS: Yes, Your Honor.
5 MS. DUNN: Yes, Your Honor.
6 THE COURT: Thank you.
7 (WHEREUPON, the jury was brought into the courtroom)
8 THE COURT: We are back on the record for
9 CR-FP-2019-2456 and 2465. State versus Ramirez-De La Torre
10 and Jorge Landeros Ruiz.
11 Both defendants are back in court with their
12 respective attorneys, again assisted by the Court's
13 previously sworn interpreters.
14 We have got Deputy District Attorneys Mills and
15 Barainca to represent the State.
16 Will counsel stipulate to the presence of the
17 jury and the alternates?
18 MR. MILLS: Yes, Your Honor.
19 MR. WOODBURY: So stipulated.
20 MS. DUNN: We so stipulate, Your Honor.
21 THE COURT: Thank you. We were going with
22 further testimony from Mr. Gaylor, I assume.
23 Can we have him brought in, please?
24 Mr. Gaylor, welcome back. Please have a seat up
25 here at the witness stand, sir.

153

1 forward to the District Attorney's office, did NDI recover
2 a cell phone from Mr. Ramirez?
3 A. Of that, I'm not sure.
4 Q. And if you don't recall whether a cell phone
5 was taken, then presumably you don't recall whether any
6 material was taken off the cell phone to determine who
7 Mr. Ramirez was in contact with on the cell phone?
8 A. Correct.
9 Q. Okay. But that is something that NDI is
10 perfectly capable of accomplishing. If they want to know
11 what is on that cell phone, who he has talked or at least
12 what numbers he has talked to or texted, that's all there?
13 A. Yes, when we seize a phone, it's usually
14 subject to a search warrant. And it's the state detective,
15 in this case it would be Matt Miller who had the call,
16 would do what's called a UFED download, which is all the
17 data off the phone to include text messages, photographs,
18 and phone call records.
19 Q. And then I recall you testified at preliminary
20 examination that in the surveillance that was conducted up
21 on Kale, license plates from California appeared as -- on
22 some cars that were surveilled having to do with Kale
23 Drive?
24 A. Yes, sir.
25 Q. Okay. And did you all follow up on that,

155

1 THE WITNESS: Thank you, Your Honor.
2 THE COURT: Watch your step there. And you are
3 on cross-examination with Mr. Woodbury. And I do remind
4 you, you are under oath.
5 Mr. Woodbury.
6 MR. WOODBURY: Thank you, Your Honor.
7 CROSS-EXAMINATION (Cont.)
8 BY MR. WOODBURY:
9 Q. Mr. Gaylor, when the NDI signs up a person
10 like Mr. Sandstrom to be a cooperating individual, a large
11 amount of background material about the cooperating
12 individual is taken?
13 A. Yes, sir. We are required to perform a
14 criminal history check and things of that nature.
15 Q. And then that material is sent to Carson City?
16 A. Yes, sir.
17 Q. And where in Carson City?
18 A. From what I was told, it's sent to the
19 Attorney General's office and then they put it in a vault.
20 Q. Okay. And then that material is then not
21 available to the Elko County District Attorney or defense
22 counsel; is that correct?
23 A. Correct, sir.
24 Q. And then during the course of this
25 investigation and this -- the course of bringing this case

154

1 those license plates?
2 A. The work I would do is kind of typically the
3 same. I would pull the registration plate, see who the
4 registered individual was. And if -- if viable or
5 possible, we would have a valid traffic stop performed on
6 the vehicle to identify the driver.
7 Q. And did you then -- did NDI again get in
8 contact with California law enforcement with respect to who
9 those cars might belong to and anything about the people in
10 the car?
11 A. Not to my knowledge, sir.
12 Q. Okay. And then on the baggies that you were
13 looking at today from the March 4 and March 7 sale, were
14 fingerprints taken off those baggies?
15 A. No, sir.
16 Q. Were any -- was DNA taken off of them?
17 A. Not to my knowledge, sir, no.
18 Q. And to get to those, from the perspective of
19 the person who is going to do the selling, I guess,
20 there -- those -- typically the -- well, typically
21 methamphetamine wouldn't arrive at -- in Mr. Ramirez's
22 hand, it would still have to be measured and -- and
23 weighed. Would that be correct?
24 A. Yeah, typically before a transaction of the
25 sale of methamphetamine, it is to be weighed and packaged

155

1 at the approximate weight that the -- the buyer was
2 requesting to ensure accuracy.

3 Q. Okay. All right. And this -- you -- that's
4 all right. You are coming back, right?

5 A. I believe so, sir.

6 MR. WOODBURY: Well, I will get you next time.

7 A. All right. Thank you very much.

8 THE COURT: All right. Redirect, Mr. Mills?

9 REDIRECT EXAMINATION

10 BY MR. MILLS:

11 Q. Mr. Gaylor, did you see any need to -- to
12 examine the bags of methamphetamine for fingerprints or
13 DNA?

14 A. No. And from the way I was trained, Washoe
15 County crime lab will not process the outside of narcotics
16 bags for fingerprints.

17 MR. MILLS: That is all I have.

18 THE COURT: Redirect -- recross-examination,
19 Ms. Dunn?

20 MS. DUNN: Thank you, Your Honor.

21 RECROSS-EXAMINATION

22 BY MS. DUNN:

23 Q. Are there ever times that you try to get items
24 processed through the Washoe County crime lab checking for
25 fingerprints?

157

1 A. Yes, ma'am.

2 Q. Yeah, sure.

3 MS. DUNN: I have nothing more based on that.

4 THE COURT: Okay. Any recross, Mr. Woodbury?

5 MR. WOODBURY: No, Your Honor.

6 THE COURT: Any jury questions for Mr. Gaylor?

7 Okay. If you have that, remember, one sheet of
8 paper per question and juror number on question. Thank
9 you.

10 We're going to attempt what is known as a side
11 bar up here, ladies and gentlemen. This is to help move
12 the proceedings along

13 So please bear with us. This is the process for
14 the vetting of jury questions that our Nevada Supreme Court
15 requires from me. Okay. We are going to try to do this in
16 the room while you are here so we can move things along
17 quicker, okay.

18 Thank you.

19 (WHEREUPON, the following proceedings were held at the
20 bench)

21 THE COURT: Juror number 4 asks: "I don't
22 understand why do you put a wire on a person if you cannot
23 hear what is going on during the buy. Does it record it?
24 He said he could not hear nothing during the buy."

25 Any objection to asking --

158

1 A. Yes, it would be instances such as homicides
2 or larger crimes where we think the material that is being
3 sent to the crime lab would be viable for a fingerprint.
4 But typically not for bags of narcotics.

5 Q. All right. So bags of narcotics like we just
6 saw now, those wouldn't necessarily be sent; is that fair
7 to say?

8 A. Correct. They would be sent to the -- to the
9 lab just for testing purposes but not for the presence of
10 fingerprints on the outside of said bags.

11 Q. If there was another -- let's say some sort of
12 large container that -- or larger container containing
13 larger amounts of drugs, those could be sent to the crime
14 lab for fingerprints, correct?

15 A. I would believe you would have to clear it
16 with the higher chain of command or somebody at the crime
17 lab before you sent it, but it's possible if you believe
18 there is a viable fingerprint.

19 But from what my training and experience is,
20 it's usually a no when it comes to containers that have
21 controlled substances or alleged controlled substances
22 inside of them for the feat -- things such as Fentanyl.

23 Q. Sure.

24 But baggies, that is a little different,
25 obviously, right? Those would be tough to --

159

1 MR. MILLS: No objection.

2 THE COURT: -- about why they put a wire on a
3 person?

4 MS. DUNN: No objection.

5 MR. BARAINCA: No objection.

6 MR. WOODBURY: We have no objection.

7 THE COURT: I will ask it that way. You all can
8 follow up.

9 I am a little confused by number 2.

10 MS. DUNN: I am too.

11 THE COURT: "Why weren't drug test after buys" --
12 or days -- buys, yeah -- "when wire was returned and
13 searches instead of being traveled at office then tested at
14 least one bag."

15 I don't know.

16 MS. DUNN: I am a little confused on that.

17 THE COURT: You're confused.

18 Are you confused?

19 MR. WOODBURY: Of course.

20 THE COURT: I am often these days. All right.
21 Maybe he is driving at why weren't the drugs
22 tested in the field?

23 MS. DUNN: Right.

24 THE COURT: Before being brought to the office?

25 MS. DUNN: That is kind of what I am thinking.

160

1 THE COURT: You are the lead prosecutor, is that
2 what he is getting at, do you think?

3 MR. MILLS: It can be interpreted in a lot of
4 different ways. I honestly don't know what he is driving
5 at.

6 MS. DUNN: Yeah.

7 MR. MILLS: That is a reasonable interpretation
8 but nothing conclusive.

9 THE COURT: Do you mind if I just ask it that
10 way?

11 MR. WOODBURY: That's fine.

12 MS. DUNN: That's fine.

13 THE COURT: You all -- parties get follow up.
14 Thank you.

15 (WHEREUPON, the bench conference was concluded)

16 JURY QUESTIONS

17 BY THE COURT:

18 Q. Okay. Couple jury questions for you, Mr.
19 Gaylor.

20 Why do you put a wire on a person for
21 controlled buy?

22 A. The reason for the body wire is to accurately
23 record what goes on during the transaction. It's a small
24 device that has an internal memory. And I know it has a
25 shorter range, so we try to have it so someone can listen

161

1 We used to test narcotics in the field, but
2 due to safety concerns, now they are predominantly tested
3 inside the office just in case.

4 THE COURT: Follow-up, Mr. Mills?

5 MR. MILLS: No, Your Honor.

6 THE COURT: Any follow-up, Ms. Dunn?

7 MS. DUNN: No, Your Honor.

8 THE COURT: Mr. Woodbury?

9 MR. WOODBURY: No.

10 THE COURT: Okay. And you are held subject to
11 recall. Please remember the rule of exclusion. I know you
12 heard it before. I have just been explaining it.

13 No discussing your -- this case or your testimony
14 until two Fridays -- we are figuring we are going to go at
15 least two more Fridays from now. Keep that in mind.

16 You can discuss it with the lawyers, as you well
17 know. That's the exception.

18 Thank you for coming

19 THE WITNESS: Thank you, Your Honor.

20 THE COURT: All right. Next witness, please.

21 MR. BARAINCA: Sheldon Olsen.

22 THE COURT: Sheldon Olsen.

23 All right, sir.

24 Please raise your right hand. Drop your mask for
25 me. We need to have that down during the testimony. Okay.

163

1 to it live. And it -- typically it's the individuals that
2 are going to be what we call our rescue van, that's
3 anywhere between two to four individuals. And we are
4 listening for key phrases.

5 And one of those key phrases in some of these
6 buys is an indicator that the informant is under duress and
7 that they need immediate saving. So that is why we make
8 sure they have an active ear, or they can actively can hear
9 the wire.

10 And then the reason that I, as the case agent,
11 have it on them is so I can download it later and review it
12 and add it to the case file.

13 Q. Thank you. Another jury question: why weren't
14 the drugs tested in the field where the wire was returned
15 instead of going to the office to test the drugs?

16 A. Typically --

17 Q. The alleged drugs I will call it.

18 A. Yes. The reason the alleged drugs were not
19 tested in the field, the main concern is -- nowadays is
20 safety.

21 It takes a very small quantity of Fentanyl to
22 either incapacitate or kill a person. If we have it in our
23 office, there is at least multiple people there. We have
24 accurately measured machines. We also have the NIK tests
25 at our office.

162

1 Be sworn.

2 (WHEREUPON, the witness was sworn)

3 THE COURT: All right. Please have a seat at the
4 witness stand there.

5 THE WITNESS: Here?

6 THE COURT: Right there, sir, yes.

7 And then please use the microphone, like I am.
8 And I will also let you know, sort of talking more slowly,
9 like I am, helps the court reporter as well as the people
10 who are interpreters here. These ladies are interpreting,
11 okay. Please try do that. Thank you.

12 THE WITNESS: I will try.

13 THE COURT: Okay. Mr. Barainca is asking
14 questions, it looks like. Please proceed.

15 SHELTON OLSEN

16 called as a witness in said case, having been first
17 duly sworn, testified as follows:

18 DIRECT EXAMINATION

19 BY MR. BARAINCA:

20 Q. Good afternoon, Mr. Olsen.

21 A. (Nods head.)

22 Q. Could you please state your name and spell
23 your first and last name for the record.

24 A. Sheldon Olsen. S-h-e-l-d-o-n O-l-s-e-n.

25 Q. And, sir, at any point in time did you go by

164

1 the name of Bob?
2 A. Yes, sir.
3 Q. Now, I'll just kind of get right into it.
4 Are you currently facing legal trouble?
5 A. Yes.
6 Q. And do you -- do you have a deal with the
7 State to testify in this matter?
8 A. Yes, I do.
9 MR. BARAINCA: May I approach, Your Honor?
10 THE COURT: Yes.
11 Q. (By Mr. Barainca) Sir, I am handing you
12 what's marked for identification as State's Exhibit 197.
13 Can you tell me what that is, sir?
14 A. Got to get on my eyes.
15 Q. Take your time.
16 THE COURT: Take your time. If you need to
17 inspect it, sir, read through it, that's fine.
18 A. Okay. Yes, this is the plea agreement that
19 I -- I agreed to.
20 Q. Is your signature contained on that document,
21 probably on page 5?
22 A. Yep, that is my signature, yes, sir.
23 Q. Who is your attorney?
24 A. David Loreman.
25 Q. And --

165

1 during deliberations. Okay.
2 (WHEREUPON, State's Exhibit 197 was admitted into
3 evidence)
4 THE COURT: Please proceed, Mr. Barainca.
5 Q. (By Mr. Barainca) Now, sir, is it your
6 understanding that the terms of the agreement that -- that
7 you are -- you have pled to a category C felony, and in
8 exchange, the State is going to forbear prosecution on --
9 on the original charges and recommend probation for you; is
10 that correct?
11 Is that your understanding?
12 A. That's correct.
13 Q. Okay. Where is the -- where is that case at,
14 do you know?
15 A. Not real sure right now. I mean, I am
16 testifying.
17 Q. Is it set for sentencing?
18 A. Yeah. I believe the 25th.
19 Q. Now, sir, do you know Hector Ramirez-De La
20 Torre?
21 A. Yes.
22 Q. Is he here in court today, sir?
23 More towards your left?
24 A. I can't -- I can't tell with all the masks.
25 Q. This is the jury, sir, that you are looking

167

1 THE COURT: Is that on page 5 or page 4?
2 MR. BARAINCA: I may have misspoken.
3 THE WITNESS: The pages aren't numbered that I
4 can see. Oh, it is 4. Right here. Yes.
5 THE COURT: Yeah, I think they are numbered on
6 the bottom right. Okay. Go ahead.
7 Q. (By Mr. Barainca) And is Mr. Loreman's
8 signature also contained on that document?
9 A. Yes, on page 6.
10 Q. And is the entirety of your deal contained
11 within that document?
12 A. I'm sorry, I didn't hear you.
13 Q. Is the entirety of your deal with the State
14 contained in that document?
15 A. Yes.
16 MR. BARAINCA: Your Honor, at this time the State
17 is moving for the admission of Exhibit 197 into evidence.
18 THE COURT: Any objection from Mr. Ruiz?
19 MS. DUNN: No objection.
20 THE COURT: Mr. Ramirez?
21 MR. WOODBURY: No objection.
22 THE COURT: Exhibit 197 for identification is now
23 admitted. So ladies and gentlemen, that's Exhibit 197.
24 Unless it's published to the jury now, again, the
25 jury would get to inspect that later in the jury room

166

1 at.
2 A. Oh, yeah. There he is, yes, sir.
3 Q. Where is he seated, sir?
4 A. What is that?
5 Q. Where is he seated?
6 A. Next to an attorney right there.
7 Q. What is he wearing?
8 A. Black suit, blue mask.
9 MR. BARAINCA: May the record reflect the witness
10 has identified the defendant.
11 THE COURT: The record will so reflect the
12 identification of Mr. Ramirez.
13 Q. Do you also know a gentleman by the name of
14 Jorge Landeros Ruiz?
15 A. Yes.
16 Q. Do you also know him as George?
17 A. Yes.
18 Q. Is he here in court today, sir?
19 A. Yes, sir.
20 Q. Where he is he seated?
21 A. About two people down from Hector, three
22 people actually.
23 Q. What is he wearing, sir?
24 A. A black suit, tan shirt, tie, blue mask.
25 Q. Thank you.

168

1 MR. BARAİNCA: Your Honor, the State would also
2 be asking that the record reflect that the witness has
3 identified the defendant -- the co-defendant Mr. Ruiz.
4 THE COURT: The record will reflect the
5 identification of defendant Jorge Ruiz, Landeros Ruiz,
6 excuse me. Go ahead.
7 Q. How do you know Hector, sir?
8 A. Oh, the last few years we were dealing in
9 methamphetamines together.
10 Q. How do you know Jorge?
11 A. Same thing. I -- I originally went up to look
12 at a fence that he wanted us to work on, my landlord and I,
13 and we never did finish -- never did get to that fence.
14 Q. So kind of describe your involvement as far as
15 the -- I'm going to ask you some questions. Were you
16 selling the methamphetamine?
17 A. What is that now?
18 Q. Were you selling methamphetamine?
19 A. Yes, sir.
20 Q. Who -- where did the supply come from?
21 A. Hector and George, as far as I knew.
22 Q. Did -- did George ever provide you with the
23 methamphetamine?
24 A. A couple of times.
25 Q. When -- do you recall when that occurred?

169

1 shed?
2 A. He -- he had horses and chickens and whatnot
3 running around, yeah.
4 Q. Would -- would he go there, near those
5 animals, to retrieve methamphetamine for you?
6 A. He went through a door. That's all I know.
7 Q. Was it near there, though?
8 A. Yeah.
9 Q. Okay. How many times did this happen, sir?
10 A. Maybe two, three times that I was over there.
11 Q. And did -- did George go to the same place
12 each time?
13 A. Sometimes he didn't have to. He had it in his
14 pocket.
15 Q. Now, during the time, did you own any
16 firearms?
17 A. I'm sorry?
18 Q. Did you own any firearms at the time, sir?
19 A. Did I own any? Yes, sir.
20 Q. Did you ever own a revolver?
21 A. Yes, sir.
22 Q. Do you -- did you currently possess that or
23 own that revolver in early 2019?
24 A. 2019, yeah, I believe it was -- yeah, I
25 believe I had it in 2019.

171

1 A. Not specifically, no.
2 Q. And we'll take a step back.
3 Do you recall like the time line, like how
4 long this had been going on for?
5 A. At least a couple years, two or three years.
6 Q. Do you have any -- do you recall any specific
7 dates or anything like that?
8 A. No, sir. I -- I never did pay attention to
9 that.
10 Q. So when would an occurrence come when you
11 would have to get drugs from Jorge -- or George?
12 A. I would make a phone call, and they would
13 either deliver them or tell me that they couldn't, and then
14 I would drive over to Osino and get it.
15 Q. Do you recall George's address?
16 A. Not specifically, no. But I do know where --
17 where his house is.
18 Q. And you testified that it's out in Osino?
19 A. Yes, sir.
20 Q. Now, when you would show up to retrieve
21 methamphetamine from -- from George, where would he go to
22 retrieve it?
23 A. A little shed there on the driveway. That's
24 all I knew about it.
25 Q. Was it -- were there any animals around the

170

1 Q. Did you ever -- do you still have possession
2 of that revolver?
3 A. No, sir.
4 Q. Who had it -- who did you give it to?
5 A. I sold it to George.
6 Q. Can you describe the -- the firearm?
7 A. Yes, it's a Colt Anaconda with a 10-inch
8 barrel, stainless steel, 2.58 variable Leupold scope, base
9 mounts, with a side shoulder holster.
10 MR. BARAİNCA: May I approach again, Judge?
11 THE COURT: Yes.
12 Q. Sir, for firearm safety reasons, I am just
13 going to hold on to this.
14 A. You bet.
15 THE COURT: And this thing has been checked, we
16 don't have any ---
17 MR. BARAİNCA: I can see it, Judge. It's
18 unloaded.
19 THE COURT: And it's a revolver?
20 MR. BARAİNCA: Yes. Do you want to see it?
21 THE COURT: I don't need to see it as long as our
22 bailiff is comfortable and you are comfortable.
23 Are we comfortable, Mr. Nunes? Let's just double
24 check.
25 A. Yep.

172

1 THE COURT: Good?
2 THE BAILIFF: Yeah, it's clear.
3 THE COURT: Good. Thank you.
4 If you just want to hold it up, show it to him.
5 What exhibit for identification?
6 MR. BARAINCA: 144, Judge.
7 THE COURT: 144, thank you.
8 Q. (By Mr. Barainca) Sir, is this the firearm?
9 A. Yes, sir.
10 Q. And -- if I could just -- is there any writing
11 on the firearm?
12 A. Yeah.
13 Q. And is there any writing on the barrel?
14 A. Yes.
15 Q. What does it say?
16 A. "Colt Anaconda."
17 THE COURT: He is -- I couldn't hear that very
18 well. So what is the answer?
19 A. Colt Anaconda.
20 THE COURT: Thank you. Next question.
21 Q. Yeah, when you answer my questions, please
22 speak into the microphone.
23 Is there any writing on the -- on the scope?
24 A. Yes, sir, "Leupold."
25 Q. And you said that this is the firearm that you

173

1 reply, Mr. Woodbury.
2 MR. WOODBURY: I would like to hear this
3 explanation of corroboration against Mr. Ramirez. I -- it
4 doesn't make any sense to me.
5 THE COURT: Okay.
6 MR. BARAINCA: I can ask him follow-up questions,
7 Judge.
8 THE COURT: Go ahead.
9 Q. (By Mr. Barainca) And, sir, would Hector also
10 provide you with methamphetamine?
11 A. Yes, sir.
12 Q. Do you recall on how many prior -- do you
13 recall how many occasions?
14 A. Numerous. I mean, I couldn't tell you
15 exactly, no, but it was numerous occasions.
16 Q. Did you ever come to know whether or not
17 Hector became involved with -- with selling
18 methamphetamines to Clinton Sandstrom?
19 A. I couldn't tell you that. I never saw it
20 myself, no.
21 Q. But did you sell methamphetamine to Clinton
22 Sandstrom?
23 A. Yes, sir.
24 Q. And did Hector provide you with that
25 methamphetamine?

175

1 sold to -- to Mr. Ruiz?
2 A. Yes.
3 Q. Did you -- is this -- is this firearm in
4 substantially similar condition as to when you last had it?
5 A. Yes, sir.
6 MR. BARAINCA: Your Honor, at this point in time
7 the State is offering into evidence Exhibit 144.
8 THE COURT: Objections?
9 MS. DUNN: No objection, Your Honor.
10 MR. WOODBURY: Our objection is that it's
11 absolutely irrelevant as to Mr. Ramirez, and we object to
12 it being accepted as evidence in the case against him.
13 THE COURT: Well, there are separate case
14 numbers. The defendants are being tried together
15 obviously. Are you seeking to have this admitted just as
16 to Mr. Ruiz?
17 MR. BARAINCA: No, I'm asking it be submitted
18 for -- admitted for both defendants, Judge.
19 THE COURT: Do you have a response to the
20 relevancy objection then?
21 MR. BARAINCA: Yes, Your Honor. It corroborates
22 the testimony of -- of -- it's relevant to corroborate the
23 testimony of Mr. Olsen as it relates to his dealings with
24 Mr. Ramirez.
25 THE COURT: Seems you're eager for further -- for

174

1 A. Yes, sir.
2 MR. BARAINCA: And, Judge, that would just be the
3 testimony, further corroboration as far as the firearm is
4 concerned, because the State's anticipating challenges to
5 Mr. Olsen's credibility. And that's why the State is
6 seeking it to be admitted for both defendants.
7 THE COURT: Anything else?
8 MR. WOODBURY: (Shakes head)
9 THE COURT: No. All right.
10 The -- the objection is overruled. It's
11 admitted. Exhibit 144 for identification is admitted.
12 (WHEREUPON, State's Exhibit 144 was admitted into
13 evidence).
14 Q. (By Mr. Barainca) Now, sir, the final
15 question I have for you is, does the deal you have with the
16 State affect your testimony in any way?
17 A. No, sir.
18 MR. BARAINCA: I will pass the witness, Your
19 Honor.
20 THE COURT: All right. Cross-examination.
21 MS. DUNN: Thank you, Your Honor.
22 CROSS-EXAMINATION
23 BY MS. DUNN:
24 Q. Good afternoon, Mr. Olsen. How are you?
25 A. Here.

176

1 Q. All right. You do remember previously
2 testifying in this case, correct?
3 A. Yes.
4 Q. At a motion hearing?
5 A. Yes.
6 Q. So let's go back to some of your testimony.
7 You stated that you had been involved with the
8 sale of methamphetamine for two to three years with
9 Mr. Ruiz and Mr. Ramirez; is that correct?
10 A. Yes.
11 Q. Now, you stated that you had only gotten
12 the -- the methamphetamine from Mr. Ruiz a couple of times,
13 correct?
14 A. A few times, yes.
15 Q. Well, do you remember previously testifying
16 that it was a couple?
17 A. It's been a while, so it's -- couple, three,
18 yeah, four.
19 Q. Do you know?
20 A. Not right offhand, no, not exact numbers.
21 Q. Do you know when those -- those --
22 A. No.
23 Q. -- events occurred?
24 A. I did not keep track of the dates, no.
25 Q. Now, during those times -- let me ask you

177

1 Q. Really?
2 A. Yes, that's exactly right, yes.
3 Q. Is that the way you previously testified?
4 A. Yes, I believe.
5 Q. So your testimony now is that you would call
6 George, Mr. Ruiz, and what, he would -- you didn't connect
7 with Hector directly?
8 A. No, not all the time, no.
9 Q. Well, is it not all the time or very rarely?
10 A. Very rarely.
11 Q. Now, so tell me this process that you would go
12 through.
13 A. As in?
14 Q. How would you get it? What would you do?
15 A. Make a phone call.
16 Q. And you're saying you would make that phone
17 call to George?
18 A. Yes.
19 MS. DUNN: Court's indulgence for just a
20 moment?
21 THE COURT: Take your time.
22 Q. Now, you would -- when was the first time you
23 met Mr. Ruiz?
24 A. I was having a yard sale at my house that I
25 lost, and he came to the house.

179

1 this. You stated that if you needed methamphetamine to
2 sell, that you would call them, is what you just testified
3 about.
4 A. Yes.
5 Q. And either they would bring it to you or you
6 would go out and get it?
7 A. Yes.
8 Q. Correct?
9 A. Yes.
10 Q. Did you ever call Mr. Ruiz?
11 A. Which -- George?
12 Q. Yeah.
13 A. Yes.
14 Q. When did you call him?
15 A. Like I said, I -- I couldn't tell you the
16 dates. I don't know.
17 Q. Do you remember previously testifying that the
18 only time that you would ever have to get it from Mr. Ruiz
19 was when Hector wasn't available?
20 A. Yes.
21 Q. So when you needed to get methamphetamine, who
22 did you call?
23 A. George.
24 Q. You didn't call Hector?
25 A. Not -- no. Not very often at all. And I --

178

1 Q. Okay. And how long ago was that?
2 A. Oh, five, six years ago.
3 Q. Okay. And they came over -- George came over
4 to look at your yard sale?
5 A. Yeah, him and a few other people, yes.
6 Q. And then when was the next time you met
7 George?
8 A. When we were discussing the fence.
9 Q. Okay. And was that at his house?
10 A. Yes.
11 Q. He had initially asked you to -- he would --
12 he initially asked you to maybe help him get some metal for
13 the fence?
14 A. Right.
15 Q. Okay. And then what was the next time?
16 A. Oh, probably sometime that I came over to get
17 some meth.
18 Q. And you stated he -- this was two or three
19 times, but you don't remember how many?
20 A. That, I don't know exactly, no.
21 Q. And then you would -- he would either have it
22 with him or you said he would go to some little shed; is
23 that correct?
24 A. Correct.
25 Q. And so then when are the other times that --

180

1 so all the other times over the past two or three years
2 that you have been getting meth, you have gotten from
3 Hector, correct?
4 A. Correct.
5 Q. Do you recall a time in which Mr. Sandstrom
6 came to your house to purchase meth?
7 A. I recall several times that Mr. Sandstrom came
8 to my house for meth.
9 Q. And quite a few of those times, you later
10 found out were with him wearing a wire, correct?
11 A. Yes.
12 Q. And do you remember -- do you remember those
13 times?
14 A. It was in February. I wasn't arrested until
15 October, so, yeah, it's a little fuzzy. But I remember a
16 few of them, yes.
17 Q. February 2019, correct?
18 A. Correct.
19 Q. Okay. Do you remember calling Hector because
20 you didn't have enough meth?
21 A. No, I -- I did not call Hector. I called
22 George.
23 Q. All right. And this is what you have -- this
24 is the -- what you testified previously, correct?
25 A. I believe so, yes.

181

1 Q. So during those 11 times, each individual --
2 were you arrested -- I'm sorry, let me -- let me retract
3 that.
4 When you were arrested in October for what
5 occurred back in February, were you charged with all 11
6 counts?
7 A. No, ma'am.
8 Q. How many charges were you charged -- how many
9 counts were you arrested for?
10 A. They were -- well, I was arrested for all of
11 them, yes, but I was only charged with two counts sale --
12 the two-ounce sale is what they were -- that is part of the
13 deal. They were -- they were going to charge me with two
14 ounces.
15 Q. All right. So what I am trying to go back to
16 is what you were arrested for.
17 A. I was arrested for trafficking meth.
18 Q. Eleven times?
19 A. To their knowledge, yes.
20 Q. Correct. All right.
21 And so based upon -- you ultimately made a
22 plea bargain agreement with the State, correct?
23 A. They offered it, and yes, yes, I did make a
24 bargain.
25 Q. And part of that agreement was that you would

183

1 Q. All right. Now, let's talk about -- based
2 upon your recollection of the times in which you sold to
3 Mr. Sandstrom where Mr. Sandstrom was wearing a wire.
4 Do you remember how many times that was?
5 A. Well, by the paperwork, it was 11 times in
6 February.
7 Q. All right.
8 A. But I couldn't tell you exactly, no.
9 Q. All right.
10 A. I mean, I didn't pat him down for a wire or
11 whatever. I just -- I didn't know when he was wearing a
12 wire.
13 Q. But based on the information you know now, it
14 was 11 times in -- in February, correct?
15 A. Yes.
16 Q. And it was anywhere from, what, a half-ounce
17 to two ounces?
18 A. Correct.
19 Q. Each time?
20 A. Not -- well, not each -- yeah, half-ounce
21 to --
22 Q. Right.
23 A. -- an ounce, two ounces, yeah.
24 Q. Up to two ounces, correct?
25 A. Up to two ounces, yes.

182

1 testify against both Mr. Ramirez and Mr. Ruiz, correct?
2 A. Correct.
3 Q. And ultimately, other than those 11 counts of
4 trafficking -- and that's -- that would be mandatory prison
5 for you, correct?
6 A. I didn't hear you. What?
7 Q. Would that have been mandatory prison time for
8 you?
9 A. Oh, yes.
10 Q. A lot of prison time?
11 A. Oh, yeah.
12 Q. Now, ultimately you didn't get -- the ultimate
13 plea bargain you made was not for selling two ounces,
14 correct?
15 A. Yes, that's what I was being charged with.
16 Q. I am talking about the ultimate plea bargain
17 that you are being -- that you are going to be sentenced
18 for next -- at the end of this month.
19 A. I'm sorry, you have got me confused there.
20 What -- what are you talking about?
21 Q. Did you make more than one deal with the
22 prosecutor?
23 A. No, ma'am.
24 Q. Just the one, correct?
25 A. Yes.

184

1 MS. DUNN: May I approach the witness, Your
2 Honor?
3 THE COURT: Yes.
4 MS. DUNN: Approach the table, then the witness?
5 THE COURT: Oh, yes.
6 MS. DUNN: Thank you.
7 Q. I'm going to give you that.
8 A. Okay.
9 Q. I'll back up so everyone can see.
10 So, Mr. Olsen, do you recall looking at that
11 paper?
12 A. Yes, ma'am.
13 Q. All right. So that's the entirety of your
14 plea bargain with the State, correct?
15 A. Correct.
16 Q. What does it say you are charged with?
17 A. Conspiracy to violate the Uniform Controlled
18 Substance Act.
19 Q. All right. So it's not selling two ounces of
20 meth, correct?
21 A. It was trafficking, basically.
22 Q. You are saying that's trafficking is what you
23 are pleading to?
24 A. Conspiracy to violate the Uniform Controlled
25 Substance Act, yeah. Isn't that trafficking?

185

1 of guilty, I may be imprisoned for a period of not more
2 than 60 months and/or I may be fined up to \$10,000. I
3 understand that the law requires me to pay an additional
4 assessment fee and that" --
5 Q. That -- that -- yeah, those two are -- are
6 good.
7 So that says the most you could be imprisoned
8 by is 60 months, correct?
9 A. For the class C, yes.
10 Q. Is there some other charge you are pleading
11 to?
12 A. No.
13 Q. So --
14 A. See, that is where you are confusing me.
15 I was originally -- they were going to charge
16 me with two ounces. This is the plea agreement. The plea
17 agreement is that I testify, and I am looking at one to
18 five with a \$10,000 fine possibly.
19 Q. Correct.
20 A. Okay.
21 Q. So -- and that's -- I wasn't trying to confuse
22 you, Mr. Olsen.
23 A. Well, you did a good job.
24 Q. Well, I asked you what you were pleading to,
25 and you said trafficking, right?

187

1 Q. No.
2 So it's your understanding that -- well,
3 let's -- let's do it this way. It's a category C felony,
4 correct?
5 A. Correct.
6 Q. What does it say in there? What is your
7 potential penalty?
8 A. Twenty years.
9 MS. DUNN: I have got a copy. You can keep that
10 there.
11 THE COURT: All right. For the record, this is
12 Exhibit 197?
13 MS. DUNN: I apologize, Your Honor, yes.
14 THE COURT: Okay.
15 That's previously been admitted. That is the
16 copy of the memorandum of plea agreement.
17 Thank you.
18 MS. DUNN: Yes, I apologize for not putting out
19 there which one it is.
20 THE COURT: That's fine.
21 Q. So, Mr. Olsen, if you could turn to page 2?
22 A. Yes.
23 Q. And on line 12 and line 13, could you read
24 those out loud?
25 A. "I understand that as a consequence of my plea

186

1 A. Basically what I was arrested for, yes.
2 Q. I understand what you were arrested for,
3 Mr. Olsen.
4 A. Um-hmm.
5 Q. But I am talking about the plea deal that you
6 are making with the State.
7 A. Yeah.
8 Q. The reason why you are sitting in here
9 testifying.
10 A. Right.
11 Q. Right?
12 A. Okay.
13 Q. You are getting a deal from them, correct?
14 A. Correct.
15 Q. All right. So according to this document, the
16 most time you could spend, the most, they are saying, as
17 you said, it's one to five, correct?
18 A. Correct.
19 Q. So there is no 20 years that you are not
20 facing anymore, correct?
21 A. Correct.
22 Q. Now, before I move along from the plea
23 agreement, based upon your understanding of this plea
24 agreement, under -- are you still on page 2 with me?
25 A. Okay. I am on page 2. What now?

188

1 Q. All right. Under page 2, under line 7 and 8.
2 A. Yeah.
3 Q. Could you read that?
4 A. In addition, at the time of sentencing in the
5 above-entitled case, the State will affirmatively recommend
6 that I be placed on probation.
7 Q. So in addition to getting rid of all the
8 trafficking charges, all of the 11 -- the 11 times that you
9 were selling the methamphetamine, not only are you only
10 looking at one to five in prison, but you are actually
11 looking at the State asking the Judge that you be put on
12 probation, correct?
13 A. Correct. And ultimately it's up to the Judge.
14 Q. Absolutely. But the Judge can't put you in
15 prison for 20 years, can he?
16 A. No. Not after this, no.
17 Q. Not after that.
18 So prior to -- I want to bring you back to
19 your testimony.
20 Now, do you recall when you first talked to
21 the police about this case?
22 A. Yeah, I was in jail.
23 Q. Okay. After being arrested on this case?
24 A. Yes.
25 Q. Okay. So they came to you and asked if you

189

1 Q. And you -- he gave you money, you gave him the
2 gun, correct?
3 A. Correct.
4 Q. Again, nothing to do with marijuana -- or
5 nothing to do with methamphetamine?
6 A. No.
7 Q. Okay. So that's twice now that you were over
8 there, nothing to do with methamphetamine, correct?
9 A. Correct.
10 Q. Do you recall testifying that you had only
11 been there a couple few times?
12 A. Yeah, I have been only been there a few times,
13 yeah.
14 Q. What -- what do you consider a few?
15 A. I don't know. In -- in a three-year period,
16 four or five, six times maybe.
17 Q. Okay. Well, do you remember previously
18 testifying, too, that apparently the only two times you
19 ever got -- or only two to three times you ever got drugs
20 from George, too, correct?
21 A. Correct.
22 Q. So is it two to three, or four, five or six?
23 A. Ma'am, that was, what, almost three years ago,
24 two years ago. And I am having a hard time remembering
25 everything that you are asking me. But, yes, I was over

191

1 wanted to help them, correct?
2 A. They came to me and said that I was looking at
3 20 years and, yes, they wanted me to help them.
4 Q. Based upon the fact that you were looking at
5 20 years, right?
6 A. Yes.
7 Q. They made sure to tell you how much trouble
8 you were in, correct?
9 A. Oh, yes.
10 Q. All right. And Court's indulgence for just a
11 moment.
12 How many times have you been to the Kale
13 address?
14 A. I couldn't tell you exactly.
15 Q. Well, you testified about it before, correct?
16 A. Yeah, I have been over there a few times, yes.
17 Q. One was to talk about the fence, correct?
18 A. One was to talk about the fence.
19 Q. Nothing to do with methamphetamines, correct?
20 A. Nothing to do with meth.
21 Q. Now, when you sold George this gun, when and
22 where did that occur?
23 A. That occurred in his driveway.
24 Q. Okay. So you came over, correct?
25 A. Correct.

190

1 there a few times.
2 Q. Well, it's been -- it should be fresh in your
3 mind, though, correct? Because this is the whole thing
4 that has been weighing on you for the last two years
5 getting ready to -- or year and a half once you got
6 arrested, correct?
7 A. How would that be fresh on my mind?
8 Q. Okay. That's fair.
9 Now, do you know George's phone number?
10 A. Not right offhand. I have a problem
11 remembering numbers.
12 Q. Well, over two to three years, you said every
13 time you needed meth you called George, right?
14 A. Exactly. I pushed one button.
15 Q. Oh, okay. But you -- you --
16 A. I do not know his number.
17 Q. -- do not know his phone number?
18 A. No.
19 Q. And over those two to three times, you said --
20 or, excuse me, over those two to three years, you said that
21 you had -- you couldn't -- can't even remember how many
22 times that you got methamphetamine from -- from Hector,
23 correct?
24 A. No, I couldn't tell you how many times I got
25 it.

192

1 Q. Well, and -- and was February 2019 a -- a
2 common amount of times that you would be selling meth?
3 A. Excuse me, I don't understand what you are --
4 Q. Well, in February of 2019, you did at least 11
5 sales with --
6 A. Correct.
7 Q. -- Clinton Sandstrom, correct?
8 A. Correct.
9 Q. And so was that common? Was that amount
10 common?
11 A. Yeah, that was pretty common.
12 Q. And so over the past two to three years, if
13 you were getting your -- your methamphetamine from Hector
14 every time but twice, that's a lot of times, right?
15 A. True.
16 Q. You were also using methamphetamine, correct?
17 A. Correct.
18 Q. You still using methamphetamine?
19 A. No.
20 Q. When did you stop?
21 A. Little hard to get in jail. I went to jail
22 for over a year.
23 Q. Okay. And how many years did you use
24 methamphetamine?
25 A. Oh, on and off since I was 16.

193

1 Q. -- 2014 --
2 A. Yes, sir.
3 Q. -- you lost your house?
4 A. Yes.
5 Q. And where -- where was that house at?
6 A. On Last Chance Road in Elko.
7 Q. Okay. And when did -- when was it that you
8 moved out to Arthur Avenue?
9 A. About five, six years ago.
10 Q. Okay. And did you own the house out there?
11 A. No, I am living in my motorhome.
12 Q. All right. And -- and you never owned the
13 underlying property at Arthur Avenue?
14 A. No.
15 Q. And your motorhome does belong to you,
16 however?
17 A. Yes.
18 Q. Was anybody living there with you?
19 A. Not in my motorhome, no.
20 Q. But somebody was when you were --
21 A. My landlord lives on the property, yes.
22 Q. I'm sorry?
23 A. My landlord lives on the property, yes.
24 Q. Oh, I meant in the travel trailer.
25 A. No.

195

1 MS. DUNN: I have no further questions at this
2 time.
3 THE COURT: Cross-examination, Mr. Woodbury?
4 MR. WOODBURY: Thank you, Your Honor.
5 CROSS-EXAMINATION
6 BY MR. WOODBURY:
7 Q. Mr. Olsen, have you been a resident of Elko
8 County for a long period of time?
9 A. I have been in Elko County for 31 years.
10 Q. Theoretically, now you hear me better?
11 A. Yeah, I can hear you a lot better.
12 Q. Better hope I don't break into song.
13 A. I hope not.
14 Q. Where -- when did you move out to Arthur
15 Avenue?
16 A. I lost my house approximately five to six
17 years ago.
18 Q. Okay. Now, five to six years ago would have
19 been 2014, '15?
20 A. I believe so. I -- I couldn't be exact on
21 that without looking at paperwork.
22 Q. Well, I am not -- I'm not asking you to be
23 exact. I realize it's very hard to remember.
24 But roughly five or six years ago --
25 A. Yeah.

194

1 Q. Nobody lives with you or ever has?
2 A. No.
3 Q. Okay. Was there a time that this Sandstrom
4 guy lived out where you lived --
5 A. Yes.
6 Q. -- on Arthur Avenue?
7 A. As a matter of fact, I -- I helped him get a
8 place to park his trailer on the property.
9 Q. Do you have any idea when that was?
10 A. I really couldn't tell you. It was after I
11 moved in, a year or so, year or two.
12 Q. Do you have any idea of how long Mr. Sandstrom
13 lived out there?
14 A. I would have to guess. I -- I really couldn't
15 tell you.
16 Q. Okay. And did Mr. Sandstrom live out there
17 alone?
18 A. No, he lived with a girlfriend.
19 Q. She was out there with him?
20 A. Yes, they had a camp trailer on the property.
21 Q. A camp trailer?
22 A. Yes.
23 Q. Okay. And do you know how it came to pass
24 Mr. Sandstrom moved away or wasn't living out there
25 anymore?

196

1 A. Apparently from -- he -- he was arrested on --
2 on some drug charges or something and went to jail.
3 Q. And that's -- up to that point, he was living
4 out there by you?
5 A. Yes.
6 Q. And then he got arrested and went to jail?
7 A. Yes.
8 Q. Okay. And did the girlfriend stay?
9 A. Yes.
10 Q. And when was the next time that you saw
11 Clinton Sandstrom?
12 A. Oh, it was in -- I believe it was in either
13 the end of January '19 or early February when I saw him.
14 Q. Okay. And that would be 2019?
15 A. Yes.
16 Q. Okay. And how did -- how did you come to see
17 him again?
18 A. He came to the property.
19 Q. And by himself?
20 A. No, he had a couple of friends with him.
21 Q. And was there some kind of discussion between
22 you -- I don't want to know what the discussion was, but
23 was there just a discussion or --
24 A. Oh, I shook his hand and said I was glad to
25 see him out of jail.

197

1 Q. You have kind of forgotten what you paid?
2 A. Well, I was paying about \$400 an ounce.
3 Q. And you were selling it for -- you don't
4 recall?
5 A. About 4, 450 an ounce.
6 Q. Oh, you were buying it for 400 and selling it
7 for 400?
8 A. To my friends, yes.
9 Q. To your friends?
10 A. Yes. I considered Mr. Sandstrom a friend at
11 the time.
12 Q. I want to talk about that gun here for a
13 minute that has been introduced into evidence.
14 That gun was sold to Mr. Ruiz sometime in two
15 thousand what? Do you have any idea?
16 A. I believe it was '19.
17 Q. 2019?
18 A. 2019, yeah.
19 Q. And was Mr. Ramirez present when you sold the
20 gun to Mr. Ruiz?
21 A. No.
22 Q. Did you have some hunch that somehow
23 Mr. Ramirez came into possession of that gun ever?
24 A. I don't know what George did with it after I
25 sold it to him.

199

1 Q. Okay. And did you make some kind of
2 arrangements or did he ask you to do something for him?
3 A. Not that I know of.
4 Q. Okay. Well, if I understand, it -- it came to
5 pass that you were selling drugs to Mr. Sandstrom?
6 A. Yes.
7 Q. And that was about that time that it started,
8 right?
9 A. Yes.
10 Q. How did that start up?
11 A. He came over to my house one night and asked
12 if I could get him some.
13 Q. And up to that point, you hadn't -- you had
14 never sold Mr. Sandstrom drugs?
15 A. Yes, I had before he went to jail.
16 Q. And that would have been back in 2015 or so?
17 A. I'm not sure, sir.
18 Q. All right. And what kind of offer did
19 Mr. Sandstrom make to get drugs from you?
20 A. There was no offer. There was a price. You
21 pay the price, I pick it up, and I give it to him.
22 Q. And the price was how much?
23 A. At the time, I -- I am not real sure.
24 Q. You have kind of forgotten?
25 A. What is that?

198

1 Q. Was Mr. Ruiz -- well, you knew at that time
2 that Mr. Ramirez lived out at the residence of Mr. Ruiz?
3 A. Yes.
4 Q. Did you know where he lived on the residence?
5 A. He had a camp trailer right there in the
6 driveway.
7 Q. Can you describe the camp trailer?
8 A. It's a -- I don't know, about a -- I would say
9 maybe 15-, 16-foot camp trailer, your basic camp trailer.
10 Q. And how did you know where Mr. Ramirez lived?
11 A. Because I had seen him there.
12 Q. I'm sorry?
13 A. I had seen him there previously.
14 Q. In -- in the camp trailer?
15 A. Yes.
16 Q. At least maybe going into the camp trailer?
17 A. Yeah, and coming out, saying hi, you know.
18 Q. You had never been in it?
19 A. I -- I think I went in his trailer maybe once,
20 twice.
21 Q. And then you discussed on direct examination a
22 time when Mr. Ruiz came down to your place to a yard sale?
23 A. I'm sorry, I can't hear you.
24 Q. This is not the first time we have had this
25 problem.

200

1 You mentioned on -- in previous testimony that
2 there was a time when Mr. Ruiz came down to your house
3 to -- to a yard sale?
4 A. I'm sorry, I didn't hear that.
5 Q. Just hang on a minute.
6 A. Okay.
7 Q. You mentioned on prior testimony today that
8 there came a time when Mr. Ruiz came down to your house to
9 a yard sale?
10 A. Yes, sir.
11 Q. All right. Was Mr. Ruiz alone at that time?
12 A. No, Hector was with him.
13 Q. Well, do you remember previously you testified
14 that Hector wasn't there?
15 A. No, I believe he was there, but I -- that was
16 a lot of years ago. That was one day in a lot of years
17 ago.
18 Q. And a lot of years ago, that would have been
19 in 2019?
20 A. No. That was prior to that. I wasn't living
21 at Arthur. I was living on Last Chance Road.
22 Q. Oh, the yard sale was at Last Chance?
23 A. Yes.
24 Q. Oh, so it had to be 2014 or 2015, right?
25 A. Yes, approximately, yes, sir.

201

1 you repeating conversations.
2 A. I -- I understand that. But it was the only
3 way I could explain.
4 Q. Okay. Well, if I do that to you again, what
5 you should say is, "I can't tell you without telling you
6 what a conversation was."
7 A. I understand, sir.
8 Q. And somehow or another, you had become
9 acquainted with Mr. Ruiz about that time or shortly before?
10 A. Yes.
11 Q. Okay. And up to that point, you -- had you
12 known Hector before?
13 A. I don't believe I had met him before -- before
14 I -- he was up at my house.
15 Q. Okay. And there -- it seemed like there was a
16 point at which you had a conversation about that having
17 taken place where somehow or another the Mexican cartels
18 and somebody's membership in the cartels had come up?
19 A. I was told that by a third party, and I can't
20 even remember who said that.
21 Q. And can you --
22 MS. DUNN: And again, Your Honor, I would move
23 to -- I would move to strike as to hearsay.
24 Q. The answer to the question posed was, had that
25 come up, had somebody mentioned it. And your answer would

203

1 Q. Or -- or maybe before?
2 A. Yeah.
3 Q. Ah. And how -- how had you come to know
4 Mr. Ruiz prior to that?
5 A. Another guy that used to sell for them told me
6 that he knew some people that would come over that had a
7 lot of --
8 MS. DUNN: I'm going to object as hearsay,
9 Your Honor.
10 THE WITNESS: Well, that's the only way I can
11 tell you.
12 THE COURT: All right. There was an objection.
13 Response?
14 MR. BARAINCA: State doesn't have a response.
15 Submits.
16 THE COURT: All right. Any response,
17 Mr. Woodbury?
18 MR. WOODBURY: None.
19 THE COURT: Okay. That is sustained.
20 Court may -- jury is directed to disregard the
21 answer. Thank you.
22 Next?
23 MR. WOODBURY: Thank you.
24 Q. (By Mr. Woodbury) Well, the point is, that
25 they are making here, Mr. Olsen, is that they don't want

202

1 be -- no, I didn't ask if somebody mentioned it.
2 But the question about somebody -- about the
3 Mexican cartels had come up, just yes or no?
4 THE COURT: Well, do you have a response to the
5 objection?
6 MR. WOODBURY: I don't. I --
7 THE COURT: Okay. So move to strike I guess the
8 last answer?
9 MS. DUNN: Yes, Your Honor.
10 THE COURT: Any objection to that?
11 MR. BARAINCA: No, Your Honor.
12 THE COURT: Hearing none, the Court will grant
13 that motion.
14 The last answer is stricken. The jury is
15 directed to disregard that.
16 Next question, please.
17 Q. (By Mr. Woodbury) All right. And had you had
18 any discussions with Hector about that?
19 A. No.
20 Q. But your state of mind was, was it not, that
21 when you were talking with Mr. Loreman and the district
22 attorney and the -- Detective Gaylor the last time, you
23 were concerned about your safety from the cartels, right?
24 A. I was, yes. Because of that statement, yes.
25 Q. I'm sorry?

204

1 A. Yes, because of that statement, yes, I was
2 worried about myself.
3 MS. DUNN: Your Honor --
4 THE COURT: Well, that goes to state of mind;
5 does it not?
6 MR. WOODBURY: It seems clearly a state-of-mind
7 question to me.
8 THE COURT: All right. Do you want a limiting
9 instruction on that? That is what I am inclined to do
10 this.
11 MS. DUNN: Please, Your Honor.
12 THE COURT: Any objection to that from the State?
13 MR. BARAINCA: No, Your Honor.
14 THE COURT: All right. Look, this is another
15 limiting instruction, ladies and gentlemen.
16 Mr. Olsen is talking about a statement that was
17 made to him.
18 That is not coming in for its truth and the jury
19 cannot consider it for its truth. It's simply coming in
20 to -- it's relevant as to Mr. Olsen's state of mind and why
21 he is thinking along the lines that he is testifying about.
22 Whether this is entitled to weight or not, that's
23 up to you because you are the fact finder and you weigh the
24 evidence.
25 Thank you.

205

1 my heart to try and keep me alive.
2 Q. Do you -- do you know of your own personal
3 knowledge when Hector started to stay in the trailer out
4 there at Kale Drive?
5 A. Excuse me, I didn't hear all of that.
6 Q. I'm sorry. Do you -- do you know when Hector
7 went out and started living at Kale Drive?
8 A. No, I don't.
9 Q. And when is the first time that you became
10 aware that he was living out at Kale Drive?
11 A. Oh, one of the times when I went over there.
12 He came out of the trailer, and he said hi, showed me his
13 trailer.
14 Q. Okay. And that would have been --
15 A. Here we go again with dates. Sir, I couldn't
16 tell you.
17 Q. You can't even give me a range?
18 A. I could not tell you the dates.
19 Q. A range of years, you can't even give me?
20 A. Approximate. I can give you approximately.
21 Probably about three years ago. Well, four years ago now.
22 I have been in jail over a year.
23 Q. So four years would be January 2020, 2019,
24 2018?
25 A. Approximately, yes.

207

1 All right. Next question, please.
2 Q. (By Mr. Woodbury) While you were in jail,
3 were precautions taken based on your fear of something
4 happening -- bad happening to you?
5 A. Well, yes, I was kept isolated for almost
6 probably 11 months out of the 13.
7 Q. Okay. And the isolation was to keep you out
8 of --
9 A. I have no idea. That was all the D.A.
10 Q. Ah, it wasn't you?
11 A. No, it wasn't me. Well, I -- I mentioned it,
12 and they took care of it.
13 Q. Okay. And I don't want to know an address.
14 Are you living in Elko now?
15 A. Yes, sir.
16 Q. Okay. And are you employed?
17 A. No, sir.
18 Q. Are -- do you have physical problems that keep
19 you from physical labor of some sort?
20 A. Presently, yes, sir.
21 Q. I'm sorry?
22 A. Presently, yes.
23 Q. What is the problem?
24 A. I have got a real bad heart. I'm wearing a
25 heart monitor now. They are trying to do some things with

206

1 Q. Okay. And were you acquainted or were you
2 aware of what Hector was doing to make a living?
3 A. That's how I met Hector.
4 Q. Huh?
5 A. That is how I met Hector, was buying
6 methamphetamine.
7 Q. At that time?
8 A. You keep going to dates, and I cannot
9 remember, sir.
10 Q. And your purchase of methamphetamine from
11 Hector would -- would begin with a phone call not to Hector
12 but to someone else, and then --
13 A. Right. And they would send him over.
14 Q. All right. And did you draw a conclusion from
15 that that Hector was an employee of some sort?
16 A. Yes. That's what I understood, yeah.
17 Q. And the transactions that you had with Hector,
18 were they extended, long -- long conversations, anything
19 like that?
20 A. Not usually, no.
21 Q. All right. And -- well, and they were cash
22 transactions?
23 A. Yes.
24 Q. Any credit involved?
25 A. No.

208

1 Q. And how did -- to the extent you remember, how
2 did Hector get to your house?
3 A. He would come over in a vehicle, on the
4 four-wheeler or in a pickup or whatever.
5 Q. Sometimes it varied. And did you know whose
6 four-wheeler and pickup they were?
7 A. I have no idea.
8 Q. Any other automobiles he came over in?
9 A. What is that?
10 Q. Any other kind of transportation or
11 automobiles he came over with?
12 A. Not that I recall.
13 Q. All right. Just the four-wheeler and the
14 pickup?
15 A. Four-wheelers and pickups, yeah.
16 Q. I'm sorry?
17 A. Four-wheelers and pickup, yeah.
18 Q. A single pickup?
19 A. Yeah, I believe so.
20 Q. Okay. Can you describe the four-wheeler?
21 A. Not really. I -- I don't pay attention to
22 those things.
23 Q. Okay. Did -- and you never saw Hector do
24 anything with that gun that -- that you sold?
25 A. Never saw it in his hands.

209

1 A. Correct.
2 Q. And do you remember testifying at that point
3 in time when asked about how long ago your interactions
4 were with Mr. Ruiz that -- do you remember testifying that
5 it was one and a half to two years?
6 A. Yeah, approximately, one and a half, two
7 years, two to three years, yeah, right in there.
8 Q. Prior from that date? Well, prior to your
9 testimony, your previous testimony?
10 A. Yes.
11 Q. Does that sound about right?
12 A. Yeah, that sounds about right.
13 Q. Now, is it your understanding, if I -- based
14 on your testimony with Ms. Dunn, that the -- the charge
15 that you are -- that you still are being sentenced on is
16 still associated with trafficking in methamphetamine?
17 A. Yes.
18 Q. Now, you also testified about being
19 interviewed by law enforcement and members of the District
20 Attorney's office.
21 Did that occur before you even entered into
22 that deal?
23 A. Yes.
24 MR. BARAINCA: State will pass the witness.
25 THE COURT: Any recross-examination?

211

1 Q. Okay. Thank you.
2 MR. WOODBURY: I don't have anything further.
3 THE COURT: Redirect?
4 REDIRECT EXAMINATION
5 BY MR. BARAINCA:
6 Q. Sir, could you please describe George's
7 property?
8 A. There was a white pipe fence, a brand-new
9 doublewide trailer. As you drive in the driveway, there
10 were some horses on the right-hand side. And then there
11 was the building where he would go in and get the meth, and
12 his chickens were in there, I guess.
13 Q. Were -- was Hector's trailer somewhere near --
14 near any of those buildings?
15 A. On the one side of the chickens.
16 Q. Was it your understanding that George lived in
17 the doublewide?
18 A. Yes.
19 Q. Now, you testified with Ms. Dunn that you
20 remember testifying at a previous hearing on April -- on
21 April 30, 2020; is that correct?
22 A. What was that now?
23 Q. So when -- Ms. Dunn asked you questions
24 regarding your previous testimony on April 30, 2020; is
25 that correct?

210

1 MS. DUNN: Yes, Your Honor.
2 Court's indulgence for just a moment?
3 THE COURT: Of course.
4 MS. DUNN: Thank you.
5 RECROSS-EXAMINATION
6 BY MS. DUNN:
7 Q. Mr. Olsen, again, you previously stated that
8 you recall testifying at a motion hearing prior in this
9 case, correct?
10 A. Correct.
11 Q. And you were under oath at that time, correct?
12 A. Correct.
13 Q. Do you recall previously being asked, "How do
14 you guys work together for getting the meth," talking about
15 you and Mr. Ramirez?
16 Do you remember being asked those types of
17 questions, how it worked?
18 A. Yes, I believe so.
19 Q. And do you recall testifying that you would
20 order it, and he was the one that usually brought it?
21 A. Yes.
22 Q. And then -- you were then asked about whether
23 or not you knew Mr. Jorge Ruiz.
24 Do you remember those types of questions?
25 A. Yes, I -- I didn't know him by Jorge, by --

212

1 Q. George, right?
2 A. Yeah.
3 Q. Correct.
4 And do you recall testifying that, yes, that
5 you had met him before?
6 A. Yes, at my -- at my yard sale.
7 Q. Right. And then somebody asked whether or not
8 you dealt with him in person.
9 Do you remember that?
10 A. Yes.
11 Q. And ultimately someone asked you -- I believe
12 it was the State -- they asked you, how would you get --
13 when you would place the order for the methamphetamine, you
14 would get the methamphetamine from Hector, correct?
15 A. Correct.
16 Q. And then someone asked you if you -- if you
17 knew where the methamphetamine was coming from?
18 A. As far as I knew, Osino.
19 Q. Right. But you remember saying, well, yeah,
20 you thought you knew, or you didn't know right away, but
21 then, you know, somehow you found out that -- or you
22 thought you found out that it was coming from George?
23 A. I -- yeah, I -- you're -- I don't understand
24 how you are -- what you are asking me.
25 Q. Well, what I am asking is, is do you recall --

213

1 Q. Oh, no, no, no.
2 A. -- precisely.
3 Q. But -- but you stated that you suspected you
4 knew where it was coming from, but you didn't know for
5 quite a while.
6 A. True.
7 Q. And so if you didn't know where it was coming
8 from, again, if you called George and not Hector, how would
9 you not know?
10 A. How would I not know?
11 Q. You said you didn't know where it was coming
12 from for quite a while. And they were asking you about
13 George.
14 A. Because I was on the phone. How -- how am I
15 supposed to know where that phone call is going?
16 Q. Well, you said that you called George.
17 A. Exactly. I called George. Another voice on
18 the phone, on the other end. How am I supposed to know
19 where he is at?
20 Q. All right. Now, many times during not only
21 your interview with the officers but also in your
22 testimony, many times people asked you how it worked, where
23 you said -- you know, how does it work? You said, "Place
24 an order, Hector's comes and delivers it."
25 Never once did you testify previously that you

215

1 and I'm trying to get to the exact question here. Let me
2 get to the exact question.
3 So somebody asked you -- I'm sorry, Court's
4 indulgence.
5 So, again, the State was asking you about how
6 you and Mr. Ramirez or Hector worked these deals out, where
7 you would order it and he would usually buy it -- or
8 brought it.
9 We talked about that, correct?
10 A. Yes.
11 Q. And then they -- the State asked you, "Do you
12 know where he would bring the methamphetamine from?"
13 A. It was my understanding Osino.
14 Q. And do you recall that you, in response to
15 that question, you stated -- and tell me if you recall
16 this -- that you suspected that you knew where it was
17 coming from. Your exact quote is, "I suspected, but yeah,
18 I didn't know for quite -- I didn't know for a fact for
19 quite a while."
20 A. True.
21 Q. Okay. Well, if you called George every time,
22 how would you not know it was coming from him, if that's
23 your claim?
24 A. All I knew that it was coming from George from
25 Osino. I did not know where it was coming from --

214

1 called George. Why was that?
2 A. I have no clue as to why.
3 Q. You never told --
4 A. Nobody asked me precisely where Hector was
5 getting it.
6 Q. Well, people asked you how you were getting
7 it, how -- how would it work.
8 A. Made a phone call, Hector brought it.
9 Q. Right. Never once did you say that you were
10 calling George, correct?
11 A. Never once did I say that?
12 Q. I am saying you have never previously
13 testified that you called George, and you didn't tell the
14 officers that you called George, correct?
15 A. That's the phone call that I made.
16 Q. Okay. What I am asking you, Mr. Olsen, is, is
17 there a reason why you never said that the phone call you
18 were making was to George?
19 A. Apparently, no one asked me.
20 Q. Okay. And this is the first time you are
21 testifying about it or telling anybody that that is how you
22 would do it, correct?
23 A. I believe so, yeah.
24 Q. And -- and you are saying that is because
25 nobody ever asked you the precise question?

216

1 A. Right.
2 Q. Even though -- you do admit people asked you,
3 "So how does it work," correct?
4 A. Yes, and I told them exactly how it worked.
5 Q. Well, you didn't, though, did you?
6 A. But I did. I make a phone call, he apparently
7 called Hector, Hector brought it to me.
8 Q. Well, that's not the way you explained it,
9 though, correct?
10 MR. BARAINCA: Your Honor, I'm going to object at
11 this point. It's starting to get argumentative.
12 MS. DUNN: Your Honor, it's cross-examination.
13 THE COURT: It's overruled.
14 A. I don't understand what you are trying to get
15 at here.
16 Q. (Ms. Dunn) Mr. Olsen, it's your testimony
17 today that -- today is the first time that you have ever
18 either testified or in any interview you did, first time,
19 that you called George to get methamphetamine delivered to
20 you, correct?
21 A. That's the way it worked. And if I explained
22 it at all, that's the way I explained it.
23 Q. Okay. So you are saying you did explain it to
24 people before, that you called George?
25 A. To people? To --

217

1 this month, correct?
2 A. Approximately, yes.
3 Q. All right. And part of your agreement is that
4 if you don't fulfill your obligation about testifying in
5 this trial, that you would not get this plea agreement,
6 correct?
7 A. Correct.
8 Q. The State asked you -- Mr. Barainca asked you
9 if you remember having a conversation with the officers
10 prior to you making a deal.
11 A. Prior? Yes.
12 Q. Right?
13 A. Yes.
14 Q. That you agreed to talk to them before you
15 even had a deal?
16 A. Yes. The district attorney, I believe, and
17 the assistant district attorney, and Officer Gaylor, my
18 lawyer, Dave Loreman. I believe that is all that was in
19 there. They came and asked me a bunch of questions. There
20 was no deal on the table at all.
21 Q. All right. And -- but you did know that your
22 attorney was trying to get you a deal, correct?
23 A. Yes.
24 Q. Correct?
25 A. Correct.

219

1 Q. To the judge last time you testified, did you
2 testify when -- when somebody asked you, tell me how it
3 works, when they asked, "So what was it -- Mr. Hector
4 Ramirez', I guess, role in the selling of the meth? How
5 did you guys work together for that?"
6 Do you want to know what your answer was?
7 A. Yeah.
8 Q. Okay. Do you recall that your answer was, "I
9 ordered it and usually he brought it," correct?
10 A. Correct.
11 Q. That was your order -- that was -- do you
12 recall that was your testimony?
13 A. I believe so, yes.
14 Q. All right. Nowhere in there do you say, "I
15 made a phone call to George and Hector delivered it."
16 A. No, I said "I made a phone call and Hector
17 brought it."
18 Q. You said, "I ordered it and Hector brought
19 it."
20 A. That's -- that's it, yes.
21 Q. So it just wasn't important at the time to
22 mention that it was Hector -- or that it was George you
23 were calling?
24 A. Nobody asked me, apparently.
25 Q. Now, you are going to be sentenced the end of

218

1 Q. And so even at that time, even though you
2 didn't have a deal on the table and you had that
3 conversation with them, you were trying to get a deal?
4 A. Correct.
5 Q. Okay.
6 A. I don't have 20 years to give to anybody.
7 Q. And at that hearing -- or at that meeting, do
8 you recall telling anyone at that time that you would call
9 George and Hector would deliver it?
10 A. I don't recall all the conversations, no.
11 Q. You don't recall ever telling anyone before
12 that it was George that you called, correct?
13 A. I don't recall that, no. It's over a year
14 ago.
15 MS. DUNN: I have no further questions.
16 THE COURT: All right. It is 3:30. So we'll go
17 ahead and take a recess.
18 Rule of exclusion is invoked, Mr. Olsen. So I
19 want to remind you, while the trial is going on -- and we
20 expect it to go on for a couple more weeks -- do not
21 discuss this case or your testimony with anyone else.
22 THE WITNESS: Yes, sir
23 THE COURT: With the exception of the attorneys
24 here, Mr. Mills, Mr. Barainca, Mr. Woodbury and Ms. Dunn.
25 Okay?

220

1 Ladies and gentlemen -- then you got to stick
2 around because there is more questions for you today, okay.

3 THE WITNESS: (Nods head)

4 THE COURT: We're going to take a 15-minute
5 recess.

6 Ladies and gentlemen of the jury, please do not
7 converse amongst yourselves or with anyone else on any
8 subject connected with the trial. Do not read, watch or
9 listen to any report or commentary on the trial or any
10 person connected with the trial by any medium of
11 information, including, without limitation, newspapers,
12 television, radio or the Internet.

13 And do not form or express any opinion on any
14 subject connected with the trial until the cause is finally
15 submitted to you.

16 You may not use any electronic device or media,
17 such as the telephone, a cell phone, smartphone, iPhone,
18 Galaxy, or computer, the internet, any internet service,
19 any text or instant messaging service, any internet chat
20 room, blog, or website such as Facebook, Instagram,
21 LinkedIn, YouTube or Twitter, to communicate to anyone any
22 information about this case until I accept your verdict.

23 In other words, you cannot talk to anyone on the
24 phone, correspond with anyone, or electronically
25 communicate with anyone about this case.

221

1 So counsel will stipulate to the presence of the
2 jury and the alternates?

3 MR. MILLS: Yes, Your Honor.

4 MR. WOODBURY: Yes.

5 MS. DUNN: So stipulated.

6 THE COURT: All right. We left on
7 cross-examination, I believe.

8 Mr. Woodbury, we're going to cross-examination
9 with you. I think Ms. Dunn had finished up and we were
10 with you.

11 MR. WOODBURY: We were, Your Honor.

12 I had a conversation with Mr. Olsen during the
13 break and he has extraordinarily difficult physical
14 problems and I am not going to cross-examine him anymore.

15 THE COURT: Okay.

16 THE WITNESS: Thank you.

17 THE COURT: Well, I will remind him, he is under
18 oath, in case he goes on redirect then.

19 Any redirect?

20 MR. BARAINCA: We were on recross, Judge. He is
21 going to be done right now. I have already done redirect.

22 THE COURT: That's right. This was recross.

23 MR. BARAINCA: Yes.

24 THE COURT: It would help if I read my notes.

25 It has been a long day. I was thinking

223

1 Also, jurors shall not conduct any form of
2 independent research, investigations, or experiments prior
3 to or during jury deliberations.

4 This prohibition includes, but is not limited to,
5 communicating with anyone in any way regarding the case or
6 its merits, by phone, e-mail, texting, the internet, or
7 other means; reading, watching or listening to any news or
8 media accounts or commentary about the case; doing any
9 research such as consulting dictionaries, using the
10 internet, or using reference materials; and making any
11 investigation, testing a theory of the case, re-creating
12 any aspect of the case, or in any other way investigating
13 or learning about the case on one's own.

14 All right. Court's in recess.

15 (Recess taken at 3:33 p.m.)

16 (Proceedings resumed at 4:20 p.m.)

17 THE COURT: We're back on the record for cases
18 CR-FP-19-2456 and 2465.

19 State versus Ramirez-De La Torre and Jorge
20 Landeros Ruiz.

21 And we have those gentlemen in court with their
22 respective attorneys and the Court's previously sworn
23 interpreters assisting them.

24 And also deputy district attorneys Mills and
25 Barainca are here.

222

1 about another issue.

2 Well, any jury questions for Mr. Olsen?

3 Mr. Olsen is held subject to recall, I take it?

4 MR. BARAINCA: Yes, Your Honor.

5 THE COURT: You are held subject to recall. And
6 really what that means is we have got two more weeks of
7 trial, Mr. Olsen. It's not over until the two Fridays from
8 now. Today is Friday.

9 THE WITNESS: Okay.

10 THE COURT: So two more weeks, figure that.

11 No discussing this case or your testimony while
12 the trial is going on, with the exception of the deputy
13 district attorneys there and the two defense lawyers.

14 Mr. Loreman is his lawyer. I assume he could
15 speak with Mr. Loreman, certainly, about his testimony.
16 Those are confidential communications at that point.

17 But keep that in mind. Thank you, sir. Go ahead
18 and put your mask on and step down, please.

19 Next witness, please?

20 MR. MILLS: Clinton Sandstrom.

21 THE COURT: All right.

22 Sir, please just lower your mask. We'll have you
23 lower that during your testimony.

24 That's fine right there, I think.

25 Please raise your right hand, we'll have you

224

1 sworn in.
2 (WHEREUPON, the witness was sworn)
3 THE COURT: All right. Have a seat, please, sir.
4 The microphone will help amplify your voice. If
5 you are a faster talker, please try slow it down a little
6 bit so that we can understand you.
7 The court reporter needs to take down your
8 testimony and the lawyers need to hear you. So does the
9 jury, of course. And the defendants need to hear you. And
10 they are being assisted by interpreters, as you can see.
11 So please do that.
12 Mr. Mills, please proceed.
13 CLINTON SANDSTROM
14 called as a witness in said case, having been first
15 duly sworn, testified as follows:
16 DIRECT EXAMINATION
17 BY MR. MILLS:
18 Q. Good afternoon, Mr. Sandstrom.
19 A. Good afternoon.
20 Q. Would you please state and spell your first
21 and last name, please, for the court.
22 A. Clinton Sandstrom. C-l-i-n-t-o-n
23 S-a-n-d-s-t-r-o-m.
24 Q. And, Mr. Sandstrom, I want to direct your
25 attention back to the month of February and the month of

225

1 cooperating with the narcotics detectives with regards to
2 your own case?
3 A. Yes.
4 Q. And what kind of benefit do you recall that
5 that was?
6 A. Well, at the time, it wasn't actually put in
7 place yet. I just knew that I would get some consideration
8 on my case at that time.
9 Q. And there had been discussions of a -- of a
10 plea agreement, correct?
11 A. Yes.
12 Q. Where the charges would be reduced, and by
13 virtue of that, and also because of your cooperation with
14 the narcotics detectives, you would be eligible for
15 probation?
16 A. Yes.
17 Q. Does that sound correct?
18 A. (No audible response)
19 Q. And do you also remember --
20 THE COURT: I'm sorry, the answer was?
21 THE WITNESS: Yes.
22 MR. MILLS: Okay.
23 THE COURT: Next -- okay. Next question, please.
24 Q. And eventually you testified at the
25 preliminary hearing, correct?

227

1 March from 2019.
2 I guess right around that time or a little bit
3 before that, did you get into some criminal trouble?
4 A. Yes.
5 Q. For selling some methamphetamine?
6 A. Yes.
7 Q. And were you prosecuted for that?
8 A. Well ---
9 Q. Well, let me clarify that.
10 Were you arrested at some point in time on
11 charges of selling methamphetamine?
12 A. Yes.
13 Q. And after you were taken into custody, did you
14 meet with detectives from the -- I guess the narcotics
15 detectives?
16 A. Yes.
17 Q. And did you agree to cooperate with them?
18 A. Yes.
19 Q. And were you appointed an attorney in your
20 criminal case?
21 A. Yes.
22 Q. Was that Mr. Macfarlan?
23 A. Yes.
24 Q. And was it your understanding that -- that you
25 would get some -- some benefit from the cooperating for --

226

1 A. Yep. Yes.
2 Q. And at that point in time, there wasn't a
3 signed or filed plea agreement yet in your criminal case;
4 is that correct?
5 A. Yes.
6 Q. And do you recall, at the time of your
7 preliminary hearing, you were granted immunity by the State
8 to testify in this case?
9 A. Yes.
10 Q. And is it your understanding that pursuant to
11 that immunity, that your charges from that case will
12 eventually be dropped?
13 A. Yes.
14 Q. And then just one more thing before we get
15 into the -- the facts of this case.
16 Recently, did you pick up a new criminal
17 case?
18 A. Yes.
19 Q. It involved, I think, a gun and some
20 methamphetamine; is that correct?
21 A. Yes. But the gun itself was my girlfriend's.
22 THE COURT: All right. Look. We are just
23 talking about the charges at this point, right.
24 MR. MILLS: Yeah. And I don't want to get into
25 whether you, in fact --

228

1 THE COURT: He has the right to remain silent
2 and --
3 MR. MILLS: Yeah.
4 Q. (By Mr. Mills) Were you charged with --
5 originally, initially, with a gun and with the meth?
6 A. Yes.
7 Q. And you reached a plea agreement in that case,
8 correct?
9 A. As far as -- as far as I am -- my
10 understanding what is -- that, yes, we -- I took a plea for
11 that.
12 Q. And that plea agreement didn't involve any
13 agreement to testify in this case; is that correct?
14 A. No, it doesn't.
15 Q. Did your attorney speak to you about the State
16 recommending probation because of your concern about
17 testifying in this case?
18 A. I -- I -- come again.
19 Q. Did your -- is your attorney in that case Dave
20 Loreman?
21 A. Yes.
22 Q. Okay. Did he talk to you about the State
23 agreeing to recommend probation in your new case out of
24 consideration for your concern about testifying in this
25 case?

229

1 certainly done -- done their allotted duty here today. And
2 I appreciate your time and attention.
3 I have been watching -- I don't try to stare down
4 the jury, but I make sure you are paying attention, looking
5 at the witnesses and lawyers and all the rest of it.
6 Certainly it has been a longer day. So why don't
7 we go ahead and take a break for the jury.
8 Please do not converse amongst yourselves or with
9 anyone else on any subject connected with the trial. Do
10 not read, watch or listen to any report or commentary on
11 the trial or any person connected with the trial by any
12 medium of information, including, without limitation,
13 newspapers, television, radio or the Internet.
14 And do not form or express any opinion on any
15 subject connected with the trial until the cause is finally
16 submitted to you.
17 You may not use any electronic device or media,
18 such as the telephone, a cell phone, smartphone, iPhone,
19 Galaxy, or computer, the internet, any internet service,
20 any text or instant messaging service, any internet chat
21 room, blog, or website such as Facebook, Instagram,
22 LinkedIn, YouTube or Twitter, to communicate to anyone any
23 information about this case until I accept your verdict.
24 In other words, you cannot talk to anyone on the
25 phone, correspond with anyone, or electronically

231

1 A. Yes, that was a determining factor for -- for
2 me to take the plea agreement because if I go to prison
3 that they'll probably kill me there.
4 THE COURT: Feel free to move the microphone
5 closer to your -- to your face. It will slide in there for
6 you. The louder the better.
7 MS. DUNN: Your Honor, does he need -- does Mr.
8 Sandstrom need to be advised of his Fifth Amendment rights
9 since he does have pending charges?
10 THE COURT: Well, my understanding was that we
11 are at the point where -- what is the situation? I mean,
12 did -- are we talking about a plea has already been entered
13 or --
14 MR. MILLS: It has not been entered yet.
15 THE COURT: Okay.
16 MR. MILLS: There is a plea agreement in place
17 but there is no signed plea agreement and a plea has not
18 been entered yet.
19 THE COURT: Okay. Well, why don't we deal --
20 look, we have had a very productive day. We have gone --
21 we are now seven witnesses into this case. We got 15 on
22 the board. I realize some are going to be recalled, but I
23 think we have had a productive day. There has been a lot
24 of testimony here today.
25 And I think the jurors have put in their --

230

1 communicate with anyone about this case.
2 Also, jurors shall not conduct any form of
3 independent research, investigations, or experiments prior
4 to or during jury deliberations.
5 This prohibition includes, but is not limited to,
6 communicating with anyone in any way regarding the case or
7 its merits, by phone, e-mail, texting, the internet, or
8 other means; reading, watching or listening to any news or
9 media accounts or commentary about the case; doing any
10 research such as consulting dictionaries, using the
11 internet, or using reference materials; and making any
12 investigation, testing a theory of the case, re-creating
13 any aspect of the case, or in any other way investigating
14 or learning about the case on one's own.
15 Please be in the jury room at 8:30 in the
16 morning. The rest of us will stay here. We'll continue
17 on.
18 So please leave your pads on the chairs there and
19 the bailiff will pick those up.
20 Please just remain there at the witness stand,
21 sir. Thank you.
22 MR. WOODBURY: Your Honor, you said 8:30 in the
23 morning. I think --
24 THE COURT: Oh, I'm sorry, yeah. Where are we
25 at? Saturday is tomorrow.

232

1 Days get a little long for the judge, too, right.
2 It's the weekend. Of course you deserve to leave early.
3 My goodness, that should have been the main reason you were
4 out of here.

5 Yes. Thank you, Mr. Woodbury. Yes. And we are
6 not in session on Monday. Martin Luther King Day weekend
7 is this weekend. That's a regular county holiday. So we
8 are not in session on Monday.

9 Remember to be here Tuesday morning. And we do
10 have your phone numbers and maybe we can even send you a
11 reminder, as well.

12 But on -- but it is going to be Tuesday, the
13 19th, at 8:30 in the morning. Please be in the jury room
14 Tuesday, January 19.

15 Anything else, counsel?

16 Thank you, Mr. Woodbury.

17 MR. WOODBURY: No.

18 MR. MILLS: No.

19 THE COURT: All right. Court's in recess for the
20 jury.

21 (WHEREUPON, the jury left the courtroom)

22 THE COURT: Jury and the alternates have departed
23 our courtroom.

24 Okay.

25 So anyway, this -- when is he supposed to be in

233

1 charges.

2 And so I was wondering if you could give him some
3 counsel on that maybe, if we take a break, and we could
4 figure out what we are going to do on Monday when he is
5 back here testifying.

6 MS. DUNN: Tuesday.

7 THE COURT: Or Tuesday. Thank you.

8 MS. DUNN: Been a long week.

9 MR. LOREMAN: Certainly, Your Honor.

10 THE COURT: Why don't we do that. We'll take a
11 break. See if we can go on the record, figure out where we
12 go from here, okay.

13 So Court's in recess.

14 You can go consult with your attorney, sir.

15 (Recess taken at 4:38 p.m.)

16 (Proceedings resumed at 4:50 p.m.)

17 THE COURT: All right. It looks like we are good
18 to go. We're back on the record for cases CR-FP-19-2456
19 and 2465. State versus Ramirez-De La Torre and Jorge
20 Landeros Ruiz.

21 They are back in court with their respective
22 attorneys and the Court's previously sworn interpreters
23 assisting them.

24 Also deputy district attorneys Barainca and Mills
25 are back to represent the State.

235

1 court and enter pleas; do you know, Mr. Mills?

2 MR. MILLS: I can look it up, Your Honor. My
3 recollection is that it's -- his arraignment is like in
4 March or something like that.

5 THE COURT: In March.

6 Is that your understanding, Mr. Sandstrom?

7 THE WITNESS: I haven't seen it.

8 MR. MILLS: His arraignment is currently set for
9 March 8 at 10:30.

10 THE COURT: March 8, 10:30 in the morning. Maybe
11 you are hearing that for the first time, but that sounds
12 like your arraignment date.

13 Well, one thing we could do is try to get Mr.
14 Loreman over here. I would like to get this accomplished
15 so we are not trying to get this done -- oh, he is here.
16 Okay.

17 Hi, Mr. Loreman.

18 MR. LOREMAN: Good afternoon, Your Honor.

19 THE COURT: Mr. Sandstrom here -- I think it came
20 up in the prosecutor's direct examination of your client,
21 it's my understanding you represent him in a live case
22 right now, came up that Mr. Sandstrom's got a plea bargain
23 in that case and he has got an arraignment in March.

24 And the lawyers have a concern that he -- I think
25 he mentioned a couple of things about the substance of the

234

1 David Loreman is here. He represents Mr.

2 Sandstrom who is on the witness stand. He is still under
3 oath, but we are outside the presence of the jury and
4 alternates.

5 So how does the State intend to go here? Just
6 not -- not get into the substance of the charges, and then
7 just ask him about his deal; is that it?

8 MR. MILLS: That's correct, Your Honor.

9 I had basically -- everything that I had already
10 done, I was done with that portion of his testimony.

11 And it's not the State's intent to delve into the
12 underlying facts of this new case or the substance of the
13 charges, but rather the fact of the charges and the deal
14 that he got.

15 And most relevant to this prosecution, the recent
16 further addition to that plea deal that the State made to
17 affirmatively recommend probation out of his concern of
18 going to prison due to his involvement in this case.

19 THE COURT: Okay.

20 MR. MILLS: So the State doesn't perceive any
21 criminal liability that would be elicited, because we are
22 not going to get into the substance of -- the facts of his
23 charges.

24 THE COURT: Okay. So is Mr. Sandstrom going to
25 answer these questions, Mr. Loreman?

236

1 MR. LOREMAN: Yes, Your Honor.
2 THE COURT: Those questions in that area?
3 MR. LOREMAN: Yes, Your Honor.
4 THE COURT: Okay. Well, of course, you get into
5 the situation where stuff is volunteered. But just Mr.
6 Loreman can give his client directions on that.
7 MS. DUNN, did you have anything on that?
8 MS. DUNN: No, Your Honor.
9 My concern, obviously, whenever -- I think that
10 Mr. Sandstrom started to give some details about the case.
11 But then also the fact that Mr. Sandstrom sounded not quite
12 as sure of the deal as the State did.
13 And so that was -- those are the two main reasons
14 that I brought up what I did.
15 THE COURT: Okay. And there has not been a plea
16 agreement executed, memorandum of plea agreement?
17 MR. LOREMAN: No, Your Honor.
18 THE COURT: Because this thing's not -- the
19 arraignment is not until March.
20 MR. LOREMAN: That's correct.
21 THE COURT: That makes sense.
22 Mr. Woodbury?
23 MR. WOODBURY: We are indifferent to the outcome,
24 Your Honor.
25 THE COURT: Okay. Well, you know, of course, Mr.

237

1 MS. DUNN: Your Honor, just briefly.
2 I know that you were going into what potential
3 cross-examination, what would be fodder for that.
4 The substance -- I am not talking about the
5 details of the case, but the fact that the new cases are
6 drug related?
7 THE COURT: Right.
8 MS. DUNN: I am assuming that we will be able to
9 go in that direction?
10 THE COURT: Well, I think so.
11 I mean, does he know what he was arrested on?
12 MR. LOREMAN: Yes, Your Honor.
13 THE COURT: Was he arrested without a warrant?
14 MR. LOREMAN: I would have to look at my file on
15 that one.
16 THE COURT: Okay. Just sometimes these guys get
17 arrested and they don't know what they were booked in on,
18 you know what I mean.
19 I think that -- that's fair.
20 But to answer questions about, well, what
21 happened that caused you to be arrested on these charges,
22 that's where I think he has the right to remain silent.
23 And I would give him that advice -- or tell him that. I am
24 not going to give him legal advice, but tell him that
25 admonishment about that. Which I think we've done.

239

1 Sandstrom has the right to remain silent.
2 Anything he says about the substance of that case
3 could be used against him.
4 That's the Court's concern. The State is not
5 going to go there.
6 He will -- and I don't think I would allow
7 cross-examination on the substance of the charges, like
8 what happened in the case that resulted in him, I guess,
9 being arrested and then prosecuted.
10 The fact of prosecution -- the fact of
11 resolution, that typically would come in. It sounds like
12 there is no objection to that.
13 Are you going to be here on Tuesday morning, Mr.
14 Loreman?
15 MR. LOREMAN: Your Honor, I -- I know I do have a
16 couple things that are going on Tuesday, but I can make
17 myself available.
18 THE COURT: My goal is to get started at 8:30 in
19 the morning.
20 And so, Mr. Sandstrom, you are going to have to
21 be here then on Tuesday morning, which is the 19th.
22 THE WITNESS: Okay.
23 THE COURT: No court tomorrow. No court Sunday.
24 No court Monday. Again, it's Tuesday the 19th at 8:30 in
25 the a.m. Be here and we'll finish up your testimony.

238

1 And Mr. Loreman can fill him in on any questions
2 he may have at this point.
3 MR. BARAINCA: Based on my recollection, Judge, I
4 did have -- I did observe some of what was going on with
5 the case. I don't believe he was arrested pursuant to a
6 warrant. I think it was a traffic stop.
7 MR. LOREMAN: I am thinking it was a traffic
8 stop.
9 MR. BARAINCA: Yeah.
10 THE COURT: There was a traffic stop? Okay.
11 MS. DUNN: Is there --
12 THE COURT: Then there is a PC sheet that is done
13 and reviewed by some JP somewhere and eventually he is
14 charged in a complaint with some crimes.
15 MR. BARAINCA: Right.
16 THE COURT: Okay.
17 MS. DUNN: Out of curiosity, I know that this
18 case is now set for a district court arraignment.
19 I understand that the plea agreement may or may
20 not be filed. But is there any reason why we couldn't have
21 a plea agreement in -- the substance of this agreement put
22 into a plea agreement? I mean --
23 MR. LOREMAN: Because I don't have the time right
24 now.
25 MS. DUNN: Okay.

240

1 THE COURT: Okay. Well, it hasn't been done.
2 I don't think I will order counsel to do it over
3 the weekend. It just has not been done and he has got
4 plenty of time to do it. I know of no authority for
5 ordering something like that, anyway.

6 So anyway, that's kind of where we're at. But
7 you know, he can still be questioned about his prospective
8 deal. I mean, he is going to have to understand that.
9 That's where these lawyers are going.

10 If Mr. Loreman has any questions, he can ask the
11 lawyers about -- in this case, representing these clients,
12 including the State of Nevada, about that.

13 So -- but, you know, I will jump in if I think I
14 have to. I just would like to get it figured out now so we
15 don't have to go there.

16 MS. DUNN: Your Honor, I have no intention on
17 going into the actual facts of the case. Just the charges.

18 THE COURT: Right, okay.

19 Well, he is definitely getting consideration from
20 the State here. And that's all fair game, you better
21 believe it. Mr. Mills recognizes that.

22 Now, as far as the limiting instruction on the
23 testimony that Mr. Olsen just gave, I mean, the Court did a
24 written order on that.

25 You can be excused, sir. We'll let you out of
241

1 from Jorge at the compound, was my understanding about what
2 the testimony was going to be.

3 It turns out that he came in and said, well, he
4 is the guy I would call and then Hector would deliver.

5 But at any rate, that was the testimony at trial.

6 All of this is -- cannot be considered for
7 propensity purposes. And to me, it's up to defense counsel
8 whether she wanted a limiting instruction on that.

9 She said at the break that -- ultimately
10 the tactical decision was not to have a limiting
11 instruction, right?

12 MS. DUNN: That's correct, Your Honor.

13 THE COURT: Okay. And there are various reasons
14 why counsel would not want limiting instructions. I have
15 seen places in this trial where I felt like maybe I should
16 give a limiting instruction. But again, I am not going to
17 do that unless seasoned defense counsel for both of these
18 gentlemen says, yeah, we want one on that, Judge.

19 You know, I was prepared to say, Mr. Olsen has
20 provided testimony that Mr. Ruiz participated in sales of
21 methamphetamine to Mr. Olsen on dates other than dates of
22 the offenses alleged in this case, and that may -- and the
23 jury could not consider that for propensity purposes; that
24 is, that Mr. Ruiz is a person who has the propensity to
25 commit crimes, to determine that he is a -- to consider
243

1 here.

2 THE WITNESS: Thank you.

3 THE COURT: Have a nice weekend.

4 THE WITNESS: You too.

5 THE COURT: Tuesday morning, 8:30, bright and
6 early.

7 THE WITNESS: Thank you.

8 THE COURT: Got to be here. Thanks.

9 Thanks, Mr. Loreman.

10 MR. LOREMAN: Should I stay?

11 THE COURT: Oh, of course.

12 So anyway, as far as Olsen's testimony -- well,
13 Mr. Loreman is his lawyer too -- the Court did a written
14 order on the offer of proof and the motion in limine. The
15 offer of proof was filed by the State. The motion in
16 limine was filed by Ms. Dunn

17 The Court resolved that in a written order. It's
18 part of the record. I think it was filed earlier this
19 month.

20 The Court permitted the testimony over defense
21 objection. I think clearly the defendant has an ongoing
22 objection to that. Mr. Ruiz did not want that to come in
23 for obvious reasons.

24 I disagreed with him. I permitted the testimony
25 from Mr. Olsen about his getting methamphetamine directly
242

1 whether he is a person of bad character.

2 And then I was going to limit it to basically
3 knowledge, and other permitted purposes in NRS 48.045(2).

4 But I can understand why sometimes counsel would
5 not want that.

6 And so I am honoring counsel's tactical decisions
7 in this trial.

8 Anything else?

9 MR. MILLS: Not from the State, Your Honor.

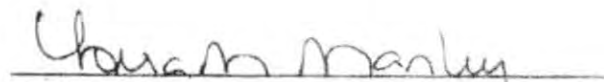
10 MR. WOODBURY: No, thank you, Your Honor.

11 MS. DUNN: No, Your Honor.

12 THE COURT: Okay. Defendants are remanded to the
13 jail. Have a nice weekend. Please be here at 8:15 Tuesday
14 morning. Thanks for correcting me, Mr. Woodbury.

15 (WHEREUPON, the trial adjourned at 5:02 p.m.)
16
17
18
19
20
21
22
23
24
25

1 STATE OF NEVADA)
2) SS.
3 COUNTY OF ELKO)
4 I, LISA M. MANLEY, Official Court Reporter of the Fourth
5 Judicial District Court, Dept. II, of the State of Nevada,
6 in and for the County of Elko, do hereby certify that I was
7 present in court during all the proceedings had in the
8 matter of the State of Nevada, plaintiff, versus
9 HECTOR HUGO RAMIREZ-DE LA TORRE and JORGE LANDEROS RUIZ,
10 defendants, heard at Elko, Nevada, on January 15, 2021, and
11 took verbatim stenotype notes thereof; and that the
12 foregoing 244 pages contain a full, true and correct
13 transcription of my stenotype notes so taken, and a full,
14 true and correct copy of all proceedings had.

15
16 

17 LISA M. MANLEY - CCR No. 271
18 OFFICIAL COURT REPORTER
19
20
21
22
23
24
25

< Dates >
April 30,
2020 210:21,
210:24
February 11
39:1, 51:25,
52:2, 52:16,
52:17, 53:20,
58:2, 59:12,
59:14, 59:23,
61:12, 63:14
February 11,
2019 51:13
February 2,
2019 8:21
February
2019 181:17,
193:1
February 25,
2019 131:23
February 27
12:9, 12:15,
13:24, 14:15,
15:8, 15:11,
16:5, 16:7,
19:8, 19:9,
27:15, 28:1,
38:21, 41:21,
44:23, 49:7,
49:22, 49:24,
52:14, 53:18,
81:20, 105:19,
116:15, 118:25
February 27,
2019 8:17,
12:13, 19:19,
19:21
February 27,
March 4
113:11
January '19
197:13
January 15
1:20
January 19
233:14
January
2020, 2019,
2018 207:23
January 25
138:13
March 11
43:18
March 19
61:12
March 19,
2019 27:23
March 31
149:12
March 4 14:3,
43:18, 44:17,
81:11, 81:23,
85:20, 90:11,
92:8, 93:10,
98:14, 98:24,
111:16,
111:22, 156:13
March 4,
2019 92:4
March 7 14:3,
43:19, 44:17,
81:12, 97:24,
98:11, 98:19,
100:1, 111:16,
111:22,
113:11, 156:13
March 7,
2019 97:7
March 8 234:9
March 8,
10:30 234:10
November 6,
2020 101:14
October 2018
78:11
September
2018 56:15
#2218 2:29
\$1,200, 125:3
\$10,000
187:18
\$10,000.
187:2
\$15 123:6,
123:18
\$20 123:18
\$25 123:6
\$400 199:2
'15 194:19
'17 75:20

'19 199:16
< 1 >
1 92:2, 99:23,
141:16
10 72:17,
72:19, 80:4
10-inch 172:7
10-minute
71:6
101 3:23
1053 2:21
108 4:11,
89:13, 89:23,
89:25, 90:1,
90:2, 108:6
10:22 72:21
10:30 71:6,
234:9
10:39 72:22
11 182:5,
182:14, 183:1,
183:5, 184:3,
189:8, 193:4,
206:6
111 3:24
12 186:23
1201 2:29
125 92:12,
92:13, 96:15
125, 91:19,
91:21, 100:17
126 99:20
126, 99:17
12:10 136:5
13 186:23,
206:6
144 4:12,
173:6, 173:7,
174:7, 176:11,
176:12
15 3:6, 72:17,
80:4, 123:7,
230:21
15- 200:9
15-minute
221:4
154 3:25
157 3:26, 3:27

16 193:25
16-foot 200:9
161 3:28
164 3:32
167 4:13
175.282
136:22
175.282,
147:25
176 3:33
177 4:12
187221 100:19
187337 100:16
19 3:7
194 3:34
197 4:13,
138:5, 138:6,
166:17,
166:22,
166:23, 167:2,
186:12
197, 165:12
19th 233:13
238:21, 238:24
1:20 130:3,
131:13, 136:4
1:36 136:6

< 2 >
2 92:3, 99:24,
110:24, 160:9,
186:21,
188:24, 189:1
2, 188:25
2.58 172:8
20 84:24,
109:24,
188:19,
189:15, 190:3,
195:5, 220:6
2007 36:1
2013, 75:13
2014 194:19
195:1, 201:24
2015 198:16,
201:24
2016 75:20
2018 27:3,
27:22, 53:7

53:22, 54:3,
54:10, 65:23,
66:16, 74:25,
78:13, 107:3,
109:23
2018, 78:7
2019 12:9,
15:6, 35:10,
35:15, 45:12,
50:23, 56:16,
103:1, 120:10,
122:18, 123:4,
171:23,
171:24,
171:25, 193:4,
197:14,
199:17,
199:18, 201:19
2019, 7:6
38:21, 74:25,
80:9, 226:1
2021 1:20,
127:14, 245:10
21 61:4
210 3:35
212 3:36
225 4:5
24/7 68:10
244 245:12
2465 222:18
2465, 5:3,
72:24, 136:7,
153:9, 235:19
25 123:7,
124:2
25th 167:18
271 1:25
27th 17:14
28 92:3,
99:24, 123:11
98, 26 92:2
28 3 99:23
29 3:8
2nd 2:7

< 3 >
3.5 123:21,
124:1
30 13:4,

84:24, 109:24,
124:3
31 3:9, 3:18,
194:9
33 3:10, 3:19
34 3:14
3:30, 220:16
3:33 222:15

< 4 >
4 1:12, 21:17,
159:21, 166:1,
199:5
4, 166:4
40 22:13
400 199:6,
199:7
45 3:15, 95:17
232:22,
48, 045(2),
244:3
4:20 222:16
4:38 235:15
4:50 235:16

< 5 >
5 165:21,
166:1
51 3:16
540 2:6, 2:14
5647 9:10,
9:13, 10:17,
10:24, 11:8
11:19, 12:21,
13:10, 79:21,
87:8, 87:9
87:20, 88:20,
107:18,
119:20, 134:3,
134:9
57 26:25
5:02 244:15

< 6 >
6 3:5, 166:9
60 27:2,
187:2, 187:8

611 120:20,
120:23, 121:2
6156 117:17
62 3:17

< 7 >
7 189:1
74 3:22

< 8 >
8 124:1
8, 189:1
89502 2:10
89801 2:8,
2:16, 2:22
8:15 244:13
8:30 232:15,
233:13,
238:18,
238:24, 242:5
8:45 a.m.
1:21

< 9 >
90 4:11

< A >
a.m. 72:21,
72:22, 238:25
able 13:16
33:12, 42:21,
46:4, 50:19,
57:1, 60:1,
61:8, 62:10,
62:12, 63:4,
67:6, 84:11,
84:13, 84:15,
98:20, 107:11,
110:13,
111:17,
111:25,
134:10, 147:4,
239:8
above-entitled
1:19, 189:5

Absolutely
110:18,
174:11, 189:14
academy 76:18
accept 71:25,
130:20,
144:22,
271:22, 231:23
accepted
174:12
access 125:11
accident
107:16, 102:19
accomplished
234:14
accomplishin
g 155:10
according
188:15
account
40:23, 40:25,
128:6
accounted
73:17
accounts
72:11, 131:6,
722:8, 232:9
accuracy
157:2
accurate
14:4, 43:20,
113:14
accurately
161:22, 162:24
Acquaintance
s 110:17
acquainted
203:9, 208:1
across 20:24,
52:6, 127:6
Act 21:14,
110:24,
132:20,
132:21,
185:18, 185:25
acted 88:11,
88:12
action 54:13
actionable
37:11

active 51:6,
162:8
actively
84:17, 162:8
activities
29:11, 79:25,
131:23
activity
57:17, 110:3
acts 78:19
133:3, 133:6,
133:12
actual 39:2,
39:7, 60:21,
241:17
actually
31:10, 37:11,
37:12, 43:4,
43:5, 45:12,
56:3, 56:4,
59:24, 108:9,
127:14,
132:21, 134:1,
138:8, 144:17,
146:5, 168:22,
189:10, 227:6
add 162:12
addiction
22:9
addition
25:9, 142:18,
189:4, 189:7,
236:16
additional
13:19, 19:3,
81:12, 82:8,
97:21, 99:8,
139:7, 187:3
address
13:10, 18:17,
65:17, 120:1,
132:3, 170:15,
190:13, 206:13
adjourned
244:15
adjust 73:24
admissibilit
y 89:20
admission
166:17

admit 217:2
ADMITTED
4:10, 90:1,
90:2, 90:6,
108:7, 166:23,
167:2, 174:15,
174:18, 176:6,
176:11,
176:12, 186:15
admonishment
239:25
advance 33:9
advancement
33:11
advice
239:23, 239:24
advised 230:8
affect 176:16
affirmative
y 189:5,
236:17
affixed
100:11
afraid 145:2
afternoon
164:20,
176:24,
225:18,
225:19, 234:18
afterward
13:25
afterwards
99:1
agencies 20:8
agents 20:16,
20:17, 20:18,
20:22, 20:23,
21:5, 21:9,
21:14, 26:23,
27:18, 27:22,
37:21, 37:22,
37:25, 38:16,
38:18, 39:14,
39:16, 45:23,
81:7, 81:18
106:2, 162:10
agents 38:6
agitate 95:16
ago 126:5,
126:6, 151:14,

180:1, 180:2,
191:23,
191:24,
194:17,
194:18,
194:24, 195:9,
201:16,
201:17,
201:18,
207:21, 211:3,
220:14
agree 46:4
46:15, 116:8
146:2, 146:23,
147:3, 147:11,
147:17, 149:4,
226:17
agreed 46:7,
146:7, 165:19,
219:14
agreeing
118:3, 144:22
147:23, 229:23
agreement.
148:8
agreements
138:18, 139:5,
139:13
agrees
145:24, 148:2
Ah 53:8,
202:3, 206:10
ahead 6:2,
34:3, 71:1,
71:5, 71:6,
74:17, 142:9
150:14, 166:6,
169:6, 175:8,
220:17,
224:17, 231:7
ahold 97:18
Aitor 102:6
Alabama 77:9
alive 207:1
allegations
128:5
alleged
113:24,
116:19,
141:23,

158:21,
162:17,
162:18, 243:22
allegedly
132:21
allotted
231:1
allow 238:6
allowed
134:15
almost 75:15,
95:10, 191:23,
206:5
alone 28:6,
196:17, 201:11
already 37:2,
45:16, 53:4,
78:22, 81:16,
85:9, 96:16,
135:5, 135:20,
142:15,
233:21,
230:12, 236:9
alternates
5:11, 72:20
73:7, 131:21,
153:17, 223:2,
233:22, 236:4
Although 93:2
ALVIN 1:22
Amendment
230:8
among 33:11
amongst
71:10, 130:5,
221:7, 231:8
amount 50:19,
57:7, 119:9,
121:24, 122:1,
154:11, 193:2,
193:9
amounts 21:3,
122:7, 122:10,
123:11,
125:11,
125:21, 158:13
amplify 225:4
Anaconda
4:12, 172:7,
173:19

448

Anaconda
173:16
and/or
142:21, 187:2
angle 68:24
animals
170:25, 171:5
answer 58:15,
59:3, 79:4,
79:7, 79:16
79:17, 88:17
113:22, 126:3,
152:7, 152:24,
173:18,
173:21,
202:21,
203:24,
203:25, 204:8,
204:14, 218:6,
218:8, 227:20
236:25, 239:20
answering
114:4
anticipating
26:9, 176:4
anybody 23:8,
75:19, 32:15,
42:8, 56:17,
124:23,
195:18,
216:21, 220:6
Anyways
140:18,
145:21, 149:7,
233:25, 241:5,
241:6, 242:12
apologize
30:14, 51:17,
86:7, 113:7,
120:10,
123:20,
123:22,
186:13, 186:18
Apparently
27:21, 145:9,
191:18, 197:1,
216:19, 217:6,
218:24
appear 18:22,
57:10

appeared
155:21
appears 34:2,
71:1, 77:19
applicator
95:11
appointed
52:5, 144:19,
226:19
appreciate
231:2
Approach
108:2, 108:15,
165:9, 172:10,
185:1, 185:4
approached
68:16
appropriate
135:17
appropriatel
y 96:21
approval
114:6, 115:14
approved
113:18
approving
35:21
Approximate
157:1, 207:20
Approximatel
y 7:20, 13:4,
16:24, 23:11,
36:12, 38:25,
75:8, 75:13,
75:18, 80:4,
90:23, 91:2,
95:17, 114:1,
194:16,
201:25,
207:20,
207:25, 211:6,
219:2
April 210:20
arbitration
101:22
area 29:24,
32:2, 32:16,
237:2
areas 20:22,
20:24, 122:14

arguably
135:18, 151:5
argue 137:13,
141:20
argument
145:15
argumentive
217:11
arguments
135:13
around 16:7,
16:15, 18:3,
68:20, 69:11,
75:22, 121:21,
170:25, 171:3,
221:2, 226:2
arraignment
149:11, 234:3,
234:8, 234:12,
234:23,
237:19, 240:18
arrange
97:21, 105:4,
114:10
arranged
118:2, 118:3
arrangement
83:4
arrangements
198:2
arrest
103:17, 128:19
arrested
47:10, 48:3,
48:21, 103:13,
103:17, 104:7,
105:2, 128:16,
128:17,
181:14, 181:2,
183:4, 183:9,
183:10,
183:16,
183:17, 188:1,
188:2, 189:23,
192:6, 197:1,
197:6, 226:10,
238:9, 239:11,
239:13,
239:17,
239:21, 240:5

arrival
50:20, 51:21
arrive 28:15,
85:14, 156:21
arrived 51:20
Arthur 10:4,
10:8, 10:9,
10:11, 12:18,
42:12, 49:12,
85:4, 86:6
86:8, 117:17,
194:14, 195:8,
195:13, 196:6,
201:21
ascertain
57:20, 60:2,
67:6
aside 40:14
asks 159:21
aspect 72:15,
77:2, 131:10,
222:12, 232:13
assessment
187:4
assets 121:20
assigned
20:7, 35:12,
37:22, 75:4,
146:5
assignments
36:3
assist 27:11
assistance
47:11, 141:21
assistant
219:17
assisted
73:2, 153:12,
225:10
assisting
5:7, 136:12,
222:23, 235:23
associated
7:12, 211:16
ASSOCIATES
2:28, 121:11
Association
22:13
assume 23:20,
24:8, 26:10

28:8, 28:11, 54:21, 77:13, 96:17, 137:1, 140:1, 151:13, 153:22, 224:14
 assuming 33:19, 70:1, 70:17, 143:2, 148:10, 239:8
 Atlanta 77:9
 attempt 92:24, 159:10
 attempting 47:23, 48:24, 103:20, 104:3, 113:25, 119:13
 attended 22:9, 22:12, 30:4
 attention 7:5, 8:16, 38:20, 53:1, 53:3, 53:22, 53:23, 54:2, 74:24, 78:6, 79:20, 102:24, 107:2, 107:19, 118:7, 170:8, 209:21, 225:25, 231:2, 231:4
 Attorney 2:5, 2:13, 2:20, 118:7, 141:12, 143:6, 147:7, 148:1, 149:24, 154:19, 154:21, 155:1, 165:23, 168:6, 204:22, 211:20, 219:16, 219:17, 219:22, 226:19, 229:15, 229:19, 235:14
 Attorneys 5:6, 5:8, 73:2, 73:4, 129:16, 133:18, 135:5, 136:11, 136:13, 139:12, 153:12, 153:14, 153:14, 220:23, 222:22, 222:24, 224:13, 235:22, 235:24
 attributed 60:9
 audible 227:8
 audio 118:21
 authority 241:4
 automobile 55:14, 55:21, 55:22, 121:16
 automobiles 209:8, 209:11
 available 152:25, 154:21, 178:19, 238:17
 Avenue 85:4, 86:8, 117:17, 194:15, 195:8, 195:13, 196:6
 aware 30:6, 57:25, 58:1, 108:5, 145:6, 207:10, 208:2
 away 10:16, 11:7, 86:2, 86:10, 196:24, 213:20
 awhile 151:21
 < B >
 background 154:11
 backpacks 127:10
 bad 78:19, 132:20, 132:21, 133:3, 133:6, 133:12, 206:4, 206:24, 244:1
 Bag 91:18, 92:2, 92:3, 93:14, 93:15, 94:5, 95:12, 99:23, 99:24, 100:20, 160:14
 baggies 156:12, 156:14, 158:24
 bags 91:11, 92:2, 92:7, 99:8, 99:10, 99:14, 99:23, 157:12, 157:16, 158:4, 158:5, 158:10
 bail 118:2
 BAILIFF 5:18, 74:14, 172:22, 173:2, 232:19
 bail 124:1, 150:15
 bank 41:6
 bar 100:7, 100:11, 100:14, 100:18, 100:19, 159:11
 Barainca 2:11, 3:14, 3:17, 3:32, 3:35, 5:9, 34:16, 34:21, 36:25, 37:1, 45:25, 73:5, 136:13, 153:15, 164:13, 165:11, 166:2, 166:7, 167:4, 167:5, 173:8, 175:9, 176:14, 219:8, 220:24, 222:25, 235:24
 bargain 108:8, 151:5, 183:22, 183:24, 184:13, 184:16, 185:14, 234:22
 barrel 172:8, 173:13
 base 172:8
 bases 107:10
 basic 200:9
 Basically 17:10, 25:24, 48:11, 104:25, 185:21, 188:1, 236:9, 244:2
 basis 11:17, 64:9, 65:8
 bear 159:13
 became 22:11, 24:16, 24:18, 46:21, 63:24, 107:2, 175:17, 207:9
 become 35:9, 57:25, 79:20, 203:8
 becomes 46:8
 becoming 35:23, 36:9, 76:14
 began 57:22
 begin 133:17, 208:11
 beginning 81:25, 118:8
 behalf 133:1
 belief 62:5, 62:7
 believed 107:17, 112:2, 126:17
 belong 156:9, 195:15
 belonged 59:24
 bench 159:20, 161:15
 benefit 226:25, 227:4
 Besides 250
 121:4, 121:8
 best 43:22, 47:14, 85:5, 119:4, 126:3
 bet 172:14
 better 33:12, 64:12, 194:10, 194:11, 194:12, 230:6, 241:20
 beyond 22:3, 59:21
 big 16:25, 21:23, 21:25, 23:16
 bigger 17:3
 bills 41:16, 41:17, 41:19
 bindover 150:14
 binoculars 11:10, 11:17
 birth 114:2
 bit 6:1, 24:8, 35:7, 36:17, 46:12, 71:6, 73:24, 80:8, 81:14, 88:4, 89:1, 92:21, 94:8, 103:6, 144:2, 147:14, 225:6, 226:2
 Black 62:19, 168:8, 168:24
 blocking 49:14
 blog 71:23, 130:18, 221:20, 231:21
 blue 62:19, 95:23, 168:8, 168:24
 board 52:6, 230:22
 Bob 10:14, 10:16, 12:18, 15:12, 15:20, 48:19, 49:4, 49:11, 50:1, 50:23, 104:14, 104:22, 133:20, 136:17, 165:1
 body 83:3
 83:10, 90:15, 98:2, 99:7, 118:21, 135:24, 161:22
 booked 239:17
 border 126:18, 126:25, 127:6, 127:11, 127:15, 128:3, 128:5
 bottom 166:6
 bought 63:23, 115:3, 115:6
 brand-new 210:8
 branding 30:8, 30:9, 31:4
 break 71:9, 83:6, 95:14, 95:16, 95:17, 136:3, 194:12, 223:13, 231:7, 235:3, 235:11, 243:9
 briefed 40:3, 52:5
 briefing 29:5, 29:7, 29:8, 44:14, 83:4
 briefly 31:22, 75:10, 239:1
 bright 242:5
 bring 58:5, 96:20, 102:24, 117:1, 118:6, 153:2, 178:5, 189:18, 214:12
 bringing 58:5, 154:25
 broadcast 5:16, 74:12
 broadcasting 74:14
 brought 46:22, 47:4, 53:3, 103:8, 116:24, 117:5, 128:11, 153:7, 153:23, 160:24, 212:20, 214:8, 216:8, 217:7, 218:9, 218:17, 218:18, 237:14
 bud 149:11
 build 53:15, 54:24
 building 64:20, 84:22, 150:4, 230:11
 buildings 210:14
 bulk 70:10, 217:19, 217:24
 Bullion 119:19, 119:23, 120:1, 120:21, 120:23, 121:3
 bunch 219:19
 buried 122:11
 bury 122:16
 business 25:4, 25:7, 27:19, 52:4, 127:25
 businesses 52:11
 button 192:14
 buy 159:24
 buyer 43:1, 157:1
 buying 63:12, 63:15, 64:3, 64:8, 65:2, 65:3, 65:7, 122:19, 125:5, 126:16, 199:6, 208:5
 < C >
 c-i-s-m-t-o-n 225:22
 California 22:12, 155:21, 156:8
 CALLED 3:3, 4:3, 6:13, 10:11, 34:18, 74:6, 77:4, 88:15, 97:13, 114:9, 140:20, 155:16, 164:16, 181:21, 192:13, 214:21, 215:8, 235:16, 235:17, 216:1, 216:13, 216:14, 217:7, 217:19, 217:24, 220:12, 225:14
 calling 181:19, 216:10, 218:23
 calls 97:16
 camp 196:20
 195:21, 200:5, 200:7, 200:9
 200:14, 200:16
 Canyon 85:6, 86:5, 86:23
 capable 155:10
 capacity 42:17
 car 28:21, 38:19, 67:24, 112:6, 155:10
 care 32:10, 206:12
 career 7:7, 75:1
 carefully 41:2
 Carlos 72:20
 carry 127:11
 cars 12:4, 17:8, 80:3, 251

110:1, 155:22, 156:9
 Carson 36:3, 154:15, 154:17
 carte 24:21, 25:12, 25:17, 25:18, 25:19, 26:1, 26:4, 30:3, 30:4, 30:8, 31:3, 31:6, 128:7
 cartels 24:9, 24:12, 29:23, 29:25, 30:10, 30:21, 30:23, 33:5, 127:18, 127:21, 128:2, 203:17, 203:18, 204:3, 204:23
 caseload 23:1
 cases 46:23, 94:22, 126:5, 151:12, 222:17, 235:18, 239:5
 cash 41:11, 41:14, 85:1, 208:21
 category 167:7, 186:3
 caught 70:1, 124:9
 cause 28:9, 71:17, 101:19, 101:20, 114:6, 130:12, 221:14, 231:15
 caused 239:21
 CCR 1:25
 cell 71:20, 130:15, 155:2, 155:4, 155:6, 155:7, 155:11, 221:17, 231:18
 certain 20:22, 39:10
 certainly 110:16, 132:6, 224:15, 231:1, 231:6, 235:9
 certified 89:14, 91:17, 95:3
 certify 245:6
 chain 11:5, 158:16
 chairs 131:13, 232:18
 challenges 176:4
 Chance 195:6, 201:21, 201:22
 change 50:9, 50:11
 changed 22:22
 character 244:1
 characterist ics 59:17
 charge 20:18, 26:23, 106:10, 124:24, 148:5, 183:13, 187:10, 187:15, 211:14
 charged 53:18, 134:21, 144:12, 146:6, 146:7, 183:5, 183:8, 183:11, 184:15, 185:16, 229:4, 240:14
 chat 71:22, 130:17, 221:19, 231:20
 check 27:13, 57:4, 74:16, 117:3, 121:6, 139:19, 154:14, 172:24
 checked 136:15, 143:20, 150:9, 152:5, 172:15
 checking 121:9, 157:24
 checks 119:18, 121:4, 231:6, 235:9
 Chevy 86:1
 chickens 171:2, 210:12, 210:15
 children 67:13, 109:15
 chronology 133:23
 circumstance s 119:14
 cited 102:7
 City 36:3, 104:19, 124:2, 154:15, 154:17
 claim 214:23
 clarification n 93:20
 clarification n. 28:23
 clarify 31:14, 32:4, 226:9
 clarity 76:2
 class 77:5, 187:9
 classes 33:5, 76:19, 77:4
 cleaner 46:12
 clear 15:10, 30:15, 51:12, 63:4, 129:6, 132:20, 133:5, 158:15, 173:2
 clearing 46:11
 clearly 69:6, 87:19, 133:21, 135:4, 205:6, 242:21
 CLERK 91:19, 138:4, 138:5, 139:19
 client 94:1, 134:18, 234:20, 237:6
 clients 241:11
 close 50:14
 closely 54:22
 closer 230:5, 239:9
 closest 39:9
 clothes 75:3, 112:5
 clue 216:2
 CMS 77:6
 CMOA 77:4
 co-defendant 169:3
 Coal 85:5, 86:5, 86:23
 cocaine 61:20, 61:22, 61:23
 code 100:7, 100:11, 100:14, 100:18, 100:19
 Collected 92:4
 collectively 64:6
 color 95:19
 colors 145:16
 Colt 4:12, 172:7, 173:16, 173:19
 Combined 7:12, 7:25, 19:23, 35:13, 75:22, 75:25, 76:4, 76:8, 76:15, 80:16, 80:19, 107:13, 141:20
 comes 37:9, 41:4, 41:10, 95:8, 140:10, 141:22, 158:20, 215:24
 comfortable 172:22, 172:23
 command 158:16
 commander 35:12
 commentary 71:12, 72:11, 130:7, 131:6, 221:9, 222:8, 231:10, 232:9, 232:10, 232:11, 232:12, 232:13, 232:14, 232:15, 232:16, 232:17, 232:18, 232:19, 232:20, 232:21, 232:22, 232:23, 232:24, 232:25, 232:26, 232:27, 232:28, 232:29, 232:30, 232:31, 232:32, 232:33, 232:34, 232:35, 232:36, 232:37, 232:38, 232:39, 232:40, 232:41, 232:42, 232:43, 232:44, 232:45, 232:46, 232:47, 232:48, 232:49, 232:50, 232:51, 232:52, 232:53, 232:54, 232:55, 232:56, 232:57, 232:58, 232:59, 232:60, 232:61, 232:62, 232:63, 232:64, 232:65, 232:66, 232:67, 232:68, 232:69, 232:70, 232:71, 232:72, 232:73, 232:74, 232:75, 232:76, 232:77, 232:78, 232:79, 232:80, 232:81, 232:82, 232:83, 232:84, 232:85, 232:86, 232:87, 232:88, 232:89, 232:90, 232:91, 232:92, 232:93, 232:94, 232:95, 232:96, 232:97, 232:98, 232:99, 232:100, 232:101, 232:102, 232:103, 232:104, 232:105, 232:106, 232:107, 232:108, 232:109, 232:110, 232:111, 232:112, 232:113, 232:114, 232:115, 232:116, 232:117, 232:118, 232:119, 232:120, 232:121, 232:122, 232:123, 232:124, 232:125, 232:126, 232:127, 232:128, 232:129, 232:130, 232:131, 232:132, 232:133, 232:134, 232:135, 232:136, 232:137, 232:138, 232:139, 232:140, 232:141, 232:142, 232:143, 232:144, 232:145, 232:146, 232:147, 232:148, 232:149, 232:150, 232:151, 232:152, 232:153, 232:154, 232:155, 232:156, 232:157, 232:158, 232:159, 232:160, 232:161, 232:162, 232:163, 232:164, 232:165, 232:166, 232:167, 232:168, 232:169, 232:170, 232:171, 232:172, 232:173, 232:174, 232:175, 232:176, 232:177, 232:178, 232:179, 232:180, 232:181, 232:182, 232:183, 232:184, 232:185, 232:186, 232:187, 232:188, 232:189, 232:190, 232:191, 232:192, 232:193, 232:194, 232:195, 232:196, 232:197, 232:198, 232:199, 232:200, 232:201, 232:202, 232:203, 232:204, 232:205, 232:206, 232:207, 232:208, 232:209, 232:210, 232:211, 232:212, 232:213, 232:214, 232:215, 232:216, 232:217, 232:218, 232:219, 232:220, 232:221, 232:222, 232:223, 232:224, 232:225, 232:226, 232:227, 232:228, 232:229, 232:230, 232:231, 232:232, 232:233, 232:234, 232:235, 232:236, 232:237, 232:238, 232:239, 232:240, 232:241, 232:242, 232:243, 232:244, 232:245, 232:246, 232:247, 232:248, 232:249, 232:250, 232:251, 232:252, 232:253, 232:254, 232:255, 232:256, 232:257, 232:258, 232:259, 232:260, 232:261, 232:262, 232:263, 232:264, 232:265, 232:266, 232:267, 232:268, 232:269, 232:270, 232:271, 232:272, 232:273, 232:274, 232:275, 232:276, 232:277, 232:278, 232:279, 232:280, 232:281, 232:282, 232:283, 232:284, 232:285, 232:286, 232:287, 232:288, 232:289, 232:290, 232:291, 232:292, 232:293, 232:294, 232:295, 232:296, 232:297, 232:298, 232:299, 232:300, 232:301, 232:302, 232:303, 232:304, 232:305, 232:306, 232:307, 232:308, 232:309, 232:310, 232:311, 232:312, 232:313, 232:314, 232:315, 232:316, 232:317, 232:318, 232:319, 232:320, 232:321, 232:322, 232:323, 232:324, 232:325, 232:326, 232:327, 232:328, 232:329, 232:330, 232:331, 232:332, 232:333, 232:334, 232:335, 232:336, 232:337, 232:338, 232:339, 232:340, 232:341, 232:342, 232:343, 232:344, 232:345, 232:346, 232:347, 232:348, 232:349, 232:350, 232:351, 232:352, 232:353, 232:354, 232:355, 232:356, 232:357, 232:358, 232:359, 232:360, 232:361, 232:362, 232:363, 232:364, 232:365, 232:366, 232:367, 232:368, 232:369, 232:370, 232:371, 232:372, 232:373, 232:374, 232:375, 232:376, 232:377, 232:378, 232:379, 232:380, 232:381, 232:382, 232:383, 232:384, 232:385, 232:386, 232:387, 232:388, 232:389, 232:390, 232:391, 232:392, 232:393, 232:394, 232:395, 232:396, 232:397, 232:398, 232:399, 232:400, 232:401, 232:402, 232:403, 232:404, 232:405, 232:406, 232:407, 232:408, 232:409, 232:410, 232:411, 232:412, 232:413, 232:414, 232:415, 232:416, 232:417, 232:418, 232:419, 232:420, 232:421, 232:422, 232:423, 232:424, 232:425, 232:426, 232:427, 232:428, 232:429, 232:430, 232:431, 232:432, 232:433, 232:434, 232:435, 232:436, 232:437, 232:438, 232:439, 232:440, 232:441, 232:442, 232:443, 232:444, 232:445, 232:446, 232:447, 232:448, 232:449, 232:450, 232:451, 232:452, 232:453, 232:454, 232:455, 232:456, 232:457, 232:458, 232:459, 232:460, 232:461, 232:462, 232:463, 232:464, 232:465, 232:466, 232:467, 232:468, 232:469, 232:470, 232:471, 232:472, 232:473, 232:474, 232:475, 232:476, 232:477, 232:478, 232:479, 232:480, 232:481, 232:482, 232:483, 232:484, 232:485, 232:486, 232:487, 232:488, 232:489, 232:490, 232:491, 232:492, 232:493, 232:494, 232:495, 232:496, 232:497, 232:498, 232:499, 232:500, 232:501, 232:502, 232:503, 232:504, 232:505, 232:506, 232:507, 232:508, 232:509, 232:510, 232:511, 232:512, 232:513, 232:514, 232:515, 232:516, 232:517, 232:518, 232:519, 232:520, 232:521, 232:522, 232:523, 232:524, 232:525, 232:526, 232:527, 232:528, 232:529, 232:530, 232:531, 232:532, 232:533, 232:534, 232:535, 232:536, 232:537, 232:538, 232:539, 232:540, 232:541, 232:542, 232:543, 232:544, 232:545, 232:546, 232:547, 232:548, 232:549, 232:550, 232:551, 232:552, 232:553, 232:554, 232:555, 232:556, 232:557, 232:558, 232:559, 232:560, 232:561, 232:562, 232:563, 232:564, 232:565, 232:566, 232:567, 232:568, 232:569, 232:570, 232:571, 232:572, 232:573, 232:574, 232:575, 232:576, 232:577, 232:578, 232:579, 232:580, 232:581, 232:582, 232:583, 232:584, 232:585, 232:586, 232:587, 232:588, 232:589, 232:590, 232:591, 232:592, 232:593, 232:594, 232:595, 232:596, 232:597, 232:598, 232:599, 232:600, 232:601, 232:602, 232:603, 232:604, 232:605, 232:606, 232:607, 232:608, 232:609, 232:610, 232:611, 232:612, 232:613, 232:614, 232:615, 232:616, 232:617, 232:618, 232:619, 232:620, 232:621, 232:622, 232:623, 232:624, 232:625, 232:626, 232:627, 232:628, 232:629, 232:630, 232:631, 232:632, 232:633, 232:634, 232:635, 232:636, 232:637, 232:638, 232:639, 232:640, 232:641, 232:642, 232:643, 232:644, 232:645, 232:646, 232:647, 232:648, 232:649, 232:650, 232:651, 232:652, 232:653, 232:654, 232:655, 232:656, 232:657, 232:658, 232:659, 232:660, 232:661, 232:662, 232:663, 232:664, 232:665, 232:666, 232:667, 232:668, 232:669, 232:670, 232:671, 232:672, 232:673, 232:674, 232:675, 232:676, 232:677, 23

deny 152:19
departed
233:22
Department
7:8, 20:10
35:2, 36:13,
97:20, 100:6,
138:14
departure
50:20
Depending
23:24, 24:1,
68:24
Dept. 1:7,
24:5
Deputy 2:5,
2:13, 5:8
73:4, 75:12,
136:13,
153:14,
222:24,
728:12, 235:24
derivative
142:21
describe
10:23, 11:19,
22:19, 46:9,
75:10, 169:14,
172:6, 200:7
209:20, 210:6
described
14:14, 16:15,
17:6, 17:7,
22:3
deserve 233:
desire 141:8
desk 20:25
details
237:10, 239:5
detected
39:10
detectives
20:4, 20:6,
20:7, 26:20,
29:2, 35:20,
38:2, 38:5,
47:13, 42:14,
42:18, 46:23,
52:6, 86:16,
88:11, 105:24

32:18, 32:19,
32:20
eastbound
12:25
ECNU 75:25
Eduardo 56:6
56:9, 56:17
education
33:7
effect 88:10
113:6
eight 36:17
eight-foot
69:10
tisinger
39:16, 39:17,
40:17, 42:9
81:15, 106:10
117:4
EITHER 75:20
90:18, 106:21
107:23, 116:3
119:25, 143:7
151:4, 152:20
162:23
170:13, 178:5
180:21
197:12, 217:1
EL JC-CR-F-
9 10002 138:
elaborate
11:18
electronic
71:19, 130:14
221:16, 231:1
electronica
ly 72:2,
130:22,
221:24, 231:2
elements 60:1
Eleven 183:1
elicited
236:21
eliciting
133:18
eligible
227:14
employed
78:7, 101:9
102:2, 206:16

employee 59:25, 60:2, 208:15
 employment 101:12, 101:17
 enables 16:21
 encouragement 119:7
 end 33:23, 80:10, 184:18, 197:13, 215:18, 218:25
 endeavor 70:1
 ended 28:13, 63:15, 142:13
 enforced 26:6
 enforcement 7:3, 7:22, 25:16, 61:5, 75:6, 75:11, 122:16, 124:11, 156:8, 211:19
 enormous 57:7
 enough 66:25, 93:7, 137:24, 181:20
 ensure 82:8, 115:2, 115:8, 157:2
 enter 144:8, 234:1
 entered 86:24, 91:6, 99:14, 138:8, 141:24, 211:21, 230:12, 230:14, 230:18
 enters 148:1
 entire 28:22, 28:24, 55:7, 69:11
 entirety 12:3, 138:19, 142:16, 166:10, 166:13, 185:13
 entitled 205:22
 entrance 12:25
 entrap 115:25
 entrapping 114:20
 entry 127:13, 127:24
 entryway 11:24
 epidemic 77:8
 episodes 56:20
 equal 125:20
 equipped 84:9
 equivalent 20:4
 especially 36:18, 147:5
 ESQ 2:3, 2:11, 2:19, 2:27
 essence 142:12
 essentially 25:3, 25:6, 29:9, 30:7, 52:6
 evening 5:19, 80:7
 event 28:1, 84:15
 events 141:3, 141:23, 177:23
 eventually 81:3, 107:11, 134:7, 134:8, 227:24, 228:12, 240:13
 Everybody 39:13, 153:3
 everyone 49:18, 50:14, 108:19, 185:9
 Everything 10:16, 38:3, 97:23, 191:25, 236:9
 evidence 5:21, 40:23, 41:7, 61:12, 88:6, 89:13, 90:3, 91:6, 91:18, 92:1, 92:11, 96:13, 99:15, 108:7, 121:1, 135:6, 135:19, 135:24, 135:25, 136:21, 137:2, 137:7, 137:9, 166:17, 167:3, 174:7, 174:12, 176:13, 199:13, 205:24
 evidentiary 88:5, 100:12
 Ex 4:11, 4:12, 4:13
 ex-felon 146:8
 exact 10:18, 11:9, 14:1, 25:13, 44:17, 57:1, 76:5, 79:16, 177:20, 194:20, 194:23, 214:1, 214:2, 214:17
 Exactly 41:10, 48:2, 49:15, 82:18, 175:15, 179:2, 180:20, 182:8, 190:14, 192:14, 215:17, 217:4
 EXAMINATION 3:5, 3:8, 3:14, 3:17, 3:22, 3:26, 3:32, 3:35, 4:5, 6:15, 29:20, 34:20, 62:2, 74:8, 155:20, 157:9, 164:18, 200:21, 210:4, 225:16, 234:20
 examine 96:5, 157:12
 examined 96:7
 example 37:23, 124:16
 Excellent 101:7, 102:13
 except 132:22
 exception 33:24, 70:21, 140:12, 163:17, 220:23, 224:12
 exchange 104:6, 142:10, 145:5, 146:19, 148:3, 167:8
 exchanged 116:20
 excise 137:16
 excising 136:23, 137:10, 148:6
 excluding 67:18, 67:22
 exclusion 33:21, 70:19, 70:21, 163:11, 220:18
 Excuse 10:5, 17:7, 28:1, 46:1, 58:18, 63:18, 169:6, 192:20, 193:3, 207:5
 excused 131:13, 241:25
 executed 56:3, 56:10, 237:16
 execution 26:10, 37:16, 56:15, 110:19, 111:3
 Exhibit 89:13, 89:23, 89:25, 90:1, 90:2, 90:5, 91:19, 91:21, 92:10, 99:17, 99:20, 100:15, 100:16, 108:6, 138:4, 165:12, 166:17, 166:22, 166:23, 167:2, 173:5, 174:7, 176:11, 176:12, 186:12
 EXHIBITS 4:10, 90:7, 100:11
 exist 132:21, 151:9, 151:10
 existed 114:18
 exists 150:23
 exit 13:11, 87:4
 exited 86:5
 expect 33:23, 124:22, 135:25, 220:20
 expectation 50:2
 expected 50:6, 50:7
 expecting 49:25
 expenditures 41:5
 experience 7:42, 22:5, 22:7, 33:5, 69:24, 96:10, 126:9, 132:2, 132:8, 158:19
 experienced 77:13, 132:7, 135:14
 experiments 72:5, 130:25, 222:2, 232:3
 expert 29:25, 92:22, 96:20, 96:23
 explain 16:14, 203:3, 217:23
 explained 217:8, 217:21, 217:22
 explaining 163:12
 explanation 175:3
 explicit 147:23
 express 71:16, 130:11, 221:13, 231:14
 expressed 141:8, 147:8
 extended 50:21, 208:18
 extensive 30:2
 extent 79:16, 209:1
 extraordinary 109:23, 147:19
 eye 28:4, 30:8
 eyes 165:14
 facts 278:15, 236:12, 236:22, 241:17
 fail 134:17
 fair 16:22, 38:14, 50:15, 65:7, 104:4, 105:16, 147:18, 158:6, 192:8, 239:19, 241:20
 fall 53:7, 53:22, 54:3, 54:10, 56:15, 65:23, 66:16, 74:25, 78:7, 78:13, 107:3, 109:23, 147:19
 fallon 36:3
 familiar 8:9, 75:23, 91:7, 94:17, 96:1, 96:3, 105:24, 127:4, 127:18
 family 66:21, 67:7, 109:11, 110:17
 fashion 158:22, 162:21
 fast 80:8
 faster 225:5
 fear 206:3
 feat 158:22
 February 7:6, 15:6, 15:18, 35:10, 35:15, 45:12, 48:14, 48:18, 49:3, 50:23, 51:4, 61:11, 80:9, 80:25, 105:12, 119:25, 120:9, 122:17, 123:3, 181:14, 182:6, 182:14, 183:5, 193:4, 197:13, 225:25
 federal 40:24
 fee 187:4
 feel 47:14, 96:12, 230:4
 feeling 64:25
 feelings 113:17, 115:18, 115:21
 feels 94:19, 96:3
 fell 129:21
 felonies 146:7
 felony 146:9, 146:11, 167:7, 186:3
 felt 243:15
 fence 11:5, 11:23, 16:15, 16:17, 69:3, 69:11, 169:12, 169:13, 180:8, 180:13, 190:12, 190:18, 210:8
 fencing 68:20, 68:23, 68:25, 69:1, 69:15
 Fentanyl 158:22, 162:21
 few 39:1, 48:15, 49:4, 64:10, 97:7, 139:24, 169:8, 177:14, 180:5, 181:9, 181:16, 190:16, 191:11, 191:12, 191:14, 192:1
 field 33:9, 160:22, 162:14, 162:19, 163:1
 Fifth 230:8
 figure 119:8, 126:3, 224:10, 235:4, 235:11
 figured 241:14
 figuring 259

163:14
 file 139:1, 139:4, 139:12, 139:20, 140:19, 162:12, 239:14
 filed 138:9, 138:24, 139:4, 139:7, 141:6, 142:6, 142:12, 150:15, 228:3, 240:20, 242:15, 242:16, 242:18
 filing 139:11
 fill 240:1
 filled 41:3, 134:2, 134:13
 final 97:4, 176:14
 finally 71:17, 130:12, 221:14, 231:15
 find 40:8, 55:21, 60:10, 61:12, 90:18, 109:4, 119:14, 121:11, 121:20, 135:23
 finder 205:23
 finding 134:6
 fine 15:4, 36:20, 58:13, 79:1, 161:11, 161:12, 165:17, 186:20, 187:18, 224:24
 fined 187:2
 finger 152:20
 fingerprint 158:3, 158:18
 fingerprints 156:14, 157:12, 157:16, 157:25, 158:10, 158:14
 finish 24:5, 88:16, 116:13, 169:13, 238:25
 finished 223:9
 firearm 172:6, 172:12, 173:8, 173:11, 173:25, 174:3, 176:3
 firearms 171:16, 171:18
 fired 25:2, 25:9
 fire 123:13, 180:2, 187:18, 188:17, 189:10, 189:10, 191:16, 191:22, 194:16, 194:18, 194:24, 195:9
 five-minute 57:2
 flashes 95:23
 flies 10:19
 flooded 37:9
 floor 2:7, 2:15
 Florida 77:7
 flow 133:23
 focus 63:25
 focused 79:20, 134:6
 fodder 145:23, 239:3
 folks 117:20, 125:10
 follow 68:3, 68:6, 87:2, 110:9, 111:24, 115:9, 116:6, 135:22, 138:22, 143:17, 155:25, 160:8, 161:13
 Follow-up 163:4, 163:6, 175:6
 followed 68:7, 87:1, 143:18
 following 159:19
 follows 6:14, 34:19, 74:7, 164:17, 225:15
 forbear 167:8
 force 20:7, 35:12, 37:2, 37:6, 75:5, 75:17, 75:19, 76:3, 76:21, 76:23
 foregoing 245:12
 forgot 43:25
 forgotten 198:24, 199:1
 form 71:16, 72:4, 77:2, 130:11, 130:24, 221:13, 222:1, 231:14, 232:2
 formal 33:7, 77:10
 forms 41:3
 forth 26:20
 forward 97:6, 155:1
 forwarding 80:8
 found 55:2, 106:8, 121:1, 181:10, 213:21, 213:22
 Foundation 92:18, 92:20, 92:25, 93:7
 four 57:3, 66:23, 67:12, 109:15, 162:3, 177:18, 191:16, 191:22, 207:21, 207:23
 four-wheeler 209:4, 209:6, 209:13, 209:20
 Four-wheeler 209:15, 209:17
 Fourth 1:6, 245:4
 frame 78:10, 125:12
 free 230:4
 freeway 28:2
 frequent 64:9, 65:8
 frequently 64:2, 64:3
 fresh 192:2, 192:7
 Friday 224:8
 Fridays 33:24, 163:14, 163:15, 224:7
 friend 67:7, 199:10
 Friends 67:4, 110:17, 117:7, 121:11, 197:20, 199:8, 199:9
 front 17:8, 17:10, 31:16, 31:18, 32:1, 32:10, 32:12, 32:14, 49:17, 69:4, 69:13
 frowned 26:5
 fulfill 219:4
 full 5:10, 6:1, 73:6, 245:12, 245:13
 fun 25:21
 functions 64:10
 funds 40:18, 40:24, 40:25, 41:1, 82:8, 83:2, 97:18, 98:3
 fuzzy 181:15
 < G >
 G-a-y-l-o 260
 74:23
 Galaxy 71:21, 130:16, 221:18, 231:19
 game 147:18, 241:20
 gang 22:23
 gangs 24:13
 GARY 2:19
 gas 85:5, 112:1
 gate 11:25, 16:20
 gates 11:13, 132:6, 135:17, 137:25, 172:4, 185:7, 198:21, 207:17, 207:19, 207:20, 220:6, 235:2, 237:6, 237:10, 239:23, 239:24, 243:16
 given 33:6
 88:23, 135:24
 glad 197:24
 goal 64:8, 238:18
 goodness 233:3
 gotten 137:23, 177:11, 181:2
 grabbing 149:6
 gram 123:7, 123:5, 123:16, 123:19, 124:8
 grams 21:17, 92:2, 92:3, 99:24, 123:11, 123:21, 124:1, 124:2, 124:12, 135:7, 204:12
 granted 142:9, 228:7
 granting 123:14, 152:22, 161:2, 181:2, 188:13, 189:7, 192:5, 193:13, 212:14, 216:5, 216:6, 241:19, 242:25
 girlfriend 196:18, 197:8, 228:21
 give 10:18, 11:9, 25:13, 57:1, 88:3, 102:4, 111:13, 132:6, 135:17, 137:25, 172:4, 185:7, 198:21, 207:17, 207:19, 207:20, 220:6, 235:2, 237:6, 237:10, 239:23, 239:24, 243:16
 guess 9:22, 11:23, 11:24, 14:18, 16:21, 33:11, 58:16, 60:15, 61:4, 85:5, 105:15, 106:6, 116:9, 124:16, 127:4, 132:10, 136:25, 139:21, 144:4, 148:19, 151:16, 156:19, 196:14, 204:7, 210:12, 218:4, 226:2, 226:14, 238:8
 guilty 148:4, 187:1
 gun 190:21, 191:2, 199:12, 199:14, 199:20, 199:23, 209:24, 228:19, 228:21, 229:5
 guy 56:5, 196:4, 202:5, 243:4
 guys 9:23, 27:2, 87:17, 93:11, 141:7, 149:21, 151:13, 212:14, 218:5, 239:16
 habits 70:3
 hair 117:4
 half 63:15, 63:23, 192:5, 211:5, 211:6
 half-ounce 182:16, 182:20
 hand 34:13, 52:10, 73:20, 156:22, 163:24, 197:24, 224:25
 handed 94:6, 96:7, 99:25
 handing 165:11
 handle 146:18
 handler 44:9, 44:11, 44:12, 46:1, 46:5, 46:8, 103:3, 163:4
 hands 209:25
 hands-on 33:4
 hang 201:5
 happen 29:4, 29:11, 29:12, 54:16, 61:6, 97:23, 106:6, 142:3, 171:9
 happened 12:11, 12:13, 28:11, 43:5, 50:13, 51:13, 59:12, 59:13, 81:24, 85:7, 97:11, 99:4, 114:3, 129:24, 133:22, 142:1, 142:4, 142:7, 146:4, 150:14, 150:19, 238:8, 239:21
 happening 45:17, 50:15, 206:4
 happens 50:8, 53:10, 57:18, 60:23, 60:24, 61:1, 61:9, 261

61:10
hard 115:17,
115:21,
191:24,
193:21, 194:23
harder 21:18
harmful 31:6
hashed 143:4
hazard 61:4
head 96:6,
176:8, 221:3
head. 164:21
headed 28:13
hear 6:19,
10:6, 42:24,
84:14, 84:16,
85:12, 98:20,
105:15,
159:23,
159:24, 162:8,
166:12,
173:17, 175:2,
184:6, 194:10,
194:11,
200:23, 201:4,
207:5, 225:8,
225:9
heard 21:19,
21:21, 22:2,
26:19, 40:17,
56:12, 84:17,
96:16, 105:16,
107:6, 152:16,
152:17,
163:12, 245:10
Hearing 1:20,
102:7, 132:12,
142:7, 142:11,
143:25, 151:7,
151:17, 177:4,
204:12,
210:20, 212:8,
220:7, 227:25,
228:7, 234:11
hearsay 58:9,
87:17, 88:24,
202:8, 203:23
heart 206:24,
206:25, 207:1
HECTOR HUGO

RAMIREZ-DE
LA TORRE and
JORGE
LANDEROS
RUIZ 245:9
height 112:5
held 33:19,
140:1, 140:3,
159:19,
163:10, 224:3,
224:5
help 47:15,
159:11,
180:12, 190:1,
190:3, 223:24,
225:4
helped 24:4,
51:3, 196:7
helpful 68:1
helpfully
134:2
helping 9:23
helps 35:7,
164:9
hereby 245:6
heroin 8:8
hide 122:15
hierarchy
24:22, 24:23,
24:25, 25:12,
59:19
High 57:9,
57:13, 61:8,
65:16, 67:18,
67:19, 67:23
higher 158:16
highly 57:15
Highway 11:1,
28:3
hill 10:20
Hills 68:17,
85:4, 86:7
86:21, 98:13
hilly 69:8
hired 75:12
Hispanic
127:21
history
75:10, 121:7,

154:14
Hold 149:25,
172:13, 173:4
holiday 233:7
holster 172:9
homicides
158:1
honestly
161:4
HONORABLE
1:22
honoring
244:6
hook 141:2
hope 5:19,
194:12, 194:13
hopefully
23:5
Hoping 104:8
horses 171:2,
210:10
hour 1:20
hours 22:13,
57:3
housekeeping
52:10
huge 70:11,
125:11, 134:1,
134:11
Hugo 1:12,
107:14
hunch 199:22
hundred
86:12, 94:24,
123:14, 124:4

< I >
I-80 9:8,
13:1, 86:5,
87:4, 110:10,
111:24
Idaho 2:21
idea 122:22,
122:25,
141:19, 196:9,
196:12,
199:15, 206:9,
209:7
identificati

on 63:1,
89:25, 95:1,
95:4, 95:7,
138:6, 165:12,
166:22,
168:12, 169:5,
173:5, 176:11
identified
55:15, 62:13,
62:22, 112:8,
112:18, 113:3,
113:4, 113:10,
113:15,
168:10, 169:3
identify
13:17, 13:18,
62:10, 110:8,
110:14,
111:20,
111:21,
111:25,
113:24, 156:6
identifying
94:14, 114:24,
134:8
II 1:2, 245:5
ill 148:4
illicit 8:4,
9:6, 30:5
imagine
32:13, 124:10
immediate
162:7
immunity
142:10,
142:14,
142:17,
142:20,
142:23, 144:1,
145:10, 228:7,
228:11
impacted
102:10
importance
60:9
important
73:25, 218:21
importation
76:12
importing 262

61:14
imposed 24:23
impress
145:18
impression
55:6, 55:9,
59:23, 133:6
imprisoned
187:1, 187:7
improper
133:16
in-pocket
86:17
in. 120:14,
238:11
incapacitate
162:22
incarcerated
139:21
incident
102:10
inclined
205:9
include
21:15, 38:11,
82:24, 94:13,
155:17
includes
72:7, 131:2,
222:4, 232:5
including
19:25, 29:2
71:14, 130:9,
221:11,
231:12, 241:12
incorrect
113:12, 123:17
increase
64:15
increased
119:9
increasing
65:3
independent
72:5, 130:24,
222:2, 232:3
Indian 85:4,
86:7, 86:21,
98:12
indicated

45:11, 108:18,
109:17, 145:2
indicates
27:1
indicator
57:16, 162:6
indicators
95:20
indifferent
237:23
individual
12:20, 17:13,
17:15, 17:18,
18:14, 18:18,
18:22, 19:4,
28:18, 32:5,
32:17, 37:22,
39:15, 50:17,
77:4, 77:15,
78:15, 83:3,
113:24,
114:24,
115:20, 118:6,
154:10,
154:12, 156:4,
183:1
individuals
60:7, 116:1,
125:14,
127:10, 162:1,
162:3
indulgence
179:19,
190:10, 212:2,
214:4
inflammatory
134:24
informal
77:12
informant
44:13, 44:15,
64:19, 64:21,
64:25, 80:15,
80:22, 82:22,
83:9, 86:18,
103:25, 105:8,
115:13,
115:23,
118:19, 119:1,
162:6

informants
64:24, 83:7,
87:15, 111:7,
122:13
informed
12:16, 12:17,
28:12, 81:13,
81:15, 105:25,
133:8
initial
82:15, 114:1,
141:25
initially
77:1, 82:2,
86:4, 113:21,
113:23, 117:5,
119:18,
146:17,
180:11,
180:12, 229:5
initiated
114:12
inside 21:1,
84:27, 158:22,
163:3
inspect 11:2,
136:24,
137:24, 148:8,
148:11,
165:17, 166:25
Instagram
71:23, 130:18,
221:20, 231:21
instance
95:27, 95:24,
99:8, 118:13
instances
158:1
instant
71:22, 130:17,
221:19, 231:20
instead
160:13, 162:15
instruction
88:4, 88:15,
88:22, 132:1,
135:9, 205:9,
205:15,
241:22, 243:8,
243:11, 243:16

instructions
120:14,
135:14,
135:17,
135:22, 243:14
intend 236:5
intending
41:22
intent 93:25,
236:11
intention
241:16
interactions
44:15, 211:3
interest
20:24, 21:19
interested
120:14
interfere
40:16
internal
161:24
Internet
71:15, 71:21,
71:22, 72:9,
72:13, 130:10,
130:16,
130:17, 131:4,
131:8, 221:12,
221:18,
221:19, 222:6,
222:10,
231:13,
231:19,
231:20, 232:7,
232:11
interpretati
on 102:15,
161:7
interpreted
142:23, 161:3
INTERPRETER
10:5, 10:6,
36:16
interpreters
57:35:7,
36:19, 73:3,
136:12,
153:13,
164:10, 161

222:23,
225:10, 235:22
interpreting
164:10
interstate
10:21, 11:3,
11:4, 86:24
intervene
39:12
interview
80:15, 103:11,
103:20, 118:1,
118:6, 215:21,
217:18
interviewed
40:3, 51:22,
211:19
interviews
78:14
introduced
199:13
investigate
8:3, 20:12,
20:13, 20:22,
20:23, 30:20,
31:1, 55:13
investigated
8:6, 30:72
investigatin
g 37:7, 60:5,
72:15, 76:16,
78:11, 131:10,
222:12, 232:13
Investigatio
n 20:19,
22:12, 36:7,
37:23, 38:1,
38:3, 41:21,
53:4, 53:6,
53:11, 53:20,
55:7, 62:5,
68:2, 72:14,
76:20, 88:12,
88:19, 103:3,
106:3, 115:20,
128:8, 128:9,
131:9, 132:18,
154:25,
222:11, 232:12
Investigatio

ns 7:9, 22:15,
27:10, 27:11,
35:3, 35:4,
35:20, 35:21,
35:22, 36:4,
37:3, 37:6,
37:18, 60:12,
60:14, 65:5,
72:5, 75:16,
76:11, 76:24,
87:14, 122:12,
126:2, 130:25,
222:2, 232:3
investigativ
e 76:18
investigator
29:3, 57:15,
125:14
investigator
s 33:10, 125:9
invoked
33:21, 70:19,
220:18
involve 53:8,
54:6, 54:8,
229:12
involvement
46:13, 75:11,
131:25,
133:19,
169:14, 236:18
involving
43:15, 97:9
iphone 71:20,
130:15,
221:17, 231:18
irrelevant
136:23,
137:11,
137:13, 148:7,
149:3, 174:11
isolated
206:5
isolation
206:7
issue 78:19,
88:5, 224:1
issued 141:6
issues
131:24, 151:22

it. 215:24,
218:15,
218:17, 218:19
itemizing
41:4
items 40:13,
157:23
itself 11:16,
27:4, 27:5,
68:20, 95:8,
98:22, 110:12,
123:5, 228:21

< J >
J-o-h-n 74:23
Jail 75:12,
75:13, 80:15,
103:11,
103:19, 118:1,
139:22,
189:22,
193:21, 197:2,
197:6, 197:25,
198:15, 206:2,
207:22, 244:13
James 136:17
jammed 129:20
January 15
245:10
job 9:6, 16:8,
23:3, 23:7,
28:1, 187:23
jobs 33:12
John 3:21,
39:18, 73:16,
74:5, 74:22
Jorge 1:13,
4:11, 19:10,
51:5, 66:9,
66:14, 66:17,
72:25, 89:11,
106:19,
107:20,
108:23, 111:7,
136:8, 153:10,
168:14, 169:5,
169:10,
170:11,
212:23,

212:25,
222:19,
235:19, 243:1
JP 240:13
Judge 1:22,
78:18, 88:23,
135:15,
139:10,
139:23,
172:10,
172:17, 173:6,
174:18, 175:7,
176:2, 189:11,
189:13,
189:14, 218:1,
223:20, 233:1,
240:3, 243:18
Judges 145:19
Judicial 1:6,
245:5
June 241:13
June 102:16,
138:9
jurisdiction
s 36:8
Juror 159:8,
159:21
Jurors 72:4,
73:24, 130:24,
222:1, 230:25,
232:2
justice
138:9, 139:5,
150:15
JUSTIN 2:11

< K >
K. 2:27, 2:28
KACIN 1:22
KARENA 2:27
Keema 77:17,
78:2
Keep 28:4,
30:8, 41:13,
41:19, 65:2,
90:4, 140:6,
163:15,
177:24, 186:9,
206:7, 206:18,

207:1, 208:8,
224:17
keeping 50:14
kept 78:15,
107:17, 134:4,
206:5
key 167:4,
167:5
kids 66:23
kill 162:22,
230:3
killed 25:12,
31:6, 145:3
kilos 125:1
kind 7:10,
7:21, 11:12,
20:21, 29:13,
30:7, 55:25
64:22, 68:24,
124:6, 125:17,
128:6, 134:17,
143:4, 147:2,
147:22, 156:2,
160:25, 165:3,
169:14,
197:21, 198:1,
198:18,
198:24, 199:1,
209:10, 227:4,
241:6
kinds 21:3,
22:16, 79:25,
133:19
King 233:6
kit 95:19
kits 95:14
knowing 60:1,
144:23, 150:15
knowledge
18:10, 26:19,
29:23, 43:22,
55:22, 94:9,
115:13,
118:23,
129:23,
156:11,
156:17,
183:19, 207:3,
244:3
knowledgeabl

e 24:18, 132:7
known 50:24,
159:10, 203:12
Kuskie 82:16

< L >
La 1:12, 2:20,
5:3, 43:9,
54:19, 62:8,
62:10, 62:12,
63:1, 65:25,
67:9, 72:24,
106:18,
107:13,
107:14, 136:8,
153:9, 167:19,
222:19, 235:19
lab 92:22,
157:15,
157:24, 158:3,
158:9, 158:14,
158:17
labor 206:19
ladies 5:20,
88:6, 90:1,
159:11,
164:10,
166:23,
205:15, 221:1,
221:6
laid 93:2,
93:8
Landeros
1:13, 4:11,
5:4, 72:25,
89:11, 136:9,
153:10,
168:14, 169:5,
222:20, 235:20
landlord
169:12,
195:21, 195:23
language
148:10
large 11:24,
18:2, 21:15,
27:11, 82:4,
97:13, 122:14,
122:19,

124:22,
125:18,
127:12,
154:10, 158:12
largely
134:13
larger 78:15,
124:23,
125:15, 158:2,
158:12, 158:13
LARRY 2:28
Las 22:23,
23:13, 24:13,
77:5
Last 5:20,
6:22, 10:6,
34:23, 59:3,
74:21, 74:23,
79:17, 81:17,
101:15,
139:24, 146:3,
164:23, 169:8,
174:4, 192:4,
195:6, 201:21,
201:22, 204:8,
204:14,
204:22, 218:1,
225:21
late 80:7
later 12:20,
87:7, 162:11,
166:25, 181:9,
137:12,
7:21, 25:15,
61:5, 75:6,
75:11, 122:15,
124:11, 156:8,
187:3, 211:19
lawyer
129:11,
144:14,
219:18,
224:14, 242:13
lawyers
33:25, 70:23,
72:18, 135:15,
140:3, 163:16,
224:13, 225:8,
231:5, 234:24,
241:9, 241:11

lay 52:12,
92:21, 92:24
layout 10:16
lead 20:18,
20:22, 20:23,
21:4, 21:9
21:13, 27:22,
29:23, 37:14,
38:15, 38:17,
125:14, 161:1
leafed 51:18
learned 56:8,
59:8, 59:10
learning
72:16, 131:11,
222:13, 232:14
least 77:27,
28:2, 42:10,
53:17, 64:4,
89:7, 110:21,
155:11,
160:14,
162:23,
163:15, 170:5,
193:4, 200:16
leave 14:18,
32:5, 39:22,
55:4, 80:5,
86:18, 93:15,
101:12,
101:17,
131:12,
137:12,
137:15, 143:6,
232:18, 233:2
leaves 28:18
leaving 57:17
led 16:21,
61:13, 101:24,
125:13, 134:9
left 12:22,
28:19, 110:9,
120:20,
129:24,
129:25,
131:15,
167:23, 223:6,
233:21
legal 165:4,
239:24 161

legislature
148:17
lengthier
103:3
less 124:25,
133:11
lesser 148:5
Leupold 172:8
Leupold.
173:24
level 60:20,
64:23, 119:4
liability
236:21
license
155:21, 156:1
life 7:6,
54:23, 75:1
lifestyle
54:22
light 128:23,
147:5
likely 10:21
lime
242:14, 242:16
limit 244:2
limitation
71:14, 130:9,
221:11, 231:12
limited
24:12, 72:7,
84:24, 88:14,
131:2, 222:4,
232:5
limiting
88:4, 88:15,
88:22, 132:1,
135:9, 135:14,
135:17, 205:8,
205:15,
241:22, 243:8,
243:10,
243:14, 243:16
line 49:14,
49:16, 68:16,
170:3, 186:23,
189:1
lines 14:17,
205:21
lineup 136:15

link 11:5
LinkedIn
71:24, 130:19,
221:21, 231:22
LISA 1:25,
152:9, 245:4
list 96:24
listed 96:23,
121:8
listen 42:21,
71:12, 84:11,
130:7, 161:25,
221:9, 231:10
listened
116:11
listening
59:10, 72:10,
131:5, 162:4,
222:7, 232:8
literally
110:3
live 59:11,
162:1, 196:16,
234:21
lived 66:20,
109:11,
109:15,
117:10,
117:23,
120:17, 196:4,
196:13,
196:18, 200:2,
200:4, 200:10,
210:16
lives 24:6,
195:21,
195:23, 196:1
living 55:24,
56:2, 56:4,
57:21, 57:22,
66:23, 117:20,
119:15, 121:2,
195:11,
195:18,
196:24, 197:3,
201:20,
201:21,
206:14, 207:7,
207:10, 208:2
local 24:13,

139:12
located
121:18
locating
121:16
location 9:6,
10:13, 10:17,
10:23, 10:25,
11:7, 13:1,
13:8, 18:16,
18:17, 66:3,
66:7, 83:6,
85:8, 85:15,
98:1, 98:14,
107:2
locations
29:10
lockdown
88:20
long 7:17,
13:2, 23:10,
38:22, 38:25,
48:6, 50:17,
75:6, 108:10,
113:22,
120:17,
120:18,
151:14, 170:4,
172:21, 180:1,
194:8, 196:12,
208:18, 211:3,
223:25, 233:1,
235:8
longer 101:9,
119:23,
139:23, 231:6
look 11:22,
96:12, 111:25,
112:3, 112:13,
148:12,
148:24,
152:25,
169:11, 180:4,
205:14,
228:22,
230:20, 234:2,
239:14
looked 12:1,
12:5, 18:7,
107:24

looking 27:3,
27:14, 28:10,
31:17, 32:10,
54:21, 69:1,
90:5, 99:20,
125:8, 150:12,
156:13,
167:25,
185:10,
187:17,
189:10,
189:11, 190:2,
190:4, 194:21,
231:4
looks 73:12,
74:2, 74:18,
77:23, 94:17,
96:3, 138:8,
164:14, 235:17
lost 86:6,
86:7, 86:9,
179:25,
194:16, 195:3
lot 25:14,
60:16, 67:16,
68:6, 78:18,
80:3, 102:14,
124:25, 128:4,
161:3, 184:10,
193:14,
194:11,
201:16,
201:18, 202:7,
230:23
lots 110:1,
125:25
loud 186:24
louder 230:6
lower 24:22,
24:23, 25:1,
25:11, 25:25,
34:10, 73:18,
224:22, 224:23
lucrative
124:11
Luther 233:6

< M >
M-a-t-t-h

w 6:23
M-i-l-e-r
6:24
M. 1-25, 245:4
MacFarlan
141:11, 142:5,
143:20,
144:16,
149:24, 226:22
machines
162:24
magnitude
60:15
main 11:15,
11:16, 11:23,
76:10, 77:15,
117:22,
118:18,
162:19, 233:3,
237:13
mainly 100:12
major 37:24
man 119:12
mandatory
184:4, 184:7
MANLEY 1:25,
35:6, 245:4
manner 44:23
manufacture
70:6, 115:3
March 51:4,
56:16, 80:9,
81:11, 81:17,
103:1, 119:25,
120:9, 122:18,
123:3, 123:4,
226:1, 234:4,
234:5, 234:23,
237:19
margin 70:11
Maria 109:2,
120:5
marijuana
191:4
Mark 2:3,
77:17, 78:4,
78:5
marked 91:21,
99:16, 136:20,
137:6, 165:12

Martin 233:6
mask 6:5,
34:10, 73:18,
163:24, 168:8,
168:24,
224:18, 224:27
masks 167:24
material
95:11, 154:11,
154:15,
154:20, 155:6,
158:2
materials
72:13, 131:8,
222:10, 232:11
Matt 155:15
matter 1:19,
29:6, 128:12,
131:16, 165:7,
196:7, 245:8
Matthew 3:4,
5:23, 5:24,
6:12, 6:23
mean 16:3,
16:4, 32:19,
44:19, 53:11,
59:20, 64:5,
76:18, 93:3,
101:21,
102:12,
121:10,
142:18, 149:2,
149:5, 149:9,
167:15,
175:14,
182:10,
230:11,
239:11,
239:18,
240:22, 241:8,
241:23
meaning
113:11
means 72:10,
86:17, 88:8,
127:5, 131:5,
222:7, 224:6,
232:8
meant 93:20,
195:24

measured
156:22, 162:24
media 71:19,
72:11, 130:14,
131:6, 221:16,
222:8, 231:17,
232:9
medium 71:14,
130:9, 221:10,
231:12
meet 82:10,
83:9, 90:9,
226:14
meet-up
82:20, 90:13
meeting
78:12, 79:1,
39:24, 82:13,
82:15, 84:25,
220:7
members
27:23, 23:6,
24:21, 25:12,
25:25, 211:19
membership
203:18
memoranda
151:14,
151:20,
136:18, 138:7,
140:9, 140:15,
143:9, 146:25,
150:23, 151:7,
151:11,
186:16, 237:16
memory 69:2,
161:24
men 24:5,
25:16
MENDOZA 36:16
mentally
148:4
mention
117:12, 218:27
mentioned
30:1, 31:11,
77:11, 78:3,
114:24, 117:9,
201:1, 201:7,
203:25, 204:1,
205:4, 230:4

206:11, 234:25
mercenary
47:16
merits 72:9,
131:4, 222:6,
232:7
messages
155:17
messaging
71:22, 130:17,
221:19, 231:20
messier 144:3
met 97:25,
98:16, 99:1,
99:4, 143:5,
179:23, 180:6,
203:13, 208:3,
208:5, 213:5
meta 180:12
meth 43:5,
43:7, 43:8,
77:6, 85:19,
96:5, 123:24,
125:3, 180:17,
181:2, 181:6,
181:8, 181:20,
185:20,
190:20,
192:13, 193:2,
210:11,
212:14, 218:4,
229:5
methamphetamine
ines 58:6,
169:9, 175:18,
190:19
methods 65:4,
127:9, 127:24,
127:25
Mexican
30:20, 127:18,
203:17, 204:3
Mexico 25:12,
126:14,
126:19, 126:21
microphone
30:14, 77:20,
164:7, 173:22,
225:4, 230:4

middle 119:12
Mike 77:17
Miller 3:4,
5:23, 5:24,
6:12, 6:17,
6:23, 6:25,
13:19, 15:3,
15:6, 25:25,
29:18, 30:18,
31:25, 33:17,
34:1, 42:16,
155:15
mind 87:20,
88:11, 90:4,
132:4, 150:19,
161:9, 163:15,
192:3, 192:7,
204:20, 205:4,
205:20, 224:17
minds 125:9
mine 85:6,
86:5, 86:23
minimize
47:11
minute 93:15,
95:17, 199:13,
201:5
minutes 13:4,
72:18, 72:19,
80:4
misdemeanor
23:1
misspoke
93:17
misspoken
166:2
Mister 33:3
mistrial
79:10, 132:11,
133:11, 135:1,
135:8, 136:1,
152:13
modular 18:13
moment 140:8,
179:20,
190:11, 212:2
Monday 233:6,
233:8, 235:4,
238:24
money 40:14,

40:21, 40:24,
41:4, 41:5,
41:8, 41:10,
41:18, 63:16,
63:20, 83:23,
83:25, 116:20,
191:1
monitor 41:1,
206:25
monitoring
35:21
month 48:14,
48:18, 49:3,
51:22, 80:25,
105:12,
184:18, 219:1,
225:25, 242:19
months 27:15,
74:25, 134:24,
187:2, 187:8,
206:6
morning 6:17,
6:18, 45:9,
74:10, 74:11,
101:6, 232:16,
232:23, 233:9,
233:13,
234:10,
238:13,
238:19,
238:21, 242:5,
244:14
Morrell 42:17
mostly 24:12,
105:5
motion 29:1,
58:22, 79:10,
132:11, 135:7,
135:8, 136:1,
151:21,
152:19, 177:4,
204:13, 212:8,
242:14, 242:15
motorhome
195:11,
195:15, 195:19
mounts 172:9
move 79:8,
97:6, 119:11,
159:11,

159:16,
188:22,
194:14,
203:22,
203:23, 204:7,
230:4
moved 22:24,
24:17, 30:14,
37:2, 152:12,
195:8, 196:11,
196:24
moving 58:14,
58:20, 73:13,
73:14, 150:16,
166:17
Mr. Mills
77:24, 79:19,
88:18, 90:9,
93:10, 93:24,
97:6
Ms 3:6, 3:9,
3:15, 3:18,
3:23, 3:27,
3:33, 3:36,
15:2, 31:9,
35:6, 91:19,
134:14, 137:4,
138:4, 146:3,
147:13,
157:19,
157:22, 163:6,
179:19,
210:19,
210:23,
211:14, 212:6,
217:16,
220:24, 223:9,
237:7, 242:16
multiple
48:24, 49:1,
64:11, 64:12,
64:14, 64:20,
125:2, 125:13,
126:9, 162:23
myself 20:10,
82:15, 105:6,
107:9, 110:13,
125:13,
175:20, 205:2,
238:17

< N >
name 6:22,
26:13, 34:22,
34:23, 34:24,
35:4, 58:5,
74:21, 74:22,
74:23, 78:15,
80:11, 105:15,
107:7, 107:11,
113:23, 134:4,
164:22,
164:23, 165:1,
168:13, 225:21
named 9:21,
43:11, 51:24,
53:1, 56:5
names 104:1,
107:12, 114:2
narrative
133:23
narrow 107:11
Narvaiza
102:7
nature 24:20,
69:8, 120:3,
154:14
NDI 35:3,
35:25, 36:10,
36:11, 40:18,
42:19, 51:14,
51:17, 53:2,
53:23, 54:2,
56:8, 75:4,
75:17, 75:19,
76:3, 76:8,
129:2, 141:7,
154:9, 155:1,
155:9, 156:7
near 171:4,
171:7, 210:13,
210:14
necessarily
67:22, 149:2,
158:6
need 73:24,
137:25,
157:11, 162:7,
163:25,
268

165:16,
172:21, 225:8,
225:9, 230:7,
230:8
needed 27:12,
33:10, 114:19,
178:1, 178:21,
192:13
needs 138:23,
225:7
negotiate
64:18
negotiated
144:11
negotiation
64:16, 144:22
negotiations
64:14
neighborhood
57:3, 68:14
neighbors
68:16
Nevada 1:7,
1:9, 1:21,
7:8, 7:27,
2:30, 7:8,
7:23, 11:1,
22:11, 28:3,
35:2, 35:3,
36:11, 36:13,
45:1, 76:13,
126:17,
159:14,
241:12, 245:1,
245:5, 245:8,
245:10
new 144:19,
147:7, 147:19,
148:21,
149:25,
228:16,
229:23,
236:12, 239:5
newly 52:4
news 72:10,
131:5, 227:7,
232:8
newspapers
71:15, 130:10,
221:11, 231:13

Next 5:22,
17:10, 34:5,
59:6, 62:17,
63:2, 73:15,
79:15, 79:18,
86:13, 92:22,
112:1, 120:15,
149:20, 157:6,
163:20, 168:6,
173:20, 180:6,
180:15,
184:18,
197:10,
202:22,
204:16, 206:1,
224:19, 227:23
nice 5:19,
135:15, 136:3,
242:3, 244:13
night 5:20,
80:7, 198:11
NIK 91:7,
91:10, 91:13,
94:25, 95:8,
95:19, 99:12,
162:24
nip 149:10
No. 1:25,
54:6, 137:27,
149:16,
157:14,
170:16, 176:9,
178:25, 182:8,
186:1, 187:12,
189:16,
201:20, 215:1,
220:13
Nobody 196:1,
216:4, 216:25,
218:24
Nods 96:6,
164:21, 221:3
nolo 148:4
None 19:9,
202:18, 204:12
Noon 71:8,
130:2, 136:5
normally
103:23,
138:18, 139:4

north 127:15,
128:4
Nos. 1:1
note 40:8,
131:12,
131:22, 133:21
noted 68:16,
112:15
notes 149:17,
150:12,
223:24,
245:11, 245:13
Nothing
29:15, 37:22,
33:15, 61:25,
70:13, 79:4,
107:20,
132:22,
133:15,
146:18,
151:23, 159:3,
159:24, 161:8,
190:19,
190:20, 191:4,
191:5, 191:8
notice
109:18, 140:8
notified
86:15, 87:7
notify 118:10
November
35:25, 101:15
nowadays
162:19
Nowhere
218:14,
NRS 136:22,
244:3
Number 23:21,
25:13, 33:20,
57:1, 64:11,
95:15, 100:7,
100:14, 108:6,
126:4, 139:19,
159:8, 159:21,
160:9, 192:9,
192:16, 192:17
numbered
166:3, 166:5
numbers

37:13, 41:13,
41:17, 41:19,
54:18, 155:12,
174:14,
177:20,
192:11, 233:10
Numerous
77:9, 175:14,
175:15
Nunes 5:17,
172:23
NV 2:16

< O >
O-T-S-e-n
64:24
oath 6:6,
34:12, 73:20,
135:21, 154:4,
212:11,
223:18, 236:3
object 58:8,
78:17, 87:16,
135:9, 174:11,
202:8, 217:10
objecting
58:15, 58:17
objection
58:25, 88:2,
89:19, 89:22,
92:14, 92:15,
93:5, 96:16,
96:18, 133:22,
159:25, 160:1,
160:4, 160:5,
160:6, 166:18,
166:19,
166:21, 174:9,
174:10,
174:20,
202:12, 204:5,
204:10,
205:12,
208:12,
242:21, 242:22
objections
89:18, 174:8
objective

29:9, 76:10 obligate 148:23 obligation 24:3, 219:4 obligations 24:22 observation 109:14 observe 9:8, 10:24, 12:6, 13:5, 13:11, 14:18, 18:1, 30:11, 89:3, 240:4 observed 31:11, 89:1 obvious 242:23 obviously 68:9, 135:9, 142:3, 148:17, 158:25, 174:15, 237:9 occasion 8:18, 85:19 occasions 14:19, 89:6, 89:7, 111:24, 175:13, 175:15 occupant 13:12 occupation 35:23, 36:9, 121:9 occupational 121:7 occur 13:23, 190:22, 211:21 occurred 102:25, 106:18, 113:20, 133:16, 169:25, 177:23, 183:5, 190:23 occurrence 57:18, 170:10 occurring	53:18 October 181:15, 183:4 offenders 23:2 offenses 37:7, 243:22 offer 64:14, 89:13, 92:10, 137:7, 198:18, 198:20, 242:14, 242:15 offered 137:8, 183:23 offering 63:21, 174:7 offhand 177:20, 192:10 Office 20:9, 42:19, 75:4, 91:12, 91:13, 97:20, 99:12, 101:10, 101:18, 102:4, 102:11, 118:7, 139:19, 140:7, 141:6, 146:5, 154:19, 155:1, 160:13, 160:24, 162:15, 162:23, 162:25, 163:3, 211:20 Officer 22:20, 22:21, 22:25, 23:9, 24:17, 29:13, 36:14, 70:6, 76:7, 94:16, 143:13, 219:17 officer-invo lved 37:25 officers 14:2, 19:22, 22:17, 77:13, 215:21, 216:14, 219:9 Official 51:25, 102:17,	245:4 officially 46:20 often 60:19, 160:20, 178:25 old 35:4, 66:25, 120:1 on-the-stree t 24:13 Once 16:7, 46:21, 54:17, 64:4, 82:6, 119:10, 192:5, 200:19, 215:25, 216:9, 216:11 one-ounce 61:5 one. 139:11, 143:19, 146:17 ones 44:13, 44:14, 47:19, 69:6, 82:4, 97:14 ongoing 45:16, 58:15, 126:2, 132:18, 242:21 ooooo 1:8 open 53:4, 53:6, 53:11, 54:21, 102:14 opened 53:6, 53:7, 54:7, 54:9, 65:24, 66:17 opening 51:1, 120:14 opens 133:2 operating 55:3, 127:25 operation 39:8, 82:9 operational 29:5, 29:7, 29:8 operations 30:5, 35:19, 75:14 opinion	71:16, 130:11, 221:13, 231:14 opioid 77:8 oppose 147:11 opposed 69:3 option 64:13 order 24:3, 28:9, 33:9, 115:8, 140:6, 212:20, 213:13, 214:7, 215:24, 218:11, 241:2, 241:24, 242:14, 242:17 ordered 218:9, 218:18 ordering 60:6, 241:5 organize 82:7 organized 82:7 original 167:9 originally 54:1, 141:12, 144:11, 169:11, 187:15, 229:5 originated 126:17, 126:19 originating 122:6, 126:14 Orlando 77:8 Osino 10:11, 10:20, 13:1, 28:13, 68:14, 87:4, 107:7, 119:25, 170:14, 170:18, 213:18, 214:13, 214:25 others 33:11, 117:21, 126:4 otherwise 54:23, 88:24 ought 134:25 ounce 60:15, 60:20, 63:15, 270	63:17, 63:21, 63:23, 123:12, 123:14, 123:15, 182:23, 199:2, 199:5 Ounces 21:20, 22:2, 22:3, 82:5, 84:7, 85:18, 85:22, 90:23, 91:3, 97:14, 114:10, 121:23, 124:17, 124:24, 125:5, 125:6, 125:10, 125:13, 125:21, 182:17, 182:23, 182:24, 182:25, 183:14, 184:13, 185:19, 187:16 outcome 237:23 outside 20:25, 25:19, 43:5, 84:22, 126:23, 129:19, 149:18, 157:15, 158:10, 236:3 outstanding 151:12 over-the-phon e 106:14 Overall 9:3, 80:24 overruled 176:10, 217:13 oversee 37:19 own 55:21, 55:23, 72:16, 131:11, 171:15, 171:18, 171:19,	171:20, 171:23, 195:10, 207:2, 222:13, 227:2, 232:14 owned 54:22, 55:10, 66:14, 108:21, 117:13, 121:2, 121:17, 121:19, 195:12 owner 61:15, 89:8 owns 55:7 < P > p.m. 130:3, 131:14, 136:4, 136:5, 136:6, 222:15, 222:16, 235:15, 235:16, 244:15 package 30:9, 95:23, 100:19 packaged 156:25 packaging 30:25, 92:1 packet 95:9 pads 131:12, 232:18 PAGE 3:3, 4:3, 4:10, 165:21, 166:1, 166:9, 186:21, 188:24, 188:25, 189:1 pages 166:3, 245:12 paid 47:17, 63:17, 122:20, 124:17, 199:1 paint 10:15 paper 95:10, 159:8, 185:11 paperwork 182:5, 194:21 parallel	112:8 park 28:7, 120:23, 196:8 parked 12:5, 13:10, 17:8, 17:10, 84:18, 85:3, 85:4 Parole 7:23, 22:8, 72:20, 22:21, 23:9, 23:17, 24:5, 24:9, 24:11, 24:17, 36:12 part 8:12, 11:16, 12:2, 122:21, 24:1, 28:2, 31:17, 32:13, 38:17, 54:20, 69:7, 114:23, 118:5, 118:23, 119:6, 126:8, 128:7, 132:25, 133:1, 133:25, 183:12, 183:25, 219:3, 242:18 participant 51:6 participants 72:19 participate 39:23, 116:10, 116:12 participated 15:7, 19:2, 19:7, 37:15, 51:3, 243:20 participatin g 15:19, 79:13, 35:22, 40:3, 42:19, 106:12, 114:15, 129:1 particular 16:12, 32:5, 87:13, 100:15, 106:3, 108:17 parties 137:13, 161:13	party 203:19 pass 14:21, 31:19, 45:3, 65:10, 100:25, 176:18, 196:23, 198:5, 211:24 passed 13:8, 119:13 passenger 112:10 passenger-si de 112:15 past 13:1, 18:16, 119:11, 122:12, 181:1, 193:12 pat 182:10 Patrol 11:1, 28:3, 75:15, 102:17, 102:18 patrolman 102:18 pattern 50:12 Paul 178:10 Pauses 36:19 pay 63:22, 170:8, 187:3, 198:21, 209:21 Paying 63:21, 125:6, 199:2, 231:4 PC 240:12 penalties 25:8 penalty 186:7 pending 230:9 People 23:21, 24:23, 25:1, 25:16, 25:17, 57:17, 59:17, 60:19, 66:6, 66:9, 110:16, 115:23, 117:23, 125:19, 152:14, 156:9, 162:23, 164:9, 168:21, 168:22, 180:5,
202:6, 215:22, 216:6, 217:2, 217:24, 217:25 per 123:16, 124:8, 159:8 perceive 236:20 perfectly 155:10 perform 154:13 performed 156:5 performing 52:4 perhaps 131:25 period 13:25, 50:22, 56:21, 61:11, 117:7, 125:23, 187:1, 191:15, 194:8 permit 136:24, 148:7 permitted 242:20, 242:24, 244:3 permitting 88:7 personal 21:16, 22:4, 44:14, 60:3, 70:3, 116:1, 207:2 personally 37:19, 49:13, 59:10, 85:2, 89:1, 89:3, 94:23, 98:4, 98:6, 107:10 personnel 82:8, 97:21 persons 115:21 perspective 156:18 pertain 152:16 pertains 88:23	photo 107:16 photocopy 41:18 photocopying 41:5 photographs 155:17 phrase 39:10 phrased 152:14 phrases 162:4, 162:5 physical 26:7, 29:1, 206:18, 206:19, 223:13 pick 21:9, 110:10, 198:21, 228:16, 232:19 picked 86:20, 141:7 pickup 12:21, 12:22, 13:2, 13:5, 13:8, 14:18, 55:16, 55:17, 55:18, 86:1, 120:5, 209:4, 209:6, 209:14, 209:17, 209:18 pickups 209:15 picture 10:15 piece 16:25, 59:5, 134:1, 134:11 pipe 210:8 Place 10:2, 10:3, 10:8, 10:16, 39:9, 83:3, 95:12, 106:9, 115:15, 122:7, 152:11, 171:11, 196:8, 200:22, 203:17, 213:13, 215:23, 227:7, 230:16	placed 20:21, 84:23, 91:18, 128:19, 189:6 places 57:18, 127:2, 243:15 plain 75:3 Plaintiff 1:10, 2:3 108:6, 245:8 plan 9:4, 9:5, 10:1, 84:3, 85:1, 85:17, 85:22, 90:25, 94:3, 119:8, 137:6 plate 110:11, 156:3 plates 155:21, 156:1 pled 167:7 plead 143:23, 146:9 pleading 185:23, 187:10, 187:24 pleas 234:1 pled 167:7 plenty 241:4 pocket 171:14 point. 11:21, 31:13, 217:11, 224:16, 240:2 Police 20:9, 64:24, 97:19, 113:9, 116:1, 189:21 portion 18:1, 18:21, 31:12, 31:15, 58:14, 58:17, 136:23, 137:11, 148:6, 236:10 portions 84:15 Ports 127:13 posed 203:24 position 28:15, 35:16, 75:2, 98:12, 105:2, 133:15 positive	91:15, 95:21, 95:25, 99:13 possibly 112:18, 113:2, 113:4, 113:10, 113:14, 114:23 possess 171:22 possession 146:8, 146:14, 172:1, 199:23 possible 26:13, 126:7, 144:3, 147:9, 156:5, 158:17 possibly 187:18 POST 76:18 post-buy 90:13, 90:14 potential 48:25, 103:25, 150:4, 186:7, 239:2 Potentially 48:6, 48:8, 104:8, 105:1, 126:2 pound 175:2, 125:5 pounds 21:20, 125:2 power 20:5, 127:24 powers 64:17 pre-existing 115:13 prearranged 90:24 precautions 206:3 preceding 134:24 precise 216:25 precisely 113:20, 215:2, 216:4 predated 151:15	predisclosed 98:1 Predominantl y 76:10, 163:2 prejudice 134:17, 135:24 prejudicial 134:25, 136:24, 137:14, 148:7 prejudicial. 137:11 prelim 139:17 preliminary 141:25, 142:7, 142:11, 143:25, 151:17, 155:19, 227:25, 228:7 premise 147:24 prepared 143:21, 144:8, 150:13, 243:19 presence 5:10, 56:17, 73:6, 91:14, 91:15, 95:25, 99:13, 153:16, 158:9, 223:1, 236:3 present 40:2, 73:12, 105:22, 106:21, 115:5, 199:19, 245:7 presentation 5:21 Presently 206:20, 206:22 presumably 155:5 presumptive 91:14, 92:16 presumptivel y 95:21, 95:24, 99:13 Pretty 22:16, 36:23, 42:9, 54:21, 77:1,	123:9, 124:8, 152:15, 193:11 prevent 147:17 prevents 149:6 previous 50:13, 81:14, 81:20, 201:1, 210:20, 210:24, 211:9 Previously 5:6, 7:3, 23:13, 73:3, 105:19, 115:6, 136:11, 153:13, 177:1, 177:15, 178:17, 179:3, 181:24, 186:15, 191:17, 200:13, 201:13, 212:7, 212:13, 215:25, 216:12, 222:22, 235:22 price 70:7, 123:24, 125:4, 198:20, 198:21, 198:22 prices 122:21, 122:23, 123:1, 123:2, 124:4 primarily 8:7, 41:11, 63:9 primary 8:1, 35:17, 44:12, 60:5, 76:6 priorities 21:2, 21:4, 21:13, 21:15 priority 20:21, 21:21, prison 48:7, 104:9, 145:7, 147:8, 184:4, 184:7, 184:10, 189:10, 189:15, 230:2, 236:18 privacy 69:7, 69:11, 69:15 private 7:1 privy 118:5, 118:8, 129:23 probable 126:24 Probably 18:12, 36:71, 43:21, 46:9, 109:24, 124:25, 127:4, 165:21, 180:16, 206:6, 207:21, 230:3 Probation 7:24, 22:8, 22:20, 22:21, 23:5, 23:9, 23:18, 24:6, 24:10, 24:11, 24:17, 36:12, 145:1, 147:11, 167:9, 189:6, 189:12, 227:15, 229:16, 229:23, 236:17 problem 23:17, 36:18, 39:11, 115:19, 138:3, 151:3, 192:10, 200:25, 206:23 problems 206:18, 223:14 procedural 100:5 procedure 82:22, 83:13, 137:3 proceed 6:11, 34:16, 36:25, 74:4, 90:8, 164:14, 167:4, 225:12	184:7, 184:10, 189:10, 189:15, 230:2, 236:18 privacy 69:7, 69:11, 69:15 private 7:1 privy 118:5, 118:8, 129:23 probable 126:24 Probably 18:12, 36:71, 43:21, 46:9, 109:24, 124:25, 127:4, 165:21, 180:16, 206:6, 207:21, 230:3 Probation 7:24, 22:8, 22:20, 22:21, 23:5, 23:9, 23:18, 24:6, 24:10, 24:11, 24:17, 36:12, 145:1, 147:11, 167:9, 189:6, 189:12, 227:15, 229:16, 229:23, 236:17 problem 23:17, 36:18, 39:11, 115:19, 138:3, 151:3, 192:10, 200:25, 206:23 problems 206:18, 223:14 procedural 100:5 procedure 82:22, 83:13, 137:3 proceed 6:11, 34:16, 36:25, 74:4, 90:8, 164:14, 167:4, 225:12	proceeded 86:6 Proceedings 1:17, 72:22, 136:6, 159:12, 159:19, 222:16, 235:16, 245:7, 245:14 process 41:9, 101:23, 110:8, 157:15, 159:13, 179:11 processed 157:24 productive 23:6, 230:20, 230:23 profit 70:11 profitable 59:25, 70:1, 124:8, 124:13, 124:14 program 103:8 prohibited 76:3, 116:5 prohibition 25:18, 72:7, 131:2, 222:4, 232:5 promoted 35:10, 35:15, 35:16, 37:1, 51:15, 51:21 proof 242:14, 242:15 propensity 135:18, 243:7, 243:23, 243:24 proposition 125:9, 147:3 prosecuted 226:7, 238:9 prosecuting 148:1 prosecution 64:12, 64:13, 64:21, 167:8, 236:15, 238:10 prosecutor,

33:20, 141:11,
143:15,
152:22, 161:1,
184:22, 234:20
prosecutors
70:24, 72:18,
129:11, 145:19
prospective
241:7
protocol
20:21, 114:18,
114:22, 114:23
provide 9:2,
47:10, 83:23,
118:4, 169:22,
175:10, 175:24
provided
83:2, 83:25,
84:4, 84:6,
90:6, 90:17,
92:8, 98:2,
98:3, 136:19,
150:10, 243:20
provides
40:18
providing
9:12, 107:15
proximity
13:23
Public 7:9,
35:3, 74:15,
100:6, 102:10
published
166:24
pull 156:3
purchased
61:18, 125:1
purchases
15:16, 19:1,
19:3, 19:7,
19:8, 19:9
26:17, 40:14,
40:18, 44:22,
54:18, 54:19,
64:11, 64:13,
64:20, 81:17,
104:18,
105:11,
113:25, 118:22
purpose

40:10, 88:14,
100:10
purposes
28:20, 100:13,
158:9, 243:7
243:23, 244:3
pursuant
136:18,
140:13,
228:10, 240:5
pushed 192:14
put 106:10,
154:19,
159:22, 160:2,
161:20,
189:11,
189:14,
224:18, 227:6,
230:25, 240:21
putting
186:18
puzzle 134:1,
134:12

< Q >
qualificatio
ns 97:4
quantities
21:16, 21:20,
21:23, 65:3,
78:16, 122:14,
122:19, 134:5
quantity
21:25, 119:10,
126:15, 162:21
questioned
140:21, 143:2,
241:7
quicker
159:7
quite 21:6,
24:8, 48:15,
49:4, 60:25,
181:9, 214:18,
214:19, 215:5,
215:12, 237:11
quote 214:17

< R >
R. 1:22
radio 12:16,
28:12, 49:19,
71:15, 130:10,
221:12, 231:13
Raise 34:12,
73:20, 163:24,
224:25
raised 135:5
Ramirez-de
107:13
Ramirez-de
1:12, 2:20,
5:3, 43:9,
54:19, 62:8,
62:10, 63:1,
65:25, 67:9,
72:24, 106:18,
107:14, 136:8,
153:9, 167:19,
222:19, 235:19
ramp 13:9
ranch-style
69:3
range 84:19,
84:20, 85:11,
85:13, 161:25,
207:17, 207:19
rank 20:4
rarely 179:9,
179:10
rate 243:5
rather 88:10,
142:13, 236:13
rattled 48:11
re-creating
72:14, 131:9,
222:11, 232:12
reach 140:7
reached
118:10,
141:13, 229:7
read 71:12,
100:21, 130:7,
137:12,
147:25,
165:17,
186:23, 189:3,
221:8, 223:24,

231:10
reading
72:10, 131:5,
222:7, 232:8
ready 136:25,
153:3, 192:5
real 50:14,
76:19, 167:15,
198:23, 206:24
realize
52:25, 194:23,
230:22
Really 21:1,
50:11, 126:1,
179:1, 196:10,
196:14,
209:21, 224:6
rearrested
129:22
reason 81:19,
102:5, 111:4,
135:7, 150:5,
152:18,
161:22,
162:10,
162:18, 188:8,
216:17, 233:3,
240:20
reasonable
135:2, 161:7
reasons
67:15, 132:8,
172:12,
237:13,
242:23, 243:13
rebate 41:9
recalled
26:10, 230:22
receive 76:15
received
16:1, 47:22,
76:17, 76:24
recent
127:16, 144:4,
146:4, 236:15
Recently
144:4, 146:20,
147:6, 228:16
Recess 71:6,
71:7, 72:21

130:3, 136:5,
220:17, 771:5,
222:14,
222:15,
233:19,
235:13, 235:15
recognition
22:10, 76:18,
94:11
recognize
91:23, 99:19
recognizes
241:21
recollection
27:17, 182:2,
234:3, 240:3
recommend
167:9, 189:5,
229:23, 236:17
recommendati
on 148:5
recommending
145:1, 229:16
record 5:2,
34:23, 62:21,
62:25, 63:4,
64:5, 72:23,
77:21, 131:18,
131:19,
132:13,
136:15,
139:16, 153:8,
159:23,
161:23,
164:23, 168:9,
168:11, 169:2,
169:4, 186:11,
222:17,
235:11,
235:18, 242:18
recorded 83:4
recording
41:4, 44:14
records
119:18, 150:9,
155:18
recover
95:11, 155:1
recovered
61:23, 90:14

recross
32:23, 69:19,
159:4, 273:20,
223:22
RECROSS-EXAM
INATION 3:9,
3:10, 3:18,
3:19, 3:27,
3:36, 31:21,
31:23, 33:1,
65:11, 65:13,
69:22, 157:18,
157:21,
211:25, 212:5
REDIRECT 3:8,
3:17, 3:26,
3:35, 29:17,
29:20, 62:1,
62:2, 157:8,
157:9, 157:18,
210:3, 210:4,
223:18,
223:19, 223:21
reduced
141:15, 148:5,
227:12
refer 15:14,
15:22, 76:2
reference
72:13, 131:8,
134:22,
148:23,
222:10, 232:11
referred
13:21, 30:24,
63:6, 63:7,
75:25, 93:17
reflect
62:21, 62:25,
168:9, 168:11,
169:2, 169:4
reflected
14:3
regard 131:23
regarding
22:7, 72:8,
110:21,
127:21, 131:3,
150:3, 210:24,
222:5, 232:6

regards
97:24, 146:2,
227:1
registered
60:10, 120:2,
120:5, 156:4
registration
110:11,
110:15, 156:3
regular 233:7
regularly
60:25, 61:1
rehand 100:17
related 239:6
relates
174:23
relationship
24:21, 57:24,
58:1
relatively
125:4
release 118:3
released
139:24
relevancy
174:20
relevant
174:22,
205:20, 216:15
reliability
115:17
relocating
129:19
remain 229:1,
232:20, 238:1,
239:22
remaining
129:17
remanded
744:12
REMEMBERED
1:19, 151:20
remembering
191:24, 192:11
remind 42:5,
154:3, 220:19,
223:17
reminder
233:11
remotely

133:15
remove 95:9
Reno 2:30,
139:3
reoffend 23:7
reoffer
92:23, 96:15
repackaged
91:17
repeat 10:7,
30:16
repeatedly
65:2
repeater
84:23
repeating
205:1
repetitive
52:25
reply 175:1
report 26:23,
43:19, 71:32,
82:17, 112:17,
113:9, 130:7,
221:9, 231:10
Reported
1:25, 28:8,
112:21
Reporter
28:23, 63:18,
152:5, 152:10,
164:9, 225:7,
245:4
reports 14:3,
15:14, 15:22,
15:25, 16:1,
16:3, 25:10,
35:21, 50:21,
104:17,
105:21,
111:23, 112:20
represent
5:9, 136:14,
153:15,
234:21, 235:25
represented
143:22
representing
143:12, 241:11
represents

236:1
requesting
157:2
required
117:3, 136:23,
154:13
requires
159:15, 187:3
reread 104:17
res 133:21,
135:4
Rescue 39:8,
39:12, 42:7,
49:8, 162:2
reseal 95:13
research
72:5, 72:12,
130:25, 131:7,
222:2, 222:9,
232:3, 232:10
reside 68:15
resided
10:13, 107:17,
119:21, 119:23
resident
194:7
residing
66:2, 66:6,
67:9, 67:13,
117:19, 120:19
resolution
238:11
resolved
242:17
respect 21:2,
132:5, 156:8
respective
5:6, 73:2,
136:11,
153:12,
222:22, 235:21
Response
58:21, 58:24,
132:15,
174:19,
202:13,
202:14,
202:16, 204:4,
214:14, 227:18
responsibili

ties 8:2,
8:13, 76:7,
76:11
responsibili
ty 27:9
responsible
60:8
rest 145:19,
231:5, 232:16
restate 25:20
restricted
47:19
result 54:13
resulted
238:8
resumed
72:22, 136:6,
222:16, 235:16
retract 183:2
retribution
147:9
retrieve
83:10, 170:20,
170:22, 171:5
retrieved
99:7
return 44:6,
55:5
returned
18:16, 87:8,
99:12, 160:12,
162:14
returning
55:12, 119:20
revealed
56:16, 57:6
review 82:17,
105:13,
105:21, 108:9,
111:23, 112:7,
112:20,
113:13, 162:11
reviewed
15:25, 108:11,
108:12, 240:13
reviewing
50:20
revolver
4:12, 171:20,
171:23, 172:2,

172:19
rid 189:7
right-hand
210:10
rights 230:8
Road 85:6,
86:5, 86:23,
119:23,
120:21,
120:23, 121:3,
142:13, 195:6,
201:21
roads 10:22
roadside
78:14
role 8:23,
8:25, 14:9,
14:11, 20:3,
36:5, 38:17,
39:6, 39:7,
40:1, 42:5,
44:3, 44:11,
44:16, 218:4
roll 39:11
room 71:23,
130:4, 130:18,
131:20,
159:16,
166:25,
221:20,
231:21,
232:15, 233:13
roughly
24:25, 84:24,
112:9, 123:13,
123:20, 194:24
Rule 33:21,
70:19, 70:21,
163:11, 220:18
run 25:3,
25:6, 25:23,
41:3, 110:12,
119:10
running
39:15, 39:17,
171:3
runs 37:13
rushing 36:21
Ryndon 10:20,
11:6, 12:25,

13:10, 42:3
Ryndon/osino
10:4

< S >
S-a-n-d-s-t-
r-o-m 225:23
S-c-o-t-t
34:24
S-h-e-l-d-o-n
164:24
S-m-i-t-h
34:25
S. 2:3
safe 39:13
safer 64:25
Safety 7:9,
35:3, 82:9,
100:6, 128:11,
129:17,
162:20, 163:2,
172:12, 204:23
sake 76:2
sale 55:11,
115:6, 121:24,
141:16,
143:23,
156:13,
156:25, 177:8,
179:24, 180:4,
183:11,
183:12,
200:22, 201:3,
201:9, 201:22,
213:6
sales 8:3,
22:14, 23:23,
26:14, 48:4,
59:18, 107:3,
108:8, 118:15,
193:5, 243:20
satisfy 137:8
Saturday
232:25
saving 162:7
saw 13:17,
18:14, 32:4,
32:18, 86:3,
86:4, 86:13

110:5, 121:1,
125:19, 158:6,
175:19,
197:10,
197:13,
209:23, 209:25
saying 109:2,
140:18, 151:2,
179:16,
185:22,
188:16,
200:17,
213:19,
216:12,
216:24, 217:23
says 136:16,
137:10,
148:16, 187:7,
238:2, 243:18
scale 91:17
scenario 31:5
scope 147:20,
172:8, 173:23
Scott 3:13,
20:2, 34:6,
34:17, 34:24
scrutiny 90:7
sealed 95:9
search 26:10,
37:13, 37:16,
38:19, 40:4,
40:6, 56:3,
56:10, 56:16,
61:23, 109:24,
110:19, 111:4,
155:14
searched
82:23, 82:25,
83:11, 83:12,
83:16, 84:25,
90:16, 98:1,
98:2, 99:6,
115:1, 115:2
searches
107:10, 160:13
searching
40:4, 40:10
seasoned
243:17
seat 5:25,

34:15, 73:23,
112:10,
153:24, 164:3,
225:3
seated 6:8,
62:16, 168:3,
168:5, 168:20
Second 2:15,
5:21, 28:15,
98:11, 98:19
seconds 95:17
sector 7:1
seeing 69:1
seek 33:11,
115:14
seeking
87:22, 174:15,
176:6
seemed 55:15,
203:15
Seems 137:23,
174:25, 205:6
seen 56:12,
128:4, 200:11,
200:13, 234:7,
243:15
seize 155:13
sell 30:6,
60:21, 70:10,
124:7, 125:2,
175:21, 178:2,
202:5
seller 9:9,
48:25, 49:7,
116:3
selling 50:4,
50:18, 65:1,
69:25, 124:6,
125:20, 141:2,
141:14,
156:19,
169:16,
169:18,
175:17,
184:13,
185:19, 189:9,
193:2, 198:5,
199:3, 199:6,
218:4, 226:5,
226:11

sells 70:7
send 208:13,
233:10
sense 175:4,
237:21
sent 154:15,
154:18, 158:3,
158:6, 158:8,
158:13, 158:17
sentence
10:6, 148:6
sentenced
184:17,
211:15, 218:25
sentencing
138:13,
144:25,
167:17, 189:4
separate
89:7, 174:13
separately
146:18
September
27:3, 27:22,
27:25
serial 41:11,
41:19
service
71:21, 71:22,
130:16,
130:17,
221:18,
221:19,
231:19, 231:20
services
118:4
serving 59:24
session
233:6, 233:8
set 10:24,
11:2, 23:4,
28:25, 82:1,
85:8, 104:18,
104:25,
138:12,
167:17, 234:8,
240:18
sets 104:16
setting 57:3,
115:21

seven 230:21
seven-month
56:20
Several
25:11, 27:14,
30:4, 47:8,
56:22, 56:24,
56:25, 68:7,
107:12, 181:7
sex 23:1
Shakes 176:8
shall 72:4,
130:24, 148:6,
148:16, 222:1,
232:2
shed 170:23,
171:1, 180:22
sheet 159:7,
240:12
Sherb 141:13,
143:20, 149:24
Sheriff 20:9,
75:4, 97:20,
101:10,
101:13,
101:18, 102:4,
102:6, 107:11
shift 5:25,
63:25
shipped 139:1
shirt 67:19,
168:24
shook 197:24
shooting
37:25
Short 12:20,
13:25, 57:2,
75:25, 125:12
shorter
161:25
shortly
79:14, 203:9
shoulder
172:9
shouldn't
40:16
Show 80:4,
85:23, 88:10,
89:15, 91:20,
99:16, 133:2

195:24, 196:8, 196:20, 196:21, 200:5, 200:7, 200:9, 200:14, 200:16, 200:19, 207:3, 207:12, 207:13, 210:9, 210:13
trailers
trained
30:25, 57:15, 70:5, 77:16, 78:1, 157:14
training
22:5, 22:6, 22:9, 22:13, 22:15, 22:17, 24:24, 30:1, 30:2, 69:24, 76:15, 76:19, 76:23, 77:2, 77:13, 94:11, 94:13, 96:10, 126:9, 127:22, 158:19
trainings
76:17, 76:20, 77:11, 127:21
transaction
39:9, 41:2, 59:11, 59:13, 60:22, 156:24, 161:23
transactiona
1 142:16
142:20, 145:10
transactions
61:7, 61:21, 61:22, 111:16, 111:19, 208:17, 208:22
TRANSCRIPT
1:17, 151:18
transcriptio
n 245:13
transfer 43:5
transferred

75:14, 75:16
transpired
58:3
transportati
on 8:3, 55:11, 209:10
trash 37:13
travel
117:18, 195:24
traveled
160:13
treatment
128:24
trepidation
147:8
Trial 1:11
33:22, 36:20, 70:20, 70:23, 71:11, 71:13, 71:17, 74:16, 97:5, 130:6, 130:8, 130:12, 152:21, 219:5, 220:19, 221:8, 221:9, 221:10, 221:14, 224:7, 224:12, 231:9, 231:11, 231:15, 243:5, 243:15, 244:7, 244:15
tried 174:14
trigger 125:8
trouble
144:5, 144:6, 151:14, 165:4, 190:7, 226:3
truck 12:22, 13:2, 13:5, 13:8, 55:16, 55:17, 55:18, 86:2, 86:4, 86:8, 86:10, 86:13, 86:20, 86:22, 89:3
trucks 11:2
True 35:14, 193:15, 214:20, 215:6, 245:12, 245:14

truth 87:23, 88:2, 88:8, 88:9, 115:9, 205:18, 205:19
try 72:17, 74:18, 108:18, 110:9, 116:4, 133:11, 157:23, 159:15, 161:25, 164:11, 164:12, 207:1, 225:5, 231:3, 234:13
trying 43:1, 47:9, 48:5, 53:12, 54:24, 119:3, 126:3, 133:2, 145:18, 147:16, 151:17, 183:15, 187:21, 206:25, 214:1, 217:14, 219:22, 220:3, 234:15
Tuesday
233:9, 233:12, 233:14, 235:6, 235:7, 238:13, 238:16, 238:21, 238:24, 242:5, 244:13
turn 41:7, 81:3, 95:23, 105:7, 116:2, 186:21
turned 55:17, 86:8, 86:23, 95:24
turns 37:11, 243:3
Twenty
123:21, 186:8
twenty-five
123:21
twice 191:7,

193:14, 200:20
Twitter
71:24, 130:19, 221:21, 231:22
two ounce
183:12
tying 146:16, 146:17
type 22:25, 47:25
types 30:5, 212:16, 212:24
typical
10:25, 11:17, 22:16, 30:6, 82:22
Typically
22:5, 28:14, 49:1, 75:24, 84:20, 84:23, 95:15, 97:12, 124:1, 127:23, 128:3, 156:2, 156:20, 156:24, 158:4, 162:1, 162:16, 238:11
< U >
UFED 155:16
Ulloa 109:2, 120:5
ultimate
184:12, 184:16
ultimately
50:3, 50:4, 50:18, 65:16, 66:12, 128:15, 128:17, 183:21, 184:3, 184:12, 189:13, 213:11, 243:9
Um-hmm 5:18
124:19, 188:4
unavailable
39:20
unaware 142:1
uncommon 282

60:13
undercover
77:5
underlying
195:13, 236:12
understand
6:25, 21:6, 21:8, 24:20, 28:2, 30:13, 55:1, 55:24, 62:24, 78:18, 159:22, 186:25, 187:3, 188:2, 193:3, 198:4, 203:2, 203:7, 213:23, 217:14, 225:6, 240:19, 241:8, 244:4
understandin
g 24:11, 46:14, 48:9, 53:25, 78:25, 110:22, 116:23, 118:15, 167:6, 167:11, 186:2, 188:23, 210:16, 211:13, 214:13, 226:24, 228:10, 229:10, 230:10, 234:6, 234:21, 243:1
understood
56:2, 208:16
undisputed
134:18
unfiled
143:19, 143:21
Uniform
185:17, 185:24
Unit 7:13, 7:17, 8:1, 19:23, 35:13, 35:18, 35:19, 46:22, 49:16, 75:22, 75:24,

76:1, 76:4, 76:9, 76:15, 77:2, 77:16, 78:1, 80:17, 80:19, 104:6, 112:15, 141:20
United
126:23, 126:25
units 24:1
Unless
166:24, 243:17
unloaded
172:18
unmarked
102:20, 112:15
unreasonable
50:21
unrelated
104:19
unsigned
143:19
v. 1:11
vacation
106:7, 106:8
vague 152:15
valid 156:5
validating
37:10
value 123:1
van 86:16, 162:2
vantage
11:13, 11:21, 11:22, 13:16, 18:4, 11:13, 71:25, 84:18, 92:22, 109:23, 111:3, 130:12, 130:20, 131:13, 149:12, 163:14, 181:14, 221:14, 221:22, 224:7, 231:15, 231:23, 237:19
upcoming
145:14
upper 24:21
upstairs
150:16
user 116:3
Using 11:12, 21:22, 37:23, 40:14, 63:5, 64:19, 72:12, 72:13, 127:10, 131:7, 131:8, 193:16, 193:18, 222:9,

222:10, 232:10, 232:11
utilized
65:4, 127:13
utilizes 11:1
utilizing
80:14
< V >
v. 1:11
vacation
106:7, 106:8
vague 152:15
valid 156:5
validating
37:10
value 123:1
van 86:16, 162:2
vantage
11:13, 11:21, 11:22, 13:16, 18:4, 11:13, 71:25, 84:18, 92:22, 109:23, 111:3, 130:12, 130:20, 131:13, 149:12, 163:14, 181:14, 221:14, 221:22, 224:7, 231:15, 231:23, 237:19
upcoming
145:14
upper 24:21
upstairs
150:16
user 116:3
Using 11:12, 21:22, 37:23, 40:14, 63:5, 64:19, 72:12, 72:13, 127:10, 131:7, 131:8, 193:16, 193:18, 222:9,

245:11
verdict
71:25, 130:20, 221:22, 231:23
Versus 5:3, 48:6, 57:3, 67:7, 72:24, 136:8, 153:9, 222:19, 235:19, 245:8
vetting
159:14
viable 156:4, 158:3, 158:18
vial 95:18
vials 95:15, 95:16
victimize
23:8
view 6:1, 11:12, 49:14, 96:20, 97:3, 97:5, 102:10
viewed 12:20
views 11:5
violate
185:17, 185:24
violence
25:14, 26:7, 128:1, 128:4, 128:7
virtue 227:13
visual 86:6, 86:7, 86:9, 86:20
voice 215:17, 225:4
VOLUME 1:12
volunteered
237:5
voted 102:8
< W >
wait 92:21
waived 139:17
walk 12:21
wanted 21:10, 31:14, 61:17, 74:16, 104:5, 283

139:14, 150:8, 169:12, 190:1, 190:3, 243:8
wants 88:1, 132:1, 135:8
warrant
26:10, 56:3, 56:10, 56:16, 61:23, 103:16, 103:17, 109:24, 110:20, 111:4, 128:18, 141:5, 141:6, 141:7, 155:14, 239:13, 240:6
warrants
37:13, 37:16
was, 203:6
washoe
100:13, 157:14, 157:24
Watch 28:10, 71:12, 130:7, 154:2, 221:8, 231:10
watching
28:16, 72:10, 131:5, 222:7, 231:3, 232:8
ways 10:18, 11:10, 37:8, 47:8, 47:9, 103:24, 104:2, 122:15, 161:4
weapons 40:4, 40:5, 40:13, 82:24, 83:1, 83:20
wearing
62:18, 168:7, 168:23, 181:10, 182:3, 182:11, 206:24
website
71:23, 130:18, 221:20, 231:21
week 39:22, 64:4, 92:22, 106:7, 235:8

weekend
151:19, 233:2, 233:6, 233:7, 241:3, 242:3, 244:13
weeks 33:23, 36:20, 39:1, 70:20, 139:24, 220:20, 224:6, 224:10
weigh 9:7, 11:1, 11:3, 11:4, 11:8, 11:23, 12:10, 12:14, 28:3, 31:11, 87:7, 205:23
weighed
91:16, 99:14, 156:23, 156:25
weighing
192:4
weight
100:21, 157:1, 205:22
welcome
34:11, 153:24
well-being
129:7
wells 124:3
wendover
124:3
westbound
9:8, 13:9, 86:24
whatever
21:20, 28:3, 95:11, 118:8, 126:6, 126:13, 144:22, 150:4, 182:11, 209:4
whatnot
29:23, 68:17, 100:21, 171:2
whatsoever
113:3, 134:18, 135:7
whenever
27:12, 237:9
WHEREUPON

6:7, 34:14, 73:22, 90:2, 131:15, 153:7, 159:19, 161:15, 164:2, 167:2, 176:12, 225:2, 233:21, 244:15
whether
21:12, 23:1, 24:25, 28:16, 29:11, 37:12, 40:13, 53:1, 55:13, 55:21, 60:2, 68:25, 113:14, 124:7, 143:8, 155:4, 155:5, 175:16, 205:22, 212:22, 213:7, 228:25, 243:8, 244:1
while, 214:19
white 69:3, 210:8
whoever 46:5
whole 95:23, 116:2, 139:1, 192:3
wife 66:14, 67:12, 109:8
willing
103:21, 104:25, 105:4, 137:16, 144:25
willingness
80:16, 80:19
window 112:15
windows
112:12
winnemucca
42:19, 49:16, 82:17
wire 39:11, 43:2, 59:11, 83:3, 83:10, 84:9, 84:16, 84:17, 84:19, 84:20, 85:13, 90:15, 98:2,

98:20, 99:7, 118:21, 159:22, 160:2, 160:12, 161:20, 161:22, 162:9, 162:14, 181:10, 182:3, 182:10, 182:12
wired 84:18
wise 144:25
withdrawn
78:24, 93:22
within 29:7, 139:24, 147:20, 166:11
without
50:20, 71:14, 101:19, 101:20, 130:9, 131:19, 134:11, 194:21, 203:5, 221:11, 231:12, 239:13
witnessed
17:13, 98:4
WITNESSES
3:3, 4:3, 105:19, 230:21, 231:5
women 24:5, 25:17
wondering
235:2
wood 69:2
word 116:7
wording 43:2
words 72:1, 88:6, 130:21, 221:23, 231:24
work 7:1, 7:3, 30:7, 35:1, 47:9, 47:23, 48:5, 71:7, 80:16, 80:19, 80:20, 94:16, 103:21, 104:3, 104:5, 141:9, 156:2, 169:14,

212:14, 215:23, 216:7, 217:3, 218:5
worked 7:17, 7:23, 20:10, 27:12, 30:12, 30:19, 75:13, 75:15, 94:22, 121:14, 121:15, 212:17, 214:6, 215:22, 217:4, 217:21
working 7:7, 7:8, 19:22, 20:4, 38:23, 46:23, 47:1, 47:2, 47:19, 48:10, 74:19, 75:18, 77:20, 77:23, 80:10, 96:2, 104:11, 104:12
works 77:22, 218:3
world 26:2
worried 205:2
worry 36:20
wrapped 18:7
wrinkle 146:3
write 112:17
writing
142:8, 173:10, 173:13, 173:23
written
112:22, 112:25, 115:23, 143:9, 146:25, 148:9, 148:20, 148:21, 151:10, 241:24, 242:13, 242:17
wrongful
101:23
wrote 100:22, 100:23, 113:2, 113:4, 113:9

< Y >
yard 179:24, 180:4, 200:22, 201:3, 201:9, 201:22, 213:6
yards 84:24, 86:12
year 25:12, 36:13, 120:8, 126:5, 138:9, 192:5, 193:22, 196:11, 207:22, 220:13
yep 142:25, 165:22, 172:25, 228:1
young 24:5, 25:16
yourself
124:11
yourselves
71:10, 130:5, 121:7, 231:8
Youtube
71:24, 130:19, 221:21, 231:22

FILED

2021 SEP 28 PM 3:53

4th JUDGE

al

1 Case Nos. CR-FP-19-2456 and CR-FP-19-2465
2 Dept. II
3
4
5

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

8 ooOoo

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

16
17 TRANSCRIPT OF PROCEEDINGS
18

19 BE IT REMEMBERED that the above-entitled matter
20 came on for hearing on January 26, 2021, at the hour of
21 8:40 a.m. of said day, in Elko, Nevada, before the
22 HONORABLE ALVIN R. KACIN, District Judge.

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

2021 SEP 29 AM 9:51

A P P E A R A N C E S

For the Plaintiff:

MARK S. MILLS, ESQ.
Elko County
Deputy District Attorney
540 Court Street
2nd Floor
Elko, Nevada 89801

JUSTIN BARAINCA, ESQ.
Elko County
Deputy District Attorney
540 Court Street
Second Floor
Elko, NV 89801

For the Defendant:
(Ramirez-De La Torre)

GARY D. WOODBURY, ESQ.
ATTORNEY AT LAW
1053 Idaho Street
Elko, Nevada 89801

For the Defendant:
(Ruiz)

KARENA K. DUNN, ESQ
LARRY K. DUNN & ASSOCIATES
1201 Terminal Way, #221B
Reno, Nevada 89502

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

I N D E X

WITNESSES CALLED FOR THE STATE: PAGE

SCOTT SMITH - RECALLED

Direct Examination by Mr. Mills 11
Cross-Examination by Ms. Dunn 14

WITNESSES CALLED FOR DEFENDANT RUIZ: PAGE

MATTHEW MILLER - RECALLED

Direct Examination by Ms. Dunn 17
Cross-Examination by Mr. Barainca 25
Cross-Examination by Mr. Woodbury 28
Redirect Examination by Ms. Dunn 26
Recross-Examination by Mr. Barainca 28

SCOTT SMITH - RECALLED

Direct Examination by Ms. Dunn 30
Cross-Examination by Mr. Mills 38
Cross-Examination by Mr. Woodbury 41
Redirect Examination by Ms. Dunn 43

JOHN GAYLOR - RECALLED

Direct Examination by Ms. Dunn 53

PROCEEDINGS

THE COURT: All right. So we're back on the record for CR-FP-19-2456 and 2465.

The State of Nevada, plaintiff, versus Hector Hugo Ramirez-De La Torre and Jorge Landeros Ruiz.

We do have the defendants here with their respective attorneys and the Court's previously sworn interpreters translating English into Spanish for them and Spanish into English for the Court and counsel.

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

And we're starting our third week of trial without the jury and the alternates in the room.

My understanding is they are all here.

Is that correct, Carlos?

THE BAILIFF: Yes, Your Honor, they are.

THE COURT: They are. So they are up in the jury rooms relaxing and -- hopefully.

And I just spoke with the lawyers off the record on the schedule, and Mr. Mills has said one more witness is being called by the State, then the State is going to rest.

Perhaps a recall from Mr. Ruiz and then Mr. Ramirez-De La Torre is not putting on a case.

So the Court at this point will do what it normally does and canvass the defendants on their right to

argue or feel they could argue or might argue inferences that aren't very appealing for you, for your case.

So anyway, keep all that in mind.

I don't think either defendant -- there were -- there was no suggestion by the prosecutors that either defendant was subject to impeachment with a prior felony conviction. So we are not dealing with any of that in this case.

Anyway, if you remain silent, gentlemen, the prosecutors cannot mention that in their closing arguments to the jury. That cannot be used against you in any way by the Court or the jury in this case, and would not be used against you by the Court.

And the jury would be -- if you remain silent, if your lawyers want this instruction, this is a customary jury instruction on that, I can give it -- or would give it, excuse me.

The instruction says, "It is the constitutional right of the defendant in a criminal trial that he may not be compelled to testify. Thus, the decision as to whether he should testify is left to the defendant, acting on the advice and assistance of his attorney.

"You may not draw any inferences or any conclusions from the fact that he does not testify, nor should this fact be discussed by you or enter into your

testify and right to remain silent.

Of course both of you gentlemen, Mr. Ramirez-De La Torre and Mr. Landeros Ruiz, you have the right to testify in this case -- in your case. You can do that. You also have the right to remain silent and not testify.

Those are your rights under the U.S., that is, United States, and Nevada Constitutions.

If you do testify, you just have to keep in mind the prosecutors, I'm sure, will cross-examine you. I think you have seen how cross-examination works. And the prosecutors will get to ask you questions.

And then, of course, there can be redirect examination, recross-examination, questions by the jury for you, and then any follow-up from the lawyers.

So there are several parts to testifying in a criminal jury trial.

If you do testify, gentlemen, your testimony will be subject to comment by the lawyers in closing arguments, including the prosecutors, because your testimony becomes part of the evidence in the case.

So the lawyers can argue what facts the jurors might find from your testimony along with the other evidence in the case, any inferences that can be drawn from that. So keep all of that in mind.

And of course the prosecutors might be able to

deliberations in any way."

And so that is the instruction I would read to the jury if you remain silent and your attorney says he or she wants that instruction.

So, Mr. Ramirez-De La Torre, do you understand what I have just covered with you?

DEFENDANT RAMIREZ-DE LA TORRE: Yes.

THE COURT: Okay. And do you understand that too, Mr. Ruiz?

DEFENDANT RUIZ: Yes.

THE COURT: All right. And each of you have discussed both the pros and cons, that is, the benefits and drawbacks, of testifying and not testifying with your attorneys.

Is that correct, Mr. Ramirez?

MR. WOODBURY: Your Honor, Mr. Ramirez is not going to answer any more of the Court's questions.

THE COURT: Okay. I guess I have never had that before.

All I am trying to get at is, does he feel like he has had enough time to talk to his attorney about it.

Do you think so, Mr. Woodbury?

MR. WOODBURY: He has.

THE COURT: Okay. Same thing for Mr. Ruiz?

DEFENDANT RUIZ: Yes.

1 THE COURT: Of course, I have no desire to get
2 into confidential communications. That is not my goal at
3 all with this. And I don't want to know.
4 Whatever decisions they have made -- I don't know
5 what you think about this question, Mr. Woodbury --
6 whatever decision they have made, are they comfortable with
7 the decision or do they need more time to talk to their
8 lawyers?
9 Because if they need more time, I will give them
10 more time.
11 MR. WOODBURY: Mr. Ramirez declines to answer
12 that question.
13 THE COURT: Okay.
14 DEFENDANT RAMIREZ-DE LA TORRE: I would like to
15 answer the question you have said.
16 THE COURT: Okay. Well, why don't you talk to
17 your lawyer about that, because it seems like he doesn't
18 think you should answer the question.
19 Does Mr. Ruiz feel like answering the question?
20 MS. DUNN: Your Honor, he has no problem
21 answering the question.
22 THE COURT: Okay. All I am asking is, I don't
23 want to know the contents of the discussions that counsel
24 has had with clients. And please, I don't want to talk
25 about that.

8

1 (Recess taken at 8:49 a.m.)
2 (Proceedings resumed at 8:52 a.m.)
3 THE COURT: We are back on the record in case
4 CR-FP-2019-2456 and 2465.
5 In each case the State of Nevada is plaintiff.
6 Hector Hugo Ramirez-De La Torre and Jorge Landeros Ruiz are
7 the defendants.
8 They are here with their respective attorneys and
9 assisted by the Court's previously sworn interpreters
10 translating English into Spanish for them and Spanish into
11 English for the Court and counsel.
12 And we also have deputy district attorneys Mills
13 and Barainca here to represent the State.
14 Will counsel stipulate to the full presence of
15 the jury and the alternates?
16 MR. MILLS: Yes, Your Honor.
17 MR. WOODBURY: So stipulated.
18 MS. DUNN: We so stipulate.
19 THE COURT: All right.
20 And ladies and gentlemen, I hope you had a nice
21 weekend. We -- and a nice Monday, too.
22 Here we are Tuesday, third week of trial, and the
23 State's case, I think, is almost wrapped up.
24 Any other witnesses there, Mr. Mills?
25 MR. MILLS: Yes, Your Honor. The State recalls

10

1 DEFENDANT RUIZ: Yes.
2 THE COURT: Okay. And whatever decision he has
3 made, he is comfortable with that decision?
4 DEFENDANT RUIZ: Yes.
5 THE COURT: Okay. Thank you very much.
6 Anything else, Ms. Dunn?
7 MS. DUNN: No, Your Honor.
8 THE COURT: Okay. Mr. Woodbury?
9 MR. WOODBURY: No.
10 THE COURT: Okay. All right.
11 If he doesn't want to answer any more questions,
12 I guess that's up to him. I am not going to make him.
13 But that's the typical canvass the Court does.
14 But I tell you what I am going to draw from that is,
15 whatever decision he has made, he is going to make it. But
16 he needs to understand no one can force him to testify, no
17 one can force him to remain silent. This is entirely up to
18 him.
19 I know it's been mentioned for the defense in
20 this case, but that's the way it is in court.
21 If he wants to testify, do it. If he doesn't,
22 don't do it. But it's entirely up to him. It's not up to
23 the lawyer. It's not up to me. It's not up to anybody
24 else.
25 Court's in recess.

9

1 Scott Smith.
2 THE COURT: Okay. Is he here?
3 MR. MILLS: He is.
4 THE COURT: All right.
5 Sergeant Smith, recalled as a witness by the
6 State in this proceeding once again.
7 Please have a seat there.
8 It looks like you got your mask down. That's
9 good. And you are still under oath, I will remind you of
10 that. Swore you in initially. It was for the whole
11 proceeding.
12 Mr. Mills, please proceed.
13 MR. MILLS: Thank you, Your Honor.
14 SCOTT SMITH
15 recalled as a witness in said case, having been first
16 duly sworn, testified as follows:
17 DIRECT EXAMINATION
18 BY MR. MILLS:
19 Q. Good morning, Sergeant Smith.
20 A. Good morning.
21 MR. MILLS: Permission to approach, Your Honor.
22 THE COURT: Go ahead.
23 Q. Sergeant Smith, do you remember testifying
24 previously about the execution of the search warrant that
25 occurred at 5647 Kale Drive on March 19, 2019?

11

1 A. Yes.
2 Q. Do you remember testifying about a brown
3 plastic container with an orange lid that was located in
4 the barn?
5 A. Yes.
6 Q. I'm going to show you what has been marked and
7 admitted as State's Exhibit 95.
8 Will you take that.
9 Do you recognize that?
10 A. Yes, I do.
11 Q. What is that a photograph of?
12 A. It's a photograph of the brown container with
13 the orange lid and located between the two chicken coops in
14 the brown barn.
15 Q. Okay. I just want to ask a couple of
16 clarifying questions about where that container was
17 originally located.
18 A. It was originally located further back, not in
19 direct line of sight, which is why it was missed on the
20 first day of the execution.
21 And then on the day I recovered it, which I
22 believe was the 20th or 21st, it was located further back.
23 I pulled it out and looked at it, and once I
24 saw what was inside, I then set it back in this position
25 for context purposes because I didn't want staged evidence.

12

1 access it without moving stuff out of the way or anything
2 like that?
3 A. Correct.
4 Q. And then when you placed it back down for the
5 photographic purposes, that's the location where it was
6 when you -- when the photograph was taken?
7 A. Yes.
8 Q. Okay.
9 MR. MILLS: Thank you. That is all I have. I
10 will pass the witness.
11 THE COURT: Cross-examination.
12 MS. DUNN: Thank you, Your Honor.
13 CROSS-EXAMINATION
14 BY MS. DUNN:
15 Q. Sergeant, this was located in the brown barn,
16 correct?
17 A. Yes.
18 Q. And for context purposes, this is the barn
19 that is directly across from the Travel Supreme trailer?
20 A. Yes.
21 Q. That was Eduardo's trailer?
22 A. Yes.
23 Q. And this was also the location where coop 18,
24 where Detective Gaylor dug and found the -- the bucket with
25 the three pounds of methamphetamine, correct?

14

1 So I put it back in context, went to get my camera and
2 photographed it before collecting it.
3 Q. So just to clarify, it sounds like during the
4 original sweep and the search of the property on the 19th,
5 that had not been located during that initial search; is
6 that correct?
7 A. That is correct.
8 Q. And then subsequently, you know, a day or two
9 later, it was located?
10 A. Yes.
11 Q. Are you the person that found it where it was
12 originally located?
13 A. Yes.
14 Q. And if you want to show that picture to the
15 jury and kind of describe where the container would have
16 been in relation to what we see in that photograph.
17 A. In a similar angle, but it was pushed further
18 back. So the orange was not visible directly looking at
19 it. I had to actually look down a little bit lower to see
20 it in there.
21 Q. So if a person were to bend down and look into
22 that slot that you see there, would it have been visible
23 from that vantage point?
24 A. Yes.
25 Q. And you were able to reach in and -- and

13

1 A. Yes.
2 Q. So in relationship to when Detective Gaylor
3 dug under coop 18, was that the same day that this was
4 found or was this found a different day?
5 A. I believe it was the different day. I believe
6 this was found before Detective Gaylor had found these
7 three pounds.
8 Q. Okay. And what -- if you recall, what day did
9 Detective Gaylor do the digging in the brown barn?
10 A. I would have to recheck the reports to give
11 you the exact date. Off the top of my head, the days are
12 kind of all blended together.
13 Q. Okay. And so you believe that this particular
14 bottle or container, as it were, was found previous --
15 A. I believe so.
16 Q. -- to the digging that occurred in that
17 location?
18 A. I believe so. And that would be referenced --
19 (Court reporter clarification)
20 A. I believe that this container was found prior
21 to the three pounds, and it would be referenced in the
22 evidence report as far as --
23 Q. And Mr. -- or, excuse me, Sergeant Smith, you
24 didn't do a separate report, correct?
25 A. Correct.

13

1 Q. And you provided information about the
2 evidence that you found to whom that incorporated it into
3 their report?
4 A. Detective Miller.
5 Q. Okay. And so that information in the -- I
6 think you said the property report? Is that --
7 A. The evidence report.
8 Q. The evidence report?
9 That should have the date in which it was
10 found?
11 A. Yes.
12 Q. Okay.
13 MS. DUNN: I have no further questions at this
14 time.
15 THE COURT: Mr. Woodbury, any cross-examination?
16 MR. WOODBURY: I have no questions.
17 THE COURT: All right. Anything for redirect?
18 MR. MILLS: No, Your Honor.
19 THE COURT: Any jury questions for Sergeant
20 Smith?
21 All right. It appears not.
22 We'll go ahead, have you step down.
23 Thank you very much, sir
24 THE WITNESS: Thank you, Your Honor.
25 THE COURT: Anything else for the State?

16

1 Q. Good.
2 Detective Miller, the reason I called you is I
3 have some questions for you about some of the electronic
4 material that you found during your search.
5 And just so we can, again, give some context
6 to the jury, you were in charge of searching which areas?
7 A. The Travel Supreme trailer and the brown
8 trailer.
9 Q. All right. And you were also one of the
10 detectives in charge of evidence as a whole; is that
11 correct?
12 A. Correct.
13 Q. That was yourself and Sergeant Smith?
14 A. Correct.
15 Q. Now, in the brown trailer, which was
16 Mr. Hector Ramirez's trailer, correct?
17 A. Correct.
18 Q. Did you find any electronic material, cell
19 phones, anything like that?
20 A. I did not, no.
21 Q. Did you ultimately come into possession of a
22 cell phone of Mr. Hector Ramirez's?
23 A. I believe there was one collected from his
24 person or -- and during the arrest.
25 Q. Did that ultimately come into your possession?

18

1 MR. MILLS: No, Your Honor. The State rests its
2 case in chief.
3 THE COURT: The State having rested its case in
4 chief, ladies and gentlemen, we will go over first to any
5 case for Mr. Ruiz.
6 Ms. Dunn?
7 MS. DUNN: Thank you, Your Honor.
8 I would like to call Detective Matthew Miller to
9 the stand.
10 THE COURT: All right. Please have a seat at the
11 stand, sir.
12 Lower that mask. And you are being called as a
13 witness in this case this time by Ms. Dunn on behalf of Mr.
14 Ruiz.
15 I remind you, you are still under oath.
16 Ms. Dunn.
17 MS. DUNN: Thank you.
18 MATTHEW MILLER
19 recalled as a witness in said case, having been
20 previously duly sworn, testified as follows:
21 DIRECT EXAMINATION
22 BY MS. DUNN:
23 Q. Hi, Detective Miller. How are you this
24 morning?
25 A. I am good. How are you?

17

1 A. It eventually came into evidence, yes,
2 correct, for processing.
3 Q. And that was taken into custody, as it were,
4 when he was arrested that day?
5 A. I believe so.
6 Q. Now, the Travel Supreme trailer, did you
7 recover any cell phones from that trailer?
8 A. Yes, I did.
9 Q. How many?
10 A. Three, I believe.
11 Q. Now -- Court's indulgence for just a moment,
12 if I may?
13 THE COURT: Of course.
14 MS. DUNN: May I approach the witness, Your
15 Honor?
16 THE COURT: Yes.
17 MS. DUNN: Thank you.
18 Q. Detective Miller, I believe that your report
19 is located in that grouping. If you would take a look at
20 your report, if you would.
21 Is it in there?
22 A. I am not seeing it in this packet, no.
23 Q. I gave you the wrong one. Let's try that.
24 A. No problem. Thank you.
25 Q. So, Detective Miller, would you take a look at

19

1 your report and see if that changes your mind about how
2 many cell phones you found in the Travel Supreme trailer.
3 A. I am still only seeing three in the -- for the
4 Travel Supreme trailer.
5 Q. Okay. Look -- do you have -- on your
6 particular report, do you have the -- it looks like you
7 have the page numbers down at the very bottom?
8 A. Yes.
9 Q. So page 3 of 13 --
10 A. Okay.
11 Q. -- the very, very last item, it looks like
12 MM-4 on that page?
13 A. Correct.
14 Q. Does that show two different phones?
15 A. It does, yes. That was an oversight on my
16 reading.
17 Q. They're on one --
18 A. Yes.
19 Q. -- one item?
20 A. Correct.
21 Q. So on MM-4, you see that there was a black
22 iPhone and a white iPhone found?
23 A. Yes.
24 Q. And that, again, was in the Travel Supreme
25 trailer?

20

1 Q. So ultimately, there was six cell phones that
2 were found either on Eduardo or in the Travel Supreme
3 trailer?
4 A. That would be correct.
5 Q. So once you have those phones and you book
6 them into evidence, what do you do with them?
7 A. So typically what happens is, in my role, if I
8 am assigned evidence collection, I would make sure
9 everything is processed, try to make sure it's packaged as
10 safely as possible so that potential data not be lost.
11 Then I would either -- in a case like this,
12 because it's long term, try to keep everything organized
13 together and then book it into evidence.
14 And that report would go to the case agent,
15 who would then decide what warrants are going to be done
16 and all that.
17 Q. And so are you aware of the warrant that
18 Sergeant Smith wrote in order to search the two phones that
19 were found in the main house for Jorge Ruiz?
20 A. I am.
21 Q. So the case agent didn't do the warrants in
22 that case, right? Sergeant Smith did?
23 A. Correct. The case agent would assign or do it
24 themselves. So if Detective Gaylor wanted me to do the
25 warrants, he would say, "Please do the warrants for these

22

1 A. Yes, that would have been in the Travel
2 Supreme trailer.
3 Q. All right. And then I think -- let's go down
4 to -- I believe it's on page 5 of 13.
5 I believe it's MM-11?
6 A. Yes.
7 Q. Do you see that?
8 A. I do. Again --
9 Q. Go ahead.
10 A. I see it as an oversight. There is two phones
11 there, Samsung and Apple.
12 Q. All right. And, again, both of those, the
13 Samsung and Apple, were again both found in the Travel
14 Supreme trailer?
15 A. Correct.
16 Q. And then there was one more phone also found
17 in the Travel Supreme trailer, correct?
18 A. Correct.
19 Q. Okay. So there was a total of five cell
20 phones?
21 A. That would be correct.
22 Q. And are you also familiar with that there was
23 a phone actually found on Eduardo's person when he was
24 arrested?
25 A. I believe so.

21

1 phones."
2 Typically, if you do a warrant for one phone,
3 you are going to do it for all the digital evidence just
4 for the sake of having to travel for the warrants
5 themselves.
6 Q. So when Sergeant Smith drafted the warrant for
7 the phones for -- that were found in the main house that
8 were allegedly Eduardo -- or, excuse me, Jorge Ruiz's, did
9 that warrant cover all the digital evidence?
10 A. I'm not sure what it -- was entirety in that
11 warrant.
12 Q. All right. So do you know whether or not any
13 of these five phones that were found in the Travel Supreme
14 trailer or the one found on Eduardo's person were ever
15 searched?
16 A. I do not.
17 Q. And you would have been the keeper of the
18 evidence in this case for that particular evidence,
19 correct?
20 A. I would be the keeper until it goes into the
21 evidence vault. And once it's in the evidence vault, that
22 is entirely up to the case agent to determine what -- what
23 items they want checked out, warrants or whatever, so...
24 Q. All right. So in this case, you have no idea
25 whether or not any of those -- those phones were searched?

22

1 A. No, I do not.
 2 Q. And do you know whether or not the phone that
 3 was found on Hector Ramirez-De La Torre was searched?
 4 A. I do not.
 5 Q. If you -- if they would have been searched and
 6 any type of data would have been returned from, whether
 7 it's the Washoe County crime lab or some other lab, is that
 8 something that would be checked into evidence?
 9 A. I believe it would be.
 10 Q. And is it -- do you know whether or not that
 11 is listed on any of the evidence lists that have been
 12 provided in this case?
 13 A. I'm not sure. This is the -- the main report
 14 that I received in terms of my participation with it.
 15 Q. All right. And does that include the -- on
 16 that form, and I'm not sure exactly, but does that report
 17 also include the Elko property room list?
 18 A. It does not appear to.
 19 Q. All right.
 20 THE COURT: Ms. Dunn, what exhibit was last
 21 handed to him?
 22 MS. DUNN: I believe it was 110.
 23 THE COURT: That was 110 for identification.
 24 MS. DUNN: Yes. Thank you, Your Honor.
 25 THE COURT: Okay. Thank you.

24

1 Q. And then you also testified previously that
 2 you found a large amount of suspected methamphetamine; is
 3 that correct?
 4 A. Yes.
 5 Q. Over 1,800 ounces -- or grams, excuse me?
 6 A. Yes.
 7 Q. And some of the meth that you found
 8 was organized into one-ounce bundles; is that correct?
 9 A. Correct.
 10 Q. And so is it fair to say that it was fairly
 11 clear that Eduardo was at least engaged in the sale of
 12 controlled substances?
 13 A. I would say so.
 14 Q. So would sending off other phones for other
 15 people be a good way to tie people -- or tie somebody to
 16 the sale of controlled substances?
 17 A. It would be.
 18 MR. BARAINCA: State will pass the witness
 19 THE COURT: Cross-examination, Mr. Woodbury?
 20 MR. WOODBURY: I have no cross-examination.
 21 THE COURT: Any redirect?
 22 MS. DUNN: Just briefly.
 23 REDIRECT EXAMINATION
 24 BY MS. DUNN:
 25 Q. Detective, the -- in the Travel Supreme

26

1 Q. (By Ms. Dunn) All right. And so of all of
 2 the digital evidence that was collected in this case, you
 3 don't know which ones were searched other than the fact
 4 that you were familiar with the warrant that was written?
 5 A. Yes, I knew a warrant was being written. I
 6 was not privy to all that was included in that warrant.
 7 Q. All right. And nobody has advised you that
 8 any of the other -- any other cell phones have been
 9 searched other than Jorge Ruiz's, correct?
 10 A. Yeah, I believe so.
 11 MS. DUNN: I have no further questions.
 12 THE COURT: All right. I suppose we'll go to
 13 cross-examination for the State first.
 14 CROSS-EXAMINATION
 15 BY MR. BARAINCA:
 16 Q. Sir -- sir, good morning.
 17 What would be some of the reasons to search a
 18 phone?
 19 A. Some of the reasons to search a phone would be
 20 you suspect it might have evidentiary value. It might be
 21 done to identify individuals. The -- it could be used to
 22 track, you know, missing people, all that kind of stuff.
 23 Q. And so you testified that you found five
 24 phones in the Travel Supreme trailer; is that correct?
 25 A. Correct.

25

1 trailer, not only did you find that amount of
 2 methamphetamine, we're talking 1,800 grams, approximately
 3 how much is that, like, if we are talking about pounds?
 4 A. I would have to pull out a calculator, but the
 5 bundles, the big, larger bundles themselves would be
 6 approximately two pounds each.
 7 Q. Okay.
 8 A. So it's -- it's quite a bit.
 9 Q. All right. And in addition to the five
 10 separate phones, you also found approximately \$1,200 in
 11 cash?
 12 A. It would have been about \$12,000.
 13 Q. That's what I meant. I apologize. About
 14 \$12,000 in cash?
 15 A. Correct.
 16 Q. And in addition, you also found wire
 17 transfers, receipts --
 18 A. Correct.
 19 Q. -- for money -- money wire transfer?
 20 And you didn't make any determination as to
 21 who these phones -- if these phones had a particular owner;
 22 again, you just booked them into evidence?
 23 A. Correct. Once you collect a phone, you are
 24 not going to manipulate it without a warrant. And the
 25 majority of phones were off already, so I just bagged them,

27

1 keep them safe.
2 Q. Do you know whether or not anyone asked
3 Eduardo for permission to search his phones?
4 A. I do not.
5 Q. Same thing with Hector. Do you know if anyone
6 asked Hector if it was okay to search his phone?
7 A. I don't.
8 MS. DUNN: I have no further questions.
9 THE COURT: Any recross?
10 RE-CROSS-EXAMINATION
11 BY MR. BARAINCA:
12 Q. To best of your knowledge, Hector and
13 Eduardo -- Eduardo were living on the property by
14 themselves; is that correct?
15 A. In the trailers, yes, by themselves.
16 Q. And then Mr. Landeros was living there with
17 his family?
18 A. Yes.
19 MR. BARAINCA: State will pass the witness.
20 THE COURT: Anything based on that, Mr. Woodbury?
21 MR. WOODBURY: Yes, Your Honor.
22 CROSS-EXAMINATION
23 BY MR. WOODBURY:
24 Q. The 12,000 or so dollars that you found in
25 Eduardo Ruiz's trailer also contained a series of bills

1 that were identified as having been a part of one of the
2 previous drug transactions; is that correct?
3 A. That is correct.
4 MR. WOODBURY: Thank you. I have nothing
5 further.
6 THE COURT: Any jury questions for Mr. Miller?
7 All right. It appears not.
8 Thank you very much for your testimony. And
9 we'll have you step down. Mask up, step down.
10 Thank you, sir.
11 THE WITNESS: Thank you.
12 MS. DUNN: Your Honor, can I have the Court's
13 indulgence to speak to the State for a moment?
14 THE COURT: Yeah, that's fine. How much time do
15 you need?
16 MS. DUNN: Just a couple minutes.
17 THE COURT: Do you want to step out --
18 MS. DUNN: Yes.
19 THE COURT: -- in the hallway there?
20 That's fine.
21 MS. DUNN: Mr. Woodbury, do you want to come?
22 MR. WOODBURY: Yes.
23 THE COURT: We'll take an in-place recess,
24 everybody.
25 (WHEREUPON, a short recess was taken)

1 MS. DUNN: Thank you, Your Honor.
2 THE COURT: You're welcome.
3 MS. DUNN: I am next going to recall Sergeant
4 Smith.
5 THE COURT: Very well.
6 All right, Sergeant. We'll have you lower the
7 mask. I will remind you, you are under oath. You're being
8 recalled in this proceeding this time in Mr. Ruiz's case.
9 Again, you are under oath.
10 So, Ms. Dunn, please proceed.
11 MS. DUNN: Thank you, Your Honor.
12 SCOTT SMITH
13 recalled as a witness in said case, having been
14 previously duly sworn, testified as follows:
15 DIRECT EXAMINATION
16 BY MS. DUNN:
17 Q. Sergeant Smith, thank you for continuing to
18 come back and testify for us.
19 So, Sergeant Smith, I want to bring you back
20 to the -- not the cell phones that you took into custody,
21 those were Mr. Ruiz's cell phones --
22 A. Yes.
23 Q. -- correct?
24 A. Yes.
25 Q. Mr. Jorge Ruiz's cell phones?

1 A. Yes.
2 Q. I do want to ask you about the warrant that
3 you wrote.
4 A. Okay.
5 Q. You had made application for a warrant to
6 search phones?
7 A. Yes.
8 Q. What did you specifically ask for to search in
9 that warrant application?
10 A. It's -- it's our standard wording that's in
11 those warrants. So it's lengthy. But it's the contents of
12 the phone, messages, e-mails, images, contacts, call logs,
13 just search everything within the phone.
14 Q. And so in that warrant, did you limit it to
15 the two phones that you had taken into evidence that were
16 located in the main residence and on the -- specifically on
17 the nightstand of the bedroom in the main residence there?
18 A. That warrant was specific to those two phones,
19 usually assigned an IMEI number for those phones.
20 Q. All right. Now, you were one of the two main
21 people that dealt with the evidence in this case, correct?
22 A. Yes.
23 Q. Yourself and Detective Miller?
24 A. Yes.
25 Q. Now, are you familiar -- there were other cell

1 phones that were taken into evidence that day, correct?

2 A. Yes, there were.

3 Q. Are you familiar with those?

4 A. I am familiar with the two other phones that I

5 had booked into evidence. I was not familiar with the

6 phones that were collected out of the Travel Supreme

7 trailer.

8 Q. So what two other phones did you collect?

9 A. The phones that belonged to Eduardo Ruiz and

10 to Hector Ramirez-De La Torre.

11 Q. And when you said they belonged to them, were

12 those the -- where did those come from?

13 A. Those were handed to me by Detective Damon

14 Kuskie from the Winnemucca Police Department, I think,

15 or -- or the sheriff's office, I can't remember which once

16 he works for. But Detective Kuskie handed those to me.

17 Q. And did he advise you that those were taken

18 from the person of Hector Ramirez and Eduardo Ruiz?

19 A. Yes. The -- those phones had been collected

20 by a SWAT team personnel and had been placed on the fender

21 of their armed vehicle, the MRAP. So I don't know which

22 SWAT personnel collected those.

23 Once the MRAP returned back to the Elko Police

24 Department, Detective Kuskie was on the SWAT team, saw them

25 sitting on the fender and said, "Oh, those shouldn't be

32

1 grabbed them from where?

2 A. We tried to ask, and it was -- there was a lot

3 of confusion. It was just with the number of SWAT

4 personnel on the ground from all the agencies, we just

5 weren't able to figure out who exactly grabbed what.

6 Q. Now, those two phones were, in fact, booked

7 into evidence, though, correct?

8 A. They were.

9 Q. And those two phones were listed as one being

10 taken off of Eduardo Ruiz's person, correct?

11 A. No. It was listed as a phone belonging to

12 Eduardo Ruiz.

13 Q. Okay. And then the other one's listed as a

14 phone belonging to Hector Ramirez?

15 A. Yes.

16 Q. So why were they booked into evidence that way

17 if you weren't sure that that is who they belonged to?

18 A. More of a safekeeping process so they could be

19 accounted for and we wouldn't be held responsible for

20 destroying somebody's personal property or losing

21 somebody's property.

22 Q. In these types of cases, is it important to

23 search digital evidence?

24 A. It ranges. It depends. Sometimes it's more

25 important than others.

34

1 there" and brought them up to me.

2 Q. So they actually drove on the fender of these

3 vehicles all the way up to the police department?

4 A. Yes, they did.

5 Q. All right. So how did -- is it Sergeant

6 Kuskie or --

7 A. Detective Kuskie.

8 Q. Detective Kuskie. How did he know who they

9 belonged to?

10 A. Because there was also a wallet with the

11 phones.

12 Q. Okay. And so you booked those into evidence?

13 A. I booked those into evidence.

14 Q. Did you write a warrant to search those

15 phones?

16 A. No. With the break of chain of custody and

17 not knowing who actually had collected it, I did not even

18 want to dig into those phones because I -- I wouldn't be

19 able to -- I would not be able to document accurately if --

20 who had removed those phones and how they had -- that time

21 lapse.

22 So I just booked those in evidence and did not

23 mess with them.

24 Q. Did you make any attempt to ask any of the

25 SWAT guys who -- who took them into custody -- I mean, who

33

1 Q. Is there a chance that you gain more

2 knowledge, intel, as to who these individuals are talking

3 to, who they are communicating with? Is that helpful?

4 A. It can be.

5 Q. In today's day and age where so much is -- is

6 done digitally, have they not become more important for

7 investigators to gain further intel?

8 A. They can. And it's -- it's not uncommon for a

9 lot of phones to get collected in a search warrant and not

10 all of them be able to get examined.

11 Q. Not all of them to what?

12 A. For them not all to get examined.

13 The phones that are in primary use are

14 definitely the higher priority to get examined, but it's

15 not uncommon to find a stash of all phones and they don't

16 always get downloaded.

17 Q. Do you know necessarily which ones are the

18 ones in primary use if you don't search them?

19 A. Ones that if they are taken from an individual

20 or we know they belonged, when we go to a house and we have

21 a phone that is plugged in next to the bed versus the four

22 or five phones stacked up in a nightstand or in a drawer

23 with no batteries in them.

24 Q. So let me ask you this. What is the downside

25 in searching these -- these phones?

35

1 A. I am trying to search the phrase.
2 It's -- it's the availability of resources, of
3 the amount of time it would take to search those.
4 In this instance, again, I wasn't even
5 tracking the phones that had been taken out of that Travel
6 Supreme trailer. And looking back in hindsight, they could
7 have been examined by a warrant just to see what was on
8 them. It just wasn't a focus at that point.
9 We were jumping through hoops, trying to get
10 our paperwork done while we were still sitting on the
11 property because the clock was already ticking. So it's
12 one of those things that just did not get done.
13 Q. Once you wrapped up what's being done on
14 property, you already had individuals in custody, correct?
15 A. Yes.
16 Q. And once you wrapped up dealing with whatever
17 you had to do with the property, at that point you could
18 have written a warrant and requested to search these
19 phones, correct?
20 A. We could have. But, again, it was -- I wasn't
21 even tracking those phones from the Travel Supreme trailer.
22 So it's not something that I would have -- that was --
23 would have been Detective Gaylor's true call of which
24 phones he wanted to download.
25 Q. Well, and that was going to be my next

36

1 responsibility to say, "Hey, I want these searched," and
2 then it would have been -- he could have either written the
3 warrant or he could have delegated to someone else?
4 A. Yes.
5 Q. Did either of those two things happen?
6 A. No.
7 Q. And so of the other seven phones that were
8 found either on the property or on the person, wherever
9 else they were found, of those other five digital phones,
10 none of them were searched?
11 A. Correct.
12 MS. DUNN: All right. I have no further
13 questions at this time.
14 THE COURT: Cross-examination.
15 CROSS-EXAMINATION
16 BY MR. MILLS:
17 Q. So -- excuse me, I have a frog in my throat.
18 Sergeant Smith, so it sounds like you made the
19 decision -- just to recap with the phones, so you had the
20 two phones that were found in the master bedroom, you had
21 those searched, correct, or attempted to be searched?
22 A. Yes.
23 Q. Okay. And then the two phones that were found
24 on Hector and Eduardo's person during the searches incident
25 to arrest, you made a decision not to have those phones

38

1 question.
2 So once these phones -- you had already
3 testified that you were -- wrote the search warrant for the
4 phones that you found in the main residence because you
5 found them?
6 A. (Nods head.)
7 Q. Correct?
8 A. Yes.
9 Q. Whose responsibility is it to write a warrant
10 to search a phone once one is gathered and taken into
11 evidence?
12 A. The responsibility could be delegated. The
13 idea of writing the warrant for the phone would be the case
14 agent, but that could get delegated of "Hey, will you write
15 a warrant to search this phone?"
16 And the case of how we were writing the
17 warrant to search Mr. Landeros Ruiz's phone, because a
18 warrant was being executed in Washoe County, we went
19 through with his report and it just worked out that I was
20 the one to write the warrant.
21 Q. And so basically, I think what I am getting
22 from you is that for the five phones that were found in the
23 Travel Supreme trailer, which was Eduardo's trailer --
24 A. Yes.
25 Q. -- it would have been Detective Gaylor's

17

1 searched, correct?
2 A. Yes, because I believe, with not being able to
3 document a chain of custody, we would enter into a "fruit
4 of the poisonous tree" type situation. And I just did not
5 want to go down that avenue because it was just too much to
6 question without knowing who had custody of those phones.
7 Q. So it was unknown to you how -- who initially
8 came into custody of those phones?
9 A. Yes. And then the fact that they were left on
10 a bumper -- or a fender, and transported back to Elko and
11 then back out to Osino. And I just did not want to deal
12 with evidence that could be considered poisonous.
13 Q. Okay. So -- and finally, with regards to any
14 phones that may have been found in the Travel Supreme
15 trailer, who would have made the determination about
16 whether those phones would be searched or not?
17 A. Detective Gaylor would have decided that.
18 Q. As the case agent?
19 A. Yes.
20 Q. Now, I believe you mentioned that it's not
21 uncommon to not search all of the phones. Did I hear you
22 correctly, that that was part of your testimony?
23 A. Yes.
24 Q. And why is that not uncommon to -- to not
25 search all of the phones?

39

1 A. The sheer number of phones versus the
2 availability of qualified personnel to conduct the
3 downloads. It's just -- just like crime lab personnel, our
4 cell phone download personnel, they are limited resources,
5 so the -- we prioritize and triage the phones for which
6 ones will be downloaded.

7 Q. Would it be fair to say, with respect to the
8 defendant Hector, that at the time you guys served the
9 search warrant and came into possession of his phone, you
10 already knew that he was selling drugs?

11 A. Yes.

12 Q. Is that based on the three controlled buys
13 that we have heard all about in this case?

14 A. Yes.

15 Q. So would searching his phone tell you anything
16 about his -- his drug dealing that you didn't already know?

17 A. It would provide an intelligence about other
18 people that might have been buying from him or other
19 information, but nothing that would change what we had
20 already done through the controlled buys.

21 Q. So the same question with regards to Eduardo.
22 Based on the contents and the things that were found in his
23 trailer, is it safe to say that you guys knew or at least
24 strongly suspected that he was dealing in large quantities
25 of methamphetamine?

40

1 A. These were high quantities. Not usual for us
2 to seize. But I would not be able to say accurately that
3 these quantities are not uncommon in Elko County.

4 Q. And the fact is that you guys have a kind of a
5 nonworking relationship with the Drug Enforcement
6 Administration?

7 A. It's tough to say. It runs hot and cold. And
8 we communicate information to them, and sometimes they act
9 on it, sometimes they do not.

10 Q. Okay. And the fact is, in any event, just
11 based upon what you considered to be your responsibility
12 for the Elko Combined Narcotics Unit, you don't look at
13 the -- where the drugs come from, from out of Elko County
14 or out of the state of Nevada, at least?

15 A. We try to ascertain that. But when it comes
16 down to the elements for the crime for making an arrest,
17 where it comes from doesn't factor into a possession or a
18 trafficking charge.

19 Q. And somehow it doesn't matter with respect to
20 the arrest, but if you wanted to get the drug industry down
21 on its knees, like the methamphetamine industry, you got to
22 go to the big guys, not the little guys, right?

23 A. Exactly, and that is why that information does
24 get passed up.

25 Q. And the fact is that if there is going to be

42

1 A. Yes.

2 Q. So would searching his phone have changed
3 your -- your knowledge about that in any way?

4 A. No, it would not.

5 MR. MILLS: I will pass the witness.

6 THE COURT: Any cross-examination, Mr. Woodbury?

7 MR. WOODBURY: Yes. Thank you, Your Honor.

8 CROSS-EXAMINATION

9 BY MR. WOODBURY:

10 Q. The fact was, was it not, Sergeant Smith, that
11 you were simply not interested in taking the investigation
12 any further than Elko County, right?

13 A. I wouldn't be able to take the investigation
14 further unless it was -- went into another county within
15 the state.

16 And the information about the case was passed
17 on, that this would be considered the upper echelon of --
18 the upper echelon, the upper limits of cases that we would
19 be able to handle. Going much higher would be beyond our
20 scope.

21 Q. And the fact is, of course, that you knew, as
22 did Detective Gaylor and Detective Eisinger and the rest of
23 them, that these were quantities of methamphetamine that
24 were not usual in Elko County, right, that were involved in
25 all of this?

41

1 transfers of drugs from places outside, large amounts of
2 drugs from outside of the state of Nevada, that cell phone
3 and those cell phones might well have that information on
4 them, right?

5 A. They could potentially.

6 Q. All right. And it wasn't like the Drug
7 Enforcement Administration or the FBI or anybody else
8 called you up and said, "Hey, are you going to have the
9 content of those cell phones tested?"

10 A. No, they did not.

11 Q. Okay. But they were aware that you had -- at
12 least through a verbal conversation, they were aware that
13 you had cell phones belonging to these folks?

14 A. I don't know if they actually knew that we had
15 cell phones. Be probably more of an assumption between --
16 you know.

17 MR. WOODBURY: Thank you. I have nothing
18 further.

19 THE COURT: Any redirect?

20 MS. DUNN: Yes. Thank you.

21 REDIRECT EXAMINATION

22 BY MS. DUNN:

23 Q. Sergeant, the State asked you -- well, you
24 already knew, based upon the information and the drugs and
25 the cell phones and the money, you knew that Eduardo

43

1 especially was -- was dealing in -- in large quantities
 2 of -- of methamphetamine, correct?
 3 A. From what we found in the search warrant, it
 4 was very apparent that Eduardo was at least in possession
 5 of very large quantities of methamphetamine.
 6 Q. And large quantities of money, correct?
 7 A. Yes.
 8 Q. But isn't it true that Eduardo -- Eduardo Ruiz
 9 wasn't even on your guys' radar?
 10 A. That is true.
 11 Q. So you knew nothing about him?
 12 A. No. It was just apparent from what we
 13 discovered in his trailer that he apparently was involved
 14 and had a large quantity of --
 15 Q. You had no idea that he was living there prior
 16 to executing the search warrant, correct?
 17 A. Yes.
 18 Q. You had no idea that he was involved or even
 19 if he is -- was involved with -- with Hector, correct?
 20 A. Correct.
 21 Q. And so getting the information off of those
 22 cell phones, that wouldn't be good intel for you?
 23 A. It would be good intel. But again, I didn't
 24 want to touch the phone that I knew had come from Eduardo.
 25 Just I didn't want to go down that path without being able

1 A. Yes.
 2 Q. Based upon the drugs that you found at this
 3 location, the drugs that you found in the Travel Supreme
 4 trailer, the other trailer, you believe these individuals,
 5 whomever were ultimately responsible for those -- these
 6 drugs could have been selling to other people?
 7 A. Yes.
 8 Q. Do you know whether or not they -- these drugs
 9 that were at this location, do you know whether or not they
 10 were purchased from someone else in Elko County?
 11 A. We do not know.
 12 Q. You don't know what intel on those phones
 13 could have given you potentially more information about any
 14 operations that were going on with Eduardo, correct?
 15 A. Potentially, potentially not.
 16 MS. DUNN: I have no further questions.
 17 THE COURT: Any recross?
 18 MR. MILLS: No, Your Honor.
 19 THE COURT: Mr. Woodbury, any recross?
 20 MR. WOODBURY: No.
 21 THE COURT: Any jury questions for Sergeant Smith
 22 this time?
 23 It appears not.
 24 So thank you, Sergeant Smith. We'll have you
 25 step down.

44

1 to know exactly who had touched that phone.
 2 Q. And the other five phones, your testimony is,
 3 would have been the case agent, Detective Gaylor's
 4 responsibility?
 5 A. Yes.
 6 Q. Now, as his sergeant, if you were made aware
 7 that he had not requested a search warrant to search these
 8 phones, is that something that you could have said, "Hey,
 9 listen, we've got this information, we didn't even know who
 10 this guy was, why don't we search those phones"?
 11 A. I -- we could have had a discussion about it,
 12 but I honestly don't even remember those phones from the
 13 Travel Supreme trailer.
 14 Q. Because you did not search it, right?
 15 A. Correct.
 16 Q. As part of the Elko Combined Narcotics Unit,
 17 intel as far as who is selling to whom, who is talking to
 18 whom, it's important stuff, isn't it?
 19 A. It can be, yes.
 20 Q. And, in fact, this particular investigation
 21 started -- not the whole investigation, but Sandstrom did
 22 controlled buys with Olsen, correct?
 23 A. Yes.
 24 Q. Which ultimately led Sandstrom to do
 25 controlled buys with Hector, correct?

45

1 THE WITNESS: Thank you, Your Honor.
 2 THE COURT: All right. Anything else, Ms. Dunn?
 3 MS. DUNN: Your Honor, based upon some of the
 4 testimony this morning, I do want to recall Detective
 5 Gaylor.
 6 I have been in contact with Detective Gaylor and
 7 according to the last information I got from him, which was
 8 approximately almost 10 minutes ago, he can be here in
 9 approximately 30 minutes
 10 THE COURT: That's fine.
 11 MS. DUNN: Okay.
 12 THE COURT: So we'll take an early morning
 13 recess.
 14 I am feeling like I need one myself, actually.
 15 So but I think we are going to get the case, at
 16 least the evidentiary portion of the trial, wrapped up
 17 today.
 18 We're ahead of schedule, I think, ladies and
 19 gentlemen.
 20 So please do not converse amongst yourselves or
 21 with anyone else on any subject connected with the trial.
 22 Do not read, watch or listen to any report or commentary on
 23 the trial or any person connected with the trial by any
 24 medium of information, including, without limitation,
 25 newspapers, television, radio or the Internet.

46

1 And do not form or express any opinion on any
2 subject connected with the trial until the cause is finally
3 submitted to you.

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

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

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

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

48

1 gave. And I have never had an attorney say, "I don't want
2 my client to answer your questions."

3 I got to thinking, you know what, given the
4 defense in this case, I guess I can understand that.

5 But I was reviewing the motion that was filed,
6 the motion to dismiss, on April 28. I dealt with that in a
7 written order.

8 The defendant, Mr. Ramirez-De La Torre, in that
9 case asserted he was afraid to testify in support of duress
10 defense, so he asked the Court to dismiss the case against
11 him.

12 The Court ended up denying that motion in a
13 written order that was entered December 24, 2020.

14 I was reviewing that order. And although the
15 Court did not in the order deal with this issue directly,
16 in reviewing the motion, I noted that the defendant didn't
17 point to specific orders that the Court might enter to
18 calculate -- calculated to ensure his safety that was
19 within the Court's control that due process requires the
20 Court to enter. He wants dismissal.

21 Respectfully, I disagreed with that and denied
22 the motion.

23 So at this point it occurs to me that I don't
24 know whether Mr. Ramirez-De La Torre, or for that matter,
25 Jorge Landeros Ruiz, are somehow reluctant to testify

50

1 or learning about the case on your own.

2 Please leave your pads on the chairs there.

3 Court's in recess.

4 (Recess taken at 9:56 a.m.)

5 (Proceedings resumed at 10:29 a.m. outside the
6 presence of the jury)

7 THE COURT: It looks like everybody is here. I
8 do want to go on the record again in case CR-FP-19-2456 and
9 2465.

10 State versus Ramirez-De La Torre and Jorge
11 Landeros Ruiz, defendants.

12 They are here with counsel, their respective
13 attorneys, and the Court's previously sworn interpreters
14 assisting them and the Court.

15 Deputy district attorneys Mills and Barainca are
16 here to represent the State.

17 It's my understanding we have one more witness
18 for Mr. Ruiz's case, and that's Deputy Gaylor?

19 MS. DUNN: That is correct, Your Honor.

20 THE COURT: And it's also my understanding that
21 the -- there is going to be no other defense case from Mr.
22 Ramirez. If he wants to put one on, that's fine. I will
23 give him all the time he wants. We're way ahead of the --
24 on time in this case.

25 But I was thinking about this canvass that I

49

1 because of some perceived threat external to this
2 prosecution.

3 I just again want to reemphasize, I am here to
4 inform them, because I feel it's my job as the judge and I
5 intend to discharge my duty, that each of them have the
6 right to testify. And under the Nevada and U.S.
7 Constitutions it is their decision and theirs alone about
8 whether they testify or not.

9 It is not the judge's decision. It's not the
10 lawyer's decision. It's not anybody else's decision but
11 theirs.

12 It's secured by the Nevada and United States
13 Constitutions.

14 So if either of these guys need any more time to
15 talk to their lawyers about whether to testify or not, I
16 will recess this case for the day, if necessary, so that
17 they can do that.

18 Otherwise, if a recess is not called for or asked
19 for by the lawyers, then I will assume that the defendants
20 have made their decisions on -- now that they heard from
21 the judge about this being their decision and theirs alone.

22 With that, are we ready to bring the jury down?

23 MR. MILLS: Yes, Your Honor.

24 MR. WOODBURY: Yes, Your Honor.

25 THE COURT: Okay. If there is any other comment

51

1 or argument on this issue, which I actually think is a
2 pretty interesting issue given the defense that Mr.
3 Ramirez-De La Torre has raised, feel free. It's your
4 record, it's your case.
5 All right. So we'll bring the jury down then.
6 Thank you.
7 (WHEREUPON, the jury was brought into the courtroom)
8 THE COURT: We're back on the record in case
9 CR-FP-19-2456 and 2465.
10 State versus Ramirez-De La Torre and Jorge
11 Landeros Ruiz.
12 Defendants are back in court with their
13 respective attorneys and the Court's previously sworn
14 interpreters assisting them and the Court.
15 And also deputy district attorneys Mills and
16 Barainca are here.
17 Counsel, will you stipulate to the full presence
18 of the jury and the alternates?
19 MR. WOODBURY: So stipulated.
20 MS. DUNN: So stipulated, Your Honor.
21 MR. BARAINCA: Yes, Your Honor.
22 THE COURT: Thank you, counsel.
23 We are moving along with Mr. Ruiz's case.
24 Next witness, please.
25 MS. DUNN: Thank you, Your Honor.

52

1 Are you familiar with that?
2 A. Yes.
3 Q. Do you recall that -- that that was some of
4 the evidence that was collected?
5 A. I do not. But I imagine if you are telling me
6 about it, it's -- it's probably listed on the evidence
7 report.
8 Q. Well, let me ask you this. If as the case
9 agent, if there was digital evidence that was collected in
10 a case like this with a cell phone, where you wanted to
11 then search that evidence, who would be responsible for
12 that?
13 A. It changes case by case. Typically, if it's a
14 smaller case, we'll just have the officer who does the UFED
15 downloads write the search warrant, which would be
16 Detective Miller.
17 In this specific case, since the phones were
18 going to Washoe, the decision was made for Sergeant Smith
19 to write the warrants for the phones.
20 Q. All right. And so, I'm sorry, you said the
21 UFED download?
22 A. Yeah, it's -- I guess that's the term that
23 they use. It's just the digital downloading software, I
24 believe, that they use for phones.
25 Q. Okay. And so Sergeant Smith testified that he

54

1 Detective John Gaylor
2 THE COURT: All right.
3 Mr. Gaylor, I will remind you, you are still
4 under oath. Mask off. Please have a seat there. Make
5 yourself comfortable.
6 And I remind you, you are under oath. You were
7 sworn in way back towards the beginning of the evidentiary
8 part of the trial. So you are still under oath.
9 And, Ms. Dunn, please proceed.
10 MS. DUNN: Thank you, Your Honor.
11 JOHN GAYLOR
12 recalled as a witness in said case, having been
13 previously duly sworn, testified as follows:
14 DIRECT EXAMINATION
15 BY MS. DUNN:
16 Q. Hi, Mr. Gaylor. How are you?
17 A. Good morning. Thank you.
18 Q. Good. I want to ask you about some of the
19 evidence that was collected in this case.
20 Again, you were the case agent for this
21 particular investigation; is that fair to say?
22 A. Yes.
23 Q. Now, there was some evidence that was gathered
24 from the Travel Supreme trailer. In fact, there were five
25 different cell phones that were located in that trailer.

53

1 wrote the warrant specifically just for two phones that
2 were found in the main residence that he searched, and that
3 he wouldn't have been then responsible for writing a
4 warrant for any of the other evidence.
5 So it was your understanding that he would
6 have been then responsible for writing the warrants for all
7 of them?
8 A. Yes, that's -- sounds like a miscommunication
9 between our office.
10 Q. Okay. Based upon your recollection of
11 reviewing the evidence in this case, did you review any
12 other digital downloads from any cell phones other than
13 one of Mr. Jorge Ruiz's phone?
14 A. No.
15 Q. Had they been searched and downloaded, would
16 that information have come back to you?
17 A. Yes.
18 Q. You said in a smaller case, it may be the
19 responsibility of -- of whom? Who would it normally be the
20 responsibility of?
21 A. Detective Miller.
22 Q. Okay. And why would he have been responsible?
23 A. He is our individual at the state office that
24 is trained on the download software, and he is more
25 familiar with writing those type of warrants.

55

1 Q. Okay. And so had he been responsible -- or
2 had he -- like you said, had it been a smaller case, would
3 he have then written the warrants and then done the actual
4 downloads himself?
5 A. If I had requested it of him, yes.
6 Q. Okay. Should you have requested Sergeant
7 Smith to do the warrants for all of the cell phones that
8 were ultimately seized in this case?
9 A. I would say the responsibility does fall on my
10 shoulders.
11 I think there was just some miscommunication
12 in our office that I believed that all of the phones were
13 ready to be downloaded, and I think he believed only two of
14 the phones were to be downloaded, and -- which resulted in,
15 I guess, these other cell phones not being reviewed.
16 Q. You have done -- how long have you done drug
17 investigation cases?
18 A. Approximately three years.
19 Q. During that three years, in your experience,
20 is searching cell phones of individuals that you arrested
21 for whatever reason helpful?
22 A. Absolutely, it is.
23 Q. And they are a way to gather additional
24 information as to who is talking to whom?
25 A. Yes.

56

1 Q. In addition to over \$12,000 in cash?
2 A. Yes.
3 Q. So clearly, he was involved somehow; is that
4 fair to say?
5 A. That's fair to say.
6 Q. Now, the -- you testified, I think it was
7 Friday, maybe Thursday, that the information that you
8 reviewed from the cell phone that was downloaded and
9 searched in this case, that there was -- well, let me -- I
10 don't remember now, I don't want to be confused.
11 Let me make sure I -- do you recall reviewing
12 the download from Jorge Ruiz's phone?
13 A. I don't recall the specific date. It was
14 reviewed, but I do remember the phone because it was
15 predominantly in Spanish, so I had to get a lot of it
16 translated. But I do remember looking at that phone.
17 Q. And from the information that was provided to
18 you, there was nothing that helped your investigation as
19 far as connecting him to any type of further dealings when
20 it comes to illicit substances, correct, on the phone?
21 A. Correct.
22 MS. DUNN: I have no further questions at this
23 time.
24 THE COURT: Cross-examination by the prosecution?
25 MR. BARAINCA: State has no questions, Judge.

58

1 Q. In this case, five of the phones were found in
2 the Travel Supreme trailer, which was Eduardo's trailer,
3 correct?
4 A. If that's what the evidence report states,
5 then yes.
6 Q. I am just staying that was his -- his trailer,
7 Eduardo's trailer?
8 A. Yes.
9 Q. Because there has been testimony that that is
10 where these phones came from.
11 Your department didn't have any information
12 about Eduardo Ruiz; is that correct?
13 A. No, ma'am.
14 Q. He wasn't even on your radar prior to you
15 executing the search warrant in this case?
16 A. No, he was not.
17 Q. So having his cell phones or the cell phones
18 that were in his possession, that could have been very
19 helpful to potential further investigation?
20 A. It's possible. It could have connected
21 additional dealings and probably purchasing of illicit
22 controlled substances.
23 Q. Now, do you recall if there was also a fair
24 amount of methamphetamine found within his trailer?
25 A. Yes.

57

1 THE COURT: Any cross-examination, Mr. Woodbury?
2 MR. WOODBURY: No, Your Honor.
3 THE COURT: Any jury questions for Mr. Gaylor?
4 Okay. It appears not.
5 If I am wrong, just raise a hand, let me know.
6 It appears not.
7 So thank you for your testimony. We'll have you
8 mask up and have a good day, sir.
9 THE WITNESS: Thank you, Your Honor.
10 THE COURT: All right.
11 MS. DUNN: And, Your Honor, with that, Mr. Ruiz,
12 we have no additional evidence to present.
13 THE COURT: Okay. Mr. Ruiz having rested his
14 case, we'll go over to Mr. Ramirez.
15 MR. WOODBURY: Thank you, Your Honor.
16 We have no testimony or evidence to present.
17 However, we have agreed to a stipulation with the
18 State, which I will try to state correctly.
19 That Eduardo Ruiz entered a plea of no contest to
20 charges arising out of the incident that took place at Kale
21 Drive, and that the consequence of pleading no contest is
22 that it represents a plea of guilty in a broader sense, but
23 that there is no requirement of any statement of facts
24 supporting the plea.
25 THE COURT: All right. Mr. Mills?

59

1 MR. MILLS: That's correct, Your Honor. The
2 State has entered into that stipulation.
3 THE COURT: Okay. Well, did Mr. Ruiz have a
4 position on any of this?
5 MS. DUNN: Your Honor, we were asked, and we had
6 no objection to that stipulation, Your Honor.
7 THE COURT: Okay. Well, the stipulation has been
8 given to the jury orally.
9 And if the parties want to reduce it to writing,
10 I am more than willing to put that into the jury
11 instructions as well, counsel.
12 So just keep that in mind.
13 And remember the opening instruction, ladies and
14 gentlemen, which stated that when the parties reach a
15 stipulation like this, you have to accept those facts to
16 which the parties have stipulated; you have to accept those
17 as true.
18 So what -- what the lawyers have agreed to there,
19 you have to accept that as true.
20 Anything else on the stipulation from the Court
21 that you are seeking, Mr. Woodbury?
22 MR. WOODBURY: No, Your Honor.
23 THE COURT: At this point?
24 Mr. Mills?
25 MR. MILLS: No, Your Honor.

60

1 together arguments, and they are going to argue the case to
2 you, closing arguments. Gives them time to put together
3 those presentations as well.
4 I want to again thank you for your time and
5 attention.
6 During the break, please do not converse amongst
7 yourselves or with anyone else on any subject connected
8 with the trial. Do not read, watch or listen to any report
9 or commentary on the trial or any person connected with the
10 trial by any medium of information, including, without
11 limitation, newspapers, television, radio or the Internet.
12 Do not form or express opinions on any subject
13 connected with the trial until the cause is finally
14 submitted to you.
15 You may not use any electronic device or media,
16 such as the telephone, a cell phone, smartphone, iPhone,
17 Galaxy, or computer, the internet, any internet service,
18 any text or instant messaging service, any internet chat
19 room, blog, or website such as Facebook, Instagram,
20 LinkedIn, YouTube or Twitter, to communicate to anyone any
21 information about this case until I accept your verdict.
22 In other words, you cannot talk to anyone on the
23 phone, correspond with anyone, or electronically
24 communicate with anyone about this case.
25 In addition, remember, jurors shall not conduct

61

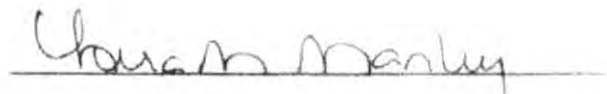
1 THE COURT: All right. All right.
2 And is there any rebuttal from the State?
3 MR. MILLS: There is not.
4 THE COURT: No.
5 Okay. So what that means, ladies and gentlemen
6 of the jury, is that this matter is -- the evidentiary
7 portion of trial is now concluded.
8 And as I told you at the beginning, what happens
9 now is the Court comes -- puts together jury instructions
10 that will instruct you on what the law is for this case,
11 the law that applies to this case.
12 And I had to listen to the evidence, just like
13 you and the attorneys, before I could determine what the
14 instructions are.
15 We had a lot of testimony and there are going to
16 be a lot of instructions, and it's going to take awhile to
17 get that done.
18 So I'm going to take a break for you all today so
19 I can do that work considerably and carefully.
20 And the jury instructions are settled without the
21 jury around. That is not something you have to be here
22 for.
23 I will have you come back tomorrow morning -- why
24 don't we make it at 9:00 a.m., quarter till 9:00 a.m.
25 And this also gives the lawyers more time to put

62

1 any form of independent research, investigations, or
2 experiments prior to or during jury deliberations.
3 This prohibition includes, but is not limited to,
4 communicating with anyone in any way regarding the case or
5 its merits, by phone, e-mail, texting, the internet, or
6 other means; reading, watching or listening to any news or
7 media accounts or commentary about the case; doing any
8 research such as consulting dictionaries, using the
9 internet, or using reference materials; and making any
10 investigation, testing a theory of the case, re-creating
11 any aspect of the case, or in any other way investigating
12 or learning about the case on your own.
13 So between 8:45, 9:00 a.m. tomorrow, everybody be
14 in the jury room. I expect by then we'll be able to jump
15 right into it with the reading of the instructions and then
16 the arguments of parties.
17 Please leave your pads on the chairs again.
18 Carlos will collect those.
19 Have a nice day.
20 (WHEREUPON, trial adjourned at 10:52 a.m.)
21
22
23
24
25

63

1 STATE OF NEVADA)
2) SS.
3 COUNTY OF ELKO)
4 I, LISA M. MANLEY, Official Court Reporter of the Fourth
5 Judicial District Court, Dept. II, of the State of Nevada,
6 in and for the County of Elko, do hereby certify that I was
7 present in court during all the proceedings had in the
8 matter of the State of Nevada, plaintiff, versus
9 HECTOR HUGO RAMIREZ-DE LA TORRE and JORGE LANDEROS RUIZ,
10 defendant, heard at Elko, Nevada, on January 26, 2021, and
11 took verbatim stenotype notes thereof; and that the
12 foregoing 63 pages contain a full, true and correct
13 transcription of my stenotype notes so taken, and a full,
14 true and correct copy of all proceedings had.

15
16 
17 LISA M. MANLEY - CCR No. 271
18 OFFICIAL COURT REPORTER
19
20
21
22
23
24
25

< Dates >
April 28 50:6
December 24,
2020 50:13
March 19
2019 11:25
#2218 2:29
\$1,200 27:10
\$12,000
27:14, 58:1
\$12,000.
27:12

< 1 >
1,800 26:5,
27:2
10 47:8
1053 2:21
10:29 49:5
10:52 63:20
11 3:5
110 24:22,
24:23
12,000 28:24
1201 2:29
13 20:9
13. 21:4
14 3:6
17 3:13
18 14:23, 15:3
19th 13:4

< 2 >
2021 1:20,
64:10
20th 12:22
21st 12:22
2465 4:3,
10:4, 49:9,
52:9
25 3:14
26 3:16
271 1:25
28 3:15, 3:17
2nd 2:7

< 3 >
62:13
CCR 1:25
cell 18:18,
18:22, 19:7,
20:2, 21:19,
22:1 25:8
30:20, 30:21,
30:25, 31:25,
40:4, 43:2,
43:3, 43:9,
43:13, 43:15,
43:25, 44:22,
48:5, 53:25
54:10, 55:12,
56:7, 56:15,
56:20, 57:17,
58:8, 62:16
certify 64:6
chain 33:16,
39:3
chairs 49:2,
63:17
chance 35:1
change 40:19
changed 41:2
changes 20:1,
54:13
charge 18:6,
18:10, 42:18
charges 59:20
chat 48:7,
62:18
checked
23:23, 24:8
chicken 12:13
chief 17:2,
17:4
clarification
n 15:19
clarify 13:3
clarifying
12:16
clear 26:11
clearly 58:3
client 50:2
clients 8:24
clock 36:11
closing 5:18,
6:10, 62:2
cold 42:7

3 20:9
30 3:20, 47:9
38 3:21

< 4 >
41 3:22
43 3:23

< 5 >
5 21:4
53 3:26
540 2:6, 2:14
5647 11:25

< 6 >
63 64:12

< 8 >
89502 2:10
89801 2:8,
2:16, 2:22
8:40 a.m.
1:21
8:45 63:13
8:49 10:1
8:52 10:2

< 9 >
9 1:12
95. 12:7
9:00 61:24,
63:13
9:56 49:4

< A >
a.m. 10:1,
10:2, 49:4,
49:5, 61:24,
63:13, 63:20
able 5:25,
13:25, 33:19,
34:5, 35:10,
39:2, 41:13,
41:19, 42:2,

44:25, 63:14
above-entitl
ed 1:19
Absolutely
56:22
accept 48:10,
60:15, 60:16,
60:19, 62:21
access 14:1
according
47:7
accounted
34:19
accounts
48:21, 63:7
accurately
33:19, 42:2
across 14:19
act 42:8
acting 6:21
actual 56:3
actually
13:19, 21:23,
33:2 33:17,
43:14, 47:14,
52:1
addition
27:9, 27:16,
58:1, 62:25
additional
56:23, 57:21,
59:12
adjoined
63:20
Administrati
on 42:6, 43:7
admitted 12:7
advice 6:22
advise 32:17
advised 25:7
afraid 50:9
age 35:5
agencies 34:4
agent 22:14,
27:21, 22:23,
23:22, 37:14,
39:18, 45:3,
53:20, 54:9
ago 47:8
agreed 59:17,

60:18
ahead 11:22,
16:22, 21:9,
47:18, 49:23
allegedly
23:8
almost 10:23,
47:8
alone 51:7,
51:21
already
27:25, 36:11,
36:14, 37:2
40:10, 40:16,
40:20, 43:24
alternates
4:13, 10:15,
52:18
although
50:14
ALVIN 1:22
amongst
47:20, 62:6
amount 26:2,
27:1, 36:3,
57:24
amounts 43:1
android 48:6
angle 13:17
answer 7:17,
8:11, 8:15,
8:18, 9:11,
50:2
answering
8:19, 8:21
anybody 9:23,
43:7, 51:10
Anyway 6:3,
6:9
apologize
27:13
apparent
44:4, 44:12
apparently
44:13
appealing 6:2
appear 24:18
appears
16:21, 29:7,
46:23, 59:4, 1

59:6
Apple 21:11,
21:13
application
31:5, 31:9
applies 61:11
approach
11:21, 19:14
Approximatel
y 27:2, 27:6,
27:10, 47:8,
47:9, 56:18
areas 18:6
argue 5:21,
6:1, 62:1
argument 52:1
arguments
5:18, 6:10,
62:1, 62:2,
63:16
arising 59:20
armed 32:21
around 61:21
arrest 18:24,
38:25, 42:16,
42:20
arrested
19:4, 21:24,
56:20
ascertain
42:15
aspect 48:25,
63:11
asserted 50:9
assign 22:23
assigned
22:8, 31:19
assistance
6:22
assisted 10:9
assisting
49:14, 52:14
ASSOCIATES
2:28
assume 51:19
assumption
43:15
attempt 33:24
attempted
38:21

attention
62:5
ATTORNEY 7:5,
2:13, 2:20,
6:22, 7:3,
7:21, 50:1
attorneys
4:7, 4:10,
7:14, 10:8,
10:12, 49:13,
49:15, 52:13,
52:15, 61:13
availability
36:2, 40:2
avenue 39:5
aware 22:17,
43:11, 43:12,
43:6
awhile 61:16

< B >
back 4:2,
10:3, 12:18,
12:22, 12:24,
13:1, 13:18,
14:4, 30:18,
30:19, 32:23,
36:6, 39:10,
39:11, 52:8,
52:12, 53:7,
55:16, 61:23
bagged 27:25
BALLIFF 4:16
BARAINCA
2:11, 3:14,
3:17, 4:11
10:13, 25:15,
26:18, 28:11,
28:19, 49:15,
52:16, 52:21,
58:25
barn 12:4
12:14, 14:15,
14:18, 15:9
Based 28:20,
40:12, 40:22,
42:11, 43:24,
46:2, 47:3,
55:10

basically
37:21
batteries
35:23
become 35:6
becomes 5:19
bed 35:21
bedroom
31:17, 38:20
beginning
53:7, 61:8
behalf 17:13
believe
17:22, 15:5,
15:13, 15:15,
15:18, 15:20,
18:23, 19:5,
19:10, 19:18,
21:4, 21:5,
21:25, 24:9,
24:22, 25:16,
39:2, 39:20,
46:4, 54:24
believed
56:12, 56:13
belonged
32:9, 32:11,
33:9, 34:17,
35:20
belonging
34:11, 34:14,
43:13
bend 13:21
benefits 7:12
best 28:12
beyond 41:19
big 27:5,
42:22
bills 28:25
bit 13:19,
27:8
black 20:21
blended 15:17
blog 48:8,
62:19
book 22:5,
22:13
booked 27:22,
32:5, 33:12,
33:13, 33:22,

44:6, 34:16
bottle 15:14
bottom 20:7
break 33:16,
61:18, 62:6
briefly 26:22
bring 30:19,
51:22, 52:5
broader 59:22
brought 33:1,
52:7
brown 12:7,
12:12, 12:14,
14:15, 15:9,
18:7, 18:15
bucket 14:24
bumper 39:10
bundles 26:8,
27:5
buying 40:18
buys 40:12,
40:20, 45:22,
45:25

< C >
calculate
50:18
calculated
50:18
calculator
27:4
call 17:8,
31:12, 36:13
CALLED 3:3,
3:9, 4:21,
17:12, 18:2,
43:8, 51:18
camera 13:1
cannvs 4:25,
9:13, 49:25
carefully
61:19
Carlos 4:15,
63:18
cases 34:22,
41:18, 56:17
cash 27:11,
27:14, 58:1
cause 48:2,

collected
27:23, 32:8,
63:18
collected
18:23, 25:2,
32:6, 32:19,
32:22, 33:17,
35:9, 53:19,
54:4, 54:9
collecting
13:2
collection
22:8
Combined
42:12, 45:16
comes 42:15,
42:17, 58:20,
61:9
comfortable
8:6, 9:3, 53:5
comment 5:18,
51:25
commentary
47:22, 48:21,
62:9, 63:7
communicate
42:8, 48:9,
48:13, 62:20,
62:24
communicatin
g 35:3, 48:18,
63:4
communicatio
ns 8:2
compelled
6:20
computer
48:6, 62:17
concluded
61:7
conclusions
6:24
conduct 40:2,
48:14, 62:25
confidential
8:2
confused
58:10
confusion
34:3

connected
47:21, 47:23,
48:2, 57:20,
62:7, 62:9,
62:13
connecting
58:19
cons 7:12
consequence
59:21
consideratel
y 61:19
considered
39:12, 41:17,
42:11
constitution
al 6:18
Constitution
S 5:7, 51:7,
51:13
consulting
48:22, 63:8
contact 47:6
contacts
31:12
contain 64:12
contained
28:25
container
12:3, 12:12,
12:16, 13:15,
15:14, 15:20
content 43:9
contents
8:23, 31:11,
40:22
contest
59:19, 59:21
context
12:25, 13:1,
14:18, 18:5
continuing
30:17
control 50:19
controlled
26:12, 26:16,
40:12, 40:20,
45:22, 45:25,
57:22
conversation

43:12
converse
47:20, 62:6
conviction
6:7
coop 14:23,
15:3
coops 12:13
copy 64:14
correctly
39:22, 59:18
correspond
48:12, 62:23
Counsel 4:9,
8:23, 10:11
10:14, 49:12,
52:17, 52:22,
60:11
County 1:7,
2:4, 2:12
24:7, 37:18
41:12, 41:14,
41:24, 42:3,
42:13, 46:10,
64:3, 64:6
couple 12:15,
29:16
course 5:2,
5:12, 5:25,
8:1, 19:13,
41:21
courtroom
52:7
cover 23:9
covered 7:6
CR-FP-19-245
6 1:1, 4:3,
49:8, 52:9
CR-FP-19-246
5 1:1
CR-FP-2019-2
456 10:4
crime 24:7,
40:3, 42:16
criminal
5:16, 6:19
Cross-examin
ation 3:6,
3:14, 3:15,
3:21, 3:22, 3

5:10, 14:11,
14:13, 16:15,
25:13, 25:14,
26:19, 26:20,
28:22, 38:14,
38:15, 41:6,
41:8, 58:24,
59:1
cross-examin
e 5:9
custody 19:3,
30:20, 33:16,
33:25, 36:14,
39:3, 39:6,
39:8
customary
6:15

< D >
D. 2:19
Damon 32:13
data 22:10,
24:6
date 15:11,
16:9, 58:13
day 1:21,
12:20, 12:21,
13:8, 15:3,
15:4, 15:5,
15:8, 19:4,
32:1, 35:5
51:16, 59:8,
63:19
days 15:11
deal 39:11,
50:15
dealing 6:7,
36:16, 40:16,
40:24, 44:1
dealings
57:21, 58:19
dealt 31:21,
50:6
decide 22:15
decided 39:17
decision
6:20, 8:6,
8:7, 9:2, 9:3,
9:15, 38:19,

38:25, 51:7,
51:9, 51:10,
51:21, 54:18
decisions
8:4, 51:20
declines 8:11
DEFENDANT
2:19, 2:27,
3:9, 6:4, 6:6,
6:19, 6:21,
7:7, 7:10,
7:25, 8:14,
9:1, 9:4,
40:8, 50:8,
50:16, 64:10
Defendants
1:14, 4:6,
4:25, 10:7,
49:11, 51:19,
52:12
defense 9:19,
49:21, 50:4,
50:10, 52:7
definitely
35:14
delegated
37:12, 37:14,
38:3
deliberation
s 7:1, 48:16,
63:2
denied 50:21
denying 50:12
Department
32:14, 12:24,
33:3, 57:11
depends 34:24
Dept. 1:2,
64:5
Deputy 2:5,
2:13, 4:10,
10:12, 49:15,
49:18, 52:15
describe
13:15
desire 8:1
destroying
34:20
Detective
14:24, 15:2,

15:6, 15:9,
16:4, 17:8,
17:23, 18:2,
19:18, 19:25,
22:24, 26:25,
31:23, 32:13,
32:16, 32:24,
33:7, 13:8,
36:25, 37:25,
39:17, 41:22,
45:3, 47:4,
47:6, 53:1
54:16, 55:21
detectives
18:10
determinatio
n 27:20, 39:15
determine
23:22, 61:13
device 48:4,
62:15
dictionaries
48:22, 63:8
different
15:4, 15:5,
20:14, 53:25
dig 33:18
digging 15:9,
15:16
digital 23:3,
23:9, 25:2,
34:23, 38:9,
54:9, 54:21,
55:12
digitally
35:6
DIRECT 3:5,
3:13, 3:20,
3:26, 11:17
12:19, 17:21,
30:15, 53:14
directly
13:18, 14:19,
50:15
disagreed
50:21
discharge
51:5
discovered
44:13

discussed
6:25, 7:12
discussion
45:11
discussions
8:23
dismiss 50:6,
50:10
dismissal
50:20
District 1:6,
1 22, 2:5,
2:13, 4:10
10:12, 49:15,
52:15, 64:5
document
33:19, 39:3
doing 48:21,
63:7
dollars 28:24
done 22:15,
25:21, 35:6
36:10, 36:12,
36:13, 40:20,
56:1, 56:16,
61:17
down 11:8,
13:19, 13:21,
14:4, 16:22,
20:7, 21:3,
29:9, 39:5,
42:16, 42:20,
44:25, 46:25,
51:22, 52:5
download
36:24, 40:4,
54:21, 55:24,
58:12
downloaded
35:16, 40:6,
55:15, 56:13,
56:14, 58:8
downloading
54:23
downloads
40:3, 54:15,
55:12, 56:4
downside
35:24
drafted 23:6

draw 6:23,
9:14
drawbacks
7:13
drawer 35:22
drawn 5:23
Drive 11:25,
59:21
drove 33:2
Drug 29:2,
40:16, 42:5,
42:20, 43:6,
56:16
drugs 40:10,
42:13, 43:1,
43:2, 43:24,
46:2, 46:3,
46:6, 46:8
due 50:19
dug 14:24,
15:3
duly 11:16,
17:20, 30:14,
53:13
duress 50:9
During 13:3,
13:5, 18:4,
18:24, 38:24,
48:15, 56:19,
62:6, 63:2,
64:7
duty 51:5

< E >

e-mail 48:19,
63:5
e-mails 31:12
early 47:12
echelon
41:17, 41:18
Eduardo
14:21, 21:23,
22:2, 23:8,
23:14, 26:11,
28:3, 28:13,
28:25, 32:9,
32:18, 34:10,
34:12, 37:23,
38:24, 40:21,

43:25, 44:4,
44:8, 44:24,
46:14, 57:2,
57:7, 57:12,
59:19
Eisinger
41:22
either 6:4,
6:5, 22:2,
22:11, 38:2,
38:5, 38:8,
51:14
electronic
18:3, 18:18,
48:4, 62:15
electronical
ly 48:12,
62:23
elements
42:16
Elko 1:7,
1:21, 2:4,
2:8, 2:12,
2:16, 2:22,
24:17, 32:23,
39:10, 41:12,
41:24, 42:3,
42:12, 42:13,
45:16, 46:10,
64:3, 64:6,
64:10
ended 50:12
Enforcement
42:5, 43:7
engaged 26:11
English 4:8,
4:9, 10:10,
10:11
enough 7:21
ensure 50:18
enter 6:25,
39:3, 50:17,
50:20
entered
50:13, 59:19,
60:2
entirely
9:17, 9:22,
23:22
entirety

23:10
especially
44:1
ESQ 2:3, 2:11,
2:19, 2:27
event 42:10
eventually
19:1
everybody
29:24, 49:7,
63:13
everything
22:9, 22:17,
31:13
evidentiary
25:20, 47:16,
53:7, 61:6
exact 15:11
Exactly
24:16, 34:5,
42:23, 45:1
EXAMINATION
3:5, 3:13,
3:16, 3:20,
3:23, 3:26,
5:13, 11:17,
17:21, 26:23,
30:15, 43:21,
53:14
examined
35:10, 35:12,
35:14, 36:7
excuse 6:17,
15:23, 23:8,
26:5, 38:17
executed
37:18
executing
44:16, 57:15
execution
11:24, 12:20
Exhibit 12:7,
24:20
expect 63:14
experience
56:19
experiments
48:15, 63:2
express 48:1,
62:12

external 51:1

< F >

Facebook
48:8, 62:19
fact 6:24,
6:25, 25:3,
34:6, 39:9,
41:10, 41:21,
42:4, 42:10
42:25, 45:20,
53:24
factor 42:17
facts 5:21
59:23, 60:15
fair 26:10,
40:7, 53:21,
57:23, 58:4,
58:5
fairly 26:10
fall 56:9
familiar
21:22, 25:4,
31:23, 32:3,
32:4, 32:5,
54:1, 55:25
family 28:17
far 15:22,
45:17, 58:19
FBI 43:7
feel 6:1,
7:20, 8:19,
51:4, 52:1
feeling 47:14
felony 6:6
fender 32:20,
32:25, 33:2,
39:10
figure 34:5
filed 50:5
finally
39:13, 48:2,
62:13
find 5:22,
18:18, 27:1,
35:15
fine 29:14,
29:20, 47:10,
49:22

first 11:15,
12:20, 17:4,
25:13
five 21:19,
23:13, 25:23,
27:9, 35:22,
37:27, 38:9,
45:2, 53:24,
57:1
Floor 2:7,
2:15
focus 36:8
folks 43:13
follow-up
5:14
follows
11:16, 17:20,
30:14, 53:13
force 9:16,
9:17
foregoing
64:12
form 24:16,
48:1, 48:14,
62:12, 63:1
four 35:21
Fourth 1:6,
64:4
free 19:4,
52:3
Friday 58:7
frog 38:17
fruit 39:3
full 10:14,
52:17, 64:12,
64:13

< G >

gain 35:1,
35:7
Galaxy 62:17
GARY 2:19
gather 56:23
gathered
37:10, 53:23
gave 19:23,
50:1
Gaylor 3:25,
14:24, 15:2,

15:6, 15:9,
22:24, 36:23,
37:25, 39:17,
41:22, 45:3,
47:5, 47:6,
49:18, 53:1,
53:3, 53:11,
53:16, 59:3
gentlemen
5:2, 5:17,
6:9, 10:20
7:4, 47:19,
60:14, 61:5
getting
37:21, 44:21
give 6:16,
8:9, 15:10,
18:5, 49:23
given 46:13,
50:3, 52:2,
60:8
Gives 61:25,
62:2
goal 8:2
grabbed 34:1,
34:5
grams 26:5,
27:2
ground 34:4
grouping
19:19
guess 7:18,
9:12, 50:4,
54:22, 56:15
guilty 59:22
guy 45:10
guys 33:25,
40:8, 40:23,
42:4, 42:22,
44:9, 51:14

< H >

hallway 29:19
hand 59:5
handed 24:21,
32:13, 32:16
handle 41:19
happen 38:5
happens 22:7,

61:8
head 15:11
head, 37:6
hear 39:21
heard 40:13,
51:20, 64:10
hearing 1:20
Hector 1:12,
4:4, 10:6,
18:16, 18:22,
24:3, 28:5,
28:6, 28:12,
32:10, 32:18,
14:14, 38:24,
40:8, 44:19,
45:25
HECTOR HUGO
RAMIREZ-DE
LA TORRE and
JORGE
LANDEROS
RUIZ 64:9
held 34:19
helped 58:18
helpful 35:3,
56:21, 57:19
hereby 64:6
high 42:1
higher 35:14,
41:19
hindsight
36:6
honestly
45:12
HONORABLE
1:22
hoops 36:9
hope 10:20
hopefully
4:18
hot 42:7
hour 1:20
house 22:19,
23:7, 35:20
Hugo 1:12,
4:5, 10:6

< I >

Idaho 2:21

idea 23:24,
37:13, 44:15,
44:18
identificati
on 24:23
identified
29:1
identify
75:21
11:12, 64:5
17:21, 58:70
images 31:12
imagine 54:5
IMEI 31:19
impeachment
6:6
important
34:22, 34:25,
35:6, 45:18
in-place
29:23
incident
38:24, 59:20
include
24:15, 24:17
included 25:6
includes
48:17, 63:3
including
5:19, 47:24,
62:10
incorporated
16:2
independent
48:14, 63:1
individual
35:19, 55:23
individuals
25:21, 35:2,
36:14, 46:4,
56:20
indulgence
19:11, 29:13
industry
42:20, 47:21
inferences
5:23, 6:1,
6:23
inform 51:4

information
16:1, 16:5,
40:19, 41:16,
42:8, 42:23,
43:3, 43:24,
44:21, 45:9,
46:13, 47:7,
47:24, 48:10,
55:16, 56:24,
57:11, 58:7,
58:17, 62:10,
62:21
initial 13:5
initially
11:10, 39:7
inside 12:24
Instagram
48:8, 62:19
instance 36:4
instant 48:7,
62:18
instruct
61:10
instruction
6:15, 6:16,
6:18, 7:2,
7:4, 60:13
instructions
60:11, 61:9,
61:14, 61:16,
61:20, 63:15
Intel 35:2,
35:7, 44:22,
44:23, 45:17,
46:12
intelligence
40:17
intend 51:5
interested
41:11
interesting
52:2
Internet
47:25, 48:6,
48:7, 48:19,
48:23, 62:11,
62:17, 62:18,
63:5, 63:9
interpreters
4:8, 10:9,

49:13, 52:14
investigatin
g 48:25, 63:11
investigatio
n 41:11
41:13, 45:20,
45:21, 48:24,
53:21, 56:17,
57:19, 58:18,
63:10
investigatio
ns 48:15, 63:1
investigator
s 35:7
involved
41:24, 44:13,
44:18, 44:19,
58:3
iphone 20:22,
48:5, 62:16
52:1, 52:2
item 20:11,
20:19
items 23:23

< J >

January 26
1:20, 64:10
job 51:4
JOHN 3:25,
53:1, 53:11
Jorge 1:13,
4:5, 10:6,
22:19, 23:8,
25:9, 30:25,
49:10, 50:25,
52:10, 55:13,
58:12
Judge 1:22,
51:4, 51:9,
51:21, 58:25
Judicial 1:6,
64:5
jump 63:14
jumping 36:9
Jurors 5:21,
48:14, 62:25
JUSTIN 2:11

< K >

K. 2:27, 2:28
KACIN 1:22
Kale 11:25,
59:20
KARENA 2:27
keep 5:8,
5:24, 6:3,
22:12, 28:1,
60:12
keeper 23:17,
23:20
kind 13:15,
15:12, 25:22,
42:4
knees 42:21
knowing
33:17, 39:6
knowledge
28:12, 35:2,
41:3
Kuskie 32:14,
32:16, 32:24,
33:6, 33:7,
33:8

< L >

La 1:12, 2:20,
4:5, 4:23,
5:3, 7:5, 7:7,
8:14, 10:6,
24:3, 32:10,
49:10, 50:8,
50:24, 52:3,
52:10
lab 24:7, 40:3
ladies 10:20,
17:4, 47:18,
60:13, 61:5
Landeros
1:13, 4:5,
5:3, 10:6,
28:16, 37:17,
49:11, 50:25,
52:11
lapse 33:21
large 26:2,

40:24, 43:1,
44:1, 44:5,
44:6, 44:14
larger 27:5
LARRY 2:28
last 20:11,
24:20, 47:7
later 13:9
LAW 2:20,
61:10, 61:11
lawyer 8:17,
9:23, 51:10
lawyers 4:19,
5:14, 5:18,
5:21, 6:15,
8:8, 51:15,
51:19, 60:18,
61:25
learning
49:1, 63:12
least 26:11,
40:23, 42:14,
43:12, 44:4,
47:16
leave 49:2,
63:17
led 45:24
left 6:21,
39:9
lengthy 31:11
lid 12:3,
12:13
limit 31:14
limitation
47:24, 62:11
limited 40:4,
48:17, 63:3
limits 41:18
line 12:19
Linkedin
48:9, 62:20
LISA 1:25,
64:4
list 24:17
listed 24:11,
34:9, 34:11,
34:15, 54:6
listen 45:9,
47:22, 61:12,
62:8

listening
48:20, 63:6
lists 24:11
little 13:19,
42:22
living 28:13,
28:16, 44:15
located 12:3,
12:13, 12:17,
12:18, 12:22,
13:5, 13:9
13:12, 14:15,
19:19, 31:16,
53:25
location
14:5, 14:23,
15:17, 46:3,
46:9
logs 31:12
long 22:12,
56:16
look 13:19,
13:21, 19:19,
19:25, 20:5,
42:12
looked 12:23
looking
13:18, 36:6,
58:16
looks 11:8,
20:6, 20:11,
49:7
losing 34:20
lost 22:10
lot 34:2,
35:9, 58:15,
61:15, 61:16
Lower 13:19,
17:12, 30:6

< M >

M. 1:25, 64:4
ma'am 57:13
main 22:19,
23:7, 24:11,
31:16, 31:17,
31:20, 37:4,
55:2
majority

27:25
manipulate
27:24
MANLEY 1:25,
64:4
MARK 2:3
marked 12:6
Mask 11:8,
17:12, 29:9,
30:7, 33:4,
59:8
master 38:20
material
18:4, 18:18
materials
48:23, 63:9
matter 1:19,
42:19, 50:24,
61:6, 64:8
MATTHEW 3:11,
17:8, 17:18
mean 33:25
means 48:20,
61:5, 63:6
meant 27:13
media 48:4
48:21, 62:15,
63:7
medium 47:24,
62:10
mention 6:10
mentioned
9:19, 39:20
merits 48:19,
63:5
mess 33:23
messages
31:12
messaging
48:7, 62:18
meth 26:7
methamphetamine
ine 14:25,
26:2, 27:2
40:25, 41:23,
42:21, 44:2,
44:5, 57:24
Miller 3:11,
16:4, 17:8,
17:18, 17:23,

18:2, 19:18,
19:25, 29:6,
31:23, 54:16,
55:21
MILLS 2:3,
3:5, 3:21,
4:10, 4:20
10:17, 10:16,
10:24, 10:25,
11:3, 11:12,
11:13, 11:18,
11:21, 14:9,
16:18, 17:1,
38:16, 41:5,
46:18, 49:15,
51:23, 52:15,
59:25, 60:1,
60:24, 60:25,
61:3
mind 5:8,
5:24, 6:3
20:1, 60:12
minutes
29:16, 47:8,
47:9
miscommunica
tion 55:8,
56:11
missed 12:19
missing 25:22
MM-11 71:5
MM-4 20:12,
20:21
moment 19:11,
29:13
Monday 10:21
money 27:19,
43:25, 44:6
morning
11:19, 11:20,
17:24, 25:16,
47:4, 47:12
53:17, 61:23
motion 50:5,
50:6, 50:12,
50:16, 50:23
moving 14:1,
52:23
MRAP 32:21,
32:23

myself 47:14

< N >
Narcotics
42:17, 45:16
necessarily
35:17
necessary
51:16
need 8:7,
8:9, 29:15,
47:14, 51:14
needs 9:16
Nevada 1:7,
1:9, 1:21,
2:8, 7:22,
2:30, 4:4,
5:7, 10:5,
42:14, 43:2,
51:6, 51:12,
64:1, 64:5,
64:8, 64:10
news 48:20,
63:6
newspapers
47:25, 62:11
Next 30:3,
35:21, 36:25,
52:24
nice 10:20,
10:21, 63:19
nightstand
11:17, 35:22
No. 1:25,
33:16, 34:11,
44:12, 61:4
nobody 25:7
Nods 37:6
none 38:10
nonworking
42:5
nor 6:24
normally
4:25, 55:19
Nos. 1:1
noted 50:16
notes 64:11,
64:13
nothing 29:4

40:19, 43:17,
44:11, 58:16
number 31:19,
34:3, 40:1
numbers 20:7
NV 2:16

< O >

oath 11:9,
17:15, 30:7,
30:9, 53:4,
53:6, 53:8
objection
60:6
occurred
11:25, 15:16
occurs 50:23
office 32:15,
55:9, 55:23,
56:12
officer 54:14
Official 64:4
Olson 45:22
Once 11:6,
12:23, 22:5,
23:21, 27:23,
32:15, 32:23,
36:13, 36:16,
37:2, 37:10
one 4:20,
9:16, 9:17,
18:9, 18:23,
20:17, 20:19,
21:16, 23:2,
23:14, 29:1,
31:20, 34:9,
34:13, 36:12,
37:10, 37:20,
47:14, 49:17,
49:22, 55:13
one-ounce
26:8
one. 19:23
Ones 25:3,
35:17, 35:18,
35:19, 40:6
ooooo 1:8
opening 60:13
operations

46:14
opinion 48:1
opinions
62:12
orally 60:8
orange 12:3,
12:13, 13:18
order 22:18,
50:7, 50:13,
50:14, 50:15
orders 50:17
organized
22:12, 26:8
original 13:4
originally
12:17, 12:18,
13:12
Osino 39:11
Others 34:25
Otherwise
51:18
ounces 26:5
outside 43:1,
43:2, 49:5
oversight
20:15, 21:10
own 49:1,
63:12
owner 27:21

< P >

packaged 22:9
packet 19:22
pads 49:2,
63:17
PAGE 3:3,
3:9, 20:7,
20:9, 20:17,
21:4
pages 64:12
paperwork
36:10
part 5:20,
29:1, 39:22,
45:16, 53:8
participatio
n 24:14
particular
15:13, 20:6,

23:18, 27:21,
45:20, 53:21,
parties 60:9,
60:14, 60:16,
63:16
parts 5:15
pass 14:10,
26:18, 28:19,
41:5
passed 41:16,
42:24
path 44:25
people 25:22,
26:15, 31:21,
40:18, 46:6
perceived
51:1
Perhaps 4:22
Permission
11:21, 28:3
person 13:11,
13:21, 18:24,
21:23, 23:14,
32:18, 34:10,
38:8, 38:24,
47:23, 62:9
personal
34:20
personnel
32:20, 37:22,
34:4, 40:2,
40:3, 40:4
phones. 23:1
photograph
12:11, 12:12,
13:16, 14:6
photographed
13:2
photographic
14:5
phrase 36:1
picture 13:14
place 59:20
placed 14:4,
32:20
places 43:1
Plaintiff
1:10, 2:3,
4:4, 10:5,
64:8

plastic 12:3
plea 59:19,
59:22, 59:24
pleading
59:21
Please 8:24,
11:7, 11:12,
17:10, 22:25,
30:10, 47:20,
49:2, 52:24,
53:4, 53:9,
62:6, 63:17
plugged 35:21
point 4:24,
13:23, 36:17,
50:17, 50:23,
60:23
point. 36:8
poisonous
39:4, 39:12
Police 32:14,
32:23, 33:3
portion
47:16, 61:7
position
12:24, 60:4
possession
18:21, 18:25,
40:9, 42:17,
44:4, 57:18
possible
22:10, 57:20
potential
22:10, 57:19
Potentially
43:5, 46:13,
46:15
pounds 14:25,
15:7, 15:21,
27:3, 27:6
predominantl
y 58:15
presence
10:14, 49:6,
52:17
present
59:12, 59:16,
64:7
presentation
s 62:3

9

pretty 52:2
previous
15:14, 29:2
previously
4:7, 10:9,
11:24, 17:20,
26:1, 30:14,
49:13, 52:13,
53:13
primary
35:13, 35:18
prior 6:6,
15:20, 44:15,
48:15, 57:14,
63:2
prioritize
40:5
priority
35:14
privy 25:6
probably
43:15, 54:6,
57:21
problem 8:20,
19:24
proceed
11:12, 30:10,
53:9
proceeding
11:6, 11:11,
30:8
Proceedings
1:17, 10:2,
49:5, 64:7,
64:14
process
34:18, 50:19
processed
22:9
processing
19:2
prohibition
48:17, 63:3
property
13:4, 16:6,
24:17, 28:13,
34:20, 34:21,
36:11, 36:14,
36:17, 38:8
pros 7:12

prosecution
51:2, 58:24
prosecutors
5:9, 5:11,
5:19, 5:25,
6:5, 6:10
provide 40:17
provided
16:1, 24:12,
58:17
pull 27:4
pulled 12:23
purchased
46:10
purchasing
57:21
purposes
12:25, 14:5,
14:18
pushed 13:17
put 13:1,
49:22, 60:10,
61:25, 62:2
puts 61:9
putting 4:23

< Q >

qualified
40:2
quantities
40:24, 41:23,
42:1, 42:3,
44:1, 44:5,
44:6
quantity
44:14
quarter 61:24
question 8:5,
8:12, 8:15,
8:18, 8:19,
8:21, 37:1,
39:6, 40:21
questions
5:11, 5:13,
7:17, 9:11,
12:16, 16:13,
16:16, 16:19,
18:3, 25:11,
28:8, 29:6

38:13, 46:16,
46:21, 50:2,
58:22, 58:25,
59:3
quite 27:8

< R >

R. 1:22
radar 44:9,
57:14
radio 47:23,
62:11
raise 59:5
raised 52:3
Ramirez 7:15,
7:16, 8:11,
18:16, 18:22,
32:18, 34:14,
49:22, 59:14
Ramirez-de
1:12, 2:20,
4:5, 4:23,
5:2, 7:5, 7:7,
8:14, 10:6,
24:1, 32:10,
49:10, 50:8,
50:24, 52:3,
52:10
ranges 14:24
re-creating
48:24, 63:10
reach 13:25,
60:14
read 7:2,
47:22, 62:8
reading
20:16, 48:20,
63:6, 63:15
ready 51:22,
56:13
reason 18:2,
56:21
reasons
25:17, 25:19
rebuttal 61:2
recall 4:22,
15:8, 30:3,
47:4, 54:3,
57:23, 58:11,

38:13
RECALLED 3:4,
3:11, 3:19,
3:23, 11:5,
11:15, 17:19,
30:8, 30:13,
53:12
recalls 10:25
recap 38:19
receipts
27:17
received
24:14
Recess 9:25,
10:1, 29:23,
29:25, 47:13,
49:3, 49:4,
51:16, 51:18
recheck 13:10
recognize
12:9
recollection
55:10
record 4:13,
4:19, 10:3,
49:8, 52:4,
52:8
recover 19:7
recovered
12:23
recess 28:9,
46:17, 46:19
RECORDS-EXAM
INATION 3:17,
5:14, 28:10
3:16, 3:23,
5:12, 16:17,
26:21, 26:23,
43:19, 43:21
reduce 60:9
reemphasize
51:3
reference
48:23, 63:9
referenced
15:18, 15:21
regarding
48:18, 63:4
regards
10

39:13, 40:21
relation
13:16
relationship
15:2, 42:5
relaxing 4:18
reluctant
50:25
remain 5:1,
5:5, 6:9,
6:14, 7:3,
9:17
remember
11:23, 12:2,
32:15, 45:12,
58:10, 58:14,
58:16, 60:13,
62:25
REMEMBERED
1:19
remind 11:9,
17:15, 30:7,
53:3, 53:6
removed 33:20
Reno 2:30
report 15:22,
15:24, 16:3,
16:6, 16:7,
16:8, 19:18,
19:20, 20:1,
20:6, 22:14,
24:13, 24:16,
37:19, 47:22,
54:7, 57:4,
62:8
Reported 1:25
Reporter
15:19, 64:4
reports 15:10
represent
4:11, 10:13,
49:16
represents
59:22
requested
36:18, 45:7,
56:5, 56:6
requirement
59:23
requires

50:19
research
48:15, 48:22,
63:1, 63:8
residence
31:16, 31:17,
37:4, 55:2
resources
36:2, 40:4
respect 40:7,
42:19
Respectfully
50:21
respective
4:7, 10:8,
49:12, 52:13
responsibili
ty 37:9,
37:12, 38:1,
42:11, 45:4,
55:19, 55:20,
56:9
responsible
34:19, 46:5,
54:11, 55:3,
55:6, 55:22,
56:1
rest 4:21,
41:22
rested 17:3,
59:13
rests 17:1
resulted
56:14
resumed 10:2,
49:5
returned
24:6, 32:23
review 55:11
reviewed
56:15, 58:8,
58:14
reviewing
50:5, 50:14
50:16, 55:11,
58:11
rights 5:6
role 22:7
room 4:13,
24:17, 48:8,

62:19, 63:14
rooms 4:18
runs 42:7

< S >
s. 2:3
safe 28:1,
40:23
safekeeping
34:18
safely 22:10
safety 50:18
sake 23:4
sale 26:11,
26:16
Samsung
21:11, 21:13
Sandstrom
45:21, 45:24
saw 12:24,
32:24
says 6:18,
7:3
schedule
4:20, 47:18
scope 41:20
SCOTT 3:4,
3:19, 11:1,
11:14, 30:12
searched
23:15, 23:25,
24:3, 24:5,
25:3, 25:9,
38:1, 38:10,
38:21, 39:1,
39:16, 55:2,
55:15, 58:9
searches
38:24
searching
18:6, 35:25,
40:15, 41:2,
56:20
seat 11:7,
17:10, 53:4
Second 2:15
secured 51:12
seeing 19:22,
20:3

seeking 60:21
seems 8:17
seen 5:10
seize 42:2
seized 56:8
selling
40:10, 45:17,
46:6
sending 26:14
sense 59:22
separate
15:24, 27:10
Sergeant
11:5, 11:19,
11:23, 14:15,
15:23, 16:19,
18:13, 22:18,
22:22, 23:6,
30:3, 30:6,
30:17, 30:19,
33:5, 38:18,
41:10, 43:23,
45:6, 46:21,
46:24, 54:18,
54:25, 56:6
series 28:25
served 40:8
service 48:6,
48:7, 62:17,
62:18
set 12:24
settled 61:20
seven 38:7
several 5:15
shall 48:14,
62:25
sheer 40:1
sheriff 32:15
short 29:25
shoulders
56:10
shouldn't
32:25
show 12:6,
13:14, 20:14
sight 12:19
silent 5:1,
5:5, 6:9,
6:14, 7:3,
9:17

11

similar 13:17
simply 41:11
sir 16:23,
17:11, 25:16,
29:10, 59:8
sitting
32:25, 36:10
situation
39:4
six 22:1
slot 13:22
smaller
54:14, 55:18,
56:2
smartphone
48:5, 62:16
Smith 3:4,
3:19, 11:1,
11:5, 11:14,
11:19, 11:21,
15:23, 16:20,
18:13, 22:18,
22:22, 23:6,
30:4, 30:12,
30:17, 30:19,
38:18, 41:10,
46:21, 46:24,
54:18, 54:25,
56:7
software
54:23, 55:24
somebody
26:15, 34:20,
34:21
somehow
42:19, 50:25,
58:3
someone 38:3,
46:10
Sometimes
34:24, 42:8,
42:9
sorry 54:20
sounds 13:3,
38:18, 55:8
Spanish 4:8,
4:9, 10:10,
58:15
specific
31:18, 50:17,

54:17, 58:13
specifically
31:8, 31:16,
55:1
spoke 4:19
SS 64:2
stacked 35:22
staged 12:25
stand 17:9,
17:11
standard
31:10
started 45:21
starting 4:12
stash 35:15
stated 60:14
statement
59:23
States 5:7,
51:17, 57:4
staying 57:6
Stenographic
ally 1:25
stenotype
64:11, 64:13
step 16:22,
29:9, 29:17,
46:25
stipulate
10:14, 10:18,
52:17
stipulated
10:17, 52:19,
52:20, 60:16
stipulation
59:17, 60:2,
60:6, 60:7,
60:15, 60:20
Street 2:6,
2:14, 2:21
strongly
40:24
stuff 14:1,
25:22, 45:18
subject 5:18,
6:6, 47:21,
48:2, 62:7,
62:12
submitted
48:3, 62:14

subsequently
13:8
substances
26:12, 26:16,
57:22, 58:20
suggestion
6:5
support 50:9
supporting
59:24
suppose 75:12
Supreme
14:19, 18:7,
19:6, 20:2,
20:4, 20:24,
21:2, 21:14,
21:17, 22:2,
23:13, 25:24,
26:25, 32:6,
36:6, 36:21,
37:23, 39:14,
45:13, 46:3,
53:24, 57:2
suspect 25:20
suspected
26:2, 40:24
SWAT 32:20,
32:22, 32:24,
33:25, 34:3
sweep 13:4
swore 11:10
sworn 4:7
10:9, 11:16
themselves
17:20, 30:14,
49:13, 52:13,
53:7, 53:13

testified
11:16, 17:20,
25:23, 26:1,
30:14, 37:3,
53:13, 54:25,
58:6
testify 5:1,
5:4, 5:5, 5:8,
5:17, 6:20,
6:21, 6:24,
9:16, 9:21,
30:18, 50:9,
50:25, 51:6,
51:8, 51:15
testifying
5:15, 7:13,
11:23, 12:2
testimony
5:17, 5:19,
5:22, 29:8,
39:22, 45:2,
47:4, 57:9,
59:7, 59:16,
61:15
testing
48:24, 63:10
text 48:7,
62:18
texting
48:19, 63:5
theirs 51:7,
51:11, 51:21
themselves
22:24, 23:5,
27:5, 28:14,
28:15
theory 48:24,
63:10
thereof 64:11
thinking
49:25, 50:3
third 4:12,
10:22
though 34:7
threat 51:1
Three 14:25,
15:7, 15:21,
19:10, 20:3,
40:12, 56:18,
56:19

12

throat 38:17
Thursday 58:7
ticking 36:11
tie 26:15
till 61:24
today 35:5
47:17, 61:18
together
15:12, 22:13,
61:9, 62:1,
62:2
tomorrow
61:23, 63:13
took 30:20,
33:25, 59:20,
64:11
top 15:11
Torre 1:12,
2:20, 4:5,
4:23, 5:3,
7:5, 7:7,
8:14, 10:6,
24:3, 32:10,
49:10, 50:8,
50:24, 52:3,
52:10
total 21:19
touch 44:24
touched 45:1
tough 42:7
towards 53:7
track 25:22
tracking
36:5, 36:21
trafficking
42:18
trailers
28:15
trained 55:24
transactions
29:2
TRANSCRIPT
1:17
transcriptio
n 64:13
transfer
27:19
transfers
27:17, 43:1
translated

58:16
translating
4:8, 10:10
transported
39:10
Travel 14:19,
18:7, 19:6,
20:2, 20:4,
20:24, 21:1,
21:13, 21:17,
22:2, 23:4,
23:13, 25:24,
26:25, 32:6,
36:5, 36:21,
37:23, 39:14,
45:13, 46:3,
53:24, 57:2
triage 40:5
TRIAL 1:11,
4:12, 5:16,
6:19, 10:22,
47:16, 47:21,
47:23, 48:2,
53:8, 61:7,
62:8, 62:9,
62:10, 62:13,
63:20
tried 34:2
true 36:23,
49:20, 55:5
44:8, 44:10,
60:17, 60:19,
64:12, 64:14
try 19:23,
22:9, 22:12,
42:15, 59:18
trying 7:20,
36:1, 36:9
Tuesday 10:22
Twitter 48:9,
62:20
two 12:13,
13:8, 20:14,
21:10, 22:18,
27:6, 31:15,
31:18, 31:20,
32:4, 32:8,
34:6, 34:9,
38:5, 38:20,
38:23, 55:1,
56:13

type 24:6,
39:4, 55:23,
58:19
types 34:22
typical 9:13
typically
22:7, 23:2,
54:13

< U >
U.S. 5:6,
51:6
UFED 54:14,
54:21
ultimately
18:21, 18:25,
22:1, 45:24,
46:5, 56:8
uncommon
35:8, 35:15,
39:21, 39:24,
42:3
understand
7:5, 7:8,
9:16, 50:4
understandin
g 4:14, 49:17,
49:20, 55:5
Unit 42:12,
45:16
United 5:7,
51:12
unknown 39:7
unless 41:14
until 23:20,
48:2, 48:10,
62:13, 62:21
upper 41:17,
41:18
using 48:22,
48:23, 63:8,
63:9
usual 41:24,
42:1

< V >
v. 1:11
value 25:20

vantage 13:23
vault 23:21
vehicle 32:21
vehicles 33:3
verbal 43:12
verbatim
64:11
verdict
48:10, 62:21
versus 4:4,
35:21, 40:1,
49:10, 52:10,
64:8
visible
13:18, 13:22
VOLUME 1:12

< W >
wallet 33:10
wanted 22:24,
36:24, 42:20,
54:10
wants 7:4,
9:21, 49:22,
49:23, 50:20
warrants
22:15, 22:21,
22:25, 23:4,
23:23, 31:11,
54:19, 55:6,
55:25, 56:3,
56:7
Washoe 24:7,
37:18, 54:18
watch 47:22,
62:8
watching
48:20, 63:6
way. 7:1
website 48:8,
62:19
week 4:12,
10:22
weekend 10:21
welcome 30:2
whatever 8:4,
8:6, 9:2,
9:15, 23:23,
36:16, 56:21

WHEREUPON
29:25, 57:7,
63:20
wherever 38:8
whether 6:20,
23:12, 23:25,
24:2, 24:6,
24:10, 28:2,
39:16, 46:8,
46:9, 50:24,
51:8, 51:15
white 20:22
whole 11:10,
18:10, 45:21
whom 16:2,
45:17, 45:18,
55:19, 56:24
whomever 46:5
will 4:24,
5:9, 5:11,
5:17, 8:9,
10:14, 11:9,
12:8, 14:10,
17:4, 26:18,
28:19, 30:7,
37:14, 40:6,
41:5, 49:22,
51:16, 51:19,
52:17, 53:3,
59:18, 61:10,
61:23, 63:18
willing 60:10
winemucca
32:14
wire 27:16,
27:19
within 31:13,
41:14, 50:19,
57:24
without 4:13,
14:1, 27:24,
39:6, 44:25,
47:24, 61:20,
62:10
WITNESS 4:20,
11:5, 11:15,
14:10, 16:24,
17:13, 17:19,
19:14, 26:18,
28:19, 29:11,

30:13, 41:5,
47:1, 49:17,
52:24, 53:12,
59:9
WITNESSES
3:3, 3:9,
10:24
wording 31:10
words 48:11,
67:22
work 61:19
worked 37:19
works 5:10,
32:16
wrapped
10:23, 36:13,
36:16, 47:16
write 33:14,
37:9, 37:14,
37:20, 54:15,
54:19
writing
37:13, 37:16,
55:3, 55:6,
55:25, 60:9
written 25:4,
25:5, 36:18,
38:2, 50:7,
50:13, 56:3
wrote 27:18,
31:3, 37:3,
55:1

< Y >
years 56:18,
56:19
yourself
18:13, 31:23,
53:5
yourselves
47:20, 62:7
Youtube 48:9,
62:20

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

2 Dept. II

3

4

5

6 IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF

7 NEVADA, IN AND FOR THE COUNTY OF ELKO

8

ooOoo

9 THE STATE OF NEVADA, :

10 Plaintiff, :

11 v. : JURY TRIAL

12 HECTOR HUGO RAMIREZ-DE LA TORRE : VOLUME 10

13 and JORGE LANDEROS RUIZ, :

14 Defendants. :

15 _____/

16

17 TRANSCRIPT OF PROCEEDINGS

18

19 BE IT REMEMBERED that the above-entitled matter
20 came on for hearing on January 27, 2021, at the hour of
21 9:11 a.m. of said day, in Elko, Nevada, before the
22 HONORABLE ALVIN R. KACIN, District Judge.

23

24

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

2021 SEP 23 AM 9:51

A P P E A R A N C E S

For the Plaintiff:

MARK S. MILLS, ESQ.
Elko County
Deputy District Attorney
540 Court Street
2nd Floor
Elko, Nevada 89801

JUSTIN BARAINCA, ESQ.
Elko County
Deputy District Attorney
540 Court Street
Second Floor
Elko, NV 89801

For the Defendant:
(Ramirez-De La Torre)

GARY D. WOODBURY, ESQ.
ATTORNEY AT LAW
1053 Idaho Street
Elko, Nevada 89801

For the Defendant:
(Ruiz)

KARENA K. DUNN, ESQ
LARRY K. DUNN & ASSOCIATES
1201 Terminal Way, #221B
Reno, Nevada 89502

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

I N D E X

SETTLING OF JURY INSTRUCTIONS	P. 4
CLOSING ARGUMENT BY MR. MILLS	P. 33
CLOSING ARGUMENT BY MS. DUNN	P. 65
CLOSING ARGUMENT BY MR. WOODBURY	P. 89
REBUTTAL CLOSING ARGUMENT BY MR. MILLS	P. 103

PROCEEDINGS

1 THE COURT: We are on the record for
2 CR-FP-19-2456 and CR-FP-19-2465.
3 State of Nevada is plaintiff. Hector Hugo
4 Ramirez-De La Torre and Jorge Landeros Ruiz, defendants.
5 The defendants are here with their respective
6 attorneys and the Court's previously sworn interpreters
7 translating English into Spanish for them and Spanish into
8 English for the Court and counsel.
9 And then also deputy district attorneys Mills and
10 Barainca are now back to represent the State
11 Jury and alternates are not in the room. We are
12 settling jury instructions and the forms of verdict on the
13 record.
14 A packet of 63 instructions was provided. There
15 were some in there that were not numbered that I probably
16 am not going to give, but I threw them in there so the
17 lawyers could see how certain instructions were changed. I
18 did that as a courtesy for you all.
19 So the State has a copy of those instructions, 1
20 through 63, Mr. Mills?
21 MR. MILLS: Yes, Your Honor.
22 THE COURT: Mr. Ruiz has a copy, Ms. Dunn?
23 MS. DUNN: He does, Your Honor.
24 THE COURT: And Mr. Woodbury, did Mr. Ramirez get
25

1 a reasonable doubt that he had a conscious awareness of the
2 --"
3 INTERPRETER MENDOZA: Your Honor, I'm sorry, I
4 can't hear him.
5 THE COURT: You are going to have to mic up, Mr.
6 Mills.
7 Anyway. So he has an objection to Instruction
8 Number 32, which is why I made special reference to that
9 because I kind of figured that would be coming.
10 All I did with this instruction was add a second
11 paragraph that I think Mr. Woodbury was suggesting off the
12 record be added, something like this. He will correct me
13 if I'm wrong, I'm sure.
14 MR. MILLS: I think that's all accurate, Your
15 Honor. And I see where you got this from, from Robey. But
16 what I would suggest is that --
17 THE COURT: Well, Robey as recapitulated by City
18 Council of Reno versus Reno Newspapers from 105 Nev.
19 MR. MILLS: That's right.
20 THE COURT: They recounted what their holding
21 was.
22 MR. MILLS: Yes. So I would just suggest a
23 slight tweak to this to make it consistent with the City
24 Council of Reno v. Reno Newspapers.
25 So the way it reads in the jury instruction is,

1 a copy?
2 MR. WOODBURY: Yes, Your Honor.
3 THE COURT: Did the lawyers get copies of the
4 forms of verdict? I provided the two forms of verdict. We
5 have one for Hector and then one for Jorge with their
6 respective case numbers on there. But I provided both
7 copies to the lawyers.
8 The State got both copies?
9 MR. MILLS: Yes, Your Honor.
10 THE COURT: And Mr. Ruiz got both copies?
11 MS. DUNN: Yes, Your Honor.
12 THE COURT: And Mr. Ramirez got both copies?
13 MR. WOODBURY: Yes, Your Honor.
14 THE COURT: Okay. Well, are there any objections
15 for the State to any of the instructions the Court proposes
16 to give, including the updated "willfully" instruction,
17 which is -- where is that? It's in here somewhere.
18 MS. DUNN: I believe it's between 32 and 33.
19 MR. MILLS: 32.
20 THE COURT: Any objection, Mr. Mills?
21 MR. MILLS: Yes, Your Honor.
22 This actually was my only objection out of any of
23 the instructions was with the second paragraph on
24 Instruction 32, which reads, "A person cannot be convicted
25 of committing a willful act unless the State proves beyond

1 "A person cannot be convicted of committing a willful act
2 unless the State proves beyond a reasonable doubt that he
3 had a conscious awareness of the wrongfulness of the act."
4 So what the State objects to is phrasing this as
5 "awareness of the wrongfulness of the act."
6 What the case said, and this may seem like an
7 insignificant point, but I think it is significant.
8 THE COURT: I think I was ready for you to make
9 it, so go ahead.
10 MR. MILLS: Conscious awareness of a wrongful
11 act, in the State's mind, those are two very different
12 things. The way it's phrased in the jury instruction reads
13 more like an "ignorance of the law" defense.
14 For example, let's say there is a 19-year-old kid
15 here in Nevada who is under the misapprehension that it's
16 okay to smoke marijuana and he's just ignorant of the fact
17 that that only applies to people 21 years of age and older.
18 So let's say he smokes a marijuana joint or
19 possesses a small quantity of marijuana, he is aware that
20 he is committing a wrong act. In other words, he is aware
21 that he is committing the act of possessing the marijuana,
22 which is wrongful, but he is not aware of the wrongfulness
23 of the act.
24 So I think those are two different things, and I
25 would like this to reflect the exact verbiage from the case

1 as far as "awareness of a wrongful act."
2 THE COURT: Okay. And that's something that the
3 Court has to consider is the exact verbiage.

4 Did you have any argument on that, Ms. Dunn, on
5 the objection?

6 MS. DUNN: Your Honor, I don't have any argument
7 on it. I believe that I have no objection to the way it's
8 written in 32, Your Honor.

9 THE COURT: All right. Mr. Woodbury?

10 MR. WOODBURY: We have no additional argument
11 except that this -- the facts of Robey are such that you
12 just can't throw them out the window, you have to know the
13 wrongfulness of the act.

14 And that seems to me that this is what this
15 instruction says properly.

16 THE COURT: All right. You know, in reading
17 Robey, that's ultimately how I came up with this language.
18 I know what the City of Council -- excuse me, City Council
19 of Reno versus Reno Newspapers says.

20 But when you read the facts of Robey, and the
21 Court had real concerns that the jury was not instructed
22 that the Justice of the Peace, Robey, the defendant, had to
23 know the wrongfulness of the act.

24 That's the way I read that. And that's where I
25 came up with this language. So I'm going to err on the

1 THE COURT: Thank you, Mr. Woodbury.
2 Any other objections? Maybe we can handle them
3 wholesale.

4 Following along, counsel?

5 MR. MILLS: Yes.

6 THE COURT: Any other objections to any of the
7 other instructions, sir?

8 MR. WOODBURY: No, Your Honor.

9 THE COURT: Okay.

10 MR. WOODBURY: I actually relooked at the
11 objection we raised last night off the record to the part
12 about a -- possession of a controlled substance being a
13 part of the trafficking statute. And I guess after I
14 lightened up this morning and reread it, I didn't see it
15 quite as clearly the way I announced it last night.

16 So we don't have an objection now.

17 THE COURT: Okay. Thank you. That's what I was
18 driving at. I was ready for that objection.

19 Okay. Well, any argument from the State first on
20 this -- I know you did some research on this.

21 So, Mr. Mills, argument?

22 MR. MILLS: Your Honor, this is just a
23 codification of the --

24 THE COURT: Can we have the mic on, Mr. Mills?

25 MR. MILLS: Your Honor, the State maintains its

1 side of caution and overrule that objection and leave it.
2 All right. I thought very hard about it along
3 the lines Mr. Mills said, I have to tell you.

4 I appreciate the argument.

5 Any other objections from the State?

6 MR. MILLS: No, Your Honor.

7 THE COURT: All right. Any from the defense?

8 MS. DUNN: I have no objections to the
9 instructions, Your Honor.

10 THE COURT: Any from the defense, Mr. Woodbury,
11 in Mr. Ramirez's case?

12 I know you got a few.

13 MR. WOODBURY: We object to the last three
14 paragraphs of Instruction Number 39.

15 THE COURT: All right.

16 Let me get there, please.

17 Okay.

18 MR. WOODBURY: Our position, as we stated it
19 previously off the record, is that the person -- that the
20 duress defense does not apply in this case.

21 There is this threat against the life of Mr.
22 Ramirez is an element of the -- it takes away an element of
23 the offense, that knowingly, intentionally requirement, and
24 therefore it is not necessary for us to prove the duress by
25 a preponderance of the evidence.

1 position that this is -- this statute is a codification of
2 the common law duress defense. It's substantially
3 similar -- if it's not identical in some respects, it's
4 substantially similar, and is exactly the sort of
5 affirmative defense that entails a burden shift to the
6 defendant.

7 The State believes this is a correct statement of
8 the law and has no objection to this jury instruction.

9 THE COURT: Okay. I always allow a reply on
10 these objections.

11 Mr. Woodbury?

12 MR. WOODBURY: I have no reply.

13 THE COURT: Then anything from Mr. Ruiz on this
14 issue? I assume not.

15 MS. DUNN: No, Your Honor.

16 THE COURT: No, Okay.

17 Well, Instruction 39 speaks for itself. I need
18 to make a ruling for the record.

19 The Court is going to overrule -- does overrule
20 the objection to this one, too.

21 The second -- or third sentence of Cabrera versus
22 State, the 2019 Nevada Supreme Court Opinion that is
23 published in -- or will be published in the 135 series
24 volume, says, "As codified in NRS 194.010(8), duress cannot
25 be asserted as a defense to a crime that is punishable with

1 death."

2 Now, that is not a holding, but the Court is
3 acknowledging there that duress is what is codified in NRS
4 194.010(8), which deals with threats or menaces as stated
5 in the paragraph 1 of that Instruction Number 39.

6 And then the Court goes on to say, "The duress
7 defense is an ancient common law affirmative defense,"
8 which is what the State is saying, "which provides the
9 defendant a legal excuse for the commission of the criminal
10 act."

11 So, in dicta, the Court is acknowledging the
12 criminal act's committed, and now you are arguing duress, I
13 should be excused.

14 And you can look high and low in all the statutes
15 that we're dealing with for the crimes that are charged,
16 and absence of duress is not an element of any of these
17 defenses, which makes this an affirmative defense then of
18 duress.

19 And the -- there is case law that the State has
20 provided previously, and I'm not going to go through all of
21 it, that is pretty convincing that preponderance of the
22 evidence should be the standard and that the defendant
23 carries the burden of proof because it is an affirmative
24 defense that does not negate an element of the -- any
25 crimes charged here.

12

1 State versus Corbin, I think it is, 111 Nevada case. And I
2 think this accurately states the law.

3 And I do state in here that "If the defense has
4 proven by a preponderance," which the State was not
5 objecting to, "you must find him not guilty of the charge
6 or charges against which the defense has been raised."

7 So this instruction leaves it up to the defense
8 counsel to argue which offenses this should apply to or his
9 client claims it should apply to.

10 All right. Any other -- we have gone through the
11 objections.

12 Any other instructions to offer, Mr. Mills?

13 MR. MILLS: No, Your Honor.

14 THE COURT: Any other instructions to offer, Ms.
15 Dunn?

16 MS. DUNN: No, Your Honor.

17 THE COURT: Any other instructions to offer,
18 Mr. Woodbury?

19 MR. WOODBURY: No, Your Honor.

20 THE COURT: All right. The verdict forms, forms
21 of verdict, any objection to any of those from the State?

22 MR. MILLS: No objection.

23 THE COURT: Or either of those, I guess.

24 From Mr. Ruiz?

25 MS. DUNN: No objection, Your Honor.

14

1 I would note on page 3 of this Advanced Opinion,
2 the Court also writes, "Nevada codified the duress defense
3 at NRS 194.010(8)."

4 That is a pretty clear statement from the Court.

5 Then the holding is on page 5. "We hold" -- this
6 is how it starts out. I don't want to go through all the
7 rest of it as it applied to what the district judge did in
8 that case, but, "We hold that because duress may be raised
9 as an affirmative defense to any crime not punishable with
10 death." That is the first clause in this last sentence of
11 the paragraph there.

12 So the Court has said NRS 194.010(8) codifies the
13 common law rule of duress, duress is an affirmative
14 defense. The Court did not discuss in any case I am aware
15 of -- even nonpublished opinions, I looked for those -- who
16 carries the burden of proof here.

17 Since it is an affirmative defense that does not
18 negate an element of the -- any crime charged here in this
19 case, the Court is going to give Instruction Number 39, and
20 including the last three paragraphs, telling the jury it's
21 a defense of duress and the burden of proving the defense
22 by a preponderance of the evidence falls on the defendant
23 raising it.

24 I stated what preponderance was. I believe
25 that's from the civil jury instructions that actually cite

13

1 THE COURT: From Mr. Ramirez-De La Torre?

2 MR. WOODBURY: No objection.

3 THE COURT: Any forms of verdict I am not using
4 that you want me to use, Mr. Mills?

5 MR. MILLS: No, Your Honor.

6 THE COURT: Ms. Dunn?

7 MS. DUNN: No, Your Honor.

8 THE COURT: Mr. Woodbury?

9 MR. WOODBURY: No.

10 THE COURT: We have got jury instructions settled
11 on the record. Forms of verdict are settled on the record
12 and with me.

13 And I will just hold on to those for right now,
14 Darla.

15 All right. How much time do you need for a
16 break? Any time? Anybody?

17 MR. MILLS: The State is ready to go.

18 MR. WOODBURY: I need a short break.

19 THE COURT: Me too.

20 (Recess taken at 9:28 a.m.)

21 (Proceedings resumed at 9:38 a.m.)

22 THE COURT: We're on the record for CR-FP-19-2456
23 and CR-FP-19-2465.

24 State of Nevada plaintiff, versus, Hector Hugo
25 Ramirez-De La Torre and Jorge Landeros Ruiz, the

13

1 defendants.
2 The State is again represented by Deputy District
3 Attorneys Mark Mills and Justin Barainca.

4 We have the defendants here with their respective
5 attorneys, Karena Dunn for Mr. Ruiz and Mr. Woodbury for
6 Mr. Ramirez-De La Torre. Of course the defendants are
7 assisted by the Court's previously sworn interpreters
8 translating English into Spanish for them and Spanish into
9 English for the Court and counsel.

10 And so will counsel stipulate to the full
11 presence of the jury and the alternates?

12 MR. WOODBURY: So stipulated.

13 MS. DUNN: So stipulated, Your Honor.

14 MR. MILLS: Yes.

15 THE COURT: All right. Ladies and gentlemen, the
16 Court has a packet of 63 instructions to read. Some are
17 lengthy, some are quite short.

18 And typically what happens is after I read the
19 instructions -- well, this is going to happen. You have
20 got closing arguments, as I said.

21 Then when you go to deliberate, generally what we
22 do is provide four to six copies of the instructions. But
23 the law requires me to read these to you in open court
24 before we go to arguments.

25 These instructions are ready to go.

16

1 case. I have observed that certainly.

2 So I'm going to take a 15-minute recess before
3 the State opens the argument, because I imagine it's going
4 to take a while to argue this matter.

5 And so I will go ahead and read the standard
6 directions to you for recesses.

7 Remember, you are not going to deliberate yet.

8 Please do not converse amongst yourselves or with
9 anyone else on any subject connected with the trial. Do
10 not read, watch or listen to any report or commentary on
11 the trial or any person connected with the trial by any
12 medium of information, including, without limitation,
13 newspapers, television, radio or the Internet.

14 And do not form or express any opinion on any
15 subject connected with the trial until the cause is finally
16 submitted to you.

17 You may not use any electronic device or media,
18 such as the telephone, a cell phone, smartphone, iPhone,
19 Galaxy, or computer, the internet, any internet service,
20 any text or instant messaging service, any internet chat
21 room, blog, or website such as Facebook, Instagram,
22 LinkedIn, YouTube or Twitter, to communicate to anyone any
23 information about this case until I accept your verdict.

24 In other words, you cannot talk to anyone on the
25 phone, correspond with anyone, or electronically

18

1 Any objection to starting with Instruction Number
2 3, given that Instructions 1 and 2 were read at the
3 beginning of the trial?

4 MR. MILLS: No objection.

5 MS. DUNN: No objection, Your Honor.

6 MR. WOODBURY: We have no objection.

7 THE COURT: And may the court reporter refrain
8 from taking down the reading of the instructions since they
9 speak for themselves?

10 MR. MILLS: That's fine.

11 MR. WOODBURY: Yes.

12 MS. DUNN: Yes, Your Honor.

13 THE COURT: Thank you very much, counsel.

14 So ladies and gentlemen, these are the
15 instructions of the Court, starting with Instruction Number
16 3.

17 (WHEREUPON, Jury Instructions 3 through 63 were read
18 by the Court)

19 THE COURT: Those are Instructions 1 through 63
20 given by the Court. And that is this 27th day of January,
21 2021.

22 All right. Now, ladies and gentlemen, we went
23 through a lot of instructions, some of which were quite
24 lengthy.

25 So there is a lot of evidence to discuss in this

17

1 communicate with anyone about this case.

2 Jurors shall not conduct any form of independent
3 research, investigations, or experiments prior to or during
4 jury deliberations.

5 This prohibition includes, but is not limited to,
6 communicating with anyone in any way regarding the case or
7 its merits, by phone, e-mail, texting, the internet, or
8 other means; reading, watching or listening to any news or
9 media accounts or commentary about the case; doing any
10 research such as consulting dictionaries, using the
11 internet, or using reference materials; and making any
12 investigation, testing a theory of the case, re-creating
13 any aspect of the case, or in any other way investigating
14 or learning about the case on your own.

15 So we'll be in recess. Please leave your pads on
16 your chairs or next to the chairs.

17 Carlos will take you up to the jury room.

18 If counsel could please remain.

19 (WHEREUPON, the jury left the courtroom at 10:53 a.m.)

20 THE COURT: All right. I forgot to ask, I think
21 it's a better form to do this, Instruction Number 52,
22 defense counsel told me yesterday off the record you wanted
23 that instruction for both of you.

24 Right, Ms. Dunn?

25 MS. DUNN: Yes, Your Honor.

19

1 THE COURT: Mr. Woodbury?
2 MR. WOODBURY: Yes.
3 THE COURT: Court gave it.
4 Then also, Instruction Number 48, this
5 instruction, my law clerk drafted this, this one I did not
6 intend to give. He does a good job with these jury
7 instructions and was trying to help me out.
8 But I have a bit of concern because this doesn't
9 specifically deal with experts, and you had me take out
10 the -- you had me -- you didn't want the specifically
11 tailored instructions for experts.
12 My concern is that, you know, persons testify
13 about all kinds of subjects, and you don't necessarily have
14 to have special knowledge, skill, experience, training or
15 education sufficient to qualify you to testify on that
16 subject.
17 I mean, what I intended to do was give the expert
18 witness instruction and I had it in the packet, I thought,
19 but this one made it in.
20 And when you are dealing with 63 instructions, I
21 guess that can happen.
22 I don't know what you all think about this
23 instruction, but I don't particularly care for it as
24 opposed to the expert witness instruction, the standard one
25 that the State had first proposed.

20

1 I certainly have no objection to the original
2 one, the expert witness one.
3 THE COURT: That the State had proffered?
4 MS. DUNN: Correct.
5 THE COURT: And like I said, that had -- actually
6 is on my computer and loaded on there. I just think when I
7 was printing and numbering those instructions, I did that
8 myself this morning, this one snuck in.
9 All right.
10 Mr. Woodbury?
11 MR. WOODBURY: We don't have a position on it.
12 THE COURT: Well, I think that's what the Court
13 is going to do. I have got to get this instructed the
14 right way, I mean, and I just feel that this is not really
15 an accurate statement of the law.
16 So I will pull that out and I will just make a
17 note on it that it was read to the jury. But then I will
18 instruct the jury that it was -- and this will be filed so
19 we have a good record. But I will explain to the jury that
20 we have a new Instruction 48, and here you go.
21 And then I will sign and date the instructions on
22 the record, and then we'll go to argument for Mr. Mills.
23 MS. DUNN: Your Honor, before we finish, there
24 was something that I noticed that was being read -- as the
25 instructions were being read.

22

1 And -- so it's rare that this happens, but what I
2 have seen happen is if the judge says "I don't want to give
3 this one," you can lift it and put in one in its place and
4 say -- you know, make this part of the record, say it was
5 removed.
6 I don't know what you all think about it, but
7 that is kind of my analysis of this instruction. I don't
8 think I am overthinking it.
9 Mr. Mills?
10 MR. MILLS: I guess in the words of Mr. Woodbury,
11 I think the State is indifferent.
12 THE COURT: So you are okay with the instruction?
13 MR. MILLS: I am okay with leaving it in. If you
14 want switch it out, I'm okay with that as well.
15 THE COURT: Because all I am saying is people are
16 qualified to testify about subjects as lay witnesses when
17 you don't need to have special knowledge, skill,
18 experience, training or education sufficient to qualify you
19 on that subject.
20 I don't know.
21 Ms. Dunn?
22 MS. DUNN: I think I agree with Mr. Mills. I am
23 okay either way.
24 But I do understand where the Court is coming
25 from.

21

1 THE COURT: Uh-oh. Did I miss something?
2 MS. DUNN: You didn't miss anything, Your Honor.
3 It --
4 THE COURT: I know I had trouble with that one
5 sentence.
6 MS. DUNN: No, no, no. You didn't miss anything.
7 But it looks as though the form in which the
8 instructions -- I don't know where it starts -- when it
9 starts the actual elements of each offense, if you look at
10 the form, for instance, all of the instructions for Hector,
11 at the end of the elements, it says that failure to prove
12 all elements beyond a reasonable doubt must be -- must
13 result in a verdict of not guilty of this count?
14 THE COURT: Right.
15 MS. DUNN: That's the form. On -- I believe
16 it's --
17 THE COURT: Instructions 11 and 12?
18 MS. DUNN: Yes. They don't have that line.
19 THE COURT: Correct.
20 MS. DUNN: And I don't know if there is a reason
21 why those wouldn't have those lines.
22 Because those are counts -- elements for counts
23 on -- against Mr. Landeros Ruiz.
24 THE COURT: well, I tried to deal with that
25 yesterday with the final line.

23

1 MS. DUNN: Well, I know that the --
2 THE COURT: That was removed. And then the
3 instruction number -- and I thought it was okay. I thought
4 we talked about this off the record. I thought it was okay
5 because the jury is still told that in order to find your
6 client guilty of -- this is for Instruction 11, Count 6,
7 and then for Instruction 12, Count 7, for both alternative
8 theories under each count they are still told that the jury
9 must -- before finding him guilty you must conclude that
10 every one of those elements has been proven beyond a
11 reasonable doubt.

12 MS. DUNN: I guess what -- I guess the way I took
13 it was that the line that the State was objecting to
14 talking about you have to find at least -- failure to find
15 all the elements of at least one of the theories.

16 I didn't -- I guess I didn't realize that the
17 line itself was going to be taken out. That was the same
18 line that's -- that's used on the end of all the other.

19 THE COURT: Okay.

20 MS. DUNN: If that makes sense.

21 THE COURT: Okay. Well, that's why I provided
22 these, so you could review them and gave you time to do
23 that.

24 MS. DUNN: I agree, Your Honor. And I -- I did
25 not notice those -- those two.

24

1 theories.

2 I just thought that that was an acceptable
3 substitute for that final line you are talking about with
4 regard to the other elements instructions.

5 But do you see any error with this?

6 MS. DUNN: Your Honor, I don't think there is
7 error. I think that -- I guess, like I stated, I believed
8 that when we were talking about it off the record last
9 night and the objection the State had to the line, to the
10 way the line was written, I didn't realize -- but again, I
11 understand that it already says it in the -- in the
12 element, and there it does give a more specific instruction
13 on I think it's 13 and 14.

14 Your Honor, I am okay -- okay with those.

15 THE COURT: Okay. Because if you wanted some
16 addition, I would be -- now that I have got to deal with
17 Instruction 48 because I have got a problem with it, you
18 know, I -- I could consider something like that.

19 But I am inclined to just kind of stick with what
20 I have here, because really you have got two instructions
21 that underscore what that last line is trying to convey
22 with regard to all counts other than 6 and 7, but.

23 MS. DUNN: I think what stood out when I -- when
24 it was being read --

25 THE COURT: Sure, and it stood out for me when

26

1 I agree, Your Honor, that it does -- it does say
2 up at the top as you're -- in order to find the defendant,
3 it does say that every -- that the juror must -- every one
4 of the following elements. I think it was just a -- a
5 structural way. I just think it's noticeable that it's not
6 written on the bottom of those two.

7 And I understand where the Court was coming from.
8 I just thought that the other was going to be put in there.

9 THE COURT: Okay.

10 MS. DUNN: Just the plain one.

11 THE COURT: Well, it -- it definitely, that last
12 line that you are talking about, "the failure to prove all
13 elements beyond a reasonable doubt must result in a verdict
14 of not guilty of this count," that appears with regard to
15 all other counts except for Counts 6 and 7.

16 The reason for that is these are charged in --
17 these offenses are charged with alternative theories of
18 liability.

19 And so for that reason, the Court then drafted
20 Instructions 13 and 14, which I thought was even more
21 specific about what the last line of elements instructions
22 for charges not charged in the alternative dealt with.

23 Which is, in order to reach a verdict of guilty
24 as to Count 6, you know, you have to unanimously agree that
25 he is guilty based on one or more of those alternative

25

1 they were drafted. It was weird, to tell you the truth.
2 But once I looked at 13 and 14, I was comfortable going
3 forward.

4 MS. DUNN: And, Your Honor -- and I am too.

5 THE COURT: Okay. Well, I think you can
6 certainly argue it -- I hope you don't mind, sometimes I do
7 this -- I think you can certainly that Instructions 13 and
8 14 are basically saying the same thing as the last line of
9 all these other elements instructions.

10 I mean, to me it is.

11 But I don't know. What do you think, counsel?

12 MR. MILLS: Your Honor, the State is comfortable
13 with the instructions as given and believes that
14 Instructions 13 and 14 do clarify that the State has to --
15 you know, by incorporating it back to 11 and 12, I think
16 it's going to be clear to the jury that the State has to
17 prove all of the elements of one of the two alternative
18 theories of liability. If the State fails to do that, it
19 would be a not guilty.

20 THE COURT: Yeah, I mean, beyond a reasonable
21 doubt is not restated in there, but it's already stated in
22 the first paragraph -- well, actually, and then after the
23 "or in the alternative" language for Counts 11 and 12.

24 So to me the instructions dovetail. But I am
25 more than willing to entertain argument about whether I am

27

1 missing something in these instructions.
2 MS. DUNN: And again -- go ahead.
3 MR. MILLS: I was just going to reiterate, the
4 State is comfortable with the instructions as they are.
5 THE COURT: Okay.
6 MS. DUNN: And in the discussion and -- and
7 again, it just stood out, I think, format-wise for me.
8 But I do believe that 13 and 14 --
9 THE COURT: Okay.
10 MS. DUNN: -- certainly substantively cover it,
11 Your Honor.
12 THE COURT: Okay. Okay.
13 Well, I will take care of this minor issue here
14 with 48. I guess it's not that minor, because to me it's
15 important.
16 And then we'll be in recess.
17 (Recess taken at 11:05 a.m.)
18 (Proceedings resumed at 11:18 a.m.)
19 THE COURT: We're back on the record. We're still
20 streaming every time we go on the record. It's a public
21 trial that way still.
22 So it's case CR-FP-19-2456 and 2465. State
23 versus Ramirez-De La Torre and Jorge Landeros Ruiz.
24 The defendants are back in court with their
25 respective attorneys and the Court's previously sworn

28

1 interpreters assisting them and the Court and counsel.
2 Then we have got deputy district attorneys Mills
3 and Barainca.
4 Instruction Number 48, the Court has a new one.
5 "A person is qualified to testify as an expert if he or she
6 has special knowledge, skill, experience, training or
7 education sufficient to qualify him or her as an expert on
8 the subject to which his or her testimony relates."
9 We have provided -- that's the first paragraph.
10 That is a three-paragraph instruction. And we've provided
11 copies to counsel.
12 Any objection to this instruction being read?
13 MR. MILLS: None from the State, Your Honor.
14 MS. DUNN: No, Your Honor.
15 MR. WOODBURY: We have no objection.
16 THE COURT: Okay. This will replace Instruction
17 Number 48.
18 It's my understanding the parties don't have any
19 objection to that.
20 What I'll do is just I'm going to note,
21 "initially read but removed from instructions, jury
22 instructed to disregard the first reading." And then this
23 Instruction 48 replaces that one.
24 And all right.
25 I suppose this sort of reopens the settling of

30

1 interpreters assisting the defendants and the Court and
2 counsel.
3 We do have Elko County Deputy District Attorneys
4 Barainca and Mills back to represent the State.
5 As I said on our previous session, we are without
6 the jury and alternates in the room.
7 So as I said in our previous session, Instruction
8 Number 48, I'm going to pull and replace it with a new
9 Instruction 48, which I have provided to you.
10 And it reads, "A person is qualified to testify
11 about the identity" -- this is still wrong.
12 How did I get this one?
13 Yeah, this is still wrong. I still got to get
14 the expert. I don't know how this one made it down here.
15 Oh, boy. Just sit tight. We are going to get
16 the right instruction down here.
17 We'll go off the record.
18 (Recess taken at 11:20 a.m.)
19 (Proceedings resumed at 11:26 a.m.)
20 THE COURT: Again we are back on the record and
21 we are without the jury and alternates in the room for case
22 CR-FP-19-2456 and 2465. State versus Ramirez-De La Torre
23 and Ruiz.
24 They are back in court with their respective
25 attorneys and again the Court's previously sworn

29

1 jury instructions.
2 Are there any -- and there was some discussion
3 about these other instructions that Ms. Dunn had.
4 Are there any objections to any of these
5 instructions now?
6 MR. MILLS: None from the State, Your Honor.
7 MS. DUNN: No, Your Honor.
8 THE COURT: Okay. For Mr. Ramirez-De La Torre?
9 MR. WOODBURY: No, Your Honor.
10 THE COURT: Okay. Then we've settled these jury
11 instructions.
12 You didn't have any to offer before, so I will
13 assume that is still the case.
14 Is that the case for the State?
15 MR. MILLS: Yes, Your Honor.
16 THE COURT: And the defendants?
17 MS. DUNN: Yes, Your Honor.
18 THE COURT: Thank you.
19 All right. So let's bring them on down, get this
20 instruction done, then the State can jump into some
21 argument here at least for a while.
22 (WHEREUPON, the jury was brought into the courtroom at
23 11:31 a.m.)
24 THE COURT: We are on the record for case
25 CR-FP-19-2456 and 2465. State versus Ramirez-De La Torre

31

1 and Ruiz.

2 We do have those gentlemen back in court with
3 their respective attorneys and the Court's previously sworn
4 interpreters assisting them and also the Court and counsel.

5 And then deputy district attorneys Mills and
6 Barainca.

7 Will counsel once again stipulate to the full
8 presence of the jury and the alternates?

9 MR. WOODBURY: So stipulated.

10 MR. MILLS: Yes, Your Honor.

11 MS. DUNN: Yes, Your Honor.

12 THE COURT: Okay. Thank you very much.

13 Ladies and gentlemen, during the reading of the
14 instructions it became apparent to me that Instruction
15 Number 48 was not the one I intended to give.

16 So that's been replaced with a new instruction
17 48. You heard the other Instructions 1 through 63.

18 So what I have done is removed the one that I
19 read to you. I will just note on there, "initially read
20 but removed from instructions." The jury is to disregard
21 that version of the instruction.

22 And, again, you will get a copy of these
23 instructions with the new Instruction 48 in it that is
24 correct when -- you will get copies to take back with you
25 in the jury room. Because I know there are a lot of things

32

1 the jury.

2 Thank you for your attention over the past couple
3 of weeks.

4 You have heard a lot of evidence over the past
5 couple of weeks. And a lot of it is sitting right over
6 there. That's the evidence that was admitted into -- that
7 came into evidence in trial.

8 So over the past couple of weeks you have heard
9 about a lot of drugs and chickens and a lot of other
10 evidence.

11 And now at this time it's the opportunity of the
12 attorneys to talk about that evidence with you and talk
13 about the law that the judge just read to you and talk
14 about how that law applies to the evidence that you have
15 received and that you have heard.

16 So over the past couple of weeks, what evidence
17 have you heard.

18 Well, starting out with, you know,
19 chronologically, you heard about three controlled buys that
20 were done back in February and March of 2019.

21 You heard that the local narcotics detectives
22 were working with a cooperating source by the name of
23 Clinton Sandstrom. And that they were working with him to
24 purchase methamphetamine from the defendant Hector
25 Ramirez-De La Torre. On three different occasions this

34

1 covered in these instructions and you get to have those as
2 you sift through the evidence and look how you are going to
3 apply the law to the -- of the case.

4 So this is Instruction Number 48.

5 "A person is qualified to testify as an expert if
6 he or she has special knowledge, skill, experience,
7 training or education sufficient to qualify him or her as
8 an expert on the subject to which his or her testimony
9 relates. Duly qualified experts may give their opinions on
10 questions in controversy at a trial to assist you. In
11 deciding such questions, you may consider the opinion,
12 what -- the reasons given for it, if any, by the expert who
13 gives the opinion. You may also consider qualifications
14 and credibility of the expert. You are not bound to accept
15 an expert opinion as conclusive but should give to it the
16 weight to which you find it to be entitled. You may
17 disregard any such opinion if you find it to be
18 unreasonable."

19 So now those are Instructions 1 through 48, given
20 this 27th day of January, 2021.

21 And I will be signing those Al Kacin, District
22 Judge, so -- Fourth Judicial District Court.

23 So with that, we can go to argument.

24 Mr. Mills, argument for the State, please.

25 MR. MILLS: Good morning, ladies and gentlemen of

33

1 happened. On February 27, March 4 and March 7

2 On those three different dates, using again
3 Clinton Sandstrom as a cooperating source, Sandstrom went
4 and purchased and received methamphetamine from Hector
5 Ramirez.

6 And each time he did so it was two ounces of
7 methamphetamine. Each of those times.

8 So based on that and based on other information
9 and investigations that the narcotics detective had
10 conducted, you heard that they applied for a search
11 warrant.

12 And where did they apply for a search warrant
13 for? 5647 Kale Drive.

14 And why did they apply for a search warrant for
15 that particular address? Because every time Hector would
16 leave to come deliver the methamphetamine to Clinton
17 Sandstrom, he would leave from that address at 5647 Kale
18 Drive and he would return to that address at 5647 Kale
19 Drive

20 And who owns that property? The defendant Jorge
21 Ruiz and his wife Maria Ulloa are the owners of that
22 property.

23 So based on the fact that these significant
24 quantities of methamphetamine were coming from that
25 property, they applied for and obtained a search warrant,

35

1 which they executed on March 19, 2019.

2 You heard all about that, about the execution of
3 the search warrant. That there was a couple SWAT teams
4 that were brought in that initially entered the property.
5 Then later on the detectives came a little bit later and
6 searched the property.

7 They were primarily searching for drugs, and they
8 found some. You heard that under coop 18 they found three
9 bags, three one-pound bags of methamphetamine.

10 I am holding in front of you -- this is State's
11 Exhibit 136. This is one of the three one-pound bags of
12 methamphetamine that were found under coop 18 on the
13 property.

14 They found methamphetamine also in the barn,
15 between the chicken coops, there was a brown container
16 where they found more methamphetamine and also some
17 cocaine.

18 They also found a significant quantity of
19 methamphetamine in Eduardo's trailer.

20 So you recall that there were a numerous
21 residences on this property.

22 There was the main residence that Mr. Ruiz,
23 Mr. Jorge Ruiz or George Ruiz, was living in with his wife
24 and apparently some family as well. So that was the main
25 residence.

36

1 That was a lot of chicken coops. That is a lot
2 of chickens. That is a lot of roosters.

3 You heard lots of evidence about -- about those
4 roosters being again possessed, maintained and trained for
5 the purposes of cockfighting.

6 So that is kind of an overview of a lot of the
7 evidence in this case.

8 I would like to now just take it one defendant at
9 a time and break -- kind of organize my closing argument
10 with respect to each of the two separate defendants.

11 So let's start with Hector since the case started
12 with him, with selling methamphetamine.

13 So what evidence is there -- well, first of all,
14 let me just remind you what the charges are with regards to
15 Mr. Ramirez, to Hector Ramirez.

16 So Counts 1 through 5 pertain to him
17 specifically.

18 Counts 1 through 4 are what is called trafficking
19 charges.

20 Now, this might be a good time to explain what a
21 trafficking charge is. That's kind of an odd word and it's
22 maybe -- maybe you bring some common understandings of what
23 that word might mean.

24 But I want to tell you what it means legally for
25 the purposes of this case, so what it means to traffic in a

38

1 But also on the property there were a couple of
2 travel trailers. There was the Travel Supreme trailer
3 occupied by Eduardo Ruiz and then the brown trailer
4 occupied by Hector Ramirez.

5 So there was a significant quantity of
6 methamphetamine found in Eduardo's Travel Supreme trailer,
7 along with a lot of cash, over \$10,000 in cash, found in
8 that trailer. Cockfighting paraphernalia, spurs and
9 whatnot, were found in that trailer.

10 Then in Hector's trailer, the brown trailer,
11 there was also drugs found. You heard testimony about 268
12 grams of methamphetamine that were found in Hector's
13 trailer along with the gun.

14 And then you heard about a surprise that the
15 officers had as well. When they served the search warrant
16 they were looking for drugs, based on the methamphetamine
17 that was coming from that property. But they found not
18 only drugs, they found a lot of roosters that were being
19 raised and trained and possessed and maintained for the
20 purpose of having those roosters fight with each other.
21 The common term for that is cockfighting.

22 So they found a rather large cockfighting
23 operation. You saw the video, Deputy Fisher's -- or
24 Sergeant Fisher's video where he walked you through the
25 property, giving you a tour of the property.

37

1 controlled substance. It's not very complicated. It's
2 basically -- to prove a trafficking charge, for example,
3 Count 1, trafficking in a Schedule 1 controlled substance,
4 specifically methamphetamine, all the State has to prove is
5 that the defendant, for example, with Count 1, Hector, that
6 he knowingly or intentionally sold, delivered or possessed
7 methamphetamine, and that the weight of it was 28 grams or
8 more.

9 Now, in these jury instructions there is a word
10 that's going to come up pretty regularly. That word is
11 "or." That is an important word. Makes a lot of legal
12 difference.

13 So, for example, with trafficking, that the
14 defendant knowingly or intentionally either sold or
15 delivered or was in actual or constructive possession of
16 methamphetamine.

17 So that means that to prove a trafficking charge,
18 all we're really talking about is the -- is the weight.
19 That's the main thing.

20 But to prove the charge, the State doesn't
21 necessarily have to show that a defendant sold or delivered
22 the methamphetamine. Possession is enough.

23 So the long and short is, did the person
24 knowingly and intentionally possess more than 28 grams of
25 the controlled substance for those charges where that

39

1 weight is the cutoff.

2 And that is most of them. All of them except the
3 cocaine charge. All the methamphetamine charges are 28
4 grams or more. Did they possess 28 grams or more of
5 methamphetamine?

6 That's trafficking in a nut shell. It's not
7 complicated.

8 But it doesn't necessarily require that the
9 person sell or deliver the methamphetamine. That's one way
10 of proving it. But another way is to show that they simply
11 possessed it and that the methamphetamine weighed more than
12 28 grams.

13 So the four counts with -- with Hector. So
14 Counts 1 through 4, four separate trafficking charges.
15 Counts 1 through 3 are the trafficking for the first three
16 controlled buys: February 27, March 4 and March 7.

17 On three separate occasions, the evidence
18 conclusively showed that Hector left that property at 5647
19 Kale Drive and delivered -- he did sell or deliver, but he
20 also possessed more than 28 grams of methamphetamine, to
21 Clinton Sandstrom on three different occasions.

22 So that is Counts 1 through 3 is when he sold two
23 ounces each time to Clinton three separate occasions. And
24 that -- I mean, there was testimony that 28 grams is
25 approximately one ounce. So, obviously, two ounces at a

40

1 So what is the difference between actual and
2 constructive possession.

3 Instruction 22 describes that. Actual possession
4 is when a person has direct physical control over an item.
5 He is then in actual possession of it.

6 So I am in possession of this pen because I am
7 holding it right now. So that's actual possession.

8 Now, constructive possession -- this is a key
9 point -- Instruction Number 22 says, "A person who although
10 not in actual possession of an item knowingly has the right
11 to exercise dominion and control over it, either directly
12 or through another person or persons, is then in
13 constructive possession of the item."

14 The law recognizes that one person may have
15 possession of an item alone or that two or more persons
16 jointly may share actual or constructive possession.

17 So see my laptop computer there sitting at my
18 desk? I would be in constructive possession of that.

19 I am not physically holding it right now, but I
20 have -- I am able and I have the right to exercise dominion
21 and control over it. So I constructively possess that.

22 Same thing with some of the drugs in this case,
23 you need to apply that definition of constructive
24 possession.

25 For example, drugs. The methamphetamine that was

42

1 time, that is double the 28 grams required to meet the
2 trafficking requirement.

3 So then the fourth trafficking count for Hector
4 was the methamphetamine that was found in his trailer on
5 March 19 during the execution of the search warrant.

6 They found 268 grams. That is well above the 28
7 grams required to prove Count 4. Was found in his trailer.

8 And when he was interviewed by Detective Gaylor,
9 he said, yeah, you are going to find a little bit of
10 methamphetamine in the trailer and I'm a user of
11 methamphetamine.

12 Now, I would like to take a minute to talk about
13 what it means to possess a controlled substance.

14 So Jury Instruction Number 22 gives the legal
15 definition of what it means to possess something. And this
16 is important because it may differ from, you know, the
17 common and ordinary understanding of -- that people might
18 have about what it means to possess something.

19 So Instruction 22 talks about the difference
20 between actual and constructive possession. And for the
21 purposes of this case, for possessing drugs and guns and
22 other items that we're alleging were possessed, there is no
23 legal distinction. If you find that a person actually or
24 constructively possessed the item, that meets the legal
25 requirement of possession.

41

1 found in Hector's trailer. Stay on that point.

2 He wasn't found, you know, caught red-handed,
3 drugs in his hand, in the trailer. But the drugs were in
4 his trailer. He admitted to Detective Gaylor, you are
5 going to find some methamphetamine in there.

6 So the evidence overwhelmingly can lead you to
7 conclude that, yeah, he was -- he had the right to exercise
8 dominion and control over that methamphetamine; therefore
9 he was in possession of it.

10 So that is an important distinction. So two
11 legal points. Trafficking, just possessing more than 28
12 grams of methamphetamine, or more than 14 grams of the
13 cocaine. That is all we're talking about when we use the
14 word "trafficking." You can see that in the jury
15 instructions. Did the person possess more than 28 or more
16 than 14 grams.

17 And then you have to think about what it means to
18 possess something. You don't have to have it in your
19 physical hands to possess it legally. If you have the
20 right to exercise dominion and control over that thing, you
21 are in legal possession of it, constructive possession.

22 So just going through the charges as to Hector
23 still. So those are the four trafficking charges.

24 The fifth charge, Count 5, is the possession of a
25 firearm by -- under Nevada law, as just had it read to you,

43

1 it's against the law for a person to be an unlawful user of
2 or be an addict -- or be addicted to a controlled substance
3 like methamphetamine.

4 So what the State is alleging in Count 5 is that
5 Hector was an unlawful user of methamphetamine and that he
6 possessed a firearm.

7 We heard testimony that there was a firearm found
8 in Hector's trailer. Very small trailer with Hector's
9 stuff in it. Hector says, that's my trailer. There is a
10 firearm in there. He -- there was testimony from Detective
11 Gaylor that Hector said, I am a user of controlled
12 substances or I am a user of meth.

13 And Detective Miller testified he found, you
14 know, those dollar bills that you roll up to ingest
15 methamphetamine.

16 So evidence of use of methamphetamine in that
17 trailer as well.

18 So the evidence has shown overwhelmingly Counts 1
19 through 5 against Hector Ramirez; that he possessed more
20 than 28 grams of methamphetamine on four separate
21 occasions, three controlled buys, the fourth instance the
22 meth in the trailer on March 14 -- 19 when they did a
23 search warrant. And they found a gun in there as well. He
24 is an admitted user of meth. So those five counts have
25 been proven.

44

1 killing or maiming of an animal, Count 10 being a
2 cockfighting charge. Those two are charges connected to
3 Exhibit 1, which is the roosters that were numbered 1 to
4 25.

5 And then Counts 11 and 12 are roosters 26 to 50,
6 so forth.

7 So they are prosecuted in blocks of 25 roosters.

8 So what evidence is there that -- that Hector
9 committed these offenses? You know, the offense of
10 unlawful killing or maiming of an animal and possession of
11 an animal with the intent to have it engage, to fight with
12 another animal.

13 So with regards to Hector, we'll talk again --
14 finish up talking about Hector by talking about the
15 animals, then I will get to Jorge.

16 With regards to Hector, what evidence is there
17 linking him to those roosters?

18 Well, he admitted he lived in that trailer. He
19 was seen on lots of occasions, the detectives testified,
20 leaving that property at 5647 Kale Drive, leaving the
21 property on several occasions to sell methamphetamine to
22 Clinton Sandstrom and then returning back to that property.

23 When the search warrant was executed, Hector was
24 found on the property. When interviewed by Detective
25 Gaylor, Hector admitted that, yeah, I live in the brown

46

1 Now, the other charges, skipping over Jorge's
2 charges, which are 6 through 8, the ones specific to him.

3 Let's go now to the charges against Hector that
4 pertain to the roosters, the animals, on the property.

5 So these would be Counts 10 through 28.

6 And you will notice that they alternate. So half
7 of those charges have to deal with like animal cruelty,
8 torturing or maiming an animal is the way it's stated. And
9 the other half of those have to do with cockfighting,
10 possessing a rooster for the purpose of having it engage in
11 cockfighting.

12 And you heard testimony that there was -- there
13 were 248 roosters that were documented. We have a whole
14 stack of photographs of them right there in State's Exhibit
15 1 through 10, 248 roosters.

16 And they are charged in blocks of 25 roosters.

17 So Count 10, for example, would be -- would
18 pertain to -- so Count 10 is possession of an animal with
19 the intent to have it fight with another animal. That
20 pertains to Exhibit 1, roosters 1 through 25.

21 Count 11, which is -- actually, let me back up.
22 Count 9. So the animal charges start with Count 9, go
23 through 28. They just alternate between animal cruelty
24 charges and the cockfighting charges.

25 So Counts 9 and 10, Count 9 being unlawful

45

1 trailer, and he admitted -- he admitted to being a
2 caretaker of the chickens.

3 Furthermore, and you saw this in Sergeant
4 Fisher's tour of the property when he walked around with
5 his body camera and recorded the property, when he got to
6 the area of the barn where those mailing boxes were, you
7 will remember that those boxes were in the name of not only
8 Jorge Ruiz, but also there was some of those boxes had been
9 mailed to Hector Ramirez.

10 So "I'm a caretaker of the chickens," he tells
11 Detective Gaylor. He lives on the property. The mailing
12 boxes for mailing chickens have his name on them. He
13 clearly is implicated in what is going on with those
14 chickens.

15 And what is going on with those chickens?

16 Well, they are obviously being raised, trained,
17 possessed for the purpose of engaging in cockfighting.

18 In the main residence there was a cockfighting
19 trophy that was found.

20 There were instructions on how to train chickens
21 in cockfighting.

22 State's Exhibit 162, which was paperwork found in
23 the master bedroom of the residence, contained instructions
24 on how to -- how to do cockfighting.

25 In the same room where those mailing boxes with

47

1 Hector's name on them were located there was a training
2 dummy.

3 Remember State's 148. Recall that is the
4 training dummy that was found in that same location.

5 By training dummy, I mean like a little puppet or
6 hand-held fake rooster that can be used to train roosters
7 to fight with one another.

8 And on and on and on. The evidence is just
9 overwhelming that that is what these roosters were being
10 used for. The altered and cutoff spurs and combs and
11 wattles. The dubbing, as Dr. Goicoechea called it. The
12 gaffs or the knives within that box right there. Large box
13 of knives that are affixed to the leg of a rooster for the
14 purposes of cockfighting.

15 And Dr. Goicoechea testified that those roosters
16 in that room in particular were so aggressive that they
17 were trying to knock the slats out of those wooden cages
18 that they were in.

19 And in his opinion these roosters were being
20 trained and kept and maintained for the purpose of
21 cockfighting.

22 And Hector is up to his neck in that. "I'm a
23 caretaker of the chickens." The boxes have his name on it.
24 He should be found guilty of those charges pertaining to
25 cockfighting.

48

1 are the 9 through 27, the odd-numbered ones. The
2 cockfighting charges are 10 through 28, the even-numbered
3 ones.

4 So what evidence is there that there were --
5 there was -- these animals were neglected in a way that
6 caused them unjustifiable physical pain, suffering or
7 death.

8 Tessa Morgan testified about that. She went
9 through each one of those packets of 25 chickens. And she
10 spent quite a bit of detail on that first one, talking
11 about the combs and wattles and the spurs being removed.

12 And if you recall, the combs and wattles are the
13 flesh on the head, the mohawk, skin, and the flesh
14 underneath the beak. Spurs are the things on the legs.

15 And she testified about how every single one of
16 those birds in those photographs had been altered or
17 injured in some way.

18 Then she went through and pointed out specific
19 examples of fresh wounds and blood. She talked about
20 bumblefoot, which is a lay term for, you know, not letting
21 the chickens -- to live in a clean place; where they are
22 standing in their own feces basically, and they have
23 injuries to their feet and their toes and it causes those
24 injuries to become infected.

25 She talked about that, about bumblefoot, about

50

1 Same thing with the animal cruelty charges. So
2 with regards to count -- one of them, Count 9, willfully
3 and maliciously to torture or unjustifiably maim, mutilate,
4 or kill any animal kept for companionship or pleasure.

5 So in order to really understand that particular
6 crime, the animal cruelty charges of maiming or torturing
7 or killing an animal, let's look at the definition of
8 torture.

9 So to prove those charges, which would be, you
10 know, Counts 9 through 27, but the odd-numbered charges,
11 the word "torture" is defined in Instruction 38 like this:
12 "Torture includes every act, omission, or neglect whereby
13 unjustifiable physical pain, suffering or death is caused
14 or permitted."

15 So it's not just physical acts, like, you know,
16 assertively abusing an animal. Although there is evidence
17 of that in this case by removing the combs and wattles and
18 spurs.

19 But this talks about omission or neglect, that
20 the animals are neglected. And that neglect thereby causes
21 unjustifiable physical pain and suffering or death.

22 If that's permitted by the person caring for the
23 roosters, then the animal cruelty charge can be proven as
24 well.

25 And, again, that's -- the animal cruelty charges

49

1 those infections in the feet of the roosters.

2 She talked about missing limbs, that the rooster
3 depicted in State's Exhibit 1.37, no feet. Had to walk
4 around on nubs, she testified to.

5 State's Exhibit 2, infected feet, bruises on the
6 breast bones, and so on and so forth.

7 She talked about, you know, calloused and healed
8 ulcers, bruised and exposed keel bones, fresh wounds on
9 feet, broken wings and feathers -- or broken wing feathers.

10 Recent fresh infectious toes. Toes about to fall
11 off, she testified to. This was rooster 8 depicted in
12 8.26.

13 Damaged tail. More infected feet. A necrotic
14 foot, which was a foot that is dead and about to fall off.

15 So you heard the testimony of Dr. Morgan and the
16 other -- the other witnesses, Sergeant Fisher, who gave a
17 tour of the property, that these conditions were not ideal.

18 And Hector is connected to -- to all of that. He
19 is up to his neck in it.

20 Now, let's -- one last point about Hector. You
21 heard some instructions about -- you know, something about
22 how if somebody commits an offense under, you know, a
23 threat or menace or something like that, that they may be
24 excused in committing that offense.

25 You also heard that there is a burden shift that

51

1 happens with respect to that. That is called the duress
2 defense. And the burden shifts to a defendant to prove that
3 defense by a preponderance of the evidence.

4 And so that means inasmuch as there was any
5 evidence of any kind threats to Hector and that's why he
6 was doing the things that he was doing, committing the
7 crimes that he was committing, the State would suggest
8 there has been no direct evidence of that, just generalized
9 talking about cartels and whatnot.

10 And the burden is on the defendant to prove that
11 and has not proven it because there has been no evidence of
12 it, that there was some kind of specific threat to Hector.

13 Now shifting gears to Jorge.

14 The charges that he is charged with are
15 charges -- the drug charges are 6 through 8.

16 So charges -- Counts 6, 7 and 8 are the drug
17 charges.

18 And the animal charges are identical to the ones
19 that Hector is charged with. That would be Counts 9
20 through 28, you know, alternating animal cruelty and
21 cockfighting charges with the odd- and the even-numbered
22 charges.

23 Okay. So what evidence is there that -- let's
24 talk about the drug stuff first with regards to Jorge or
25 George Ruiz, and then we'll talk about the animals.

52

1 the controlled buys.

2 So there is one more really important legal point
3 to keep in mind with regards to the -- to the drug charges
4 against Jorge Ruiz.

5 So in Instruction 11 -- kind of walk you through
6 this. Instruction 11, you will notice that it has two
7 different alternative theories of liability.

8 And what that means is that if you find -- you
9 could find the defendant Jorge Ruiz guilty of either one of
10 these theories of liability.

11 And what are those two theories of liability?
12 Well, let's take a look at that.

13 So Instruction 11 says, in order to find Jorge
14 Ruiz guilty of Count 6, trafficking in a -- in
15 methamphetamine, the jury must conclude that every one of
16 these following elements have been proven beyond a
17 reasonable doubt.

18 That the defendant knowingly or intentionally
19 either sold or delivered or was in actual or constructive
20 possession of methamphetamine and that the methamphetamine
21 weighed 28 grams or more.

22 So that's the first theory of liability that the
23 State is alleging that Jorge Ruiz did possess that
24 methamphetamine that was under, you know, coop 18, and the
25 methamphetamine that was -- that was between the coops and

54

1 So with regards to the drug charges, charges 6, 7
2 and 8, there is a couple of -- you know, as with -- with
3 Mr. Ramirez, there is a couple of legal points to keep in
4 mind.

5 And one, again, I would -- I would remind you
6 that the trafficking charges against Jorge do not require
7 that he personally sold or delivered the methamphetamine or
8 cocaine. It only requires a showing beyond a reasonable
9 doubt that he possessed the methamphetamine or cocaine.
10 And by possessed, I mean exercised -- had the right to
11 exercise dominion or control over the methamphetamine or
12 cocaine.

13 So that's an important point to keep in mind.

14 And the constructive possession is really
15 important when you are thinking about the drug charges
16 against Jorge. Because when they served the search warrant
17 he wasn't found with the drugs in his hand or anything like
18 that. The drugs were found all over his property, but not
19 in the main residence, but on -- in other parts of the
20 property. Under coop 18, for example. Three large bags of
21 methamphetamine.

22 And then in the barn, you had the -- some more
23 methamphetamine and the cocaine.

24 So that's what Jorge -- and then, you know, the
25 methamphetamine coming from that property on the dates of

53

1 the barn.

2 We are alleging that he did possess them
3 constructively in the sense that he had knowledge of them
4 and had the right to exercise control or dominion over
5 them.

6 But that's just one theory of liability on the
7 two trafficking charges for Jorge.

8 So now you read further, and it says, or in the
9 alternative, you can convict him if you find that all of
10 these elements have been met on this second theory of
11 liability.

12 So if you conclude beyond a reasonable doubt that
13 the defendant willfully and unlawfully either aided and
14 abetted another person in the commission of the crime of
15 trafficking in methamphetamine, or directly or indirectly
16 counseled, encouraged, hired, commanded, induced or
17 otherwise procured another person to commit the crime of
18 trafficking in a controlled substance.

19 So to summarize the two alternative theories on
20 the trafficking charges for Jorge are: One, we're alleging
21 that he possessed the drugs, constructively of course, you
22 know, that he had the right to exercise dominion and
23 control over them.

24 Or that even if he didn't possess them
25 constructively, he aided and abetted Eduardo and Hector in

55

1 possessing them.

2 So the second theory of liability is an aiding
3 and abetting theory of liability that -- well, how did he
4 help them out with that? Well, he allowed them to run this
5 drug operation on his property.

6 So he -- even if he wasn't involved in the
7 selling of drugs -- and the State contends that he was.
8 And I will get to some of the evidence that shows that in a
9 minute. The State contends that he was involved in the
10 selling of these drugs, that he did possess those drugs and
11 had the right to dominion and control over them.

12 But even if he didn't, if he intentionally and
13 knowingly aided and abetted Hector and Eduardo in
14 possessing, using and selling those drugs on his property,
15 if he gave them a place from which to operate, to possess
16 and receive and deliver and -- and run these drugs and run
17 their drug operation, then he aided and abetted them.

18 And you can convict him of trafficking on that
19 basis.

20 And another important point as to these
21 alternative theories of liability for Jorge is that there
22 is an instruction that says you don't all have to agree on
23 the same theory of liability.

24 If some of you say, "yeah, I think he was
25 directly involved in selling drugs, that he possessed those

56

1 They are in on this stuff together. He is
2 driving Jorge's wife's truck to deliver the drugs.

3 There is another connection between Eduardo and
4 Hector and Jorge.

5 You will notice that Exhibit 187 was an insurance
6 card in the name of Jorge's wife Maria Ulloa, was found in
7 Eduardo's trailer. And Eduardo was clearly up to his neck
8 in this stuff. Lots of methamphetamine and cash, money
9 transfer stuff, found in Eduardo's trailer. There was also
10 an insurance card in the name of Jorge's wife found in that
11 trailer.

12 So that connects Eduardo and Hector to Jorge and
13 the main residence.

14 The brown container. State's Exhibit 133. This
15 is the brown container that was found tucked in between a
16 couple chicken coops in the barn.

17 This container contained methamphetamine and
18 cocaine.

19 Notably, that container was found in the vicinity
20 of where those mailing boxes with Jorge's name on them were
21 located. It's all found in the same general area.

22 So we know Jorge was -- had dealings back in that
23 barn where those drugs were found. There is all these
24 mailing boxes, these bird boxes, with his name on it. So
25 that puts him in the vicinity of the drugs.

58

1 drugs," and others of you say, "well, he aided and abetted
2 Hector and Eduardo in running their drug operation," you
3 don't have to agree on the theory of liability. As long as
4 you all agree beyond a reasonable doubt that one of these
5 two theories of liability has been met, then you can
6 convict Jorge on that -- on that charge.

7 So that is just kind of a slightly complicated
8 area of the law. I wanted to make sure that was clear for
9 everyone.

10 Okay. So now let's talk -- that's the law.
11 Let's talk about the facts and the drugs.

12 So what evidence is there then that Jorge Ruiz
13 knew what was going on with those drugs on the property,
14 and furthermore that he constructively possessed those
15 drugs? What connects him to those drugs that are found
16 under coop 18 and between the -- the coops and the barn?

17 Well, we know that the person selling those drugs
18 was -- was residing on the property.

19 You heard the testimony about the controlled
20 buys; that every time that Hector would leave to come sell
21 the drugs to Clinton Sandstrom, he would leave from Jorge's
22 property.

23 And not only that, but he would do so driving the
24 truck of Jorge's wife Maria Ulloa.

25 That connects Hector to Jorge.

57

1 There is a jury instruction that says, you know,
2 a defendant's mere presence in the vicinity of drugs, that
3 by itself isn't sufficient to convict.

4 But it's one piece of the puzzle that you may
5 consider.

6 There is all this other evidence that suggests
7 that he was aware of the drugs and that he had involvement
8 in this.

9 And what are some of those other items of --
10 pieces of evidence that you heard connecting Jorge to the
11 drugs?

12 How about that bucket, that plastic bucket that
13 was found -- that was on the incubator in Jorge's bedroom,
14 in the room he was found sleeping in when they served the
15 search warrant. There was a plastic bucket on top of an
16 incubator for raising chickens, by the way, which, you
17 know, is near the cockfighting instructions, all that kind
18 of stuff.

19 That bucket was the same bucket that was -- the
20 same kind of bucket that those three bags of
21 methamphetamine were found in under coop 18.

22 There is testimony about other empty buckets of a
23 similar sort that were found buried on the property.

24 So the bucket in his bedroom, same kind of bucket
25 used to bury the drugs under coop 18.

59

1 What else?
2 Just look at those bags of drugs for a minute.
3 Look at how much methamphetamine that was.
4 Think about the suspected methamphetamine found
5 in Eduardo's trailer. You heard testimony that -- that 28
6 grams of methamphetamine, I think one of the detectives
7 testified to, is considered a lot; that a point of
8 methamphetamine for personal use is just like a gram.
9 We're talking about pounds of it.
10 How is it possible -- you are instructed in one
11 of the latter jury instructions to use your common sense.
12 How is it possible that this weight of methamphetamine was
13 being stored and sold from that property and that Jorge was
14 not involved, was unaware that pounds of methamphetamine
15 was coming and going from his property?
16 It's implausible. Use your common sense and use
17 your rational judgment.
18 Cars coming and going. Indicative of drug
19 trafficking Detective Gaylor testified to.
20 Then finally, it's the most important piece of
21 evidence because it's an eye witness, you heard from
22 Sheldon "Bob" Olsen who was also involved in selling
23 controlled substances.
24 He testified in this case. And he testified that
25 he personally, on a number of occasions, obtained

60

1 cockfighting, possessing these animals for the purposes of
2 cockfighting.
3 I have already gone over all the evidence of the
4 deplorable conditions of the roosters. So the animal
5 charges against Jorge, the evidence is overwhelming of
6 those as well.
7 And for all those reasons, the State is asking
8 that you come back with a verdict of guilty on all of the
9 charges for both defendants.
10 Thank you for your time.
11 THE COURT: All right. We have got into the noon
12 hour.
13 Thank you for your argument, counsel.
14 We'll go ahead and take our lunch break now and
15 then come back and defense counsel can make their
16 arguments.
17 Ladies and gentlemen, please do not converse
18 amongst yourselves or with anyone else on any subject
19 connected with the trial. Do not read, watch or listen to
20 any report or commentary on the trial or any person
21 connected with the trial by any medium of information,
22 including, without limitation, newspapers, television,
23 radio or the Internet.
24 And do not form or express any opinion on any
25 subject connected with the trial until the cause is finally

62

1 methamphetamine not from Hector but from Jorge on a couple
2 of different occasions.
3 And that one time Jorge took meth out of his
4 pocket and handed it right to him.
5 So now -- so we have an eye witness that puts
6 methamphetamine in the hands of Jorge.
7 He testified he placed orders with Jorge. "I
8 asked about it and Hector brought it."
9 So Jorge's up to his neck in drugs -- in the
10 drugs stuff. All these guys are all in it together, all
11 three of them.
12 And with regards to the chickens, the roosters,
13 that really doesn't require much argument. It seems pretty
14 overwhelming. I mean, you have got a trophy in his living
15 room, you have got the knives in the bedroom, you have got
16 the cockfighting instructions in the bedroom near the
17 incubators, and on and on and on. There is all this
18 evidence.
19 And I would point out as well, when asked about
20 the roosters, Jorge Ruiz told Detective Gaylor "the
21 majority of the roosters are mine."
22 So you have got Jorge saying "most of them are
23 mine." You have got Hector saying "I'm a caretaker for
24 them."
25 Both of these guys were involved in the

61

1 submitted to you.
2 It is not submitted to you for deliberation yet.
3 We still have argument to go. After arguments, then it
4 will be.
5 In addition, you may not use any electronic
6 device or media, such as the telephone, a cell phone,
7 smartphone, iPhone, Galaxy, or computer, the internet, any
8 internet service, any text or instant messaging service,
9 any internet chat room, blog, or website such as Facebook,
10 Instagram, LinkedIn, YouTube or Twitter, to communicate to
11 anyone any information about this case until I accept your
12 verdict.
13 In other words, you cannot talk to anyone on the
14 phone, correspond with anyone, or electronically
15 communicate with anyone about this case.
16 Jurors shall not conduct any form of independent
17 research, investigations, or experiments prior to or during
18 jury deliberations.
19 This prohibition includes, but is not limited to,
20 communicating with anyone in any way regarding the case or
21 its merits, by phone, e-mail, texting, the internet, or
22 other means; reading, watching or listening to any news or
23 media accounts or commentary about the case; doing any
24 research such as consulting dictionaries, using the
25 internet, or using reference materials; and making any

63

1 investigation, testing a theory of the case, re-creating
2 any aspect of the case, or in any other way investigating
3 or learning about the case on your own.

4 It is now 12:19 p.m. on my iPhone. And we'll be
5 in recess. Let's make it -- how about 1:35 to 1:40 p.m.
6 And then we'll get back here for arguments for the defense.
7 Thank you.

8 (Noon recess taken at 12:19 p.m.)

9 (Proceedings resumed at 1:44 p.m.)

10 THE COURT: We are back on the record for case
11 CR-FP-19-2456 and 2465, State versus Ramirez-De La Torre
12 and Jorge Landeros Ruiz.

13 We do have the gentlemen back in court with their
14 respective attorneys and the Court's previously sworn
15 interpreters assisting them as well as Court and counsel.

16 And Elko County Deputy District Attorneys Mills
17 and Barainca are here to represent the State.

18 Counsel will stipulate to the full presence of
19 the jury and the alternates?

20 MR. WOODBURY: So stipulated.

21 MS. DUNN: So stipulated.

22 MR. MILLS: Yes, Your Honor.

23 THE COURT: Okay. Thank you.

24 Hope you had a nice break, ladies and gentlemen.
25 And we now go over to closing arguments by the defendants.

64

1 or how that investigation started, what it was that put
2 Hector on the radar. But something did.

3 Hector was on the radar from back in the fall.
4 Then what we know is sometime in the winter, in the
5 beginning of 2019, we know that Clinton Sandstrom got
6 arrested.

7 Clinton Sandstrom got arrested for selling drugs
8 and the officers went and talked to him. Officer Gaylor
9 talked to him. Officer Gaylor became his handler because
10 Clinton Sandstrom decided that he wanted to attempt to work
11 off some of his charges.

12 And so what he did is he started working with
13 Officer Gaylor. What he did, first thing he did, was --
14 when he got out of jail, he set up some controlled buys
15 with his friend Sheldon "Bob" Olsen.

16 Did anywhere from -- the testimony was anywhere
17 from four to eleven buys during the month of February. And
18 ultimately the officers wanted Clinton to see if he could
19 get some more, higher quantities, and if he could go then
20 to Bob Olsen's supplier.

21 And so then the controlled buys then went to
22 Hector.

23 So then what we know about this investigation is
24 now we have got Clinton Sandstrom doing controlled buys
25 with Hector Ramirez.

66

1 It's my understanding that Ms. Dunn is going to
2 give the argument for Mr. Ruiz now.

3 So please draw your attention to the lectern
4 there.

5 MS. DUNN: Good afternoon. That is very loud.

6 I have to remember I speak loud, so I can't speak
7 too loud into the microphone.

8 Good afternoon. Thank you. As the State's
9 indicated, as the Court's indicated, thank you for your
10 service, particularly in this time, and for the last couple
11 weeks. We certainly appreciate it. The justice system
12 doesn't work without jurors. So we do appreciate it.

13 The defense only gets to talk to you once. The
14 State -- since the burden is on the State, the State goes
15 first, then the defendant, each defendant gets to go, and
16 then the State gets to go last because they have got the
17 burden.

18 But what I want to start with you -- what I want
19 to start to talk to you about today is, let's go back to
20 the very beginning and how all this started.

21 This investigation began in 2018, the fall of
22 2018. Detective Gaylor explained that when he testified.
23 That this investigation began with an investigation of
24 Hector Ramirez.

25 There wasn't a whole lot of testimony as to why

65

1 That's the one that -- that Mr. Ramirez is
2 charged with in this case.

3 There is three controlled buys that happened:
4 two in March and one in February of 2019.

5 Then, at some point down the line, Mr. Olsen got
6 arrested. And we'll talk about him a little bit later.
7 But later on he got arrested, he got charged with some of
8 the controlled buys that Clinton Sandstrom did with him.
9 And we'll talk about what he did to try to work off some of
10 his charges, as they were.

11 But once they had the controlled buys with Hector
12 Ramirez, the officers decided to go in and get a search
13 warrant.

14 The only reason that the officers were at all
15 involved or interested in this Kale Drive property was
16 because they surveilled it. They started surveilling it
17 when Hector was -- came on their radar, and they started
18 surveilling it.

19 Now, they told you prior to serving the search
20 warrant, in this surveillance, they didn't get a whole lot.
21 They said that they watched Hector come and go. They
22 couldn't do a whole lot of surveillance. A couple of the
23 detectives told you different -- different reasons. Out
24 there in Osino they stuck out, as they indicated, that the
25 neighbors would come out and ask why they were out there

67

1 and -- but they started watching this 2.7-acre property,
2 which was a normal sized property for out there. Started
3 watching this property because of Hector.

4 What they did is they said that at times they
5 would sit there for a couple hours, wouldn't see anything.

6 They would sometimes see cars in a higher volume.

7 Now, what they ultimately found out, because they
8 didn't know at the time when they were doing their
9 surveillance, they did pull the records and find out that
10 this property was owned by Jorge and Maria. And during the
11 surveillance, like I said, the -- the most intel, as it
12 were, that they got was that there were times that there
13 was a higher volume of vehicles.

14 Now, of course, what they ultimately found out as
15 they were doing some surveillance is that Mr. Ruiz, Jorge,
16 lived there with his wife and his children.

17 I believe the officers testified that they
18 weren't sure if there were three or four kids living there.

19 In addition, they ultimately found out that there
20 was a -- they knew that Hector was residing on the
21 property.

22 Once they served the search warrant, they go to
23 the two trailers. And initially when they search these two
24 trailers, they knew one of them was Hector's. They didn't
25 even know that Eduardo Ramirez was -- excuse me, Eduardo

68

1 But he decided he was going to dig because of
2 what his detective friend told him. And he goes into the
3 brown barn. And you will see in the pictures -- and I know
4 some of the pictures you guys have seen already, some of
5 them have just sort of been passed through the witnesses --
6 but there is a photo that shows the -- Eduardo's trailer,
7 the Travel Supreme trailer, that is -- is up against --
8 there is a concrete slab and then there is a brown barn,
9 the brown barn where the rest of the drugs were found on
10 the property.

11 And literally the only thing that was -- that was
12 separating them was this concrete slab.

13 So Detective Gaylor decided that that is where he
14 would dig. He said it was cold out. There was a lot of
15 other hard areas on the property and he figured maybe this
16 would be easier to dig in.

17 He goes in there. He is the only one that was in
18 there at the time, although a couple other detectives had
19 come and gone. He goes in there, he goes to coop 18, the
20 very first one, he digs in there, he finds a bucket that
21 was buried, and he opens the bucket and there is the three
22 pounds of -- three pounds of methamphetamine that were
23 buried inside that bucket.

24 Earlier Detective Smith told you he -- Sergeant
25 Smith told you that he had found that brown container in

70

1 Ruiz was living on the property. He wasn't on their radar
2 at the time.

3 But they searched the two trailers.

4 The first trailer, Hector Ramirez, his trailer,
5 had methamphetamine in it. It had wire transfers of money.
6 It had the firearm.

7 And then in Mr. Eduardo Ruiz's trailer, in that,
8 you found over \$12,000 in cash. \$800 of that cash was
9 actually from one of the controlled buys that they had done
10 with Hector. And that was in Eduardo's trailer.

11 They found five cell phones in that trailer.

12 They found approximately just over four pounds of
13 methamphetamine on that -- in that trailer.

14 They also found wire transfers of money in that
15 trailer.

16 And then, of course, they went, and Detective
17 Gaylor said -- initially he testified that he had had no
18 information that there was any -- that there was drugs that
19 were buried on this particular property.

20 He had just heard from other investigations that
21 there were times that a detective friend of his actually
22 went and served a search warrant on a property and didn't
23 find the drugs and found out later they were buried.

24 And so he said he had no -- no idea, no specific
25 information, that there were drugs buried on this property.

69

1 the brown barn that was sort of shoved down in the -- in
2 between the coops. He believed he found that before
3 Detective Gaylor decided to dig in that -- in that brown
4 barn.

5 And then they dug a little bit more and found
6 that -- that -- I think it's a Nescafe container that also
7 had some drugs.

8 But here is what's important, because Jorge is my
9 client, and so I'm going to be talking to you mainly about
10 Jorge today.

11 And what I want to talk about is what proof, what
12 evidence that the State has, as you heard from Mr. Mills,
13 that the State has that the State wants you to convict
14 Jorge based upon.

15 What is important is, as you have heard, there
16 were no drugs found at all inside the main residence.
17 Inside the main residence, which is where Jorge was
18 residing along with his wife and his children, there were
19 no drugs found at all.

20 There was no drug paraphernalia found at all in
21 that main residence.

22 There were no scales.

23 There were no -- there were no wire transfers, as
24 they are indicating that that can be an indication of drug
25 trafficking.

71

1 No baggies that looked like they were specific
2 for drug sales. Nothing at all.
3 They found two cell phones on the nightstand in
4 Jorge's bedroom. And they actually searched that cell
5 phone. They searched -- they tried to search both of them,
6 as you heard. They -- but they were only able to get into
7 one.

8 As you heard also, they never asked Jorge if he
9 would consent to let them search the phones. That's always
10 the easiest way into -- get past the security on their cell
11 phones. But they never asked Jorge.

12 But they went ahead and they got a search warrant
13 and they sent these phones into the Washoe County crime lab
14 to have them -- to see if they could be searched.

15 One of them, the Apple, was able to be searched.
16 And as you found out, it was news to us that that had
17 occurred, that they had actually served the search warrant,
18 because, they said, well, there was nothing of evidentiary
19 value.

20 Which means that there was nothing showing that
21 he was, as the witnesses testified, there was no evidence
22 on those phones that Jorge was talking to any of these
23 other people, whether it was Clinton Sandstrom, whether it
24 was Bob Olsen, whether it was Hector Ramirez, whether it
25 was Eduardo. There were no texts indicating that there

72

1 There was one found -- phone found on Hector when
2 he was arrested.

3 And none of those phones were searched.

4 You heard we had -- we had the sergeant come in,
5 we had Detective Gaylor come in, we had Detective Miller
6 come in, trying to figure out who was responsible, and did
7 somebody -- did somebody write a warrant for these, did
8 they try to get them searched.

9 Ultimately, it was Detective Gaylor came in and
10 said -- ultimately, he said, well, it appears to be a
11 miscommunication in our office.

12 But had they searched those phones, and attempted
13 to make connections -- again, Jorge -- will tell you
14 that -- that the -- the cell phones that they didn't search
15 could have provided intel, could have provided, could have
16 shown, that Hector was speaking to Bob Olsen and Bob Olsen
17 was speaking to Clinton Sandstrom, and this is -- this is
18 the -- the triangle, as it were, that was going on at that
19 time.

20 Of course, it could have given further intel to
21 figure out if there were other people involved in other
22 areas. Didn't happen. Because they didn't get those cell
23 phones searched to provide that evidence, to further show
24 who exactly was dealing the drugs and how they were being
25 dealt.

74

1 were any type of drug sales or drug deals going on.

2 Nothing. None of that.

3 None of the secret codes that they talk about. I
4 was asking Detective Gaylor, If you are doing drug deals,
5 do you just say, you know, hey, can I have a pound of meth?
6 And he said, no, they sometimes will use code words.

7 They didn't find any of that on this phone.

8 Now, the State as you heard through the
9 testimony, the State said, well, it's very common for drug
10 dealers to have two separate phones, have one that happens
11 to be their clean phone and one that they would use.

12 Well, they had two phones. And of course we only
13 know what was on one. But I guess -- you know, I guess the
14 State is saying that -- that if the other one -- he just
15 got lucky as to which -- which phone they were able to
16 actually search.

17 But certainly what it shows is that at least,
18 based upon the digital evidence that we have in this case,
19 there is nothing indicating -- that ties Jorge to any of
20 these drug deals, to any of the ownership of these drugs.

21 That's what we have.

22 Now, what is interesting, as you heard, is that
23 they had five other phones that were -- that were in --
24 found in Eduardo's trailer. There were -- there was a
25 phone found actually on Eduardo when he was arrested.

73

1 Because ultimately what you had in this case is
2 you have got Clinton Sandstrom who came in and said, Here
3 is the way we would do it, I would initially call Bob Olsen
4 and he would get -- I would go to him and get drugs that
5 way.

6 He talked about calling Hector and getting drugs
7 directly from Hector. We asked Mr. Sandstrom, we asked
8 him, Did you ever contact Jorge to -- contact him to get
9 drugs from him? He said, No, we never contacted Jorge. I
10 never contacted Jorge.

11 When we spoke to Detective Gaylor, Detective
12 Gaylor met with -- with Bob Olsen along with the -- the
13 deputy -- Deputy District Attorney Mills and Barainca, met
14 with Bob Olsen after he had been arrested.

15 He wanted to get out of jail. Bob Olsen wanted
16 to get out of jail. He got arrested later after the search
17 warrant was served and he got picked up on the -- the
18 controlled buys that he was -- that he got caught with.
19 And then he decided he had spent Thanksgiving, Christmas in
20 jail, and he wanted to get out.

21 So he decided he would meet with the officers and
22 give them any information that he had.

23 Now, at that time -- and Detective Gaylor
24 testified to this -- he testified that again he would
25 contact -- he would get in touch with Hector and Hector

75

1 would deliver the drugs.

2 He never said anything about contacting Jorge.
3 Now, he did say that over the few years before then that he
4 had been over to Jorge's house a couple of times. Once for
5 a fence and once for a -- to buy -- Jorge was going to buy
6 a gun from him.

7 Then he said there was twice that he went and got
8 drugs from Jorge. Now couldn't tell you when. Didn't give
9 exact dates. Didn't know how exactly it happened, when it
10 happened. Said it was sometime over the last couple of
11 years.

12 Now, this is two years before now.

13 And Detective Gaylor said -- testified that when
14 he met with -- with Mr. Sandstrom -- or Mr. Olsen that is
15 basically what was said.

16 Now, for the first time, when Mr. Olsen was here
17 testifying, he testified that no, he would call Jorge every
18 time to get the drugs and Hector would deliver them.

19 The first time anyone had heard that was when he
20 came here and testified. Not when he talked to Detective
21 Gaylor, not -- throughout all of that, never had said that.

22 Sandstrom said, we never -- I never contacted
23 Jorge.

24 And I said, well, why is that you didn't -- I
25 asked Bob Olsen, "Why is it that you didn't tell Detective

76

1 But again, we don't have that. We don't have any
2 of that evidence.

3 We don't have any evidence to corroborate that
4 Bob Olsen -- if anything, it's the opposite. Because of
5 course Bob Olsen didn't talk -- didn't say that he used to
6 call -- that he used to call Jorge to anyone else until he
7 came in today.

8 And what is interesting is that Bob Olsen is
9 still awaiting sentencing, even as of today. He is still
10 awaiting sentencing.

11 His charges got reduced by the State for the
12 information that they gave to him. The plea agreement that
13 was -- that happened between Bob Olsen and the State also
14 included that the State would give a positive and
15 affirmative recommendation for probation.

16 And Bob Olsen is still awaiting sentencing for --
17 for -- I believe it's next month.

18 So does Bob Olsen have a reason to come in here
19 and tell the State and tell -- you know, basically again
20 try to roll on somebody?

21 This is a drug dealer that we don't have any
22 other corroborating evidence.

23 Here is what is interesting. When the State
24 talked about the -- the evidence that they had to support
25 that Jorge was trafficking in drugs, because the State

78

1 Gaylor that?"

2 "Well, he didn't ask the right question." That's
3 what Bob Olsen's answer was. "He didn't ask the right
4 question."

5 What happened before Bob Olsen decided that he
6 wanted to come and try to work off some of his charges?
7 What had happened prior to that was that Clinton Sandstrom
8 had rolled on -- on Bob Olsen.

9 And Clinton Sandstrom had also rolled on Hector
10 Ramirez.

11 And, of course, from the testimony, Hector
12 Ramirez was Bob Olsen's source.

13 So detective -- or so Bob Olsen then decided who
14 he was going to attempt to point the finger at.

15 But here is what is important about that.

16 There is nothing that corroborates that. There
17 is nothing -- there has been no evidence that has been
18 provided by the State to corroborate that -- that Jorge had
19 any drug dealing with Bob Olsen, where Bob Olsen would call
20 Jorge.

21 Nothing to corroborate that.

22 Now, had the officers gotten -- searched Bob
23 Olsen's house and gotten his cell phone and searched that,
24 if there was anything to corroborate it, could have been on
25 there.

77

1 explained the charges that Jorge had, that he was charged
2 with the -- he was charged with possession -- trafficking a
3 controlled substance for the drugs that were in the brown
4 barn, for the methamphetamine.

5 He was also charged with trafficking the cocaine
6 that was found in the brown barn.

7 The State talked to you about, let me tell about
8 what we have to support those charges against Jorge, to
9 show -- because, again, it doesn't have to be, as the State
10 indicated to you, physical, actual possession. It can be
11 constructive possession.

12 And that constructive possession, said, well,
13 first off, it's his property. How would he not know that
14 this was going on on his property.

15 Jorge gave a place for Hector to stay in his
16 trailer, for Eduardo to stay in the trailer. From what you
17 have heard they were caretaking the birds for him.

18 Now, again, one of the -- one of the juror --
19 jury instructions that you will get talks about mere
20 presence, that mere presence on a property doesn't mean --
21 does not automatically mean that somehow you know that you
22 are in possession or that you should know that you are in
23 possession of particular drugs.

24 It actually talks about mere proof of opportunity
25 and access to a place where an item is located cannot alone

79

1 support a finding of possession of that item. Without
2 more, mere presence in an area where an item is discovered
3 or mere association with a person who does control that
4 item or the property where it is located is insufficient to
5 support a finding of possession.

6 So the State says yes, but there is more. So
7 they say, first, it's Jorge's property. Then Hector was
8 driving Maria's, Jorge's wife's truck.

9 Well, as we know, we know that Hector was one of
10 the caretakers for the birds. There was some indication
11 that -- the detectives were asked questions by Mr. Woodbury
12 about whether or not Hector owned a car or anything such as
13 that.

14 And again, there was no indication that Hector
15 owned a vehicle. So again, he was utilizing another
16 individual's -- Jorge's's wife's vehicle.

17 That Maria, Jorge's wife, there was an insurance
18 card found in Eduardo's trailer.

19 Now, this insurance card again was for the truck
20 and also some other vehicles. Multiple vehicles are listed
21 on there.

22 It was found in -- in Eduardo's trailer. Again,
23 I believe -- and I could be wrong -- but I am pretty sure
24 that was actually found in one of the outside containers or
25 outside compartments of his trailer.

80

1 sense." And he talked about that there is one of -- there
2 is a jury instruction about common sense.

3 Here is what's important. Common sense is not a
4 substitute for evidence.

5 Because it is the State's burden. It's the
6 State's burden to prove beyond a reasonable doubt each and
7 every element of the offense that they are charging Jorge
8 with.

9 And when you talk about the trafficking charges,
10 they charged the trafficking charges in these alternative
11 theories. And that's important.

12 Because they said, first, it's trafficking, it's
13 all -- the elements of trafficking, specifically that Jorge
14 Landeros Ruiz, jury must conclude that each -- that every
15 one of the following elements has been proven beyond a
16 reasonable doubt: That the defendant knowingly and -- or
17 intentionally either sold or delivered or was in actual or
18 constructive possession of methamphetamine that's over the
19 28 grams.

20 So that is the first theory. And there -- the
21 State's evidence is that it was his property, that
22 Hector -- Hector drove his wife's car, there was this
23 bucket, insurance card.

24 But then it's this eye witness testimony from Bob
25 Olsen. What is also one of the jury instructions is that

82

1 Next thing the State talks about is that -- the
2 white bucket. There was a white bucket that was in Jorge's
3 house that was the same white -- same type of white bucket
4 that was buried in -- under coop 18.

5 Now, if you recall, some of the testimony that
6 I -- that I asked the detectives about, were -- were there
7 a lot of these white buckets around the property? And the
8 detective said, yeah, there were quite a few of these white
9 buckets around this property. There were hens and roosters
10 being fed, animals being fed. There were these -- these
11 buckets all throughout the property.

12 And then there was the brown container found in
13 the chicken coop that -- the brown barn where there were
14 chicken coops, coop 18, other chicken coops, the other area
15 that had some of the travel boxes for the birds, that
16 somehow because that was there and there were these travel
17 containers that you ship birds in with Jorge's name that
18 somehow, I guess, the drugs were near, that he again
19 should -- should have known or should have possessed.

20 But then -- so those were all of the items, as
21 they were. Again, no direct specific evidence that said,
22 yes, it is clearly -- it's clear that Jorge knew that these
23 drugs were there or that Jorge somehow participated in
24 this.

25 It was -- Mr. Mills said, "Use your common

81

1 you, as the jurors, get to decide what evidence you believe
2 and what -- what testimony you believe and what testimony
3 you don't believe.

4 Is there a reason why an individual would
5 potentially not testify truthfully? Is there a reason why
6 an individual doesn't testify consistently?

7 Because what we know is that the information from
8 Clinton Sandstrom saying that I never called Jorge, I
9 didn't know anything about this, and Detective Gaylor
10 saying that Bob Olsen never told him that they called --
11 that they called Jorge to get him to somehow deliver these
12 drugs; it's important because it's the quality of the
13 witness, where you have got a drug dealer who again is
14 trying to work off his cases, I think is the -- work off
15 the cases is the way in which -- the terms that they use.

16 And it's important.

17 The other theory is that in order to find Jorge
18 Landeros Ruiz guilty of trafficking in a controlled
19 substance, the jury must conclude that every one of the
20 following elements has been proven beyond a reasonable
21 doubt: That the defendant willfully and unlawfully, either
22 aided and abetted another person in the commission of a
23 crime, in the crime of trafficking in a controlled
24 substance, Schedule 1 controlled substance, or directly or
25 indirectly counseled, encouraged, hired, commanded, induced

83

1 or otherwise procured another person to commit the crime of
2 trafficking in a controlled substance -- Schedule 1
3 controlled substance.

4 Again, the evidence is not there. Because again,
5 it's not only each element, but beyond a reasonable doubt.
6 The State's asking this jury to find Jorge guilty, saying
7 that he willfully and unlawfully somehow aided and abetted
8 another person.

9 There is no evidence to show that Jorge aided and
10 abetted either Eduardo or Hector in trafficking a
11 controlled substance.

12 Now, another charge that is out there against Mr.
13 Ruiz is the -- that he -- let me get to that page -- it is
14 under Instruction Number 15, but it's count number 8.

15 That Jorge Landeros Ruiz was maintaining a place
16 for unlawful use of controlled substance.

17 Again, the jury must conclude every one of the
18 following elements has been proven beyond a reasonable
19 doubt: That the defendant owned or maintained a place for
20 the purpose of unlawfully selling, giving away, or using a
21 Schedule 1 controlled substance.

22 So again, it has to be that the defendant had
23 this place, had this property, for the purpose of -- so
24 again, they still have to prove that it was -- that Jorge
25 knew, that he somehow aided and abetted, that he had this

84

1 kept for companionship or pleasure.

2 Now, one thing that the State hasn't mentioned as
3 one of -- explained some of the elements that they would
4 have to prove is what that fourth element of that crime
5 actually means.

6 What does it mean for -- obviously we know what
7 any animal means. But "kept for companionship or
8 pleasure."

9 That's very specific in the statute. It requires
10 that.

11 It requires them to prove that these animals were
12 kept for companionship or pleasure.

13 Again, the State hasn't up to this point
14 explained what companionship or pleasure means in relation
15 to these charges.

16 But, again, remember that he would have to show
17 that these animals were kept for companionship or pleasure.

18 But also what is important is this "willfully and
19 maliciously."

20 There was evidence that Jorge had two caretakers
21 for these animals. So the question is, based upon the
22 actual elements of this crime, is -- did the State prove
23 that Jorge -- by having caretakers, did Jorge willfully and
24 maliciously torture or unjustifiably maim, mutilate or kill
25 these animals.

86

1 place that he allowed these drugs to be sold. Again, they
2 have to prove -- they have to prove that he knew.

3 And again, the common sense is not a substitute
4 for evidence.

5 Now, I want to go on to the animal -- the rooster
6 charges.

7 Now, what is important in these charges -- again,
8 what occurred in this case is that, again, Jorge had
9 caretakers for the birds.

10 The -- every -- each and every element of these
11 charges, it's important. And it's really getting into
12 the -- sort of the weeds of these charges, but it's
13 important.

14 Because you as a jury have to look at each and
15 every element and determine whether or not the State has,
16 in fact, proved each and every element.

17 When it comes to the charges for the roosters,
18 again, there is two groups of charges.

19 The first one is the unlawful killing or maiming
20 of an animal kept for companionship or pleasure.

21 Now, again, the State would have to prove each
22 and every element beyond a reasonable doubt. That the
23 defendant willfully and maliciously -- that's important, it
24 is not just willfully, it has to be maliciously -- tortured
25 or unjustifiably maimed, mutilated, or killed any animal

85

1 Now, what is important is that there has been no
2 evidence up to this point that Jorge took care of these
3 animals.

4 Now, there has been evidence that Jorge had -- I
5 guess paraphernalia for lack of a better term for -- for
6 cockfighting.

7 He had -- in his house, he had the bands and he
8 had some of the gaffs and some of the papers about what
9 cockfighting was, and he had some of the incubators.

10 But there was no -- now, the incubators had eggs
11 in them, and so clearly someone in the main residence
12 obviously was doing something with the incubators.

13 But when the roosters went outside and they were
14 out there and we had Eduardo and Hector, did the State
15 prove that Jorge willfully and maliciously tortured or
16 unjustifiably maimed, mutilated or killed any of these
17 roosters?

18 Now, what I want to leave you with, what's really
19 important, is we need to beware of uncorroborated testimony
20 of a drug dealer rising to the level of proof beyond a
21 reasonable doubt.

22 We need to beware of uncorroborated testimony of
23 an addict, who is morally corrupt, drug dealer motivated by
24 self-interest, used to bring about a wrongful conviction.

25 Because ultimately when it comes down to the

87

1 evidence that the State has provided to this jury about
2 Jorge, about being at all involved in this -- this drug
3 operation, the evidence is simply not there.

4 It is simply not there.

5 There are no fingerprints that were taken off of
6 any of this, these bags or these buckets that were in the
7 ground.

8 It's unclear as to -- I mean there was evidence
9 about Hector potentially digging up or -- or not liking to
10 dig up these drugs out of the ground.

11 Again, initially Detective Gaylor didn't recall
12 ever being given any information about these drugs being
13 buried. How Detective Gaylor knew that or just got lucky
14 to go immediately start digging under coop 18, I don't know
15 if there was additional evidence provided -- or additional
16 information provided to Detective Gaylor. But,
17 ultimately -- initially, again, like I said, he didn't
18 recall getting any information.

19 But ultimately, what it comes down to, is we have
20 Bob Olsen, the only person, this eye witness testimony.

21 What is the reason? Is he consistent?

22 Absolutely not.

23 And does that -- do those items rise to the level
24 of the highest -- the highest level of proof that we have,
25 proof beyond a reasonable doubt, that Jorge Landeros Ruiz

88

1 to you that one of the things that was a problem was that
2 we didn't know what the law was going to be because the
3 judge had to decide that after he heard all the evidence.

4 And that we didn't fully understand or appreciate
5 what was going to be the testimony in the case.

6 But as it turned out, we got the instruction that
7 we were striving for. It's Instruction Number 39.

8 The first paragraph says a person is not liable
9 for a criminal act if he committed it under threats or
10 menaces sufficient to show that he had a reasonable -- he
11 had reasonable cause to believe and did believe his life
12 would be endangered if he -- or he would suffer great
13 bodily harm if he refused to commit the act.

14 That has been the point of the defense for Mr.
15 Ramirez throughout the trial.

16 The question -- questions are, too, was there a
17 threat of injury or death and did he reasonably believe
18 that it would be inflicted on him depending on what he did.

19 So the first thing we had to do and the first
20 thing -- not the first thing we had to do, but at least the
21 point of what we were trying to do, was to get information
22 out to the jury and to the Court about what the cartels
23 looked like, and whether they are involved up here.

24 Because if the cartels are involved, you heard
25 the officers testify, they tell you what to do, when to do

90

1 had anything to do with these drugs.

2 Whether he -- there was no -- the evidence does
3 not support that he aided and abetted. There is no
4 evidence that supports that he maintained a location
5 because he would have had to have known about it.

6 And it's simply -- the State says, well, use your
7 common sense. But that is no substitute for evidence.

8 Hold the State to the standard that they are
9 required to meet.

10 Common sense, absolutely, is important.

11 But again, it's not a substitute for what you
12 hear from this witness stand.

13 So based upon all of the -- the lack of any
14 corroborating evidence to support the State's claim that
15 Jorge Landeros Ruiz was any part of these drugs, we ask
16 that you find Jorge Landeros Ruiz not guilty of all these
17 charges.

18 Thank you.

19 THE COURT: Counsel, thank you for your argument.
20 Mr. Woodbury, ready for closing argument for Mr.
21 Ramirez?

22 MR. WOODBURY: I am, Your Honor.

23 THE COURT: All right. Please proceed, sir.

24 MR. WOODBURY: You all recall that when we gave
25 the opening statement on behalf of Mr. Ramirez, I mentioned

89

1 it, how to do it, where to do it, how much to do, and they
2 tell you to keep your mouth shut.

3 And you heard from the detectives, Gaylor,
4 Eisinger, Smith, Miller, all of them were roundabout about
5 it, but you know that the cartels tell you to do that and
6 if you don't do it, you pay a price. And that price can be
7 your life.

8 And if it's not your life, it's sometimes a
9 lot -- pretty close to your life.

10 Did the officers believe that the cartel was
11 involved even when they went for the search warrant?

12 You will recall we asked questions of Detective
13 Gaylor about paragraph 20 and paragraph 21 of the report --
14 or the application he put in for the search warrant.

15 He wanted permission to have a no-knock search
16 warrant because these people were dangerous. He wanted
17 it -- the Court to know there were cartel people involved
18 and they were very, very violent and they were very
19 protective of what they had.

20 Which means, of course, that Gaylor at least
21 knew, reasonably knew or reasonably suspected enough to put
22 it in an affidavit that the cartels were involved.

23 One thing you may have noticed -- well, among
24 other things, what we told you in the beginning was pay
25 close attention to some of what appeared to be minor league

91

1 facts.

2 Because if you think about it, the -- sometimes
3 human communication is very subtle.

4 An example of a small fact. We did a stipulation
5 with the State. Eduardo pled no contest and he made no
6 statement about the specific facts.

7 Does that seem to accord at all with the idea
8 that he couldn't talk either? He had to keep his mouth
9 shut. He pled guilty.

10 Was there other evidence that is subtle, that
11 show you how much the officers believed the cartel was
12 involved?

13 Brought in a tri-county agency to execute that
14 search warrant. Twenty-two members of at least two SWAT
15 teams, people who come in armed like Marines, to ensure
16 that there were no violence.

17 Well, if the law enforcement officers were that
18 concerned about violence, why would it be unreasonable for
19 Mr. Ruiz to be unconcerned about violence?

20 If they worry about it to that extent, why can't
21 he? Why would it be unreasonable for him to do that?

22 Also involved are not ounces of methamphetamine,
23 not grams of methamphetamine. Pounds of methamphetamine.
24 You understand what that means. Pounds of it.

25 When a simple -- a taking of methamphetamine by

92

1 They have sufficient training and experience to
2 tell you the cartels have rules. And one of the rules is
3 you do what you are told, when you are told you do it, how
4 you are told to do it. And the other rule is keep your
5 mouth shut or you are going to pay a price.

6 Half the time in criminal defense work, criminal
7 defense lawyers are looking and hoping that the cops won't
8 do a very good job, they will do poorly, they will be lazy
9 and -- but they are not.

10 In this case it turned out they didn't do some
11 things very well. And that unfortunately in this case
12 turned out to be a bad outcome for Mr. Ramirez. And unlike
13 the Drug Enforcement Administration, the people who were
14 the feds, who were looking at -- at least the coming in of
15 the -- into the United States of all this methamphetamine
16 and the other drugs, if they would have gotten at that, and
17 interacted with those people, they might have found
18 something out.

19 For Heavens sake, they did not search Eduardo's
20 Mercedes-Benz because they didn't want to damage it.

21 This is a guy that is sitting with four pounds of
22 methamphetamine in his trailer. He is sitting with 800
23 bucks worth of advance funds that they bought dope with and
24 another couple thousand dollars in addition, and they don't
25 look at his Mercedes-Benz. They don't even look in it.

94

1 street user is a gram.

2 A pay/owe sheet they said that was in Mr. Ruiz --
3 Mr. Ramirez's trailer.

4 Didn't turn out to be a pay and owe sheet, but it
5 did suggest to the officers that there are names there and
6 numbers beside those names. And even though it doesn't say
7 it directly, it looks like there are one, one-half, another
8 one, another one-half. It's in evidence, you can look at
9 it.

10 All of which suggests maybe there are talking
11 about ounces and half ounces again, and that is way more
12 than a gram.

13 Thousands of dollars. Thousands of dollars in
14 the hands of Mr. Ruiz, Eduardo Ruiz. Thousands. \$12,000
15 in the trailer.

16 Does that suggest to you that these are minor
17 league players?

18 The car traffic described by the detectives while
19 they were having surveillance of the trailer. Fourteen,
20 fifteen cars. Sometimes cars from California.

21 Did you call California or write to them, tell
22 them that you had -- get the license plate numbers off
23 these cars and tell them? Yes.

24 All of that is cartel, and it is a belief by the
25 officers that they have had a cartel involved.

93

1 But it's worse than that, as Ms. Dunn properly
2 pointed out. They also didn't get in his six cell phones.
3 Had they done that, had they done that, Mr. Ramirez would
4 not be in here trying to get you to buy the proposition
5 that these people are cartel people and that he has to
6 abide by their rules.

7 You would know they're cartel people, because it
8 would have been just exactly like Ms. Dunn said, it would
9 have been in those cell phones if they were.

10 It would have been a lot clearer. And we
11 wouldn't have been fighting about it.

12 No fingerprints. No effort whatever to take any
13 fingerprints off of any of these bags to put them in the
14 hands of other people. My Heavens, they have national
15 processes for fingerprints and they have processes for DNA.

16 And what did they do? Nada.

17 At what level was the defendant, Mr. Ramirez, in
18 this?

19 He is 34 years old. He is represented by an
20 appointed lawyer. He didn't own a car. He didn't own a
21 home. He lived in little, short travel trailer. He had
22 very little money.

23 He involved himself in the most high-risk
24 proposition you can get in in the drug world, and that's
25 putting the dope in your car and driving down the highway

95

1 out where the cops can see you and going to a home to
2 deliver it.

3 You think he did that because he was -- hadn't
4 been told to do that? Where would he get the money to buy
5 a thousand dollars worth of dope?

6 Given what you know about what was found on him
7 when the officers came and arrested him, where did he get
8 the money to buy that kind of dope?

9 Given that fact that Eduardo has got a bunch of
10 that control money? Well, of course he got it from
11 Eduardo.

12 And I don't mean to suggest to you, ladies and
13 gentlemen, and I don't even mean to -- I would -- I try to
14 avoid it every way I can, that Eduardo is very high up the
15 ladder.

16 He is not.

17 He is a little guy that lives in Elko, Nevada, on
18 a farm or a small piece of property out in Osino.

19 He is not far up the ladder.

20 And because they didn't get in his cell phone,
21 they didn't get in his Mercedes-Benz, didn't even get him
22 to talk when he pled guilty to the crime, we'll never know
23 who is farther up the ladder.

24 What was Eduardo saying to Mr. Ramirez?

25 What was he telling him?

96

1 of methamphetamine in his trailer.

2 It isn't his trailer. Somebody's trailer. But he
3 is living there.

4 On the other hand, there is a bag of -- the
5 trafficking amounts are in a pink, closed, sealed bag that
6 the detectives told you -- or at least one of the detective
7 told you -- are hard to assign whether they are special or
8 something.

9 We would suggest to you that the trafficking
10 amount found in his travel trailer, his brown trailer, had
11 to do with the shipment he was -- had been ordered to make
12 later.

13 And he was doing it because he was ordered to do
14 it and he was told, you do it, you commit a crime, threats
15 or menace is sufficient to show that he had reasonable
16 cause to believe and did believe he would be -- his life
17 would be taken or he would be seriously injured.

18 That's what we think the travel trailer meth is
19 all about.

20 You know he has family in Mexico. You know that
21 because you can see in the -- which is another thing, of
22 course, that his letters, his personal correspondence -- it
23 isn't really correspondence, it's just personal material --
24 are in the Ulloa car and in the travel trailer, the Travel
25 Supreme trailer, belonging to Eduardo.

98

1 You can never know that.

2 He has got -- we think that the evidence

3 establishes he has got a rule that says, keep your mouth
4 shut, Ramirez, or you are going to pay a price.

5 What's against that? Well, most of the people
6 who die, die in Mexico, 50,000 of them I think the officer
7 said, a year.

8 I imagine we all want to show, all us males at
9 least want to show everybody our big biceps, want to show
10 you that we can stand up and say, You can't kill me, buddy,
11 I'm going to do what I want to do.

12 I don't think any of us is that tough.

13 Another example of a little something that came
14 up, and actually Ms. Dunn mentioned it, but it -- but you
15 can see how this stuff can get by you.

16 Ramirez tells Sandstrom, I guess. He complains,
17 according to Sandstrom, "I have to dig this stuff up."

18 You know he didn't bury it. If he complains
19 about having to dig it up to do what he is told to do, you
20 know he didn't bury it. You know somebody else told him to
21 bury it, if he did. You know somebody else is running the
22 show. It's not very complicated, ladies and gentlemen.

23 Is he a person who takes methamphetamine?

24 You would probably all fall out of your chairs if
25 I told you no. Because he has got tooters and an open bag

97

1 That's how high up the ladder he is.

2 His personal stuff, it's not in his travel
3 trailer. It's in cars belonging to other people.

4 He is way down on the list.

5 Did you find anything like scales? Did you hear
6 evidence about finding scales there in that brown trailer?
7 Nope.

8 So how do you cut this meth up? Say somebody
9 wants to buy an ounce of meth, how do you figure out how
10 much an ounce of meth is without a scale?

11 He didn't have it. Eduardo did.

12 Not a sign of a baggie where he could have put
13 something in the travel trailer.

14 But I will tell you an interesting fact, of
15 course, that perhaps you have overlooked. There wasn't a
16 baggie any place on that 2.7 acres they searched.

17 Unless they overlooked it on a search or it was
18 somewhere where the -- they didn't search.

19 Who knows.

20 But there was no baggies. There were no baggies
21 in the Ramirez trailer. No baggies on Ramirez's person.

22 What there is, is a gun. Some -- with -- a
23 revolver with a cylinder open and no bullets in it.

24 Boy, he is a threat to somebody, ain't he?

25 You have a gun in your house with no bullets in

99

1 it, you are a threat.
2 But wait a minute, he must have bullets somewhere
3 in that house. The answer from Miller is he did not.
4 Now, that would have been nice to have Mr.
5 Ramirez tell you about that gun. But he didn't testify.
6 How did he get involved in it?
7 How does 34-year-old man get involved at this
8 level?
9 No testimony.
10 What about the chicken evidence?
11 What about the chicken evidence?
12 Ms. Dunn, I'm sorry to insult her -- I don't mind
13 that bad, but I will -- I'm sorry, she said that there were
14 two chicken caretakers.
15 Whoa. Gaylor said that Eduardo described himself
16 as a chicken manager. It was only Ramirez who was
17 described himself as a caretaker.
18 There is absolutely nothing in his trailer house,
19 on his person, any way or shape associated with him, that
20 amounts to something that shows he has knowledge of what to
21 do to a chicken to make him fighting-ready; that he had a
22 knife to slice off their combs and their wattles. Nothing.
23 Is there a remnant of a chicken somewhere in the
24 travel trailer, in his trailer?
25 Nope, nothing.

100

1 to go buy automatic feeders, then so be it.
2 Juries can decide those kinds of things. But
3 it's not very fair if you decide that.
4 Pardon me for being short about this, but the
5 answer is that if you can find by a preponderance of the
6 evidence this guy was doing what he was told to do, then
7 you ought to acquit him of the drug charges.
8 I don't think you can acquit him of the firearm
9 charges. He has got a weapon -- no bullets -- but there is
10 a pistol in his house and there is a tooter in his house
11 and both of those suggest to you he had a drug problem.
12 That's a violation of the statute.
13 The fact is that he is a minor, minor, bit player
14 in this.
15 And if law enforcement, including those guys,
16 would have pushed this a little bit, the world would have
17 been a whole lot better because they could have got up a
18 level or two in these cartels instead of trying to get a
19 34-year-old, minor-league player in prison for a very, very
20 long time.
21 THE COURT: Mr. Woodbury, thank you for your
22 argument.
23 So, this brings us to a rebuttal argument for the
24 State if it wants, Mr. Mills.
25 MR. MILLS: Thank you, Your Honor.

102

1 why didn't the cops do the fingerprints? They
2 have got knives. They say they found knives or something
3 out there in the -- on the table out there in the -- by the
4 chicken coops.
5 Why didn't do they do a knife? Why didn't they
6 do a fingerprint? Why didn't they do something that shows
7 it's him?
8 He doesn't have a book. There is no evidence
9 before you whatever that he even has a clue of how to cut
10 off a wattle. Maybe he doesn't even know what a wattle is.
11 He doesn't have an incubator. He doesn't have
12 anything to do with a chicken.
13 But what he did have was -- and I can't remember
14 whether it was Ms. Morgan or Ms. Smith that informed you
15 there were five hundred chickens out there, roosters and
16 hens.
17 There were a periodic automatic feeder, no
18 automatic water supply. And one of those two ladies said
19 just to keep those chickens at the level they were would be
20 a full-time job.
21 Who do you think was doing that? Old Eduardo?
22 It was him. He is the guy.
23 And if you -- if you find in your wisdom that
24 somehow or another this guy, who is a chicken caretaker out
25 there, is responsible to go buy bigger cages, responsible

101

1 THE COURT: Is there a rebuttal?
2 MR. MILLS: Yes, Your Honor.
3 THE COURT: All right. You may do that now.
4 MR. MILLS: The last time I spoke to you, I said
5 good morning. I guess I will say good afternoon.
6 It's -- you have all been here a long time. The
7 State thanks you for your time and for your attention and
8 for your patience. I will try not to take up too much more
9 of your time.
10 But I would like to respond to some of the points
11 made by Mr. Woodbury and Ms. Dunn.
12 So I guess I will kind of take it in reverse
13 order and talk about some of the points that were made by
14 Mr. Woodbury. Work backwards. First talk about the
15 chickens, then the drugs, then I will talk about some of
16 the points that Ms. Dunn made.
17 So with regards to the chicken stuff as
18 pertaining to Hector of -- you know, Mr. Woodbury is
19 talking about, you know, manager versus caretaker versus
20 owner.
21 So Hector told the detective, "I take care of the
22 chickens, I'm a caretaker."
23 I believe there was evidence that Eduardo said
24 something about being a caretaker, possibly manager.
25 And Jorge told the detective, "I own the majority

101

1 of the chickens."

2 And then you have got boxes in the chicken
3 receiving area, the mail boxes. And I guess mail boxes is
4 a confusing term. The boxes for the mailing of chickens,
5 of live chickens. That had all kinds of names on them.

6 You recall whose names they were. It was Hector
7 Ramirez and Jorge Landeros and Landeros Ruiz.

8 So to suggest that they weren't involved in this
9 is -- it defies common sense and reasoning.

10 And Hector. I take care of the chickens, boxes
11 out there have my names on them.

12 Mr. Woodbury says, you know, there is no, you
13 know, evidence of the cutting of combs and wattles and
14 whatnot.

15 But there was testimony from Dr. Goicoechea about
16 finding scissors and shears and some cut flesh, stuff like
17 that, in the barn area where the -- where a lot of the
18 chickens, where those boxes were with Hector's and Jorge's
19 names on them, that there were scissors and shears there.

20 So it is not -- it doesn't take a wild leap to
21 conclude that -- that Hector, Jorge, Eduardo, all three of
22 them were involved in this stuff.

23 Eduardo had, you know, the cockfighting stuff in
24 his trailer with the knives and whatnot.

25 Jorge obviously had oodles of that stuff in his

104

1 defendants have brought up is the cell phones, right. Like
2 Eduardo's cell phones, for example. There were multiple
3 cell phones found in his trailer, a cell phone I think from
4 his person as well. They were never searched.

5 And that was due to a miscommunication that --
6 that was exactly what Detective Gaylor testified to, as Ms.
7 Dunn pointed out, that there was a miscommunication and
8 Eduardo's phones did not end up getting searched.

9 So we don't -- you know, we don't know what is --
10 what is on Eduardo's phones. And to speculate about that
11 would be exactly that. Speculation.

12 And Mr. Woodbury mentioned had they done that,
13 had they searched, you know, the phone, you know, it would
14 have shown X, Y or Z.

15 But that's speculation. We don't know what would
16 have been on Eduardo's phones.

17 So instead of focusing on what you don't have,
18 like, oh, you know, fingerprints and cell phones searches,
19 what the State would invite you to do is focus on what you
20 do have. What is the hard, concrete, factual evidence that
21 you do have in front of you, and is that sufficient to
22 prove these charges beyond a reasonable doubt.

23 And I want to read that definition to you, the
24 definition of beyond a reasonable doubt.

25 I'm going to go grab my jury instructions which I

106

1 residence, with the knives, the instructions on
2 cockfighting.

3 And then all three of them are in the -- in the
4 chicken stuff up to their neck.

5 Let me talk just a little bit about some of the
6 evidence that you don't have.

7 And both Mr. Woodbury and Ms. Dunn brought this
8 up that, you know, what about DNA testing and fingerprint
9 testing, that sort of thing?

10 Well, the testimony from the witnesses was this.
11 So Sergeant Smith testified that they don't typically do
12 DNA and fingerprinting for drug cases.

13 It's not like CSI on TV shows.

14 Detective Miller testified that the crime lab is
15 not ordinarily amenable to doing fingerprints in these kind
16 of drug cases. He says there needs to be a body even to,
17 you know, expend resources to do that sort of thing. In
18 other words, homicide cases.

19 Even Brad Taylor, the expert from the crime lab,
20 whose specialization is not DNA and fingerprinting, by the
21 way, but he tested the drugs. But he does have a little
22 bit of knowledge about how that stuff works at the crime
23 lab. And he testified that they don't ordinarily do DNA
24 for drug cases.

25 So another piece of evidence that -- that both

105

1 left at my desk.

2 So, ladies and gentlemen of the jury, this is
3 Jury Instruction Number 5. The State agrees with Ms. Dunn.
4 The State does have the obligation of proving these charges
5 beyond a reasonable doubt. We should be held to that
6 standard. And that standard has been met and more.

7 And what exactly is that standard? Let's take a
8 look at it.

9 This is Jury Instruction Number 5, which defines
10 beyond a reasonable doubt.

11 A reasonable doubt is one based on reason. It is
12 not mere possible doubt, but such a doubt as would govern
13 or control a person in the more weighty affairs of life.
14 If your minds, if the minds of the jurors, after
15 considering the evidence, is in such a condition that you
16 can say that you feel an abiding conviction of the truth of
17 the charge -- so if the minds of the jurors, after
18 considering the evidence, are in such a condition that they
19 can say they feel an abiding conviction of the charge,
20 there is not a reasonable doubt.

21 And this last statement is important.

22 "Doubt to be reasonable must be actual, not mere
23 possibility or speculation."

24 So speculation does not suffice to create
25 reasonable doubt.

107

1 If there is an abiding conviction of these
2 charges, of the truthfulness of these charges in your
3 minds, then there is no reasonable doubt.

4 And far-flung speculation does not create
5 reasonable doubt.

6 So don't focus on what you don't have, focus on
7 what you do have. And what you do have is abundant
8 evidence that both of these individuals was involved deeply
9 in drugs and in cockfighting.

10 Now, with regards to Hector, let me talk about
11 that first and this duress defense. So as Mr. Woodbury
12 stated -- this is Jury Instruction Number 39, which says,
13 "A person is not liable for a criminal act if he committed
14 it under threats or menaces sufficient to show that he had
15 reasonable cause to believe and did believe his life would
16 be endangered or he would suffer great bodily harm if he
17 refused to commit the act.

18 "A defendant raising this defense, also known as
19 the defense of duress, has the burden of proving the
20 defense by a preponderance of the evidence."

21 So this is one of those -- this is a rare
22 exception in criminal law where the State does not have the
23 burden.

24 So this defense that Hector Ramirez is putting
25 on, this idea that I had to do this stuff because I was

108

1 that he is not an expert on cartels. Testified that he
2 never saw signs of cartels in Elko. Testified that he was
3 unaware of anyone being killed or harmed by the cartel in
4 Elko.

5 Now, Detective Gaylor, former Detective Gaylor,
6 and quote -- this is a quote of a question. "Do you have
7 any firsthand knowledge of cartel involvement in this
8 case?" End quote.

9 Response: "No."

10 Ms. Dunn asked Detective Gaylor, So there is no
11 substantiating any rumors of cartel violence in Elko,
12 correct? He was like, yeah, there is no substantiating
13 those rumors.

14 No retribution taken against Sandstrom or Olsen,
15 the two drug dealers that were putting their necks on the
16 line to testify in this case.

17 They haven't been harmed. You saw them. They
18 are unharmed.

19 Sandstrom was asked about this, Clinton
20 Sandstrom, one of the informants, was asked about this. He
21 said he speculated the cartel might be involved because of
22 the amount of meth involved. And we are talking about a
23 lot of meth in this case.

24 But he was asked, quote, "But you have no idea if
25 the cartel actually was involved, if they actually were?"

110

1 threatened, I was faced with threats and menaces that I
2 would be harmed or killed if I didn't sell drugs and
3 whatever other crimes he is charged with, that sort of
4 defense is called a duress defense.

5 And it's something called an affirmative defense,
6 where the burden shifts from the prosecution to the
7 defense.

8 So the State does not have the burden of
9 disproving beyond a reasonable doubt, you know, whether he
10 acted under duress or not in selling drugs.

11 Rather, he has the affirmative burden of proof of
12 proving by a preponderance of the evidence that, yes, he
13 committed those -- those crimes of selling drugs but he did
14 so -- but that is excused because of the threats.

15 Well, what threats, you might ask?

16 There are no threats.

17 Let's review the evidence on that point.

18 There has been -- the State would submit that
19 there has been zero evidence of any specific, colorable,
20 direct threats to Hector Ramirez.

21 Here is what the witnesses testified to.

22 There was some generalized testimony about
23 cartels and cartel violence south of the border, is what
24 some of the witnesses said.

25 So Detective Miller, for example, he testified

109

1 And he said, "No, I don't have any specific knowledge that
2 they are involved." Just speculation basically.

3 Even if the cartel were involved, you can't go to
4 work for the cartel and then turn around and use that as a
5 defense.

6 It doesn't work that way.

7 It works the way it reads in the Instruction 39.

8 And the burden is on the defendant to prove that
9 and he has not proven it.

10 Now, one more point I would like to touch on
11 before I end my closing. And I would like to turn my
12 attention a little bit to Mr. Ruiz.

13 And really, as you've heard both myself and Ms.
14 Dunn talk about, what this comes down to is, you know, was
15 he involved in the drug stuff.

16 So he was living in a residence. No drugs were
17 found in the residence.

18 But he was involved. The evidence shows that.
19 And let me go over some of that.

20 So it's not just that Hector was selling drugs
21 from the property at 5647 Kale Drive, the property owned by
22 Maria and Jorge.

23 It's not just that there were drugs found all
24 over the property and that Jorge's name was literally all
25 over this case, this property. I'm referring to the

111

1 mail -- the mail -- mailer boxes for mailing the live birds
2 that Jorge's names was on, in the same vicinity where a lot
3 of the methamphetamine was found.

4 It's just -- it's implausible that he wasn't
5 involved and that he didn't know what was going on.

6 Now, how does he not notice any people digging
7 and -- burying and digging up large quantities of
8 methamphetamine on his property?

9 The property, by the way, which the evidence
10 suggests that, you know, he owned from the outset and built
11 from the ground up.

12 If you look at that deed -- this is I think
13 Exhibit 108 -- when that property was purchased by -- by
14 the defendant Jorge and his wife Maria back in 2012, it
15 was -- there was a box checked "vacant lot."

16 So all that stuff you see in the video, all the
17 chicken coops, all the -- you know, the barn, the house,
18 all that stuff was built subsequently after they purchased
19 it.

20 And he doesn't know what is going on on that
21 property? He has nothing to do with it?

22 It defies common sense.

23 But the kicker is Bob Olsen.

24 It is fair to ask, as Ms. Dunn has, well, he got
25 a plea deal, right. You know, he had incentive to come

112

1 Number one, well, virtually all the statements he
2 made turned out to be true.

3 For example, the gun. This is -- Exhibit 144 is
4 the actual gun. Exhibit 41 is a photograph of the gun.

5 The revolver with the scope. Very distinct gun.
6 It's a revolver with a scope. It was found in the
7 nightstand next to Jorge Landeros Ruiz's bed during the
8 execution of the search warrant.

9 Now, you might ask, well, why is that relevant?
10 Or what does that have to do with anything?

11 Here's why it's relevant. It corroborates Bob
12 Olsen's story.

13 If you remember his testimony, he testified about
14 selling a gun to Jorge Landeros Ruiz.

15 And it was that very gun. He testified that that
16 was the gun that he sold to him.

17 And sure enough, when they served the search
18 warrant, they found that gun in his bedroom, in his
19 nightstand.

20 Bob Olsen testified accurately about Hector's
21 trailer being on the property.

22 And number three, he testified accurately about
23 the location of the meth.

24 If you recall, Bob Olsen testified that he
25 personally obtained methamphetamine from Jorge Landeros

114

1 testify.

2 And to an extent that's true. Technically what
3 happened was that -- and I believe we heard this in
4 trial -- that the plea deal was not entered into until --
5 until after he gave his statement.

6 But he did meet with Detective Gaylor and provide
7 a statement with his attorney in his criminal case with the
8 expectation that he might be offered a plea deal.

9 And then after he gave the statement, he did, in
10 fact, enter a plea deal with the State to testify in this
11 case.

12 And he -- he is receiving consideration in that
13 regard for testifying in this case.

14 But Ms. Dunn used the word "corroboration" a
15 couple of times. And it's a good word to use in talking
16 about this issue.

17 How -- and what corroboration means is other
18 evidence supporting what someone is saying.

19 And so what evidence is there corroborating Bob
20 Olsen's testimony.

21 And, you know, she suggested it wasn't
22 corroborated. The State would suggest that it is.

23 There's lots and lots of evidence corroborating
24 Bob Olsen's testimony, suggesting that he is telling the
25 truth.

113

1 Ruiz on a couple of occasions. One time Jorge took it out
2 of his pocket and handed it right to him.

3 And then on another occasion, Bob Olsen testified
4 that Mr. Ruiz went back by the barn or shed, the chickens
5 were in there is what he testified to, the place where the
6 chickens were, and obtained methamphetamine and brought it
7 back out and gave that to Bob Olsen.

8 You talk about corroboration, that is
9 corroboration.

10 Bob Olsen's testimony of where the defendant
11 obtained the drugs is exactly where they were found when
12 the search warrant was executed.

13 The evidence shows unequivocally all three of
14 these guys were in this together.

15 It doesn't have to be just one or two or -- of
16 them. It's all of them can be in it together, and the
17 evidence shows that they were.

18 The State is requesting that you convict them of
19 all of the charges that you see in the criminal
20 information.

21 Thank you for your time.

22 THE COURT: And thank you, counsel, for your
23 arguments.

24 (WHEREUPON, the closing arguments were concluded)

25

115

1 STATE OF NEVADA)
2) SS.
3 COUNTY OF ELKO)
4 I, LISA M. MANLEY, Official Court Reporter of the Fourth
5 Judicial District Court, Dept. II, of the State of Nevada,
6 in and for the County of Elko, do hereby certify that I was
7 present in court during all the proceedings had in the
8 matter of the State of Nevada, plaintiff, versus
9 HECTOR HUGO RAMIREZ-DE LA TORRE and JORGE LANDEROS RUIZ,
10 defendant, heard at Elko, Nevada, on January 27, 2021, and
11 took verbatim stenotype notes thereof; and that the
12 foregoing 115 pages contain a full, true and correct
13 transcription of my stenotype notes so taken, and a full,
14 true and correct copy of all proceedings had.

15
16 

17 LISA M. MANLEY - CCR No. 271

18 OFFICIAL COURT REPORTER
19
20
21
22
23
24
25

< Dates > February 27, March 4 35:1, 40:16 January, 2021 17:20, 33:20 March 14 44:22 March 19 41:5 March 19, 2019 36:1 March 7 35:1, 40:16 #2218 2:29 \$10,000 37:7 \$12,000 69:8, 93:14 \$800 69:8	11:18 28:18 11:20 29:18 11:26 29:19 11:31 31:23 12 23:17, 24:7, 27:15, 27:23, 46:5 1201 2:29 12:19 64:4, 64:8 13 25:20, 26:13, 27:2, 27:7, 27:14, 28:8 133. 58:14 135 11:23 136. 36:11 14 25:20, 26:13, 27:2, 27:8, 27:14, 28:8, 43:12, 43:16 144 114:3 148. 48:3 15 84:14 15-minute 18:2 152 47:22 18 36:8 36:12, 53:20, 54:24, 57:16, 59:25, 70:19, 81:4, 81:14, 88:14 18. 59:21 187 58:5 19 44:22 19-year-old 7:14 194.010(8) 11:24, 12:4, 13:12 194.010(8). 13:3 1:35 64:5 1:40 64:5 1:44 64:9	2 17:2, 51:5 2.7 99:16 2.7-acre 68:1 20 91:13 2012 112:14 2018 65:21 2018. 65:22 2019 11:22, 66:5, 67:4 2019. 34:20 2021 1:20, 116:10 21 7:17, 91:13 22 41:14, 41:19, 42:3, 42:9 2465 64:11 2465. 28:22, 29:22, 31:25 248 45:13, 45:15 25 45:16, 45:20, 46:4, 46:7, 50:9 26 46:5 268 37:11, 41:6 27 49:10, 50:1 271 1:25 27th 17:20, 33:20 28 39:7, 39:24, 40:3, 40:4, 40:12 40:20, 40:24, 41:1, 41:6 43:11, 43:15, 44:20, 45:5, 50:2, 52:20, 54:21, 60:5, 82:19 28. 45:23 2nd 2:7	32 5:18, 5:19, 5:24, 6:8, 8:8 33 3:4, 5:18 34 95:19 34-year-old 100:7, 102:19 38 49:11 39 11:17, 13:19, 108:12 39. 9:14, 12:5, 90:7, 111:7	< 4 > 4 3:3, 38:18, 40:14 4. 41:7 41 114:4 48 20:4 22:20, 26:17, 29:8, 29:9, 30:4, 30:23, 32:15, 32:23, 33:4, 33:19 48. 28:14, 30:17, 32:17	< 5 > 5 38:16 43:24, 44:4 44:19, 107:9 5. 13:5, 107:3 50 46:5 50,000 97:6 52 19:21 540 2:6, 2:14 5647 35:13, 35:17, 35:18, 40:18, 46:20, 111:21	< 6 > 6 24:6, 25:15, 25:24, 26:22, 45:2, 52:15, 52:16, 53:1, 54:14	63 4:15, 4:21, 16:16, 17:17, 17:19, 20:20, 32:17 65 3:5	< 7 > 7 24:7, 26:22, 52:16, 53:1 7. 25:15	< 8 > 8 45:2, 51:11, 52:15, 52:16, 53:2, 84:14 8.26 51:12 800 94:22 89 3:6 89502 2:30 89801 2:8, 2:16, 2:27	< 9 > 9 45:22 45:25, 49:2, 49:10, 50:1, 52:19 9. 45:22 9:11 a.m. 1:21 9:28 15:20 9:38 15:21	< A > a.m. 15:20, 15:21, 19:19, 28:17, 28:18, 29:18, 29:19, 31:23 abetted 55:14, 55:25, 56:13, 56:17, 57:1, 83:22, 84:7, 84:10, 84:25, 89:3 abetting 56:3	abide 95:6 abiding 107:16, 107:19, 108:1 able 42:20, 100:7, 102:19, 73:15 above 41:6 above entitl ed 1:19 absence 12:16 Absolutely 88:22, 89:10, 100:18 abundant 108:7 abusing 49:16 accept 18:23, 33:14, 63:11 acceptable 26:2 access 79:25 accord 92:7 according 97:17 accounts 19:9, 63:23 accurate 6:14, 22:15 accurately 14:2, 114:20, 114:22 acknowledgin g 12:3, 12:11 acquit 102:7, 102:8 acres 99:16 act 5:25, 7:1, 7:11, 7:20, 7:21, 7:23, 8:13, 8:23 12:12, 49:12, 90:9, 90:13, 108:13, 108:17 act. 7:3, 7:5, 8:1, 12:10 acted 109:10 acts 49:15 Actual 23:9	39:15, 41:20, 42:1, 42:3, 42:5, 42:7, 42:10, 42:16, 54:19, 79:10, 82:17, 86:22, 107:22, 114:4 actually 5:22, 10:10, 13:25, 22:5, 27:22, 41:23, 45:21, 69:9, 69:21, 72:4, 72:17, 73:16, 73:25, 79:24, 80:24, 86:5, 97:14, 110:25 add 6:10 added 6:12 addict 44:2, 87:23 addicted 44:2 addition 26:16, 63:5, 68:19, 94:24 additional 8:10, 88:15 address 35:15, 35:17, 35:18 Administrati on 94:13 admitted 34:6, 43:4 44:24, 46:18, 46:25, 47:1 advance 94:23 Advanced 13:1 affairs 107:13 affidavit 91:22 affirmative 11:5, 12:7, 12:17, 12:23, 13:9, 13:13, 13:17, 78:15 109:5, 109:11 affixed 48:13 afternoon	65 3, 65:8, 103:5 age 7:17 agency 92:13 aggressive 48:16 agree 21:22, 24:24, 25:1, 25:24, 56:22, 57:3, 57:4 agreement 78:12 agrees 107:3 ahead 7:9, 18:3, 28:2, 62:14, 72:17 aided 55:13, 55:25, 56:13, 56:17, 57:1, 83:22, 84:7, 84:9, 84:25, 89:3 aiding 56:2 ain't 99:24 all 33:23 alleging 41:22, 44:4, 54:23, 55:2, 55:20 allow 11:9 allowed 56:4, 85:1 alone 47:15, 79:25 already 26:11, 27:21, 62:3, 70:4 altered 48:10, 50:16 alternate 45:6, 45:23 alternates 4:12, 16:11, 29:6, 29:21, 32:8, 64:19 alternating 52:20 alternative 24:7, 25:17, 25:22, 25:25,
27:17, 27:23, 54:7, 55:9, 55:19, 56:21, 82:10 Although 42:9, 49:16, 70:18 ALVIN 1:22 amenable 105:15 among 91:23 amongst 18:8, 62:18 amount 98:10, 110:22 amounts 98:5, 100:20 analysis 21:7 ancient 12:7 animal 45:7, 45:8, 45:18, 45:19, 45:22, 45:23, 46:1, 46:10, 46:11, 46:12, 49:1, 49:4, 49:6, 49:7, 49:16, 49:23, 49:25, 52:18, 52:20, 62:4, 85:5 85:20, 85:25, 86:7 animals 45:4, 46:15, 49:20, 50:5, 52:25, 62:1, 81:10 86:11, 86:17, 86:21, 86:25, 87:3 announced 10:15 answer 77:3, 100:3, 102:5 Anybody 15:16 Anyway 6:7 apparent 32:14 apparently 36:24 appeared	91:25 appears 25:14, 74:10 Apple 72:15 application 91:14 applied 13:7, 35:10, 35:25 applies 7:17, 34:14 apply 9:20, 14:8, 14:9, 33:3, 35:12 35:14, 42:23 appointed 95:20 appreciate 9:4, 65:11, 65:12, 90:4 approximatel y 40:25, 69:12 area 47:6, 57:8, 58:21, 80:2, 81:14 104:3, 104:17 areas 70:15, 74:22 argue 14:8, 18:4, 27:6 arguing 12:12 ARGUMENT 3:4, 3:5, 3:6, 3:7, 8:4, 8:6, 8:10, 9:4, 10:19, 10:21, 18:3, 22:22 27:25, 31:21, 33:23, 33:24, 38:9, 61:13, 62:13, 63:3, 65:2, 89:19, 89:20, 102:22, 102:23 arguments 16:20, 16:24, 62:16, 63:3, 64:6, 64:25, 115:23, 115:24 armed 92:15 around 47:4,	51:4, 81:7, 81:9, 111:4 arrested 66:6, 66:7, 67:6, 67:7, 73:25, 74:2 75:14, 75:16, 96:7 aspect 19:13, 64:2 asserted 11:25 assertively 49:16 assign 98:7 assist 33:10 assisted 16:7 assisting 29:1, 30:1, 32:4, 64:15 associated 100:19 ASSOCIATES 2:28 association 80:3 assume 11:14, 31:13 attempt 66:10, 77:14 attempted 74:12 attention 34:2, 65:3, 91:25, 103:7, 111:12 Attorney 2:5, 2:13, 2:20, 75:13, 113:7 Attorneys 4:7, 4:10, 16:3, 16:5, 28:25, 29:3, 29:25, 30:7, 32:3, 32:5, 34:12, 64:14, 64:16 automatic 101:17, 101:18, 102:1	automaticall y 79:21 avoid 96:14 awaiting 78:9, 78:10, 78:16 aware 7:19, 7:20, 7:22 13:14, 55:7 awareness 6:1, 7:3, 7:5, 7:10, 8:1 away 9:22, 84:20	< B > back 4:11, 27:15, 28:19, 28:24, 29:4 29:20, 29:24, 32:2, 32:24, 34:20, 45:21, 46:22, 58:22, 62:8, 62:15, 64:6, 64:10, 64:13, 65:19, 66:3, 112:14, 115:4, 115:7 backwards 103:14 bad 94:12, 100:13 bag 97:25, 98:4, 98:5 baggie 99:12, 99:16 baggies 72:1, 99:20, 99:21 bags 36:9, 36:11, 53:20, 59:20, 60:2, 88:6, 95:13 bands 87:7 Barainca 2:11, 4:11, 16:3, 29:4, 30:3, 32:6 64:17, 75:13 barn 36:14,	47:6, 53:22, 55:1, 57:16, 58:16, 58:23, 70:3, 70:8, 70:9, 71:1, 71:4, 79:4 79:6, 81:13, 104:17 112:17, 115:4 based 25:25, 35:8, 35:23 37:16, 71:14, 73:18, 86:21 89:13, 107:11 basically 27:8, 39:2, 50:22, 76:15, 78:19, 111:2 basis 56:19 beak 50:14 became 32:14, 66:9 become 50:24 bed 114:7 bedroom 47:23, 59:13, 59:24, 61:15, 61:16, 72:4, 114:18 began 65:21, 65:23 beginning 17:3, 65:20, 66:5, 91:24 behalf 89:25 belief 93:24 believe 5:18, 8:7, 13:24, 23:15, 28:8 68:17, 78:17, 80:23, 83:1, 83:2, 83:3 90:11, 90:17, 91:10, 98:16, 103:23, 108:15, 113:3 believed 26:7, 71:2, 92:11 believes	11:7, 27:13 belonging 98:25, 99:3 beside 93:6 better 19:21, 87:5, 102:17 beware 87:19, 87:22 beyond 5:25, 7:2, 23:12 24:10, 25:13, 27:20, 53:8, 54:16, 55:12, 57:4, 82:6 82:15, 83:20, 84:5, 84:18, 85:22, 87:20, 88:25, 106:22, 106:24, 107:5, 107:10, 109:9 biceps 97:9 big 97:9 bigger 101:25 bills 44:14 bird 58:24 birds 50:16, 79:17, 80:10, 81:15, 81:17, 85:9, 112:1 bit 20:8, 36:5, 41:9, 50:10, 67:6, 71:5, 102:13, 102:16, 105:3 105:22, 111:12 blocks 45:16, 46:7 blog 18:21, 63:9 blood 50:19 bodily 90:13, 108:16 body 47:5, 105:16 bones 51:6, 51:8 book 101:8 border 109:23 bottom 25:6 bought 94:23	bound 33:14 box 48:12, 112:15 boxes 47:6, 47:7, 47:8 47:12, 47:25 48:23, 58:20 58:24, 81:15 104:2, 104:3 104:4, 104:10 104:18, 112:1 Boy 29:15, 99:24 Brad 105:19 break 15:16, 15:18, 38:9, 62:14, 64:24 breast 51:6 bring 31:19, 38:22, 87:24 brings 102:23 broken 51:9 Brought 31:22, 36:4 61:8, 92:13 105:7, 106:1, 115:6 brown 36:15, 37:3, 37:10 46:25, 58:14, 58:15, 70:3, 70:8, 70:9, 70:25, 71:1, 71:3, 79:3, 79:6, 81:12 81:13, 98:10, 99:6 bruised 51:8 bruises 51:5 bucket 59:17, 59:15, 59:19, 59:20, 59:24, 70:20, 70:21, 70:23, 81:2, 81:3, 82:23 buckets 59:27, 81:7, 81:9, 81:11, 88:6 bucks 94:23	buddy 97:10 built 112:10, 112:18 bullets 99:23, 99:25, 100:2, 102:9 bumblefoot 50:20, 50:25 bunch 96:9 burden 11:5, 12:23, 13:16, 13:21, 53:25, 52:2, 52:10 65:14, 65:17, 82:5, 82:6, 108:19 108:23, 109:6, 109:8, 109:11, 111:8 buried 59:23, 69:19, 69:23, 69:25, 70:21, 70:23, 81:4, 88:13 bury 59:25, 97:18, 97:20, 97:21 burying 112:7 buy 76:5, 95:4, 96:4, 96:8, 99:9 101:25, 102:1 buys 14:19, 40:16, 44:21, 54:1, 57:20 66:14, 66:17, 66:21, 66:24, 67:3, 67:8 67:11, 69:9, 75:18						
< C > Cabrera 11:23 cages 48:17, 101:25 California 93:20, 93:21 call 75:3, 76:17, 77:19,														

78-6, 93-21	90-22, 90-24,	13-18, 25-16,	6-23, 8-18	47-17, 47-18,	90-9, 108-13,	conclusive	42-13, 42-16,
called 38-18,	91-2, 91-22,	25-17, 25-22,	Civil 13-25	47-21, 47-24,	109-13,	33-15	42-18, 42-23,
48-11, 52-1,	94-2, 102-18,	45-16, 52-14,	claim 89-14,	48-14, 48-21,	committing	conclusively	43-21, 53-14,
83-8, 83-10,	109-33, 110-1,	52-19, 67-1,	claims 14-9	48-25, 50-2,	5-25, 7-1,	40-18	54-19, 79-11,
83-11, 109-4,	110-2,	67-7, 79-1,	clarify 27-14	52-21, 59-1,	7-20, 7-21,	concrete	79-12, 82-18,
108-5,	cases 83-4,	79-1, 79-5,	clause 13-10	61-16, 62-1,	51-24, 52-6,	constructive	79-12, 82-18,
calling 75-6	83-15, 105-12,	82-10, 109-3,	clean 50-21,	62-2, 87-6,	52-7	106-20	19-4-24,
calloused	105-16,	charging 82-7	chat 18-20,	62-22, 87-6,	107-15, 107-18	condition	42-21, 55-3,
51-7	105-18, 105-24	chat 18-20,	clear 13-4,	62-22, 87-6,	107-15, 107-18	conditions	55-21, 55-25,
cash 37-7,	63-9	77-16, 57-8,	81-22,	62-22, 87-6,	107-15, 107-18	conducting	55-21, 55-25,
camera 47-5	58-8, 69-8,	checked	clearer 95-10	62-22, 87-6,	107-15, 107-18	conduct 19-2,	55-21, 55-25,
87-22, 93-18,	caught 43-2,	73-18	clearly	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
95-20, 95-23,	73-18	chicken	clearly	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
98-24	cause 18-15,	36-15, 38-1,	10-15, 47-13,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
card 58-6,	62-75, 90-11,	58-16, 81-13,	58-7, 81-22,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
58-10, 80-18,	98-16, 108-15,	81-14, 100-10,	87-11	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
80-19, 82-23,	caused 49-13,	100-11	clerk 20-5	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
care 20-23,	50-6	100-14	client 14-9,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
28-13, 87-2,	causes 49-20,	100-16	64-6, 71-9,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
105-11, 104-10	50-23	100-21	Clinton	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
caretaker	caution 9-1	100-23, 101-4,	34-23, 35-3,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
47-21, 47-40	CCR 1-25	101-12,	35-16, 40-21,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
48-21, 61-21,	cell 18-18,	101-24,	40-23, 46-22,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
100-17, 101-21,	63-6, 69-11,	103-17, 104-2,	57-21, 66-5,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
101-24,	71-3, 72-4,	105-4, 112-17,	66-7, 68-10,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
103-19,	71-10, 74-14,	105-4, 112-17,	66-7, 68-10,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
103-22, 103-24	71-10, 74-14,	105-4, 112-17,	66-7, 68-10,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
80-10, 85-9,	71-10, 74-14,	105-4, 112-17,	66-7, 68-10,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
86-20, 86-23,	71-10, 74-14,	105-4, 112-17,	66-7, 68-10,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
100-14	71-10, 74-14,	105-4, 112-17,	66-7, 68-10,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
caretaking	71-10, 74-14,	105-4, 112-17,	66-7, 68-10,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
79-17	certainly	101-15,	66-7, 68-10,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
Carling 48-22	18-1, 22-7,	101-19,	66-7, 68-10,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
Carlos 18-17	21-6, 37-7,	103-15,	66-7, 68-10,	62-22, 87-6,	107-15, 107-18	conducted	55-21, 55-25,
carries	28-10, 63-11,	103-22, 104-1,	66-7, 68-10,	62			

[illegible]

35:18, 35:19,
40:19, 46:20,
67:15, 111:21
driving
10:18, 37:23,
58:2, 80:8,
95:25
drove 82:22
dubbing 48:11
due 106:5
dug 71:5
Duly 33:9
dummy 48:2,
48:4, 48:5
Dunn 2:27,
2:28, 3:5,
4:23, 8:4,
14:15, 15:6,
16:5, 19:24,
21:21, 31:3,
65:1, 95:1,
95:8, 97:14,
100:12,
103:11,
103:16, 105:7,
106:7, 107:3,
110:10,
111:14,
112:24, 113:14
duress 9:20,
9:24, 11:2,
11:24, 12:3,
12:6, 12:12,
12:16, 12:18,
13:2, 13:8,
13:13, 13:21,
52:1, 108:11,
108:19, 109:4,
109:10
during 19:3,
32:13, 41:5,
63:17, 66:17,
68:10, 114:7,
116:7

< E >

e-mail 19:7,
63:21
Earlier 70:24

easier 70:16
easiest 72:10
education
20:15, 21:18,
30:7, 33:7
effort 95:12
eggs 87:10
Eisinger 91:4
either 14:23,
21:23, 39:14,
42:11, 54:9,
54:19, 55:13,
82:17, 83:21,
84:10, 92:8
electronic
18:17, 63:5
electronicall
ly 18:25,
63:14
element 9:22,
12:16, 12:24,
13:18, 26:12,
82:7, 84:5,
85:10, 85:15,
85:16, 85:22,
86:4
elements
23:9, 23:11,
23:12, 23:22,
24:10, 24:15,
25:4, 25:13,
25:21, 26:4,
27:9, 27:17,
54:16, 55:10,
82:13, 82:15,
83:20, 84:18,
86:3, 86:22
eleven 66:17
Elko 1:7,
1:21, 2:4,
2:8, 2:12,
2:16, 2:22,
29:3, 64:16,
96:17, 110:2,
110:4, 110:11,
116:3, 116:6,
116:10
empty 59:22
encouraged
55:16, 83:25

End 23:11,
24:18, 106:8,
110:8, 111:11
endangered
90:12, 108:16
Enforcement
92:17, 94:13,
102:15
engage 45:10,
46:11
engaging
47:17
English 4:8,
4:9, 16:8,
16:9
enough 39:22,
91:21, 114:17
ensure 92:15
entails 11:5
enter 113:10
entered 36:4,
113:4
entertain
27:25
entitled
33:16
err 8:25
error 26:5,
26:7
ESQ 2:3, 2:11,
2:19, 2:27
establishes
97:3
even-numbere
d 50:2, 52:21
everybody
97:9
everyone 57:9
evidentiary
72:18
exact 7:25,
8:3, 76:9
exactly 11:4,
74:24, 76:9,
95:8, 106:6,
106:11, 107:7,
115:11
example 7:14,
39:2, 39:5,
39:13, 42:25,

45:17, 53:20,
92:4, 97:13,
106:2, 109:25,
114:3
examples
50:19
except 8:11,
25:15, 40:2
exception
108:22
excuse 8:18,
12:9, 68:25
excused
12:13, 51:24,
109:14
execute 92:13
executed
36:1, 46:23,
115:12
execution
36:2, 41:5,
114:8
exercise
42:11, 42:20,
43:7, 43:20,
53:11, 55:4,
55:22
exercised
53:10
Exhibit
36:11, 45:14,
45:20, 46:3,
47:22, 51:3,
51:5, 58:5,
58:14, 112:13,
114:3, 114:4
expectation
113:8
expend 105:17
experience
20:14, 21:18,
30:6, 33:6,
94:1
experiments
19:3, 63:17
expert 20:17,
20:24, 22:2,
29:14, 30:5,
30:7, 33:5,
33:8, 33:12, 9

33:14, 33:15,
105:19, 110:1
experts 20:9,
20:11, 33:9
explain
22:19, 38:20
explained
65:22, 79:1,
86:3, 86:14
exposed 51:8
express
18:14, 62:24
extent 92:20,
113:2
eye 60:21,
61:5, 87:24,
88:20
< F >
Facebook
18:21, 63:9
faced 109:1
fact 7:16,
35:23, 85:16,
92:4, 96:9
99:14, 102:13,
113:10
facts 8:11,
8:20, 57:11,
92:1, 92:6
factual
106:20
fails 27:18
failure
23:11, 24:14,
25:12
fair 102:3,
112:24
fake 48:6
fall 51:10,
51:14, 65:21,
66:3, 97:24
falls 13:22
family 36:24,
98:20
far 8:1, 96:19
far-flung
108:4
farm 96:18

farther 96:23
feathers 51:9
February
34:20, 66:17,
67:4
feces 50:22
fed 81:10
feds 94:14
feeder 101:17
feeders 102:1
feel 22:14,
107:16, 107:19
feet 50:23,
51:1, 51:3,
51:5, 51:9,
51:13
fence 76:5
few 9:12,
76:3, 81:8
fifteen 93:20
fifth 43:24
fight 37:20,
45:19, 46:11,
48:7
fighting
95:11
fighting-rea
dy 100:21
figure 74:6,
74:21, 99:9
figured 6:9,
70:15
filed 22:18
final 23:25,
26:3
finally
18:15, 60:20,
62:25
find 14:5,
24:5, 24:14,
25:2, 33:16,
33:17, 41:9,
41:23, 43:5,
54:8, 54:9,
54:13, 55:9,
68:9, 69:23,
73:7, 83:17,
84:6, 89:16,
99:5, 101:23,
102:5

finding 24:9,
80:1, 80:5
finds 104:16
fine 17:10
finger 77:14
fingerprint
101:6, 105:8
fingerprinti
ng 105:12,
105:20
fingerprints
88:5, 95:12,
95:13, 95:15,
101:1, 105:15,
106:18
finish 22:23,
46:14
firearm
43:25, 44:6,
44:7, 44:10,
69:6, 102:8
First 10:19,
13:10, 20:25,
27:22, 30:9,
30:22, 38:13,
40:15, 50:10,
52:24, 54:22,
65:15, 66:13
69:4, 70:20
76:16, 76:19
79:13, 80:7,
82:12, 82:20,
85:19, 90:8
90:19, 90:20
103:14, 108:11
firsthand
110:7
Fisher 37:23,
37:24, 47:4,
51:16
five 44:24,
69:11, 73:23,
101:15
flesh 50:13,
104:16
Floor 2:7,
2:15
focus 106:19,
108:6

focusing
106:17
Following
10:4, 25:4,
54:16, 82:15,
83:20, 84:18
foot 51:14
foregoing
116:17
forgot 19:20
form 18:14,
19:2, 19:21,
23:7, 23:10,
23:15, 62:24,
63:16
format wise
28:7
former 110:5
Forms 4:13,
5:4, 14:20,
15:13, 15:11
forth 46:6,
51:6
forward 27:3
four 16:22,
40:13, 40:14,
43:23, 44:20,
66:17, 68:18,
69:12, 94:21
Fourteen
93:19
Fourth 1:6,
33:22, 41:3,
44:21, 86:4,
116:4
fresh 50:19,
51:8, 51:10
friend 66:15,
69:21, 70:2
front 36:10,
106:21
full 16:10,
32:7, 64:18,
116:12, 116:13
full-time
101:20
fully 90:4
funds 94:23

10

< G >

gaffs 48:12,
87:8
Galaxy 18:19,
63:7
GARY 2:19
gave 20:3,
24:22, 51:16,
56:15, 78:12,
79:15, 89:24,
113:5, 113:9,
115:7
gears 52:13
general 58:21
generalized
52:8, 109:22
generally
16:21
gentlemen
16:15, 17:14,
17:22, 32:2,
32:13, 33:25,
62:17, 64:13,
64:24, 96:13,
97:22, 107:2
George 36:23,
52:25
gets 65:13,
65:15, 65:16
getting 75:6,
85:11, 88:18,
106:8
give 4:17,
5:16, 13:19,
20:6, 20:17,
21:2, 26:12,
32:15, 33:9,
33:15, 65:2,
75:22, 76:8,
78:14
Given 17:2,
17:20, 27:13,
33:12, 33:19,
74:20, 88:12,
96:6, 96:9
gives 33:13,
41:14
giving 37:25,
84:20
Goicoechea

48:11, 48:15,
104:15
gotten 77:22,
77:23, 94:16
govern 107:12
grab 106:25
gram 60:8,
93:1, 93:12
grams 37:12,
39:7, 39:24,
40:4, 40:12,
40:20, 40:24,
41:1, 41:6,
41:7, 43:12,
43:16, 44:20,
54:21, 60:6,
82:19, 92:23
great 90:12,
108:16
ground 88:7,
88:10, 112:11
groups 85:18
guess 10:13,
14:23, 20:21,
21:10, 24:12,
24:16, 26:7,
28:14, 73:13,
81:18, 87:5,
97:16, 103:5,
103:12, 104:3
guilty 14:5,
23:13, 24:6,
24:9, 25:14,
25:23, 25:25,
27:19, 48:24,
54:9, 54:14,
62:8, 83:18,
84:6, 89:16,
92:9, 96:22
gun 37:13,
44:23, 76:6,
99:22, 99:25,
100:5, 114:3,
114:4, 114:5,
114:14,
114:15,
114:16, 114:18
guns 41:21
guy 94:21,
96:17, 101:22,

101:24, 102:6
guys 61:10,
61:25, 70:4,
102:15, 115:14
< H >
half 45:6,
45:9, 93:11,
94:6
hand 43:3,
53:17, 98:4
hand-held
48:6
handed 61:4,
115:2
handle 10:2
handler 66:9
hands 43:19,
61:6, 93:14,
95:14
happen 16:19,
20:21, 21:2,
74:22
happened
35:1, 67:3,
76:9, 76:10,
77:5, 77:7,
78:13, 113:3
happens
16:18, 21:1,
52:1, 73:10
hard 9:2,
70:15, 98:7,
106:20
harm 90:13,
108:16
harmed 109:2,
110:3, 110:17
head 50:13
healed 51:7
hear 6:4,
89:12, 99:5
hearing 1:20
Heavens
94:19, 95:14
HECTOR HUGO
RAMIREZ-DE
LA TORRE and
JORGE

LANDEROS
RUIZ 116:9
held 107:5
help 20:7,
56:4
hens 81:9,
101:16
hereby 116:6
high 12:14,
96:14, 99:1
high-risk
95:23
higher 66:19,
68:6, 68:13
highest 88:24
highway 95:25
hired 55:16,
83:25
hold 13:5,
13:8, 15:13,
89:8
holding 6:20,
12:2, 13:5,
36:10, 42:7,
42:19
home 95:21,
96:1
homicide
105:18
HONORABLE
1:22
Hope 27:6,
64:24
hoping 94:7
hour 1:20,
62:12
hours 68:5
house 76:4,
77:23, 81:3,
87:7, 99:25,
100:3, 100:18,
102:10, 112:17
Hugo 1:12,
4:4, 15:24
human 92:3
hundred
101:15

< I >

11

Idaho 2:21
idea 69:24,
92:7, 108:25,
110:24
ideal 51:17
identical
11:3, 57:18
identity
29:11
ignorance
7:13
ignorant 7:16
if 1:2, 116:5
imagine 18:3,
97:8
immediately
88:14
implausible
60:16, 112:4
implied
47:13
important
28:15, 39:11,
41:16, 43:10,
53:13, 53:15,
54:2, 56:20,
60:20, 71:8
71:15, 77:15,
82:3, 82:11,
83:12, 83:16,
85:7, 85:11,
85:13, 85:23,
86:18, 87:1
87:19, 89:10,
107:21
in 21:13,
70:16
inasmuch 52:4
incentive
112:25
inclined
26:19
included
78:14
includes
19:5, 49:12,
63:19
including
5:16, 13:20,
18:12, 62:22,

102:15
incorporatin
g 27:15
incubator
59:13, 59:16,
101:11
incubators
61:17, 87:9,
87:10, 87:12
independent
19:2, 63:16
indicated
65:9, 67:24,
79:10
indicating
71:24, 72:23,
73:19
indication
71:24, 80:10,
80:14
indicative
60:18
indifferent
21:11
indirectly
55:15, 83:25
individual
80:16, 83:4,
83:6
individuals
108:8
induced
55:16, 83:25
infected
50:24, 51:5,
51:13
infections
51:1
infectious
51:10
inflicted
90:18
informants
110:20
information
18:12, 18:23,
35:8, 62:21,
63:11, 69:18,
69:25, 75:22,
78:12, 83:7,

88:12, 88:16,
88:18, 90:21,
115:20
informed
101:14
ingest 44:14
initially
30:21, 32:19,
36:4, 68:73,
69:17, 75:3,
88:11, 88:17
injured
50:17, 98:17
injuries
50:23, 50:24
injury 90:17
inside 70:23,
71:16, 71:17
insignificant
7:7
Instagram
18:21, 63:10
instance
23:10, 44:21
instant
18:20, 63:8
instead
102:18, 106:17
instruct
22:18
instructed
8:21, 22:13,
30:22, 60:10
instructions
32:20
insufficient
80:4
insult 100:12
insurance
58:5, 58:10,
80:17, 80:19,
82:23
intel 68:11,
74:15, 74:20
intend 20:6
intended
20:17, 32:15
intent 45:19,
46:11
intentionall

y 9:23, 39:6,
39:14, 39:24,
54:18, 56:17,
82:17
interacted
94:17
interested
67:15
interesting
73:22, 78:8,
78:23, 99:14
Internet
18:13, 18:19,
18:20, 19:7
19:11, 62:23,
63:7, 63:8,
63:9, 63:21,
63:25
INTERPRETER
6:3
interpreters
4:7, 16:7
29:1, 30:1
32:4, 64:15
interviewed
41:8, 46:74
investigatin
g 19:13, 64:2
investigatio
n 19:12, 64:1,
65:21, 65:23,
66:1, 66:23
investigatio
ns 19:3, 35:9,
63:17, 69:20
invite 106:19
involved
56:6, 56:9,
56:25, 60:14,
60:22, 61:25,
67:15, 74:21,
88:2, 90:23
90:24, 91:11,
91:17, 91:22,
92:12, 92:22,
93:25, 95:23,
100:6, 100:7,
104:8, 104:22,
108:8, 110:21,
110:22,

12

110:25, 111:3,
111:15,
111:18, 112:5
involved.
111:2
involvement
59:7, 110:7
iphone 18:18,
63:7, 64:4
issue 11:14,
28:13, 113:16
item 41:24,
42:4, 42:10,
42:13, 42:15,
79:25, 80:1,
80:2, 80:4
items 41:22,
59:9, 81:20,
88:23
itself 11:17,
24:17, 59:3

< J >
jail 66:14,
75:15, 75:16,
75:20
January 27
1:20, 116:10
job 20:6,
94:8, 101:20
joint 7:18
jointly 42:16
Jorge's 80:16
Judge 1:22,
13:7, 21:2,
33:22, 34:13,
90:3
judgment
60:17
judicial 1:6,
33:22, 116:5
jump 31:20
juries 102:2
juror 25:3,
79:18
Jurors 19:2,
63:16, 65:12,
83:1, 107:14,
107:17

Justice 8:22,
65:11
Justin 2:11,
16:3

< K >
K. 2:27, 2:28
Kacin 1:22,
33:21
Kale 35:13,
35:17, 35:18,
40:19, 46:20,
67:15, 111:21
Karena 2:27,
16:5
keel 51:8
Keep 53:3,
53:13, 54:3,
91:2, 92:8,
94:4, 97:3,
101:19
kept 48:20,
49:4, 85:20,
86:1, 86:7
86:12, 86:17
key 42:8
kicker 112:23
kid 7:14
kids 68:18
kill 49:4,
86:24, 97:10
killed 85:25,
87:16, 109:2,
110:3
killing 46:1,
46:10, 49:7,
85:19
kind 6:9,
21:7, 26:19,
38:6, 38:9
38:21, 52:5,
52:12, 54:5,
57:7, 59:17,
59:20, 59:24,
96:8, 103:12,
105:15
kinds 20:13,
102:2, 104:5
knife 100:22,

101:5
knives 48:12,
48:13, 61:15,
101:2, 104:24,
105:1
knock 48:17
knowingly
9:23, 39:6,
39:14, 39:24,
42:10, 54:18,
56:13, 82:16
knowledge
20:14, 21:17,
30:6, 33:6,
55:3, 100:20,
105:22, 110:7,
111:1
known 81:19,
89:5, 108:18
knows 99:19

< L >
La 1:12, 2:20,
4:5, 15:1,
15:25, 16:6,
28:23, 29:22,
31:8, 31:25,
34:25, 64:11
lab 72:13,
105:14,
105:19, 105:23
lack 87:5,
89:13
ladder 96:15,
96:19, 96:23,
99:1
Ladies 16:15,
17:14, 17:22,
32:13, 33:25,
62:17, 64:24,
96:12, 97:22
101:18, 107:2
Landeros
1:13, 4:5,
15:25, 23:23,
28:23, 64:12,
82:14, 83:18,
84:15, 88:25,
89:15, 89:16,

104:7, 114:7,
114:14, 114:25
language
8:17, 8:25,
27:23
laptop 42:17
Large 37:22,
48:12, 53:20,
112:7
LARRY 2:28
last 9:13,
10:11, 10:15,
13:10, 13:20,
25:11, 25:21,
26:8, 26:21,
27:8, 51:20,
65:10, 65:16,
76:10, 103:4,
107:21
later 36:5,
67:6, 67:7,
69:23, 75:16,
98:12
latter 60:11
LAW 2:20,
7:13, 11:2,
11:8, 12:7
12:19, 13:13,
14:2, 16:23,
20:5, 22:15,
33:3, 34:13,
34:14, 42:14,
43:25, 44:1,
57:8, 57:10,
90:2, 92:17,
102:15, 108:22
lawyer 95:20
lawyers 4:18,
5:3, 5:7, 94:7
lay 21:16,
50:20
lazy 94:8
lead 43:6
league 91:25,
93:17
leap 104:20
learning
19:14, 64:3
least 24:14,
24:15, 31:21,
11

73:17, 90:20,
91:20, 92:14,
94:14, 97:9,
98:6
leave 9:1,
19:15, 35:16,
35:17, 57:20,
57:21, 87:18
leaves 14:7
leaving
21:13, 46:20
lectern 65:3
left 19:19,
40:18, 107:1
leg 48:13
legal 12:9,
39:11, 41:14,
41:23, 41:24,
43:11, 43:21,
53:3, 54:2
legally
38:24, 43:19
legs 50:14
lengthy
16:17, 17:24
letters 98:22
letting 50:20
level 87:20,
88:23, 88:24,
95:17, 100:8
101:19, 102:18
liability
25:18, 27:18,
54:7, 54:10,
54:11, 54:22,
55:6, 55:11,
56:2, 56:3,
56:21, 56:23,
57:3, 57:5
liable 90:8,
108:13
license 93:22
life 9:21,
90:11, 91:7,
91:8, 91:9,
98:16, 107:13,
108:15
lift 21:3
lightened
10:14

liking 88:9
limbs 51:2
limitation
18:12, 62:22
limited 19:5,
63:19
line 23:18,
23:25, 24:13,
24:17, 24:18,
25:17, 25:21,
26:3, 26:9
26:10, 26:21,
27:8, 67:5,
110:16
lines 9:3,
23:21
LinkedIn
18:22, 63:10
linking 46:17
LISA 1:25,
116:4
list 99:4
listed 80:20
listen 18:10,
62:19
listening
19:8, 63:22
literally
70:11, 111:24
little 36:5,
41:9, 48:5,
67:6, 71:5
95:21, 95:22,
96:17, 97:13
102:16, 105:5,
105:21, 111:17
live 46:25,
50:21, 104:5,
112:1
lived 46:18,
68:16, 95:21
lives 47:11,
96:17
living 36:23,
61:14, 68:18,
69:1, 98:3,
111:16
loaded 22:6
local 34:21
located 48:1,

58:21, 79:25,
80:4
location
48:4, 89:4,
114:23
long 39:23,
52:3, 102:20,
103:6
Look 12:14,
23:9, 33:2,
49:7, 54:12,
60:2, 60:3,
85:14, 93:8
94:23, 107:8,
112:12
looked 13:15,
27:2, 72:1,
90:23
looking
37:16, 94:7,
94:14
looks 23:7,
93:7
lot 17:23,
17:25, 32:25,
34:4, 34:5,
34:9, 37:7
37:18, 38:1,
38:2, 38:6,
39:11, 60:7,
65:25, 67:20,
67:20, 70:14,
81:7, 91:9,
95:10, 102:17,
104:17,
110:23, 112:2
lot. 112:15
Lots 38:3,
46:19, 58:8,
113:23
loud 65:3,
65:6, 65:7
low 12:14
lucky 73:15,
88:13
lunch 62:14

< M >
M. 1:25, 116:4

mail 104:3,
112:1
mailed 47:9
mailer 112:1
mailing 47:6,
47:11, 47:12,
47:25, 58:20,
58:24, 104:4,
112:1
main 49:3,
86:74
maintained 85:25,
87:16
maintaining 45:8,
46:1, 46:10,
49:6, 85:19
main 36:22,
36:24, 39:19,
47:18, 53:19,
58:13, 71:16,
71:17, 71:21,
87:11
mainly 71:9
maintained
37:19, 38:4,
48:20, 84:19,
89:4
maintaining
84:15
maintains
10:25
majority
61:21, 103:25
males 97:8
maliciously
49:3, 85:23,
85:24, 86:24,
87:15
maliciously
86:19
man 100:7
manager
100:16,
103:19, 103:24
MANLEY 1:25,
116:4
March 34:20,
67:4
Maria 35:21,
57:24, 58:6,
14

68:10, 80:8,
80:17, 111:22,
112:14
marijuana
7:16, 7:18,
7:19, 7:21
Marines 92:15
Mark 2:3,
16:3
master 47:23
material
98:23
materials
19:11, 63:25
matter 1:19,
18:4, 116:8
mean 20:17,
22:14, 27:10,
27:20, 38:23,
40:24, 48:5,
53:10, 61:14,
79:20, 79:21,
86:6, 88:8,
96:12, 96:13
means 19:8,
38:24, 38:25,
39:17, 41:13,
41:15, 41:18,
43:17, 52:4,
54:8, 63:22,
72:20, 86:5,
86:7, 86:14,
91:20, 92:24,
113:17
media 18:17,
19:9, 63:6,
63:23
medium 18:12,
62:21
meet 41:1,
75:21, 89:9,
113:6
meets 41:24
members 92:14
menace 51:23,
98:15
menaces 12:4,
90:10, 108:14,
109:1
MENDOZA 6:3

mentioned
86:2, 89:25
97:14, 106:12
Mercedes-ben
z 94:20
94:25, 96:21
mere 59:2,
79:19, 79:20,
79:24, 80:2
80:3, 107:12,
107:22
merits 19:7,
63:21
messaging
18:20, 63:8
met 55:10,
57:5, 75:12,
75:13, 76:14,
107:6
meth 44:12,
44:22, 44:24,
61:3, 73:5,
86:18, 99:8,
99:9, 99:10,
110:22,
110:23, 114:23
Mexico 97:6,
98:20
mic 6:5, 10:24
microphone
65:7
Miller 44:13,
74:5, 91:4,
100:3, 105:14,
109:25
Mills 2:3,
3:4, 3:7,
4:10, 4:21,
5:20, 6:6
9:3, 10:21
10:24, 14:12,
15:4, 16:3,
21:9, 21:22,
22:22, 29:4,
30:2, 32:5,
33:24, 64:16,
71:12, 75:13,
81:25, 102:24
mind 7:11,
27:6, 53:4,

53:13, 54:3,
100:12
minds 107:14,
107:17, 108:3
mine. 61:21,
61:23
minor 28:13,
28:14, 91:25,
93:16, 102:13
minor-league
102:19
minute 41:12,
56:9, 60:2,
100:2
misapprehens
ion 7:15
miscommunica
tion 74:11,
106:5, 106:7
missing 28:1,
51:2
mohawk 50:13
money 58:8,
69:5, 69:14,
95:22, 96:4,
96:8, 96:10
month 66:17,
78:17
morally 87:23
Morgan 50:8,
51:13, 101:14
morning
10:14, 22:8,
33:25, 103:5
87:23
mouth 91:2,
92:8, 94:5,
97:3
MR. WOODBURY
5:2, 5:13,
8:10, 9:13,
9:18, 10:8,
10:10, 11:12,
14:19, 15:2,
15:9, 15:18,
16:12, 17:6,
17:11, 20:2,
22:11, 30:15,
31:9, 32:9,

64:20, 89:22,
89:24
Ms 3:5, 4:23,
8:4, 14:14,
15:6, 19:24,
21:21, 31:3,
65:1, 95:1,
95:8, 97:14,
100:12,
101:14,
103:11,
103:16, 105:7,
106:6, 107:3,
110:10,
111:13,
112:24, 113:14
Multiple
80:20, 106:2
mutilate
49:3, 86:24
mutilated
85:25, 87:16
myself 22:8,
111:13

< N >
Nada 95:16
name 34:22,
47:7, 47:12,
48:1, 48:23,
58:6, 58:10,
58:20, 58:24,
81:17, 111:24
names 93:5,
93:6, 104:5
104:6, 104:11,
104:19, 112:2
narcotics
34:21, 35:9
national
95:14
near 59:17,
61:16, 81:18
necessarily
20:13, 39:21,
40:8
necessary
9:24
neck 48:22, 15

51:19, 58:7,
61:9, 105:4
necks 110:15
necrotic
51:13
need 11:17,
15:15, 15:18,
21:17, 42:23,
87:19, 87:22
needs 105:16
negate 12:24,
13:18
neglect
49:12, 49:19,
49:20
neglected
49:20, 50:5
neighbors
67:25
Nescafe 71:6
Nev 6:18
Nevada 1:7,
1:9, 1:21,
2:8, 2:27,
2:30, 4:4,
7:15, 11:22,
13:2, 14:1,
15:24, 43:25,
96:17, 116:1,
116:5, 116:8,
116:10
new 22:20,
29:8, 30:4,
32:16, 32:23
news 19:8,
63:22, 72:16
Newspapers
6:18, 6:24,
8:19, 18:13,
62:22
Next 19:16,
78:17, 81:1,
114:7
nice 64:24,
100:4
night 10:11,
10:15, 26:9
nightstand
72:3, 114:7,
114:19

no-knock
91:15
No. 1:25,
11:16, 23:6,
97:25, 110:9
None 30:13,
31:6, 73:2,
73:3, 74:3
nonpublished
13:15
Noon 62:11,
64:8
Nope 99:7,
100:25
normal 68:2
Nos. 1:1
Notably 58:19
note 13:1,
22:17, 30:20,
32:19
notes 116:11,
116:13
Nothing 72:2,
72:18, 72:20,
73:2, 73:19,
77:16, 77:17,
77:21, 100:18,
100:22,
100:25, 112:21
notice 24:25,
45:6, 54:6,
58:5, 112:6
noticeable
25:5
noticed
22:24, 91:23
NRS 11:24,
12:3, 13:3,
13:17
nubs 51:4
Number 6:8,
9:14, 12:5,
13:19, 17:1,
17:15, 19:21,
20:4, 24:3,
29:8, 30:4,
30:17, 32:15,
33:4, 41:14,
42:9, 60:25,
84:14, 90:7,

107:3, 107:9,
108:12, 114:1,
114:22
numbered
4:16, 46:3
numbering
22:7
numbers 5:6,
93:6, 93:22
numerous
36:20
nut 40:6
NV 2:16

< O >
object 9:13
objecting
14:5, 24:13
objection
5:20, 5:22,
6:7, 8:5, 8:7,
9:1, 10:11
10:16, 10:18,
11:8, 71:20,
14:21, 14:22,
14:25, 15:2,
17:1, 17:4,
17:5, 17:6,
22:1, 26:9,
30:12, 30:15,
30:19
objections
5:14, 9:5,
9:8, 10:2,
10:6, 11:10,
14:11, 31:4
objects 7:4
obligation
107:4
observed 18:1
obtained
35:25, 60:25,
114:25, 115:6,
115:11
obviously
40:25, 47:16,
86:6, 87:17,
104:25
occasion

115:3
occasions
34:25, 40:17,
40:21, 40:23,
44:21, 46:19,
46:21, 60:25,
61:2, 115:1
occupied
37:3, 37:4
occurred
72:17, 85:8
odd 38:21
odd- 52:21
odd-numbered
49:10, 50:1
offense 9:23,
23:9, 46:9
51:22, 51:24,
82:7
offenses
14:8, 25:17,
46:9
offer 14:12,
14:14, 14:17,
31:12
offered 113:8
office 74:11
Officer 66:8,
66:9, 66:13,
97:6
officers
37:15, 66:8,
66:18, 67:12,
67:14, 68:17,
75:21, 77:22,
90:25, 91:10,
92:11, 92:17,
93:5, 93:25,
96:7
Official
116:4
Old 95:19,
101:21
older 7:17
omission
49:12, 49:19
on to the
85:5
Once 27:2,
37:7, 65:13, 16

prison 102:19
probably
4:16, 97:24
probation
78:15
problem
26:17, 90:1,
102:11
proceed 89:23
Proceedings
1:17, 15:23,
28:18, 29:19,
64:9, 116:7,
116:14
processes
95:15
procured
55:17, 84:1
proffered
22:3
prohibition
19:5, 63:19
proof 17:23,
13:16, 71:11,
79:24, 87:20,
88:24, 88:25,
109:11
properly
8:15, 95:1
proposed
20:75
proposes 5:15
proposition
95:4, 95:24
prosecuted
46:7
prosecution
109:6
protective
91:19
prove 9:24,
23:11, 25:12,
27:17, 39:2,
39:4, 39:17,
39:20, 41:7,
49:9, 52:2,
52:10, 82:6,
84:24, 85:2,
85:21, 86:4,
89:11, 86:22,

114:6
rise 88:23
rising 87:20
Robey 6:15,
6:17, 8:11,
8:17, 8:26,
8:27
roll 44:14,
78:20
rolled 77:8,
77:9
room 4:12,
18:21, 19:17,
29:6, 29:21,
37:25, 47:25,
48:16, 59:14,
61:15, 63:9
rooster
45:10, 48:6,
48:13, 51:2,
51:11, 85:5
roosters
37:18, 37:20,
38:2, 38:4,
45:4, 45:13,
45:15, 45:16,
45:20, 46:3,
46:5, 46:7
46:17, 48:6,
48:9, 48:15,
48:19, 49:23,
51:1, 61:17,
61:20, 61:21,
62:4, 81:9,
85:17, 87:13,
87:17, 101:15
roundabout
91:4
rule 13:13,
44:4, 97:3
rules 94:7,
95:6
ruling 11:18
rumors
110:11, 110:13
run 36:4,
56:16
running 57:2,
97:21

< S >
 S. 2:3
 sake 94:19
 sales 72:2,
 73:1
 Sandstrom
 34:23, 35:3
 35:17, 40:21
 46:22, 57:21
 66:5, 66:7
 66:10, 66:24
 67:8, 72:23
 74:17, 75:2
 75:7, 76:14
 76:22, 77:7
 77:9, 83:8
 97:16, 97:17
 110:14
 110:19, 110:20
 saw 37:23
 47:3, 110:2
 110:17
 saying 12:8
 21:15, 27:8
 61:22, 61:23
 73:14, 83:8
 83:10, 84:6
 96:24, 113:18
 says 8:15
 8:19, 11:24
 21:2, 23:11
 26:11, 42:9
 44:9, 54:13
 55:8, 56:22
 59:1, 80:6
 89:6, 90:8
 97:3, 104:12
 105:16, 108:12
 scale 99:10
 scales 71:22
 99:5, 99:6
 Schedule
 39:3, 83:24
 84:2, 84:21
 scissors
 104:16, 104:19
 scope 114:5
 114:6
 sealed 98:5
 searched
 36:6, 69:3
 72:4, 72:5
 72:14, 72:15
 74:3, 74:8
 74:12, 74:23
 77:22, 77:23
 99:16, 106:4
 106:8, 106:13
 searches
 106:18
 searching
 36:7
 second 2:15
 5:23, 6:10
 11:21, 55:10
 56:2
 secret 73:3
 security
 72:10
 seem 7:6
 92:7
 seems 8:14
 61:13
 seen 21:2
 46:19, 70:4
 self-interest
 t 87:24
 sell 40:9
 40:19, 46:21
 57:20, 109:2
 selling
 38:12, 56:7
 56:10, 56:14
 56:25, 57:17
 60:22, 66:7
 84:20, 109:10
 109:13
 111:20, 114:14
 sense 24:20
 55:3, 60:11
 60:16, 82:2
 82:3, 85:3
 89:7, 89:10
 104:9, 112:22
 sense. 82:1
 sent 72:13
 sentence
 11:21, 13:10
 23:5
 sentencing
 78:9, 78:10
 78:16
 separate
 38:10, 40:14
 40:17, 40:23
 44:20, 73:10
 separating
 70:12
 Sergeant
 37:24, 47:3
 51:16, 70:24
 74:4, 105:11
 series 11:23
 seriously
 98:17
 served 37:15
 53:16, 59:14
 68:22, 69:22
 72:17, 75:17
 114:17
 service
 18:19, 18:20
 63:8, 65:10
 serving 67:19
 session 29:5
 29:7
 set 66:14
 settled
 15:10, 15:11
 31:10
 SETTLING 3:3
 4:13, 30:25
 several 46:21
 shall 19:2
 63:16
 shape 100:19
 share 42:16
 shears
 104:16, 104:19
 shed 115:4
 sheet 93:2
 93:4
 Sheldon
 60:22, 66:15
 shell 40:6
 shift 11:5
 51:25
 shifting
 52:13
 shifts 52:2
 109:6
 ship 81:17
 shipment
 98:11
 short 15:18
 16:17, 39:23
 95:21, 102:4
 shoved 71:1
 show 39:21
 40:10, 74:23
 79:9, 84:9
 86:16, 90:10
 92:11, 97:8
 97:9, 97:22
 98:15, 108:14
 showed 40:18
 showing 53:8
 72:20
 shown 44:18
 74:16, 106:14
 shows 56:8
 70:6, 73:17
 100:20, 101:6
 105:13
 111:18
 115:13, 115:17
 shut 91:2
 92:9, 94:5
 97:4
 side 9:1
 sift 33:2
 sign 22:21
 99:12
 significant
 7:7, 35:23
 36:18, 37:5
 signing 33:21
 signs 110:2
 similar 11:3
 11:4, 59:23
 simple 92:25
 simply 40:10
 88:3, 88:4
 89:6
 single 50:15
 sir 10:7
 89:23
 sit 29:15
 68:5
 21
 sitting 34:5
 42:17, 94:21
 94:22
 six 16:22
 95:2
 sized 68:2
 skill 20:14
 21:17, 30:6
 33:6
 skin 50:13
 skipping 45:1
 slab 70:8
 70:12
 slats 48:17
 sleeping
 59:14
 slice 100:22
 slight 6:23
 slightly 57:7
 small 7:19
 44:8, 92:4
 96:18
 smartphone
 18:18, 63:7
 Smith 70:24
 70:25, 91:4
 101:14, 105:11
 smoke 7:16
 smokes 7:18
 snuck 22:8
 sold 39:6
 39:14, 39:21
 40:22, 53:7
 54:19, 60:13
 82:17, 85:1
 114:16
 Somebody
 51:22, 74:7
 78:20, 97:20
 97:21, 98:2
 99:8, 99:24
 somehow
 79:21, 81:16
 81:18, 81:23
 83:11, 84:7
 84:25, 101:24
 someone
 87:11, 113:18
 sometime
 66:4, 76:10
 sometimes
 27:6, 68:6
 73:6, 91:8
 92:2, 93:20
 somewhere
 5:17, 99:18
 100:2, 100:23
 sorry 6:3
 100:12, 100:13
 sort 11:4
 30:25, 59:23
 70:5, 71:1
 85:12, 105:9
 105:17, 109:3
 source 34:22
 35:3, 77:12
 south 109:23
 Spanish 4:8
 16:8
 speaking
 74:16, 74:17
 speaks 11:17
 special 6:8
 20:14, 21:17
 30:6, 33:6
 98:7
 specializati
 on 105:20
 specific
 25:21, 26:12
 45:2, 50:18
 52:12, 69:24
 72:1, 81:21
 86:9, 92:6
 109:19, 111:1
 specifically
 20:9, 20:10
 38:17, 39:4
 82:13
 speculate
 106:10
 speculated
 110:21
 speculation
 106:11
 106:15
 107:23
 107:24, 108:4
 111:2
 spent 50:10
 75:19
 spoke 75:11
 103:4
 Spurs 37:8
 48:10, 49:18
 50:11, 50:14
 SS 116:2
 stack 45:14
 stand 89:12
 97:10
 standard
 12:22, 18:5
 20:24, 89:8
 107:6, 107:7
 standing
 50:22
 start 38:11
 45:22, 65:18
 65:19, 88:14
 started
 38:11, 65:20
 66:1, 66:12
 67:16, 67:17
 68:1, 68:2
 starting
 17:1, 17:15
 14:18
 starts 13:6
 23:8, 23:9
 stated 9:18
 12:4, 13:24
 26:7, 27:21
 45:8, 108:12
 statement
 11:7, 13:4
 22:15, 89:25
 92:6, 107:21
 113:5, 113:7
 113:9
 statements
 114:1
 States 14:2
 94:15
 statute
 10:11, 11:1
 86:9, 102:12
 statutes
 12:14
 Stay 43:1
 79:15, 79:16
 Stenographic
 ally 1:25
 stenotype
 116:11, 116:13
 stick 26:19
 stipulate
 16:10, 32:7
 64:18
 stipulated
 16:12, 16:13
 32:9, 64:20
 64:21
 stipulation
 92:4
 stood 26:23
 26:25, 28:7
 stored 60:13
 story 114:12
 streaming
 28:20
 Street 2:6
 2:14, 2:21
 93:1
 striving 90:7
 structural
 25:5
 stuck 67:24
 stuff 44:9
 52:24, 58:1
 58:8, 58:9
 59:18, 61:10
 97:15, 97:17
 99:7, 103:17
 104:16
 104:22
 104:23
 104:25, 105:4
 105:22
 108:25
 111:15
 112:16, 112:18
 subject 18:9
 18:15, 20:16
 21:19, 30:8
 33:8, 62:18
 62:25
 subjects
 20:13, 21:16
 submit 109:18
 submitted 22

18:16, 63:1
 63:2
 subsequently
 112:18
 substance
 10:12, 39:1
 39:3, 39:25
 41:13, 44:2
 55:18, 79:3
 83:19, 83:24
 84:2, 84:3
 84:11, 84:16
 84:21
 substances
 44:12, 60:23
 substantiall
 y 11:2, 11:4
 substantiati
 ng 110:11
 110:12
 substantivel
 y 28:10
 substitute
 26:3, 82:4
 85:3, 89:7
 89:11
 subtle 92:3
 92:10
 suffer 90:12
 108:16
 suffering
 49:13, 49:21
 50:6
 suffice
 107:24
 sufficient
 20:15, 21:18
 30:7, 33:7
 59:3, 90:10
 94:1, 98:15
 106:21, 108:14
 suggest 6:16
 6:22, 52:7
 93:5, 93:16
 96:12, 98:9
 102:11, 104:8
 113:22
 suggested
 113:21
 suggesting
 6:11, 113:24
 suggests
 59:6, 93:10
 112:10
 summarize
 55:19
 supplier
 66:20
 supply 101:18
 support
 78:24, 79:8
 80:1, 80:5
 89:3, 89:14
 supporting
 113:18
 supports 89:4
 suppose 30:25
 Supreme
 11:22, 37:2
 37:6, 70:7
 98:25
 surprise
 37:14
 surveillance
 67:20, 67:22
 68:9, 68:11
 68:15, 93:19
 surveilled
 67:16
 surveilling
 67:16, 67:18
 suspected
 60:4, 91:21
 SWAT 36:3
 92:14
 switch 21:14
 sworn 4:7
 16:7, 28:25
 29:25, 32:3
 64:14
 system 65:11
 < T >
 table 101:3
 tail 51:13
 tailored
 20:11
 talked 24:4
 50:19, 50:25
 51:2, 51:7
 66:8, 66:9
 75:6, 76:20
 78:24, 79:7
 82:1
 talks 41:19
 49:19, 79:19
 79:24, 81:1
 Taylor 105:19
 teams 36:3
 92:15
 Technically
 113:2
 telephone
 18:18, 63:6
 television
 18:13, 62:22
 tells 47:10
 97:16
 term 37:21
 50:20, 87:5
 104:4
 Terminal 2:29
 terms 83:15
 Tessa 50:8
 tested 105:21
 testify
 20:12, 20:15
 21:16, 29:10
 30:5, 33:5
 83:5, 83:6
 90:25, 100:5
 110:16, 113:1
 113:10
 testifying
 76:17, 113:13
 testimony
 30:8, 33:8
 37:11, 40:24
 44:7, 44:10
 45:12, 51:15
 57:19, 59:22
 60:5, 65:25
 66:16, 73:9
 77:11, 81:5
 82:24, 83:2
 87:19, 87:22
 88:20, 90:5
 100:9, 104:15
 105:10
 109:22
 113:20
 113:24
 114:13, 115:10
 testing
 19:12, 64:1
 105:8, 105:9
 text 18:20
 63:8
 texting 19:7
 63:21
 texts 72:25
 thanks 103:7
 Thanksgiving
 75:19
 them. 61:24
 themselves
 17:9
 theories
 24:8, 24:15
 25:17, 26:1
 27:18, 54:7
 54:10, 54:11
 55:19, 56:21
 57:5, 82:11
 theory 19:12
 54:22, 55:6
 55:10, 56:2
 56:3, 56:23
 57:3, 64:1
 82:20, 83:17
 thereby 49:20
 thereof
 116:11
 thinking
 53:15
 third 11:21
 though 23:7
 93:6
 thousand
 94:24, 96:5
 Thousands
 93:13, 93:14
 threat 9:21
 51:23, 52:12
 90:17, 99:24
 100:1
 threatened
 109:1
 threats 12:4
 21
 52:5, 90:9
 98:14, 108:14
 109:1, 109:14
 109:15
 109:16, 109:20
 Three 9:13
 13:20, 34:19
 34:25, 35:2
 36:8, 36:9
 36:11, 40:15
 40:17, 40:21
 40:23, 44:21
 53:20, 59:20
 61:11, 67:3
 68:18, 70:21
 70:22, 104:21
 105:3, 114:22
 115:13
 three-paragr
 aph 30:10
 threw 4:17
 throughout
 76:21, 81:11
 90:15
 throw 8:12
 ties 73:19
 tight 29:15
 today 65:19
 71:10, 78:7
 78:9
 Toes 50:23
 51:10
 together
 58:1, 61:10
 115:14, 115:16
 took 24:12
 61:3, 87:2
 115:1, 116:11
 tooter 102:10
 tooters 97:25
 top 25:2
 59:15
 Torre 1:12
 2:20, 4:5
 15:1, 15:25
 16:6, 28:23
 29:22, 31:8
 31:25, 34:25
 64:11
 Torture 49:3
 49:8, 49:11
 49:12, 86:24
 tortured
 85:24, 87:15
 torturing
 45:8, 49:6
 touch 75:25
 111:10
 tough 97:12
 tour 37:25
 47:4, 51:17
 traffic
 38:25, 93:18
 trafficking
 43:14
 trailers
 37:2, 68:23
 68:24, 69:3
 train 47:20
 48:6
 trained
 37:19, 38:4
 47:16, 48:20
 training
 20:14, 21:18
 30:6, 33:7
 48:1, 48:4
 48:5, 94:1
 TRANSCRIPT
 1:17
 transcriptio
 n 116:13
 transfer 58:9
 transfers
 69:5, 69:14
 71:23
 translating
 4:8, 16:8
 travel 37:2
 37:6, 70:7
 81:15, 81:16
 95:21, 98:10
 98:18, 98:24
 99:7, 99:13
 100:24
 tri-county
 92:13
 TRIAL 1:11
 17:3, 18:9
 18:11, 18:15
 28:21, 33:10
 34:7, 62:19
 62:20, 62:21
 62:25, 90:15
 113:4
 triangle
 74:18
 tried 23:24
 72:5
 trophy 47:19
 61:14
 trouble 23:4
 truck 57:24
 58:2, 80:8
 80:19
 true 113:2
 114:2, 116:12
 116:14
 truth 27:1
 107:16, 113:25
 truthfully
 83:5
 truthfulness
 108:2
 try 67:9
 74:8, 77:6
 78:20, 96:13
 103:8
 trying 20:7
 26:21, 48:17
 74:6, 83:14
 90:21, 95:4
 102:18
 tucked 58:15
 turn 93:4
 111:4, 111:11
 turned 90:6
 94:10, 94:12
 114:2
 IV 105:11
 tweak 6:23
 Twenty-two
 92:14
 twice 76:7
 Twitter
 18:22, 63:10
 type 73:1
 81:3
 typically
 16:18, 105:11
 < U >
 uh oh 23:1
 ulcers 51:8
 Ulloa 35:21
 57:24, 58:6
 98:24
 ultimately
 8:17, 66:18
 68:7, 68:14
 68:19, 74:9
 74:10, 75:1
 87:25, 88:17
 88:19
 unaniously
 25:24
 unaware
 60:14, 110:3
 unclear 88:8
 unconcerned
 92:19
 uncorroborat
 ed 87:19
 87:22
 underneath
 50:14
 underscore
 26:21
 understand
 21:24, 25:7
 26:11, 49:5
 90:4, 92:24
 understandin
 g 30:18
 41:17, 65:1
 understandin
 gs 38:22
 unequivocal
 ly 113:11
 unfortunate
 ly 94:11
 unarmed
 110:18
 United 94:35
 unjustifiabl
 e 49:13
 49:21, 50:6
 unjustifiabl
 y 49:3, 85:25

86:24, 87:16
 unlawful
 44:1, 44:5
 45:23, 46:10,
 84:16, 85:19
 unlawfully
 55:13, 83:21,
 84:7, 84:20,
 84:7, 84:20,
 unless 3:25,
 7:2, 99:11
 unlike 94:12
 unreasonable
 92:18, 92:21
 unreasonable
 33:18
 unit 18:15
 18:23, 78:6
 63:11, 78:6
 113:4, 113:5
 up 97:17
 updated 5:16
 user 41:10,
 44:1, 44:12,
 44:11, 44:12,
 44:21, 93:1
 using 13:3
 19:10, 19:11,
 35:24, 56:14
 63:24, 63:25,
 84:20
 utilizing
 80:13

 < V >
 v. 1:11, 6:24
 vacant 112:15
 value 72:19
 vehicle
 80:15, 80:16
 vehicles
 68:13, 80:20
 verbatim
 116:11
 verbiage
 7:25, 83
 verdict 13:
 5:4, 14:20,
 14:21, 15:3
 15:11, 18:23,
 23:13, 25:13,
 25:23, 62:8,
 63:12
 version 32:21
 versus 6:18,
 8:19, 11:21,
 55:13, 83:21,
 14:1, 15:24,
 28:23, 29:23,
 34:23, 64:16
 7:2, 99:11
 victimity
 103:19, 116:8
 violate
 58:19, 58:25,
 59:2, 112:2
 video 37:23
 37:24, 112:16
 violation
 103:12
 violence
 92:16, 92:18
 92:19, 109:23,
 110:11
 violent 91:18
 virtually
 114:1
 volume 1:12,
 11:24, 68:6,
 68:13
 wait 100:2
 wait 51:3,
 54:5
 walked 37:24,
 47:4
 wanted 19:22,
 26:13, 57:8,
 66:10, 66:16,
 75:23, 75:20,
 80:15, 91:15,
 91:16
 wants 71:13
 99:9, 102:24
 warrant
 35:11, 35:12,
 35:14, 35:25,
 36:3, 37:13,
 41:3, 41:34,
 46:23, 53:14,
 59:13, 67:13,
 67:20, 68:22,
 69:22, 72:12,
 72:11, 74:7,
 75:11, 91:16,
 91:14, 91:16,
 92:14, 114:8
 114:18, 115:12
 washoe 17:13
 watch 18:23
 watch 62:19
 watched 67:21
 watching
 19:8, 63:2,
 68:1, 68:3,
 water 10:18
 water 10:110
 wattle 10:110
 wattles
 48:11, 49:17,
 50:11, 50:12
 100:22, 104:13
 weapon 102:9
 website
 18:23, 63:9
 weeds 83:12
 weeks 34:3,
 34:5, 34:8
 34:16, 65:11
 weighed
 40:11, 54:21
 weight 33:16,
 39:7, 39:16,
 40:1, 60:12
 weighty
 107:13
 weird 27:1
 whatever
 95:12, 101:9,
 109:3, 109:3,
 104:24
 whatnot 37:9,
 32:9, 104:14,
 104:24
 whereby 49:12
 WHEREUPON
 17:17, 19:19
 31:22, 113:34
 whether
 27:23, 72:23,
 72:24, 80:12,
 85:13, 89:2,
 90:23, 98:7,
 101:14, 109:9
 white 81:2,
 81:3, 81:7,
 81:8
 whole 100:15
 whole 45:13
 65:23, 67:20,
 67:22, 102:17
 wholesale
 10:3
 wife 35:21,
 36:23, 57:24,
 58:2, 58:6,
 58:10, 68:16,
 72:18, 80:8
 80:16, 80:17
 82:22, 112:14
 wild 104:20
 will 104:20
 willful 5:25,
 7:1
 willfully
 5:16, 49:7,
 55:13, 82:21,
 84:7, 85:23,
 85:24, 86:18,
 86:23, 87:13
 105:18
 winning 27:25
 window 8:12
 wing 51:9
 wings 51:9
 wire 69:4
 wire 69:5
 69:14, 71:23
 wisdom 101:23
 within 48:12
 without
 18:17, 29:5
 29:21, 62:27,
 65:12, 80:1,
 99:10
 witness
 20:18, 20:24,
 22:2, 60:21,
 61:5, 82:24
 83:11, 88:20,
 89:12
 witnesses
 21:16, 51:16,
 70:5, 72:21,
 105:10,
 109:21, 109:24
 woodbury
 2:19, 3:6
 4:25, 6:11,
 8:9, 9:10,
 10:4, 11:11
 11:4, 11:11
 11:4, 11:11
 12:3, 20:1
 20:10, 22:10,
 80:11, 89:20,
 102:21
 103:11
 103:14
 103:14
 103:18,
 104:12, 105:7
 106:12, 108:11
 wooden 48:17
 word 38:21,
 39:10, 39:11,
 39:14, 49:11,
 43:14, 113:15
 113:14, 113:15
 words 7:20
 10:14, 71:10,
 63:13, 73:6,
 105:18
 work 65:12,
 66:10, 67:9,
 77:6, 83:14,
 94:6, 103:14,
 111:4, 111:6
 working
 34:22, 34:23,
 66:12
 works 105:22,
 111:7
 world 95:24,
 102:16
 worry 92:20
 worse 95:1
 worth 94:23,
 96:5
 wounds 50:19,
 51:8
 write 74:7,
 93:21
 writes 13:7
 written 8:8,
 25:6, 26:10
 wrongful
 7:10, 7:12,
 8:1, 8:14
 wrongfulness
 7:3, 7:5
 7:22, 8:13,
 8:23

 < Y >
 year 97:7
 years 7:17
 76:3, 76:11
 76:13, 95:19
 yesterday
 13:22, 23:5
 yourselves
 18:8, 62:18
 youtube
 18:22, 63:10

 < Z >
 z 106:14
 zero 109:19

25