1 is not controlling of that issue by any stretch of the
2 imagination.
3 MR. BLOOM: We have raised that issue
4 of her being in the house improperly. She had no right to
5 be there. We raised that in opening statement. We've
6 been talking about it throughout the entirety of this
7 case.
8 I don't believe she broke in through a
9 window, but the fact that she improperly, and I believe
10 illegally entered that house and dropped her purse and
11 things when she got in and so forth, doesn't mean that her
12 entry was proper.
13 I'm not saying that this was some sort of a
14 shooting because he thought it was a burglar or something.
15 I'm not saying that. But the manner of her entry into the
16 house is part of the form that the jury will consider, and
17 should consider, and it was an improper entry.
18 She is not an invitee to come into that
19 house, Your Honor. She didn't come up to that door, knock
20 on the door and somebody let her in. She came in on her
21 own without being invited.
22 In fact, that evening of back forth whether
23 she was going to come or not, as the parents had talked
24 about, very much in ear. She says I am coming, I'm not
25 coming. Then she was expected, then she was going to

1 come, then she wasn't going to come.
2 And then she had conversations with Patricia
3 Miller outside, obviously, my client's or the parents'
4 knowledge. That gets her up to the front door.
5 The entry into the house is what I'm talking
6 about. That was improper. She had no right to come in
7 that house on her own, as she did. And she had no right
8 to either open the door because it was unlocked, or
9 because she used the key, which we don't have a right to
10 show now.
11 So that's the Defense' position.
12 THE COURT: I would agree, I think we
13 all agree that entry is possibly an issue. Was she
14 invited, did someone let her in, that sort of thing.
15 I am going to disagree with you,
16 respectfully, Mr. Bloom, that she was an invitee. Now,
17 the timing of the invitation, we can argue that there
18 should have been a renewed invitation at the door.
19 But I think, clearly, the people in the
20 house all present expected her there. They had the baby
21 garments and the bottles and whatnot waiting. They knew
22 she was coming, and she was an invitee by virtue of her
23 legitimate need to go there because she was the mother of
24 the visitation.
25 Now, whether it was polite, good manners or

1 whatever to come in unannounced, that's another matter.
2 It's not a legal issue.
3 Now, whether the investigating officers
4 should have seized upon this at the time and realized that
5 now this key to the door might be an issue, I think when
6 we're talking about an alleged murder in a home where no
7 one was alleging at the time she had no right to be and,
8 frankly, I don't think they're alleging it now.
9 I don't think that an officer is supposed to
10 have that clairvoyant ability to look at the scene and say
11 this must be of minor importance.
12 So I am not finding negligence. I'm going
13 to let you resolve it through questioning, and if it
14 doesn't get fully resolved, I do reserve the right to step
15 in in some fashion.
16 MR. BLOOM: Thank you, Your Honor.
17 THE COURT: Let's leave it there, if we
18 will, counsel.
19 Mr. Bailiff, bring the jury in.
20 (Whereupon the jury entered the courtroom.)
21 THE COURT: Ms. Clerk, would you call
22 the roll of the jury, please.
23 THE CLERK: Yes, Your Honor.
24 Ricardo Smythe?
25 JUROR SMYTHE: Here.

1 The CLERK: Paul Denorio?
2 JUROR DENORIO: Here.
3 THE CLERK: Caren Barrs?
4 JUROR BARRS: Here.
5 THE CLERK: James Owens?
6 JUROR OWENS: Present.
7 THE CLERK: Christopher Kelly?
8 JUROR KELLY: Here.
9 THE CLERK: Matthew Adams?
10 JUROR ADAMS: Here.
11 THE CLERK: Joshua Wheeler?
12 JUROR WHEELER: Here.
13 THE CLERK: Alan Miller?
14 JUROR MILLER: Here.
15 THE CLERK: Nancy Gordinier?
16 JUROR GORDINIER: Here.
17 THE CLERK: Oscar Flores?
18 JUROR FLORES: Here.
19 THE CLERK: Diana Miller?
20 JUROR MILLER: Present.
21 THE CLERK: Emily Carlsen?
22 JUROR CARLSEN: Here.
23 THE CLERK: Heather Brissette?
24 ALTERNATE JUROR BRISSETTE: Here.
25 THE CLERK: Joseph Mills?

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1 ALTERNATE JUROR MILLS: Here.
2 THE CLERK: All present, Your Honor.
3 THE COURT: Very good.
4 Will you swear Ms. Dahn for the day, please.
5
6 Whereupon,
7 ROBBIE DAHN,
8 was called as a witness by the State, and having been
9 first duly sworn, was examined and testified as follows:
10
11 THE COURT: Ms. Goettsch, you may
12 resume your sentencing.
13 MS. GOETTSCH: Thank you.
14
15 DIRECT EXAMINATION CONTINUED
16 BY MS. GOETTSCH:
17 Q When you left on Friday we were talking
18 about your work-up of the family room, breakfast area, and
19 we had talked a little bit about the kitchen table which
20 is reflected in Exhibit 48.
21 When you reviewed the kitchen table, did you
22 find any knives, screwdrivers, or other things that could
23 be used as a weapon on the table?
24 A No.
25 Q Were there any bags containing guns around

1 the table area?
2 A No.
3 Q We talked a little bit about there was a TPO
4 against the victim in this case on the table; is that
5 right?
6 A Yes.
7 Q And if I could have you look at 48, can you
8 tell which one of those documents on the stable is the
9 TPO?
10 A The document on the right, on my right
11 looking at the photo.
12 Q And the one that's kind of hanging off the
13 side of the table, can you tell what that is?
14 A It's hard to see in this photo, but I have
15 reviewed the photos with a ten-times magnifier, and I know
16 that this is a search warrant.
17 Q And with a search warrant, is it customary
18 that they leave a copy of that in the residence?
19 A Yes.
20 Q So this one that's not off the table is the
21 TPO?
22 A Yes.
23 Q And the one that's kind of hanging off is
24 the search warrant?
25 A Yes.

1 Q And that's left there by officers?
2 A Yes.
3 Q Now, the purse and the keys and the cell
4 phone that were in 49 that we were talking about, did you
5 impound any of these items?
6 A No, I didn't.
7 Q Was there a reason that you didn't impound
8 the cell phone or the keys or the purse?
9 A No.
10 Q Did it appear to have any evidentiary value
11 at the time?
12 A The keys and the cell phone, no.
13 Q Did you actually go through the purse?
14 A The purse was gone through by detectives
15 prior to my returning from the jail.
16 Q Did you impound into evidence, the TPO that
17 was on the table?
18 A Yes.
19 Q I'm going to show what's been marked as
20 State's Proposed Exhibit 126, and ask you if you recognize
21 what this is?
22 A Yes. This is one District Court Family
23 Division Temporary Restraining Order, and then it's got
24 the case number. And it's my package, all of this is
25 written in my writing, and my signature and my initials

1 and personnel number are here on the front.
2 Q Has this been in your sole care, custody and
3 control and in the same condition as it was when you
4 impounded it?
5 A No.
6 Q What's different about this?
7 A It appears that it's been checked out with
8 the chain of custody being signed twice.
9 Q And other than that chain of custody being
10 signed twice, does it appear to be in the same condition?
11 A Yes.
12 MS. GOETTSCH: The State would move for
13 admission of 126 at this time.
14 MR. BLOOM: I have not identified the
15 contents of it.
16 MS. GOETTSCH: I think she did.
17 Q (By Ms. Goettsch) What are the contents,
18 according to your inventory?
19 A The contents are listed as one District
20 Court Family Division Temporary Restraining Order under
21 Case No. T, as in Tom, -46849.
22 THE COURT: Is there just one document
23 in there then?
24 THE WITNESS: It's one document and, as
25 I recall, it's multiple pages.

1 THE COURT: Any objection?
2 MR. BLOOM: No, Your Honor.
3 THE COURT: It is received. Thank you.
4 Q (By Ms. Goettsch) And if you would go ahead
5 and open that and take out the contents.
6 This is the Temporary Protective Order that
7 was on the table in the photograph?
8 A Yes, it is.
9 Q And according to the document, when was that
10 document signed, or when did it come into effect?
11 A It appears that – let me see. The document
12 is signed December 5th, and 12/12/2000 is the date that it
13 says to remain in effect until 11:59 on that date.
14 Q So it essentially expires on 12/12?
15 A Yes.
16 Q You also had an opportunity to document the
17 general position of the body that you found in this area;
18 is that right?
19 A Yes, I did.
20 Q And is that noted on the map? If could you
21 take the pointer and indicate where you documented the
22 body.
23 A When I arrived back from the jail the
24 coroner investigator had not arrived yet, so nothing had
25 been disturbed at all in and around where the body was.

1 admission of State's 29 and 30 at this time.
2 THE COURT: Objection?
3 MR. BLOOM: No objection. We've made a
4 request regarding the photos, Your Honor, and we'll just
5 submit on that matter.
6 THE COURT: As to the photographs we've
7 made mention of previously?
8 MR. BLOOM: Yes, Your Honor.
9 THE COURT: They will be reviewed.
10 Q (By Ms. Goettsch) And did you also make an
11 effort to document where the main parts or the main
12 furniture was in that room?
13 A Yes.
14 Q If you can kind of explain that on the map
15 as well?
16 A Along the south wall there was a couch with
17 a chair and an end table here in between the two. In the
18 center was a large table that could be thought to be a
19 large sized coffee table.
20 The fire place along the wall here and then,
21 of course, the table which was back in this corner, the
22 northeast corner – northwest corner of the room.
23 The body was laying at a diagonal and the
24 leg a little bit underneath the coffee table, the right
25 leg underneath the coffee table, and the head adjacent to

1 And I just went through and –
2 MR. BLOOM: Objection, Your Honor. No
3 foundation. Move to strike.
4 THE COURT: Response?
5 MS. GOETTSCH: Foundation as to what?
6 MR. BLOOM: As to whether or not the
7 body had been moved, anything of that nature. All she can
8 say is what it was when she got there. She doesn't know
9 what it was before she got there.
10 THE COURT: Understood. It will be
11 stricken.
12 Q (By Ms. Goettsch) So you document the body
13 as you saw it when you go there?
14 A Yes. Generally, especially if you're the
15 person doing the report, you're going do document in your
16 notes the position of body, how the body was dressed, any
17 noticeable injuries on the body, or anything unusual there
18 in and around the body, which is what I did.
19 I just walked around and proceeded to start
20 writing notes.
21 Q I'm going to show you 29 and 30.
22 Do these photographs fairly and accurately
23 depict how you saw the body on that date and time?
24 A Yes, they do.
25 MS. GOETTSCH: The State moves for

1 the fire place.
2 Q I'm going to show you what's been marked as
3 State's Proposed Exhibits 39 to 46, as well as proposed
4 58.
5 I'm going to ask you to review these and
6 tell me if they fairly and accurately depict how the
7 furniture was located in that room on that date in time
8 we've been discussing?
9 A Yes, they do.
10 MS. GOETTSCH: The State would move for
11 admission of 39 through 46 and 58.
12 MR. BLOOM: No objection.
13 THE COURT: It is received. Thank you.
14 Q (By Ms. Goettsch) State's 44 shows the
15 chair. Now, what area of the house is behind the chair
16 that's depicted in this photograph?
17 A The kitchen is located just behind.
18 Q And the hallway that's depicted behind the
19 chairs, that leads out towards the front door?
20 A Yes.
21 Q There's an indication in your report that
22 there was a briefcase located in this area.
23 Where is that?
24 A It's located between the ottoman and the
25 chair.

Q Down in this area here?
A Yes.
Q Did you find any shell casings in this area?
A Yes.
Q And where were they?
A There were two found underneath the glass end table between the one with the lamp on top, and in between the chair and the couch.
Q Did you photograph those separately?
A They were photographed separately.
Q And so this is 45. This shows the location of the briefcase?
A Yes.
Q And the shell casing underneath this coffee table here?
A Yes. There's one between that gap right there between the couch and that end table.
Q Is it better depicted in 46?
A Yes.
Q And you also documented the couch in this area.
What are the items that you found on the couch?
A It was – as far as I can recall, it was a baby bag that would hold baby items like diapers and this

type of thing.
Q And it appears to have a piece of paper also on the couch. Do you recall if you looked at that as to what that was?
A No. I don't recall that.
Q And you also documented the condition of the coffee table; is that correct?
A Yes.
Q Did it appear that anything was out of place or disturbed on the coffee table?
A It was hard to say. There was a lot of, again, baby-type items stacked and all around the table, but it didn't look unusually disturbed. It was just piled high with things.
Q Did it appear that anything had been knocked off the coffee table?
A Not that I noticed.
Q And then you also described towards the end the couch towards the fire place there was an exercise bike; is that right?
A Yes.
Q And were there any shell casings in this area?
A Yes, there were. There were three.
Q And where were they located?

A They were, looking at this picture, there were two near the exercise bike between the exercise bike and that fire place to our right side in the picture.
Then there was another one a little more left near the head.
Q And are those shell casings near the front of the exercise bike better depicted in 41?
A Yes.
Q And the last one, the shell casing that was by her head, is that better depicted here in 40?
A Yes.
Q And when – so you had a total of five shell casings that you found that night?
A Yes.
Q Did you correspond – did you have corresponding numbers for those on the map?
A Yes.
Q Could you point out for the jury where they were documented on the map?
A The two other by this is, again, the end glass table with the lamp. There was one on this end of the table, which would be your south side. And then over here in between the couch and the end table.
Then the other three we were just looking at are the exercise bike being here, and then two shell

casings here, and the one that was over to the left side of the head.
Q Now, do you give each shell casing a certain – are they numbered a certain way when they are impounded and documented on the map?
A Sometimes for court purposes we'll try to have our evidence impound correspond with a crime scene diagram to make it easier for people to understand.
So in this case, yes, we did use in the photography tent markers to mark each one, and they correspond with the evidence impound on the diagram.
Q And the numbers that you assign them, do you also photograph the shell casings with the corresponding number?
After you've photographed them without the number, do you then photograph them with the corresponding number?
A Yes.
Q I'm going to show you State's 52 through 56, and have you a take a look at those and tell me if they fairly and accurately depict the shell casings we've been discussing after they have been labeled with the corresponding number?
A Yes.
MS. GOETTSCH: The State would move for

1 admission of 52 through 56 at this time?
2 MR. BLOOM: No objection. I'm just
3 going to make a continuing submission on all the issues
4 with regard to the photos and so forth as we talked, Your
5 Honor, so I don't have to repeat that, if that's
6 acceptable with the Court.
7 THE COURT: I appreciate that. With
8 that understanding I'm going to receive these proposed
9 exhibits.
10 Q (By Ms. Goettsch) Exhibit 52, what does
11 this depict?
12 A The tent markers are in place surrounding
13 two of the cases that were found under the end table.
14 Q And they're labeled 1 and 2?
15 A Yes.
16 Q And they correspond with 1 and 2 on the
17 diagram?
18 A Yes, they do.
19 Q And exhibit 53, what does this depict?
20 A Tent markers 3 and 4, and a photograph near
21 the two cases that were found on the front, in the front
22 area of the exercise bike.
23 Q And this 3 and 4 corresponds to the 3 and 4
24 that are on the map?
25 A Yes.

1 Q And No. 54, does that show a close-up of
2 casing No. 3?
3 A Yes.
4 Q And 55, does that show a close-up of casing
5 No. 4?
6 A Yes.
7 Q And Exhibit 56, what does that depict?
8 A That's shell case No. 5.
9 Q And does that correspond with the No. 5
10 that's on the map?
11 A Yes.
12 Q Did you then go ahead and impound all five
13 of the shell casings?
14 A Yes.
15 Q I'm going to show you what's been marked as
16 State's Proposed Exhibit 121, and ask you what that item
17 is?
18 A This package contains five shell cases that
19 we were just looking at in the photographs.
20 Q And do each of the numbered items correspond
21 to the items where you found them on the map?
22 A Yes.
23 Q And do you recognize this as your writing
24 and your impound information?
25 A Yes.

1 Q Has this been in your sole care, custody and
2 control from the time you found it until the time you put
3 it in impound?
4 A No.
5 Q And what's different about this one?
6 A It appears that under the chain of custody
7 it's been checked out one time. There was a signature
8 here.
9 Q And other than that particular chain of
10 custody issue, does it appear to be in the same condition?
11 A Yes.
12 Q If you could open it at this time and take
13 out the contents.
14 We've been talking about casings. What,
15 exactly, is the casing you found here?
16 A What is the shell case?
17 Q Yes.
18 A After a cartridge has been fired, a bullet
19 will be propelled with the firing pin and some type of
20 explosive powder. The bullet leaves the gun, and out of
21 the side of the port will come this shell case which is
22 stripped off of the bullet.
23 And it will be just -- in certain situations
24 on semiautomatics it will be blown out of the right side
25 of the gun out through the side of the port. So this is

1 actually like a discard or this type of thing from a
2 cartridge.
3 Q And these are the five shell casings you
4 encountered?
5 A Yes.
6 MS. GOETTSCH: The State would move for
7 admission of 121 and contents.
8 MR. BLOOM: No objection.
9 THE COURT: It is received.
10 Q (By Ms. Goettsch) Now, we talked about the
11 exercise bike.
12 Did you happen to notice if there was any
13 apparent blood on the exercise bike?
14 A That night it was talked about, and I did
15 notice it at first. It was pointed out to me and, yes,
16 I did see it.
17 Q I'm going to show State's Exhibit 37, and
18 I'm going to ask you if this fairly and accurately depicts
19 the blood transfer that you saw on the exercise bike that
20 night?
21 A Yes.
22 MS. GOETTSCH: the State would move for
23 admission of 37 at this time.
24 MR. BLOOM: Same concern, Your Honor.
25 THE COURT: Received. Thank you.

Q (By Ms. Goettsch) If could you explain for the jury so they kind of know what we're looking at here, what was on the bike?

A Well, we noticed just on the seat of the bike on our lower left-hand side, it appeared like there was some blood, some type of a transfer mark.

Q And that's kind of the a shiny part in through here?

A Yes.

Q Now, talking about the location of the body, that's also documented – let me show you 29 and 30 at this time.

Do 29 and 30 also fairly and accurately depict the location of the body from different angles in the living room?

A Yes.

MS. GOETTSCH: The State would move for admission of 29 and 30 at this time.

MR. BLOOM: Some objection, Your Honor.

THE COURT: Received. Thank you.

Q (By Ms. Goettsch) Now, as far as on the map, where was the nearest ingress or egress in comparison to where the body lay?

A Coming from where the entrance into the family room?

Q Correct.

A There would be two ways that the ingress or egress could be accessed, but probably the easiest one would be just from entering just around the coffee, I believe, that way.

Q Was there any other way out of the living room, other than the area that's circled?

A There was a sliding door here but the curtains were drawn, as far as I remember, and it wasn't opened, but there was a sliding door here in this room.

Q Now, let's talk about the condition of the body. Could you describe the clothes that were on the body?

A When I first viewed the body, it appeared like work-out clothes were on the person; black shorts, a black sports bra, pink-colored tank top, and she had white underwear, white socks and athletic shoes.

There were two items of jewelery, one on her neck, and one on her right wrist.

Q Would you say that the clothes she was wearing appeared fairly snug?

A Yes.

Q Were there any pockets that you noticed?

A Not that I noticed.

Q Did any of her clothes appear to be ripped

or torn or disheveled in any way?

A There was areas where there were apparent gunshot wounds where they were ripped and torn, but other than that.

Q Other than the gunshots?

A Yeah. I didn't notice any other tears.

Q When you reviewed the condition of the body, did you see any guns near the body?

A No.

Q Did you retrieve any knives, screwdrivers, pens, pencils, any other sharp objects from around the area of the body?

A No.

Q Now, when you arrive at the scene this is how the body appeared; is that right?

A Yes.

Q Did it appear there had been any medical intervention taking place on the body?

A Not that I could see.

Q Did you find any type of evidence that the body had been moved in any way?

A When I saw the body it didn't appear to be moved at all.

Q And what are some of the things you looked for to determine or suspect that the body had been moved?

A This surface that the body was laying on was tile, so it was a nonporous surface. And generally blood will start pooling, and it appeared like blood had left the body and started pooling.

I didn't see swipe marks or any type of marks to indicate to me that it had been moved.

Q Did you also make an effort for your report to document the injuries on the body?

A Yes.

Q I am going to show you Exhibits 31 through 36, as well as 38.

Could you take a look at those and tell me if they fairly and accurately depict the injuries you documented on her body that night?

A Yes.

MS. GOETTSCH: The State would move for the admission of State's Exhibits 31 through 36, as well as 38.

MR. BLOOM: Same submission, Your Honor.

THE COURT: Received. Thank you.

Q (By Ms. Goettsch) Now, you indicated that you noted gunshot wounds on the body; is that right?

A Yes.

Q When you first came upon the body, what were

1 the first gunshot wounds that you noted?
2 A Probably the one to the breast.
3 Q And why was that noteworthy?
4 A As I approached the body the left breast was
5 in a flattened state, where the right breast was in a more
6 round stated on the chest. So right away I didn't know
7 for sure, but I thought there was a gunshot wound to the
8 chest, and it could possibly be an augment breast.
9 Q Was there anything else about the crime
10 scene that may have suggested augmented breast?
11 A Well, as I walked over I saw the body of
12 blood on the left side of the body. There was also a
13 white clear fluid permeated or diluted with the blood. I
14 wasn't sure what that was.
15 Q When you say augment, you mean she had a
16 breast implant?
17 A Yes.
18 Q Did you notice this same looking at the
19 injury to the breast, did you also notice any gun shot
20 wounds to her arm?
21 A Yes.
22 Q What did you notice about the arm?
23 A the arm had some type of a break or a big
24 fracture, and there were two gunshot wounds, one on either
25 side of the arm.

1 Q Did you notice any wounds her hands?
2 A Yes.
3 Q What did you notice about that?
4 A On her right hand, the fifth or the small
5 little finger had a gunshot wound, and the pinky was
6 laying on the inside of the palm.
7 Q So the actual part of her finger was inside
8 her other fingers?
9 A Yes.
10 Q And that is Exhibit 34. And at some point
11 while you were there, did you notice a gunshot wound to
12 the back?
13 A Yes.
14 Q Now, did you have to physically turn her
15 over to see that?
16 A I was present when Rod Hereford, the coroner
17 investigator, was there. And he's the one that was
18 manipulating the body as I took photos.
19 Q And is this gunshot wound depicted in 35?
20 A Yes.
21 Q Did you also document – I'm going to show
22 you 38. Did the coroner also remove her shirt so you
23 could better visualize the shirt and actual wound to her
24 breast?
25 A Yes. And this is standard at a scene like

1 this. This shirt is pulled up at the front and the back,
2 and the photograph will be taken.
3 Q Did you also notice any gunshot wounds to
4 the face?
5 A Yes.
6 Q And tell me about that?
7 A There was a shot wound on the right side of
8 the forehead that was noted, the right eye and the right
9 side of the mouth.
10 Q And this is depicted in 31, Exhibit 31?
11 A Yes. You can see the one in the eye and the
12 mouth in that photograph.
13 Q And did you notice anything about the
14 gunshot wound to her mouth, as far as teeth being
15 displayed?
16 A Yes. There were several teeth that were not
17 there.
18 Q Did you see teeth anywhere else?
19 A There was – when the body was rolled there
20 was tooth stuck in the back of her hair.
21 Q And is that depicted in Exhibit 36?
22 A Yes, it is.
23 Q And it's that white there?
24 A Yes, it is.
25 Q Now, as you go to scenes are you familiar

1 with the concept of stipling?
2 A Yes, I am.
3 Q And what is that, just generally?
4 A When a gun is fired, generally there's like
5 an explosion at the end of the barrel, and little minute
6 particles or pieces of that powder, whatever type of an
7 accelerant that's used in that particular load in the
8 cartridge will create, if close enough to the skin, little
9 small burns or little small abrasions.
10 Q Did you notice the presence of any stipling
11 on any of the wounds that documented injuries to Gina
12 Centofanti's body?
13 A Yes.
14 Q And where was that?
15 A It was very noticeable on her right side of
16 her cheek.
17 Q Is that depicted here in Exhibit 32?
18 A Yes.
19 Q And that was something that you could see
20 with the naked eye?
21 A Yes.
22 Q And, also, when the coroner was there, the
23 coroner's investigator was there and was examining the
24 blood and the breast, did you also notice an abrasion mark
25 to her stomach?

A Yes. There was an abrasion.
Q And is that depicted here in 38, once again?
A Yes.
Q Did it appear to you just on first glance to be a fresh mark?
A I can't say for sure.
Q Now, when you went through and documented casings, did you yourself -- and I realize there were two other crime scene analysts there -- ever go through the cushions of the couch?
A No.
Q Did you have the opportunity later on after the investigation to impound any additional shell casings?
A Yes, I did.
Q And tell me the circumstances of that?
A My supervisor on day shift, of course, this was the next year on a different shift, my supervisor informed me that I needed to respond down to homicide.
I believe it was 12/17/01, and I needed to go and recover two shell cases that were associated with this case.
Q And did you actually go and retrieve these shell casings?
A Yes, I did.
Q And it was an entire year later that you did

that?
A Just about. It was 12/17/11.
Q And who did you retrieve these casings from?
A Tommy Thowsen the homicide detective was present. I got the name of Peter Christiansen, but there was an investigator by the name of Tom that was there. I am not recalling his last name.
Q And you took those casings into your possession at that time?
A Yes, I did.
Q And what was your understanding of the circumstances in which those were being turned over to you?
A They were turned over by Mr. Centofanti to his counsel. And apparently when he was moving from the home he found these two shell cases inside the cushions of the couch.
Q I'm going to show you, for starters, State's Proposed Exhibit 127, and ask you if those fairly and accurately depict those two additional shell casings that were handed over to you in December of 2001?
A Yes.
MS. GOETTSCH: The State would move for admission of 127 at this time.
THE COURT: Any objection?

MR. BLOOM: No, Your Honor.
THE COURT: It is received. Thank you.
Q (By Ms. Goettsch) I am going to show you State's Proposed Exhibit 128, and ask you to describe what that is?
A This is my package, it's in my handwriting, two expended cartridge cases bearing a head stamp RP Ruger nine millimeter.
Q Is this the package that you had for these two additional shell casings?
A Yes, it is.
Q And has that been disturbed since you put it into evidence?
A It looks like the chain of custody is signed one time. There is additional tape indicating it was entered into one time.
Q Does it appear to be in the same condition?
A Yes.
Q You can open it at this time. Do those appear to be the two shell casings that you impounded in December of 2001?
A Yes. I've got writing here with my initials and personnel number and there are the two.
MS. GOETTSCH: The State would move for admission of 128 at this time.

MR. BLOOM: No objection.
THE COURT: It is received. Thank you.
Q (By Ms. Goettsch) Now, are you aware that there was some blood spatter present on the walls and the furniture of this house?
A Yes.
Q Were you responsible for documenting that and analyzing that?
A No, I wasn't.
Q Who was responsible for that?
A Randy McLaughlin who was involved with that, my supervisor at the scene.
Q After you were done documenting the crime scene, did you make an effort to document the upstairs of that area?
A Yes. When I returned from the jail and was told photographs had been taken, I walked upstairs with Dan Peterson, my coworker. And he walked me through, basically, the whole house, including the whole upstairs.
Q I'm going to show you State's Proposed Exhibits 84 through 92. Take a look at those and tell me if they fairly and accurately depict the upstairs of that crime scene and it was on December 20th of 2000?
MR. BLOOM: What are those numbers, counsel?

1 MS. GOETTSCH: 84 through 92.
2 Q (By Ms. Goettsch) Do those fairly and
3 accurately depict that area on that date and time?
4 A Yes.
5 Q And I'm putting up here what's already been
6 marked and admitted as 57B, which is the second floor of
7 that area.
8 Does that look familiar to you?
9 A Yes.
10 MS. GOETTSCH: The State would move for
11 admission of 84 through 92.
12 MR. BLOOM: No objection.
13 THE COURT: It is received. Thank you.
14 Q (By Ms. Goettsch) And State's 84 appears to
15 be a room at the top of stairs.
16 What room is that at the top of the stairs?
17 A That's the master bedroom.
18 Q Was there anything of evidentiary interest
19 in the master bedroom?
20 A No.
21 Q And then a second bedroom is depicted in
22 State's 88; is that right?
23 A Yes.
24 Q And was there anything of interest in the
25 second bedroom?

1 A Yes, there was.
2 Q And what was that?
3 A We noticed that there was a drawer pulled
4 out. It's depicted up in the right-hand corner, the night
5 stand and the drawer had been pulled out.
6 And it's not shown in this photograph, but
7 at the lower foot of the bed in front of that crib there
8 was a black phone laying on the floor off the hook.
9 Q And is that shown here in Exhibit 90?
10 A Yes.
11 Q And other than that, was there anything of
12 evidentiary interest in that room?
13 A There was also in that room between the bed,
14 and there is a closet just on the left side of that bed on
15 our left, there was bat laying on the floor which was kind
16 of unusual, a metal bad.
17 Q Did you have any reason to think the bat was
18 involved here?
19 A It just seemed unusual, but not enough for
20 us to take it into evidence.
21 Q I'm also going to show you Exhibits 93
22 through 103, and ask you to take a look at these and tell
23 me if they fairly and accurately depict the remaining
24 areas of the house as they appeared on that date and time?
25 A Yes.

1 MS. GOETTSCH: The State would move for
2 admission of 93 through 103.
3 MR. BLOOM: No objection.
4 THE COURT: Received. Thank you.
5 Q (By Ms. Goettsch) And do these pictures
6 also show documentation of how the garage looked?
7 A Yes.
8 Q Was there anything of evidentiary value or
9 noticeable in those areas?
10 A No.
11 Q Now, when you were impounding evidence, were
12 you given something from the purse that was on the kitchen
13 table that you impounded?
14 A Yes.
15 Q And what was that?
16 A There were two gun registration cards. We
17 call them blue cards.
18 Q I'm going to show you State's Proposed
19 Exhibit 123, if you could tell me what that depicts?
20 A I need to sign these too. This package is
21 in my handwriting, and it holds two gun registration cards
22 inside.
23 Q Is that in the same condition it was when
24 you impounded it?
25 A It appears to have been entered into either

1 once or twice, but there are two additional names on here
2 on the chain of custody.
3 Q Other than those entries on the chain of
4 custody, does it appear to be in the same condition?
5 A Yes.
6 Q If you could open it, please.
7 And are these the two gun registrations that
8 you were asked to impound after the search of Gina
9 Centofanti's purse?
10 A Yes. The writing on the bag is my writing,
11 my initials and personnel number and, yes, these are.
12 MS. GOETTSCH: The State would move for
13 admission of 123 and its contents.
14 THE COURT: Objection?
15 MR. BLOOM: No.
16 THE COURT: It is received. Thank you.
17 Q (By Ms. Goettsch) Now, as you went through
18 and documented this crime scene, did you ever find any
19 other guns, other than the Ruger that was impounded in
20 evidence?
21 A No.
22 Q Did you ever find a shotgun anywhere in the
23 closets, anything like that?
24 A No.
25 Q Did you find a Taurus, a .38 caliber Taurus

1 revolver?
2 A No.
3 MS. GOETTSCH: I have no further
4 questions.
5 THE COURT: Cross-examination?
6
7 CROSS-EXAMINATION
8 BY MR. BLOOM:
9 Q Good afternoon, Ms. Dahn.
10 A Good afternoon.
11 Q I'd like to go over your credentials again.
12 How many years have you been collecting
13 evidence?
14 A Going on six years.
15 Q How many years as of December 2000?
16 A As of December 2000, I was hired in 1998, so
17 I was only on about two years.
18 Q And you were working under the supervision
19 of Randy McLaughlin?
20 A Yes, sir.
21 Q And he's a person senior to you in
22 experience, as well as your supervisor?
23 A Yes.
24 Q As I understood it, he had to go on vacation
25 the next day so you were going to do most of collection?

1 Did I hear something like that?
2 A Yes. Except for to clarify, Randy
3 McLaughlin the supervisor was present, and it was Dan
4 Peterson, the senior crime scene analyst that was assigned
5 that was going on vacation.
6 Q So was McLaughlin's duty to collect
7 evidence?
8 A No. He was out at the scene in a
9 supervisory position, but he did ultimately take on the
10 chore of the photography at the scene, being that the
11 logistics and I was still at the jail when the search
12 warrant came through.
13 Q So to understand the responsibilities or the
14 assignments that were made, you and Dan Peterson were both
15 out there to collect evidence. Mr. Peterson left most of
16 the work for you because he was going to go on vacation
17 and wouldn't be able to process the evidence the next day?
18 A Well, the assignment was made -- he didn't
19 leave anything for me. The assignment was made by Randy
20 when the scene first opened up.
21 It was already decided that I would do the
22 evidence collection. I would do the report. I would do
23 all the photography, which didn't end up being that way
24 because of the logistics of my being at the jail when the
25 search warrant came through.

1 And Randy would be there in a supervisory
2 position. Dan Peterson was just tasked with having to do
3 the diagram, and that was because he was going on vacation
4 the next day.
5 Q What is your experience before you began
6 working as an evidence technician?
7 A My job prior to this?
8 Q Yes.
9 A I was self-employed as a manicurist for 18
10 years.
11 Q That was quite a career change.
12 A Yes, it was.
13 Q From a manicurist you decided to work for
14 the police. How long was your academy?
15 A Our academy lasts right about nine weeks,
16 and then we have approximately a 15-week field training.
17 Q And what was the date you started?
18 A I started on July 13th, 1998, so a little
19 over two years. I was a Crime Scene Analyst 2. We have
20 Crime Scene Analyst 2, Crime Scene Analyst 1, which is the
21 higher end stage. Of course, now I'm a senior crime scene
22 analyst, but at the time I was a 2, just over two years.
23 Q So you started in the middle of July and
24 complete the academy about nine weeks later?
25 A Yes.

1 Q Went out on 15 weeks supervised training,
2 and went on your own after that; is that correct?
3 A Yes. The department how they handle this,
4 generally for about the first year-and-a-half you're
5 continually being assigned to property crimes only.
6 And we work those scenes, and little by
7 little as your supervisor sees your ability, you may be
8 tasked with some crimes against persons, in which they
9 will come out and respond to the scene and oversee your
10 work.
11 Q Is that year-and-a-half of property crime
12 scenes, is that after you've completed your 15 weeks of
13 training?
14 A Yes.
15 Q So as I understand it, nine weeks of
16 academy, 15 weeks of training, 20 full weeks, so that's
17 six months before you went on your own at all; is that
18 correct?
19 A Yes.
20 Q So that would have been sometime in February
21 of 1999?
22 A That's approximately right.
23 Q Adding six months from July '98.
24 So starting in February of 1999, you started
25 approximately a year-and-a-half of where you went to crime

1 scenes on your own, but they were property crime scenes;
2 is that correct?
3 A Right.
4 Q So tat would have been approximately until
5 August of 2000, if you had 18 months from February of '99,
6 that 18 months puts it sometime August or September?
7 A Yeah. Approximately at about a
8 year-and-a-half, I know I went about a year and
9 three-quarters I was already being trained to work
10 autopsies, and going out to dead body calls.
11 So I know it just depends on everybody's
12 abilities, what they show their supervisor. Myself, I was
13 hired in at 41 years old. I believe I showed maybe a
14 little bit more maturity, so I think I excelled a bit
15 faster. I'm a pretty quick learner.
16 By what you're saying is all -- if you're
17 logistically figuring you go the time, that would be
18 right.
19 Q You say you've had some training to do
20 autopsies. When you completed your 18 months of crime
21 scene work where you could do that alone, then you got
22 some training to work for autopsy scenes and so forth; is
23 that right?
24 A Yes.
25 Q How many homicide scenes had you been to on

1 your own as of December 2000?
2 A Well, homicides were never on our own. It's
3 department policy that we will always have a supervisor be
4 present, a crime scene analyst senior. At the time that
5 would have been Dan Peterson.
6 And either 1 or 2, crime scene 1 or 2. The
7 night this call came out, it came out initially just as a
8 shooting so it was going to be my call, and I was assigned
9 the call and I was already working those cases.
10 Then when it turned into we knew that it was
11 what we call 420 or possible homicide, then the
12 assignments all changed and I became the lower person of
13 the three of us, so the one with the least seniority, so
14 to speak, at the scene.
15 Q How many homicides had you been to as of
16 December 20th of 2000?
17 A At that point -- I didn't count it before I
18 came to court, but I could safely say I know at least over
19 20, but under maybe 35 or so. They pretty much start you,
20 like I said, a crime scene 1 can respond to a homicide,
21 and generally is tasked with doing the crime scene
22 diagram, for instance. So I had been to several, many.
23 Q You say you didn't do it on your own until
24 August of 2000. You were just doing property crimes until
25 August of 2000?

1 A Well, we go -- I'm sorry.
2 Q So had you done homicides before you
3 finished your 18 months of crime scenes, property scenes?
4 A Yes, I did.
5 Q And when did you go to your first one?
6 A I can't really -- probably there was a
7 supervisor that was my very first supervisor. Probably my
8 first one was when I was in field training. It works out
9 that you're with a trainer and you're in field training,
10 but there's no one take the call.
11 So it's the supervisor that will have
12 somebody in field training even maybe respond and pull
13 what we call the dummy end of the tape just to get the
14 exposure. You're not tasked with a lot of responsibility
15 at that point.
16 Q When was the first homicide that you went to
17 where you had some responsibility, besides being on the
18 dummy end of the tape and watching, or else doing the work
19 where you were actually --
20 A That's what we call --
21 THE COURT: One at a time.
22 What is the question?
23 Q (By Mr. Bloom) When was the first homicide
24 scene that you went to where you were working, not as an
25 observer of somebody else doing the task, but you had the

1 responsibility?
2 A I can't really say the exact date, but I
3 would want to say I know probably when -- after I was
4 hired, one-and-a-half years first, right around that time.
5 Q About a year-and-a-half?
6 A Right. I probably was doing the crime scene
7 diagrams and given that responsibility.
8 Q Well, that would have been then -- is that
9 one-and-a-half from July of '98, or after the academy?
10 A Yes. That's from my hire date.
11 Q From July?
12 A Yes.
13 Q So that would have been about January or so
14 of 2000. So you're not saying you went to 35 homicides in
15 the year 2000?
16 A No. Over the whole time I was hired up
17 until that time. I was not tasked with working them, but
18 I was present.
19 Q How many?
20 A I didn't know I was going to be asked this
21 question, so I really can't say for sure; probably 20.
22 Q I'll go back through some of the areas that
23 you looked at. When you got to the scene you looked at a
24 vehicle. We saw the picture of the BMW parked in front of
25 8720 Wintry Garden; is that right?

A Yes.
Q And it was parked in the wrong direction on the street; is that right?
A I would have to tell you that when I arrived at the scene there was a lot of hubbub going on. I took some general overall photos, but I did not scrutinize that vehicle very closely so, no, I didn't notice that.
Q You saw a picture of it?
A Yes. I see saw Randy's pictures of it.
Q Did you take a picture of the vehicle?
A I believe I took some big overalls, but I know that I never did take any close-up pictures of the vehicle.
Q I think it's Exhibit 18 and 19.
This picture is -- that's the BMW that we're talking about, right?
A It appears like it, yes. That's the car.
Q Now, you can't see it quite from this picture because you can't tell the position of the house, but the house at 8720 is right here.
This is the front lawn of the house, right?
A Uh-huh.
Q You have answer yes or no.
A Yes.
Q And this is the sidewalk of the house,

correct?
A Yes.
Q And this is the curb of the house, correct?
A Yes.
Q And this is the street?
A Uh-huh, yes.
Q So this car was parked in the wrong direction on the street, halfway up the curb, halfway on the sidewalk, correct?
A In the picture that I saw Friday I noticed it was up on the curb, but I didn't find anything that unusual because it's not really a designated big wide sidewalk. I have the same type of curb at my house.
As far as the direction of car, I didn't even notice that.
Q here's the direction of the car.
Isn't that parked on the wrong side of the street?
A Yes. It looks like it is.
Q Can't we see the sidewalk right here?
A Yes.
Q And you're telling me that you don't think it's unusual to park the car in the wrong direction and not on the street, but halfway up the cub?
A With that type of a rounded curbing, I have

the same thing, like I said, at my home. And sometimes to get your car off the street, I don't find that part unusual. But being parked in the wrong direction, it's parked in the wrong direction, but I guess that's unusual that it is.
Q In terms of getting it off the street, do you think there was some reason that street was too small or something like that, or the car had to be up on the curb in order for other vehicles to get by?
Let me see rephrase the question.
You're not saying that this street is so small that you have to park it up on to the sidewalk in order to have a safe parking?
A No.
MS. GOETTSCH: Judge, I'm going to object ot this line of questioning. It just calls for speculation as to what the driver or the parker of the car was thinking or doing at this time. It's not for her to decide.
MR. BLOOM: The State asked her if she thought it was unusual, Your Honor. I think I have a right to --
MS. GOETTSCH: I'm asking if it was unusual the fact that she's looking at a crime scene, did anything strike you about how the car was parked and she

said no. She's answered that question.
MR. BLOOM: Your Honor, I have a right to cross-examine.
THE COURT: I'm going to allow that. Go ahead.
MR. BLOOM: Thank you.
Q (By Mr. Bloom) Let me ask you now, you're not saying that there's something about that street width that makes it so that you have to park on the sidewalk in order it make it a safe parking, are you?
A No.
Q When you were out at the scene, did you see any other cars parked in the wrong direction half way up the curb?
A No.
Q In terms of whether or not you thought that was unusual or not, did that indicate to you that perhaps somebody was in a great rush or great hurry when they parked the vehicle?
A It appears like that could be a possibility, yes.
Q Let me ask you now to turn to one of the other tasks that you performed.
As I understood, you were at the house. By the way, while we have the pictures up let me start over

1 and ask you a question.
2 Can you tell us, is this 8720 Wintry right
3 here? Is that the 8720 Wintry house?
4 A Yes.
5 Q And then this is the Wright's house next
6 door?
7 A Yes, uh-huh.
8 Q Now, going on to another task, as I
9 understand it you were called to the scene there; is that
10 correct?
11 A Yes.
12 Q Let's find out who was there when you got
13 there.
14 How many people were already at the scene by
15 the time you got there?
16 A Hard to say, but I would guess at a minimum
17 of at least ten or more.
18 Q Was the tape up already by the time you got
19 there?
20 A Yes, it was.
21 Q How many people entered the house, 8720,
22 before you entered the house?
23 Now, I obviously know you don't know who
24 entered the house before you got there. I don't mean
25 that. I mean after you got there, did anyone else enter

1 the house before you did?
2 A When I returned I do know the people present
3 were, of course, Randy, Dan Peterson, my coworkers, and
4 then the homicide detectives that were out at the scene
5 assigned to the case. They were inside the house.
6 Additionally –
7 Q Let me interrupt. You saw those folks
8 inside the house?
9 A They were inside the house once returned.
10 They all were inside the house. Maybe I misunderstood
11 your question, if you could ask it again.
12 Q I know you can't tell us who was inside the
13 house before you got there. You might look at a report of
14 what you saw, but you can't say who entered the house
15 before you got there.
16 I'm asking who entered after you got to the
17 scene? Was there anybody else in the house that you saw
18 in the house before you entered the house?
19 A When I arrived back at the scene inside the
20 house already were Randy McLaughlin, Dan Peterson. I do
21 remember Tom Thowsen being there, and also arriving a
22 little later Rod Hereford, the coroner's investigator with
23 the coroner's office also entered.
24 And that's all I recall.
25 Q When you say arrived back at the scene, that

1 was after you had gone to Clark County Detention Center
2 and took some photos; is that correct?
3 A Yes.
4 Q So you were at the scene first at 8720, and
5 you left to take some pictures at the Clark County Jail;
6 is that right?
7 A I was on the exterior of 8720. I had
8 processed the scene at 8716 and recovered the gun, and
9 they were awaiting a search warrant at the time I left to
10 go to the jail.
11 Q Do the records reflect that, in fact,
12 Officer Gogian, her partner I think it was an Officer
13 Lopez, but Officer Gogian was the first officer at the
14 scene, a female officer and her partner had entered 8720
15 and exited, both of them had reentered, and that two
16 paramedics had entered the scene at 8720 prior to the
17 police arriving? I'm sorry, prior to the detectives
18 arriving.
19 A I believe when I was out at the scene I did
20 hear something to the effect that the first responding
21 officer did enter inside the house. I'm not aware of how
22 many paramedics or any other people that went inside.
23 Q She would shall in a better position to say
24 than you?
25 A Yes.

1 Q Did you follow Mr. Centofanti to the jail?
2 A Yes.
3 Q Did you see him being transported literally?
4 Were you in the same vehicle, or were you in a different
5 vehicle?
6 A No. I was in my own vehicle, and I was
7 right behind the vehicle the entire ride to the jail.
8 Q Who was the officer that rode to the jail?
9 A I want to say that it was Officer Gogian,
10 but I can't say for sure. I don't recall.
11 Q And Officer Gogian has testified that that
12 was somewhere between an hour to two hours after the call
13 was made and so forth. That would put it anywhere between
14 perhaps 8:00 to 9:00 or so p.m.
15 Would that comport to your recollection as
16 to when you got there?
17 A Yes.
18 Q In fact, you have a record of when you went
19 to the jail?
20 A Yes. I went to another location and
21 indicated that on our dispatch records.
22 Q Do you remember what time you went to the
23 jail?
24 A Yes. I arrived at 8720 at approximately
25 around 7:30, and I believe I went in route to the jail

1 just after 8:00 o'clock or so, arriving to the jail around
2 8:30 or so.
3 Q Would it refresh your recollection if I
4 showed you a report that was authored by you?
5 A Sure.
6 MR. BLOOM: May I approach the witness?
7 THE COURT: You may.
8 Q (By Mr. Bloom) I highlighted sections here
9 for you. Would you read this to yourself.
10 Now, does that refresh your memory so now
11 you can remember what time you got there? If it doesn't,
12 then you can testify from here and you can tell us that.
13 A Yes. If I wrote it in the report, I try to
14 remember times and memorize times, but I would be willing
15 to say that the report is correct.
16 Q You don't actually remember the time right
17 now, but you do remember you wrote a report about this,
18 correct?
19 A Yes.
20 Q And in the report you reflected the accurate
21 time, correct?
22 A Yes.
23 Q And what does your report reflect the time
24 you went there?
25 A It states that I arrived there around 7:30

1 or so.
2 Q Let me show it to you again.
3 Doesn't your report say 2120?
4 A Right; around 9:30.
5 Q 9:30 p.m.; is that right?
6 A Yes.
7 Q Now, you followed Mr. Centofanti in a police
8 car, and you think it was Officer Goglan that took him
9 there. You had not spoken to Mr. Centofanti at any point
10 up until the time you went to the jail; is that correct?
11 A Yes, that's correct.
12 Q And, in fact, was he processed into the jail
13 even before you got there?
14 A I'm not for sure about that. I don't know.
15 Q Do you know how long he was at the jail
16 before you photographed him?
17 A I want to just say an approximate time,
18 maybe around 10 or 15 minutes.
19 Q Do you remember that his clothing was
20 collected by a particular corrections officer?
21 A Yes; by the last name of Tature (phonetic.)
22 Q And are you aware that Corrections Officer
23 Tature indicated, filled out a report with regards to
24 Mr. Centofanti's inability to understand things and to
25 write things down and so forth?

1 A No. I'm not aware of anything like that.
2 Q You're not saying it didn't happen?
3 A I don't have any knowledge of any of that.
4 Q Did you photograph Mr. Centofanti with his
5 glasses on?
6 A I believe I did. No. Maybe I didn't,
7 because I don't think he had his glasses on.
8 Q Did you photograph him so in any way so that
9 you could observe his skin? I know you photographed his
10 face, but I'm talking about the skin of his body?
11 A No.
12 Q You mentioned that you took one picture of
13 his face. There was close-up because you saw a little
14 mark on the left side and you thought you'd focus on that
15 just to see if it would have any importance later on; is
16 that right?
17 A Yes.
18 Q You were looking to see perhaps if there was
19 any bruising or anything like that?
20 A Yes.
21 Q You never did any examination of his body to
22 determine if there were any bruises?
23 A I had dialogue with Mr. Centofanti, and it's
24 just usual and customary you would ask if there were any
25 injuries and this type of thing. As far as I was aware,

1 there was no injuries, so there was no need to take
2 photographs of him, nude or with clothing on.
3 Q Wait a second. You told us on direct
4 examination that Mr. Centofanti never said a word to you
5 the whole time; isn't that correct?
6 A I believe that I asked the question, and he
7 may have responded in a nonverbal way. But as far as I
8 know, as far as my recollection, I did ask if there were
9 any injuries to be noted.
10 And even once he unclothed, I spoke with
11 Mr. Tature and I would have been told if there were any
12 injuries. We commonly always document injuries of any
13 sort on anybody a situation like that.
14 Q What I'm trying to get at is not what you
15 would normally do or what you should have done, but what
16 you did do.
17 Now, I'm not asking you to speculate or
18 guess. I'm asking if you remember.
19 A No. I don't remember.
20 Q Let's clarify a couple of things.
21 Mr. Centofanti never responded to you at
22 all. There were no words spoken to you by him at any
23 other time that you observed him; isn't that correct?
24 A That's correct.
25 Q In your report did you in any way indicate

that he gave you any acknowledgement in a nonverbal way to anything you said him?

A No. I did ask him to put his hands out, flip his hands over, so he was responding to me with actions. But verbally I did not put it in my report, and verbally he didn't respond to me verbally, no.

Q And nonverbally he didn't respond to you either, did he?

A Except to follow instructions and turn to the right and this type of thing, no.

Q Except for that which he would turn when you directed him, but in terms of -- and this is at 9:30 at night; is that right?

A Yes.

Q In fact, it must have been between 9:30 and 10:30 over the next hour or so when you were at the jail, right?

A Yes.

Q You were at the jail at 9:24, and he was there 10 or 15 minutes you said. So that would have put it about a quarter to 10:00 you started taking pictures of him; is that right?

A Yes. I think I was at the jail approximately half an hour so or.

Q So it would have been closer to 10:00 p.m.

by the time he is responding and turning; is that right?

A Yes, that's right.

Q But in terms of nonverbal response, he never said anything, he never responded in fashion as related to whether or not he had injuries or not, did he?

A Verbally he never said he had any injuries.

Q Or nonverbally he never responded, did he?

A No.

Q Now, as to whether or not he had injuries, you never made any examination of him to see that; is that correct?

A No. I wasn't present when he disrobed in the other room.

Q So I am correct in that regard?

A Yes.

Q And even if he had a bruise, isn't it correct that it's a pretty common experience that if you have a bruise or something like that, that a bruise will often not be present the first few hours after the blow that causes the trauma, that caused it wouldn't be evident until the next day or a number of hours later?

A That's correct.

Q You never took pictures to determine if he had any bruises?

A No.

Q Were you aware he was put on suicide watch when he got to the jail?

A No.

Q Were you aware that the jail personnel had evaluated him as being in a state of shock?

A No.

Q Now, if I could, after you took his pictures -- by the way, before we leave this area about the jail, did your report document that, in fact, you had a conversation with Officer Tature, or Corrections Officer Tature regarding his observation of Mr. Centofanti's body?

A No.

Q Did you have any such conversation with Officer Tature that you can remember?

A I can't recall. I believe I did, but I can't say for sure.

Q So maybe at about 10:15 that night you returned back to the scene at 87207

A Yes.

Q And it was when you got there that some officers -- apparently the search warrant that the police felt they wanted to get had arrived by that time; is that correct?

A Yes.

Q And as you understood it the

officers -- Officer Gogian had been -- or certain officers had been inside. Some medical people had determined that Mrs. Centofanti, Gina Centofanti was dead, but no officers had entered into the premises until they got a search warrant; is that right?

A From what I was under the impression, officers entered to make sure that there were no other -- to check out the person that was injured, as well as kind of clearing the house, so to speak, to make sure there was no other injured people.

As far as I know, I don't know anything about any paramedics. As far as I know, everybody left the premises at that point to wait for homicide detectives to arrive.

Q And when the homicide detectives got there they went to get a search warrant before they entered the house and they did so; is that right?

A Yes.

Q After that -- during waiting for the search warrant you went to the jail, and then you came back and the search warrant apparently had been authorized because people inside by the time you came back?

A Yes. When I was at the jail I heard the radio traffic that they had been authorized and were getting ready to enter.

1 Q Now, when you came back – I want to call
2 him Officer McLaughlin. Is he a police officer?
3 A No. We are civilian employees, we're not
4 police officers in the crime lab.
5 Q So you are not a police officer?
6 A No, I'm not.
7 Q Mr. McLaughlin is not a police officer, and
8 Peterson is not a police officer?
9 A No.
10 Q But Mr. McLaughlin was taking pictures there
11 of the interior of the house; is that right?
12 A Yes.
13 Q Now, the search warrant that you talked
14 about that was sitting on the table which was Exhibit 48,
15 let me see if I can find Exhibit 48.
16 Here's 48 to show one of those pages was a
17 restraining order and one was a search warrant. I guess
18 the police put the search warrant in some place after they
19 complete their search of the property?
20 A Yes. Usually upon entering a real
21 noticeable spot in the house they'll set the search
22 warrant. Then upon finishing there will also be a return
23 filmed that's out with any evidence that's been taken.
24 Q Those are the keys next to the purse?
25 A Yes.

1 Q Now, you showed us pictures of the interior
2 of the front door of the house and you indicated you that
3 saw a key in the lock of the house; is that right?
4 A Last Friday when I looked at those photos, I
5 believe I stated that I don't recall the blue key inside
6 the door. But I did look at the door as I entered the
7 residence.
8 Q And that was Photo 73 and 74?
9 A Yes.
10 MR. BLOOM: Your Honor, we have
11 Photograph 74 here that we talked about. I'm going to
12 stipulate that 73 and 74, we're going to
13 stipulate – I'm going to offer by way of stipulation that
14 these are accurate depictions taken by Mr. McLaughlin of
15 the house.
16 THE COURT: Is that acceptable to the
17 State?
18 MS. GOETTSCH: Yes, Your Honor. I
19 moved for admission of those ON Friday.
20 THE COURT: Those are received. Thank
21 you.
22 Q (By Mr. Bloom) That's a front door. The
23 front door is open, correct?
24 A Yes.
25 Q And that's the blue key that you see here in

1 the lock right here. That's the key that you didn't
2 remember seeing inside the door?
3 A Yes.
4 Q As far as you know, you don't know how that
5 key got there; is that correct?
6 A No.
7 Q Now, go back over here. But when you looked
8 around at the door, both on the inside of this door and on
9 the door frame of the house. You didn't see any signs of
10 forced entry or anything like that, right?
11 A No.
12 THE COURT: Is that right? Yes or no?
13 THE WITNESS: Yes. I did not see any
14 signs of forced entry.
15 Q (By Mr. Bloom) And these are the keys that
16 you believe were Gina Centofanti's keys; is that correct?
17 A I don't know whose keys they were, but I
18 believe someone told me whose keys that they assumed that
19 those were.
20 Q And they assumed they were Gina Centofanti's
21 keys, correct?
22 A Yes.
23 Q And right next to her purse, correct?
24 A Yes.
25 Q And right next to her cell phone that was

1 ultimately found out to be her cell phone?
2 A I am not sure whose cell phone that was
3 found to be.
4 Q But the purse itself, of course, did contain
5 documents to show that it was Gina Centofanti's, right?
6 A Yes.
7 Q Was the front door key, the key to that
8 house at 8720 on that key ring?
9 A I am not aware of that. They may have
10 determined that prior to my getting, there but I did not
11 have anybody come to me and tell me that they determined
12 one of those keys opened the front door.
13 Q Did you independently make any determination
14 to try to find out if any of those keys opened the front
15 door?
16 A No.
17 Q Now, besides the TPO you saw that was there
18 that had directed Ms. Centofanti not to have contact with
19 Mr. Centofanti, did that TPO also have any direction that
20 she was not supposed to come to that residence?
21 A As far as I recall, I believe there was some
22 direction of that nature.
23 Q Did you see any divorce papers there to
24 indicate that she did not have any ownership right in the
25 house whatsoever as of the date of December 20th?

1 A I don't recall any divorce papers there.
2 Q Did you at any point make an inventory of
3 those keys?
4 A No, I did not.
5 Q Where are those keys?
6 A I don't know where the keys are.
7 Q Would it surprise to you learn that the keys
8 were turned over to Mrs. Centofanti's family prior to any
9 inventory being made so we could determine if she had a
10 key to the house on her key chain?
11 A I don't know. Usually on personal effects,
12 if they're not of any evidentiary value the homicide
13 detectives will take custody. And it doesn't surprise me
14 that they may have been turned over to her family.
15 Q Of course, if she was in that house
16 improperly without --
17 MS. GOETTSCH: Judge, this calls for
18 speculation. I mean, he's asking her a lot of questions
19 after she says: I don't know, I didn't impound the keys.
20 And now he goes on and asks the question. I've given him
21 leeway, but this calls for speculation as far as what Gina
22 might have done.
23 MR. BLOOM: My point, Your Honor, as to
24 whether or not the keys had evidentiary value, I think
25 they, in fact, did have evidentiary value and should have

1 been observable to this witness.
2 THE COURT: Well, what is your
3 question?
4 MR. BLOOM: My question is this: If,
5 in fact, it was determined that Ms. Centofanti did not
6 have the right to enter that house, but had a key to it
7 nonetheless, would you think that would be of evidentiary
8 value?
9 MS. GOETTSCH: That also presumes facts
10 not in evidence.
11 THE COURT: You're conjecturing if she
12 didn't have a right to come into the house?
13 MR. BLOOM: Well, it does assume it
14 because we don't have the divorce proceedings yet in front
15 of us in these proceedings. I'm quite certain that that
16 will be the correct statement, that she had no right to
17 entrance into that property under the divorce proceedings.
18 I agree it's out of order, Your Honor, but I
19 only say that it is out of order and not --
20 MS. GOETTSCH: This is not the proper
21 witness for that. I mean, we also have that she was
22 expected to be over there, she was coming over there, she
23 had visitation. And as of two weeks prior to this, that
24 was her house.
25 I mean, this particular witness is certainly

1 not the one to answer questions about speculating what was
2 in the divorce decree and everything else.
3 THE COURT: All right. She's indicated
4 she didn't think there was evidentiary value to the key.
5 That's her opinion, and you can take exception as you care
6 to and go on from there.
7 MR. BLOOM: I'll move on. Thank you,
8 Your Honor.
9 Q (By Mr. Bloom) In any event, the keys were
10 not put into custody; is that correct?
11 A Not that I know of.
12 Q The keys were not inventoried to determine
13 to what they belong; is that correct?
14 A I can't say that for sure because the
15 detectives may have taken each and every one of keys and
16 checked. That wasn't something that was brought to my
17 attention once I returned to the house.
18 Q And you did not do any inventory of the
19 keys?
20 A No.
21 Q And you did not check any one of those keys
22 to see if they worked the front door?
23 A No.
24 Q And, of course, that was available for you
25 to do, you could have done that had you been directed or

1 thought to do it?
2 A Yes. I'm not aware of whether it was done,
3 but most all of the searching the checking things were
4 done prior to my getting there, so I'm not aware.
5 Q In terms of the searching and so forth, did
6 you put those little tents up to show where the casings
7 were found?
8 A I believe it was either myself or Dan
9 Peterson.
10 Q And did you take the pictures, or was that
11 Mr. McLaughlin?
12 A Mr. McLaughlin took the pictures.
13 Q You were there when they were taken?
14 A I don't believe I was there.
15 Q Did you see them?
16 A I did see the tent markers and I did see the
17 casings, but I can't really recall whether they were put
18 down after I arrived, or if those photographs were taken
19 prior to my arriving back at the scene.
20 Q But you saw them?
21 A I did see them.
22 Q And you saw five casings at the scene; is
23 that right?
24 A Yes.
25 Q And I'm going to put up this big diagram

1 which has been marked Exhibit 57A, kind of been referred
2 to as a map.
3 The casings that you found or that you
4 observed, whether you found them or whatever, the casings
5 that you found or observed. There was No. 1 right here,
6 No. 2 over here, and 3, 4 and 5; is that right?
7 A Yes.
8 Q There were seven shots to Ms. Centofanti,
9 correct?
10 A I am not aware of how many entrance wounds
11 she had on her body.
12 Q You never made any determination of that to
13 see the number of casings linked up with the number of
14 shots?
15 A At the scene we documented as best we could,
16 and I wrote in my notes as best I could at the scene.
17 I've since been able to, and have been aware
18 of the autopsy results, and so I have heard of a little
19 bit more detail about the shots, but I'm not aware that
20 it's seven or how many it is.
21 Q An autopsy is done in a case to determine
22 cause of death and various other physical evidence that
23 relates to the injuries, angles, trajections, various
24 things like that, correct?
25 A Yes.

1 Q An autopsy was done in December?
2 A Yes.
3 Q It was determined that she had a certain
4 number of shots, correct? She suffered a certain number
5 of wounds?
6 A Yes.
7 Q And at any point did anyone ever, even after
8 the autopsy, go back to the scene to make an effort to
9 find the missing casings?
10 A No, not that I'm aware of.
11 Q And at the scene someone did turn over
12 Ms. Centofanti's body in order to determine wound entries
13 and so forth; is that right?
14 A It's difficult because of the blood that's
15 located around the entries to tell whether they're an
16 entry, an exit. It's very difficult to tell.
17 Q But an effort was made?
18 A Yes. The coroner investigator is in charge
19 of the body, and they try to make as best of an effort as
20 they can with the blood that's dried over the top of the
21 wounds. But it's very hard to tell. That's left up to
22 the coroner, the medical examiner to determine.
23 Q When was the autopsy performed?
24 A I believe it was the very next morning.
25 Q The next morning?

1 A The next morning.
2 Q Twelve hours later or less?
3 A Yes.
4 Q Was there any effort to get a search warrant
5 or to go back to the scene to where we now know from the
6 autopsy that the number of shots inflicted on
7 Ms. Centofanti as opposed to casings found, missing
8 casings?
9 Was any effort to made to go back?
10 A Not that I'm aware of. The supervisor,
11 Randy McLaughlin, he may have been made aware of that or
12 not. But as far as I know there was never any attempt.
13 Q You do remember though when those other two
14 casings did finally be presented to you; is that correct?
15 A Yes.
16 Q And it was in December of '01, about a year
17 later?
18 A Yes.
19 Q And it was in an envelope that had the name
20 of Peter Christiansen, an attorney's name; is that
21 correct?
22 A Yes. It was written on the front.
23 Q And you had been informed that
24 Mr. Centofanti had found the casings in the couch
25 cushions; is that right?

1 A Yes.
2 Q Did you ever check the couch cushions?
3 A I wasn't present at the time that they did
4 whatever type of search they ultimately decided was
5 necessary. Certain types of stains, or you can tear the
6 house apart searching for something, but I wasn't present.
7 I know when I did arrive I had a lot of
8 duties to do. I didn't go back and repeat anything after
9 the supervisor and Dan that were there.
10 Q But in 2001 when you found the envelope with
11 Mr. Christiansen's name who – and it was given to you by
12 a person and you thought the name was Tom.
13 Was it an investigator, Jim Thomas?
14 A That's maybe ringing a bell, Jim Thomas.
15 Q And it was – you learned that it was
16 Mr. Centofanti who had handed them to Mr. Christiansen,
17 who had put them in the envelope and handed them to
18 Mr. Thomas, who ultimately handed them to you?
19 A Yes.
20 Q And, actually, there was also an Officer
21 Thowsen in that process?
22 A Yes.
23 Q And, in fact, they have been examined and
24 compared and so forth and linked to the same casings, et
25 cetera; is that right?

1 A I'm not familiar with the firearms report on
2 those two.
3 Q What vehicles were outside the premises; do
4 you remember?
5 A Yes. There was the BMW, a Ford Explorer,
6 and a Honda Odyssey.
7 Q Was the BMW ever searched?
8 A I'm not aware of that. I don't know whether
9 or not Randy or Dan did, but they would be the ones to ask
10 about that.
11 Q Were any of the vehicles ever searched?
12 A To my knowledge, no.
13 Q They are inside that taped area, they are
14 considered to be part of a crime scene, correct?
15 A I don't know at the point they hung the tape
16 that they thought that they were part of this crime, but
17 they were surrounding just to try to keep people out of
18 house or the general area.
19 Q Well, we've heard it described by Officer
20 Goglan that actually some people were -- attorneys had
21 come and they had started to approach the tape and come
22 inside the tape; not inside the house, but inside the tape
23 and she was saying: Wait, what are you doing here, or
24 something like that.
25 That whole area is a crime scene?

1 A Yes. I was aware also of the attorneys
2 trying to approach the vehicle Mr. Centofanti was in.
3 Q They never got close to it to talk to him,
4 did they?
5 A I don't know that.
6 Q By the way, there's a picture inside there
7 of some blood spatter that was found on the exercise bike
8 right next to Gina Centofanti's head, right?
9 A I believe there was some blood up on the
10 bike that I saw in the photographs.
11 Q But the exercise bike was never received or
12 put into evidence, was it?
13 A No.
14 MR. BLOOM: Can I have exhibit 84
15 through 92, please?
16 Q (By Mr. Bloom) These are pictures of the
17 upstairs of the house, and I'm going to turn my attention,
18 there are a few questions that relate to that.
19 There's a master bedroom at the top of the
20 stairs, correct?
21 A Yes.
22 Q And someone photographed that master bedroom
23 at the top of the stairs, right?
24 A Yes.
25 Q And, in fact, this is the photograph, is it

1 not?
2 A Yes.
3 Q And this picture is taken from the bottom of
4 the stairs looking up; is that right?
5 A Yes.
6 Q So on this diagram here, I'm displaying
7 photograph No. 84.
8 MR. BLOOM: May I approach again, Your
9 Honor.
10 THE COURT: Yes.
11 Q (By Mr. Bloom) This photograph is taken
12 from somewhere here looking up towards the master bedroom;
13 is that right?
14 A Yes.
15 Q Now, on this diagram here, this diagram
16 we're looking at here which is another exhibit, No. 57B,
17 it shows that the master bedroom has double doors,
18 correct?
19 A Yes.
20 Q Did you observe that, in fact, the master
21 bedroom does have double doors? This door is the one the
22 one that has the turn in it, and this door, the right door
23 obviously does not, no handle?
24 A Just looking at that photograph I can say
25 that that's the way it is, but I don't have any recall

1 from that long ago. I assume there is a doorknob on one
2 side or the other, so, yes.
3 Q This door that's right here, which would be
4 on the right side of the master bedroom as you're facing
5 the bedroom, that door has a little clip on the inside to
6 hold it, lock it in place, correct?
7 A I am not familiar with the clip.
8 Q Did you examine it to see, in fact, that the
9 door was locked and it's like a latch, it was latched
10 closed?
11 A No. I didn't examine a latch up there.
12 When I return Dan walked me through and he didn't point
13 that out that there was a latch on that door.
14 Q That's the way though, at least as you saw
15 it, the bedroom door upstairs when you saw it on the night
16 of December 20th; is that right?
17 A Yes.
18 Q Did you see lots of baby things in the
19 house?
20 A Yes.
21 Q Just about in every room there was something
22 related to the care of a child, wasn't there?
23 A Yes.
24 Q In the living room there were some items, in
25 the kitchen there were some items. There were some items

1 in the family room and each of the other bedrooms?
2 A Yes.
3 Q All child-related items; is that correct?
4 A Yes.
5 Q You said you observed a bat on the floor of
6 one of the rooms; is that right?
7 A Yes.
8 Q A metal bat?
9 A Yes.
10 Q Did you photograph it?
11 A It is in Randy's photographs.
12 Q Which room was that in?
13 A You go down the hall and you make a right,
14 there's one bedroom and it's the furthest bedroom. So it
15 would be your southeast bedroom.
16 Q And I'm not trying to trick you. I have a
17 picture that I was going to show you, 89. But just so we
18 can figure out what 90 is on this picture. This one
19 that's on here now showing the master bedroom which is 84,
20 this area right here, it's a little hard to see, but this
21 area right here.
22 That's the side of a storage cabinet, brown
23 storage cabinet, wood, correct? Shelves?
24 A I can't say that for sure. I believe that's
25 wood and the white slats is a banister.

1 Q This wood right here – let me show it to
2 you. It's hard to see and it doesn't depict as well as we
3 would like on the overhead.
4 A Yes. I can see it now in between this.
5 Q Let me try to put it back there and see as
6 best we can so the jury can see as well. I am focusing on
7 not the banister here and not the white slats, but this
8 area here, and then this area down here.
9 Those are cabinets that are built into the
10 wall; is that correct?
11 A Yes.
12 Q Now, here's these cabinets again. Here's
13 the same cabinets, correct?
14 A Yes.
15 Q So this is one of the bedrooms and there is
16 on the floor i the bathroom; is that right?
17 A Yes.
18 Q That caught – you thought it was somewhat
19 unusual; is that correct?
20 A It appeared like it just fell out of the
21 closet, actually. But it seemed odd, mainly just because
22 the telephone was kind of in a disarray right next to it,
23 just unusual.
24 Q Did you know where it would fit in, if at
25 all, or it just struck you as a bit unusual?

1 A Just unusual. It looked like it maybe was
2 leaning against the closet door and fell out as the door
3 opened. It just looked out of place, that's all.
4 Q And, finally, one last area. These are blue
5 cards indicating – and this is part of Exhibit 123. And
6 these are two blue cards which are the gun registration
7 ownership cards, or registration cards; is that correct?
8 A Yes.
9 Q Now, they're both in the name of Virginia
10 Centofanti, correct?
11 A Yes.
12 Q And there's one for a Ruger, a nine
13 millimeter Ruger semiautomatic, color black, correct?
14 A Yes.
15 Q And there's one for a .38 caliber Taurus,
16 correct?
17 A Yes.
18 Q This does not indicate though that
19 Ms. Centofanti trained on both of those weapons, does it?
20 A No.
21 Q There are other records that might reflect
22 that, but these do not show that; is that correct?
23 A No.
24 MR. BLOOM: Thank you very much.
25 Nothing further, Your Honor.

1 THE COURT: We're going to take a
2 break. Is there more?
3 MS. GOETTSCH: I just have a little
4 bit.
5 THE COURT: We'll take a break.
6 "Ladies and gentlemen, it is your duty not
7 to discuss among yourselves, or with anyone else, any
8 subject connected with the trial; or read, watch or listen
9 to any report of, or commentary on the trial or any person
10 connected with the trial by any medium of information,
11 including without limitation, newspapers, television and
12 radio; or form or express any opinion on any subject
13 connected with the trial until the cause is finally
14 submitted to you."
15 We will reconvene at 4:00 o'clock. Court is
16 in recess.
17 (Whereupon, a brief recess was taken.)
18 THE COURT: The continuation of
19 C172534, State versus Alfred P. Centofanti III. The
20 record will reflect the presence of the defendant; his
21 counsel, Mr. Bloom and Ms Navarro; Mr. Peterson and Ms.
22 Goettsch present for the State.
23 Would counsel stipulate that all members of
24 the jury are present and properly seated?
25 MS. GOETTSCH: Yes, Your Honor.

1 MR. BLOOM: Yes, Your Honor.
2 THE COURT: Very good.
3 Ms. Dahn, let me admonish you that you're
4 still under oath. Redirect?
5 MS. GOETTSCH: Just a few questions.
6
7 REDIRECT EXAMINATION
8 BY MS. GOETTSCH:
9 Q When you were documenting the scene that
10 night, did you know how many shots had been fired?
11 A No.
12 Q Were you able to determine which of those
13 injuries to her body were entry and exit wounds, or graze
14 wounds from the bullet?
15 A No.
16 Q Would this information have been helpful to
17 you in determining how many shell casings to look for?
18 A Yes.
19 Q Did the defendant's mother or father offer
20 any of that information to you?
21 A No.
22 Q Was there any issue that you were made aware
23 of regarding an illegal entry into the house?
24 A No.
25 Q And as far as you could see from what was in

1 front of you, the Temporary Protection Order had expired
2 on the 12th of December; is that right?
3 A Yes.
4 Q And no one gave you any other gun for
5 impounding purposes, other than the Ruger that has been
6 admitted today?
7 A No.
8 Q Did you have any concerns about how this
9 crime scene was handled?
10 MR. BLOOM: Objection, Your Honor.
11 It's vague as to concerns.
12 MS. GOETTSCH: Well, he's gone through
13 on cross-examination raising various things in his
14 questions. I'm asking her if she had any concerns about
15 the way the crime scene was handled.
16 THE COURT: In your experience as a
17 professional in that area, can you answer that question;
18 do you think?
19 THE WITNESS: Yes. I didn't have any
20 concerns; not that night, no.
21 Q (By Ms. Goettsch) And did you have any
22 concerns regarding the integrity of the crime scene when
23 you came back on to the scene?
24 A No.
25 MS. GOETTSCH: Thank you. I have

1 nothing further.
2 THE COURT: Recross?
3
4 RECROSS EXAMINATION
5 BY MR. BLOOM:
6 Q Based on your experience that you have know
7 as opposed to what you had then, Ms. Dahn, and based upon
8 what you know, would you have concerns at the crime scene
9 when shell casings are missing?
10 A I wasn't aware that any were missing.
11 Q I wasn't asking you that. I said looking at
12 it now, from your experience level right now looking at
13 that crime scene, do you have concerns about how it was
14 handled?
15 A I was concerned when I found out that there
16 were two shell cases that were turned in about a year
17 later, yes.
18 Q And how about the fact that keys which might
19 indicate that the decedent had entered into the house on
20 her own without permission for an inventory, would that
21 cause you concern?
22 A I wasn't aware that they weren't
23 inventoried. I just know that I didn't inventory them.
24 Q Let me ask you to assume that they were not
25 inventoried, were not checked to see if they worked on the

1 front door, does that cause you concern?
2 A Yes. They should have been inventoried.
3 Q How about if assume, if you will, that for
4 purposes of blood spatter, an evaluation of blood spatter
5 on the surface of the exercise bike, assuming, if you
6 would, it turns out to be important for purposes of blood
7 stain spatter analysis, the fact that the exercise bike
8 wasn't seized so it could be reviewed and independently
9 examined, does that cause you concern?
10 MS. GOETTSCH: Objection. That assumes
11 facts not in evidence at this point.
12 THE COURT: That the keys were not
13 inventoried?
14 MS. GOETTSCH: Not impounding the bike,
15 and whether that had something to do with the blood
16 spatter. She doesn't know that, and that assumes facts
17 not in evidence at this time.
18 THE COURT: It would seem so; is that
19 true?
20 MR. BLOOM: I'll withdraw, Your Honor.
21 Nothing further. Thank you very much.
22 THE WITNESS: Thank you.
23 THE COURT: Anything further?
24 MS. GOETTSCH: Nothing further.
25 THE COURT: You're excused.

1 Next witness, please.
2 MR. PETERSON: Detective James
3 La Rochelle, Judge.
4 Whereupon,
5 JAMES LA ROCHELLE,
6 was called as a witness by the State, and having been
7 first duly sworn, was examined and testified as follows:
8
9 DIRECT EXAMINATION
10 BY MR. PETERSON:
11 Q Can you state and spell your name for the
12 record, please.
13 A James La Rochelle, L-a-R-o-c-h-e-l-l-e.
14 Q Mr. La Rochelle, what do you do you for
15 living?
16 A I'm employed with the Las Vegas Metropolitan
17 Police Department in the homicide detail.
18 Q What rank or title do you have?
19 A Detective.
20 Q How long have you been a detective in
21 homicide?
22 A I've been a detective in homicide for over
23 four years.
24 Q Prior to being a detective in homicide, what
25 did you do with Metro?

1 A I was a detective in narcotics for
2 approximately four-and-a-half years, including time with
3 the federal wing seed task force. Previous to that I was
4 a patrol officer.
5 Q How long in total have you been with the Las
6 Vegas Metropolitan Police Department?
7 A Over 12 years.
8 Q Did you have case to be dispatched to 8720
9 Wintry Garden on December 20th of 2000 reference a
10 homicide?
11 A Yes, that's correct.
12 Q Is that address on Wintry Garden here in
13 Clark County, Nevada?
14 A Yes.
15 Q When were you dispatched?
16 A At approximately 7:46 I was in route to the
17 scene, so approximately 7:30 in the evening is my
18 recollection receiving a phone call at my residence to
19 respond to the address.
20 Q Who called you?
21 A My sergeant, Sergeant Ken Hefner.
22 Q Can you spell Hefner?
23 A Yes; H-e-f-n-e-r.
24 Q When you respond do you have a partner with
25 you in your car?

1 A No.
2 Q However, are homicide detectives paired up
3 in teams?
4 A That's correct.
5 Q Back in December of 2000, who was your team
6 partner?
7 A Detective Tom Thowsen, T-h-o-w-s-e-n.
8 Q When did you arrive to 8720 Wintry Garden?
9 A I arrived at, my recollection is, about one
10 minute before 7:00 o'clock, one minute before 8:00
11 o'clock, excuse me.
12 Q Who was at the scene when you arrived?
13 A At the scene general assignment detectives
14 were arriving at the same time that I was. There was
15 patrol officers, and at that point the scene had been
16 secured. I don't recall any other detectives,
17 specifically.
18 Q Let me ask you this. You mentioned you were
19 a homicide detective and you talked about general
20 assignment detectives.
21 What's the difference?
22 A Yes. General assignment is a detail that is
23 on the department that's out in the field 24 hours a day,
24 seven days a week.
25 When there's a call in the field that needs

1 any detectives or some sort of expertise outside of a
2 patrol unit to handle the situation since they're on duty
3 at that time, they pond respond the scene, they evaluate
4 it and then they funnel or move the investigation to the
5 proper detail.
6 In this instance, it's a homicide
7 investigation, so they called the homicide section. If it
8 was a robbery or sexual assault, those details would be
9 notified.
10 Q Did the general assignment
11 detective -- since you arrived just about the same time as
12 the general assignment detectives, did they have any
13 significant involvement in the investigation of this case?
14 A No.
15 Q What was the condition of the scene on your
16 arrival? Properly secured?
17 A Yes. With our marked patrol vehicles,
18 police officers in uniform, crime scene tape.
19 Q Did you have any significant concerns about
20 the scene when you arrived?
21 A No.
22 Q How soon in relation to your arrival did
23 your partner Tom Thowsen arrive?
24 A I was not present when Detective Thowsen
25 arrived. However, I was later told that he arrived

1 approximately 20 minutes or so after I did.
2 Q So there was a period of time when you're on
3 the scene before your partner is there?
4 A Yes.
5 Q Had you arrived together, what would be your
6 normally practice in dividing up responsibilities at the
7 scene?
8 A When a homicide detective responds to a
9 scene, you have a briefing by the general assignment
10 detail telling you the details as they know them about
11 what had occurred.
12 At that time, one detective in homicide is
13 in charge of interviews, and the other detective is
14 responsible for documenting the scene with the assistance
15 of crime scene analysts.
16 Q Did you get a briefing from general
17 assignment in this particular case?
18 A No.
19 Q Why was that?
20 A Upon any arrival I was told that two
21 witnesses were not completing voluntary statements.
22 That's a written -- it's a page where somebody completes
23 by writing out what they saw or heard, that two people
24 were not completing the voluntary statements, and that
25 they were telling patrol officers that they did not feel

1 that they could aid or help in the investigation.
2 At that time we became concerned that we
3 could lose information, or that persons could change their
4 stories.
5 Q And as a result of that feeling on your
6 part, did you sort of assign yourself one of those two
7 responsibilities you just talked to us about?
8 A Yes.
9 Q What responsibilities was that?
10 A That I immediately went to go contact the
11 witnesses.
12 Q Where were the witnesses in relation to 8720
13 Wintry garden?
14 A They were two houses to the east on the same
15 side of the street.
16 Q Who did you make contact with?
17 A When I first entered the house I contacted
18 Camille Centofanti, Alfred Centofanti, Jr. in the living
19 room area and kitchen area of the residence.
20 Q Were these the individuals that you had
21 concerns about?
22 A Yes.
23 Q Who, as between Camille and Alfred
24 Centofanti, Jr., who did you speak with extensively first?
25 A Alfred.

1 Q And how do you do that?
2 A When I first contacted them they were both
3 there together. I was handed a voluntary statement that
4 was not -- nothing had been written on it.
5 I was told by both persons that they did not
6 remember anything, did not think that they could help the
7 police investigation. At which point I decided to take
8 Alfred Centofanti upstairs at that residence to sit down
9 with him at length and conduct an interview and a
10 subsequent taped statement.
11 Q Do you recall what time, approximately, you
12 started to talk with Alfred Centofanti?
13 A It would have been approximately 15 minutes
14 after my arrival at the scene.
15 Q So some 8:15 'ish?
16 A Yes.
17 Q You said -- well, initially when you speak
18 with someone, what was Alfred Centofanti Jr.'s demeanor
19 when you first started to talk to him?
20 A When I first started to talk to him you get
21 some of the background information such as name, date of
22 birth, social security number, your address, how long have
23 you lived here in Las Vegas.
24 And he was forthcoming with that
25 information.

1 Q Do you do an initial interview before you
2 turn on a tape recorder to do a tape-recorded interview?
3 A Yes. It's actually, we refer to it as an
4 interview and a taped statement. The interview that you
5 determine how much information somebody has, try to build
6 a rapport with someone.
7 That's important because oftentimes in a
8 homicide investigations that if you just took a tape
9 recorder and stuck it in front of somebody, that somebody
10 is more reticent and less apt to give the information,
11 less forthcoming to tell the story if they're cognizant
12 and aware that the tape recorder is going.
13 So we do what is called the interview and we
14 take a taped statement on the questions that were covered
15 in the interview. The taped statement takes the place of
16 the written voluntary.
17 The written voluntary would take a long time
18 to write out and complete, so the taped statement is very
19 beneficial for us so somebody can say in their own words
20 and describe the narration of events.
21 Q Is that pretty standard policy to do an
22 interview and then a taped statement with witnesses in
23 homicide investigations?
24 A Yes.
25 Q Is that an attempt by police officers to be

1 tricky in any way?
2 A Absolutely not.
3 Q Were you mean or hostile with Alfred
4 Centofanti, Jr.?
5 A No.
6 Q Did you know who he was in relation to the
7 suspect in this case?
8 A Yes.
9 Q Can you tell me who that was?
10 A That was Chip, Alfred Centofanti III, and
11 that would have been his son.
12 Q How long was the taped interview between
13 yourself and the suspect's dad, Alfred Centofanti, Jr.?
14 A If I could look at a specific taped
15 statement, when we take the taped statement we enter the
16 date and location and the time. We also record the
17 completion time of the taped statement.
18 Q I notice you brought your notebooks with
19 you. Can you refer to the taped statement to refresh your
20 recollection, and put your notebook aside when you've done
21 so?
22 A Yes.
23 Q As to both beginning and ending times,
24 please.
25 A Alfred Centofanti, Jr. is the person I was

1 talking to. His statement was taken at 2112 hours.
2 Q What's that in normal people time?
3 A Military time that translates to 9:12 hours.
4 That statement was completed as 2149. Again, that would
5 be 9:49. So that statement was roughly 37 minutes, if my
6 math is correct.
7 Q And that's the taped statement?
8 A Yes.
9 Q And so that would be after you had already
10 done the interview with dad; is that right?
11 A Yes, that's correct.
12 Q About how long does that interview last?
13 A That interview lasts approximately 45
14 minutes to an hour.
15 Q What was his demeanor throughout the
16 interview?
17 A That oftentimes during the interview that he
18 had his head down and he was sobbing or crying, but not
19 crying uncontrollably.
20 He answered many questions with: I don't
21 know, I can't remember. And other times that he had to be
22 asked the question a second or third time before
23 responding.
24 Q Did you believe his emotional state was
25 preventing him from answering your questions?

1 A No. Certainly, as a homicide investigator
2 and as a person looking at a situation, I felt that I was
3 sensitive for somebody being involved in a situation like
4 this, that a person has their former daughter-in-law -- at
5 the time I did not know it was the former daughter-in-law,
6 but also the son involved in a homicide investigation.
7 So that's part of the reason why that
8 interview and that statement took so long, is that I was
9 taking my time to try to solicit information and would ask
10 the question again and again, or asking it in a different
11 way, if I could.
12 Q Were you able to get answers to your
13 questions?
14 A Yes.
15 Q How quickly were you able to get answers
16 from Alfred Centofanti, Jr. regarding background-type
17 questions?
18 A Those questions were answered very quickly.
19 Q Can you give us an example?
20 A Such as how long --
21 MR. BLOOM: Objection, Your Honor.
22 Vague as to which we're talking about.
23 During the interview or the taped statement?
24 MR. PETERSON: Either.
25 THE WITNESS: Yes. Either one of them

1 that often on the background questions such as your name,
2 date of birth or your social, how long did you live in
3 Saugus, Massachusetts, are you working or not, those
4 questions were answered very quickly.
5 Q (By Mr. Peterson) Was it different when you
6 questioned him about the incident at 8720 Wintry Garden?
7 A Yes.
8 Q How quickly were you able to get answers
9 regarding that incident?
10 A Many times I had to ask the question over
11 and over again. Then there were very -- there was a
12 number of times that there was a long pause before
13 answering, and that the responses were incredible in that
14 Mr. Centofanti was saying that he could not remember or
15 did not know, and those were his responses.
16 Q Did he tell you that he ever saw the
17 incident, or saw Gina's body, or any of those type
18 factors?
19 MR. BLOOM: Objection. Vague, Your
20 Honor. It's compound.
21 Q (By Mr. Peterson) Did he ever tell you he
22 saw Gina's body?
23 A No.
24 Q Did he ever tell you that he saw the
25 shooting incident?

1 A No.
2 Q He did, however, describe actions to you and
3 things that he did; is that true?
4 A Yes.
5 Q Did he give you reasons for why he took
6 those actions?
7 A No.
8 Q Did you believe he was being cooperative or
9 evasive with you?
10 A Evasive.
11 Q How many investigations in violent death
12 have you done as of December 2000, detective?
13 A I would estimate 30 to 40.
14 Q And how many in your career to date?
15 A Over a hundred.
16 Q Have you ever had a potential percipient
17 witness give as many "I don't knows" as Alfred Centofanti,
18 Jr.?
19 A No, I haven't.
20 Q Let me talk to you about some specifics from
21 your interview with Mr. Centofanti.
22 He told us in court the other day that he
23 saw Gina's car out of the front door when he came
24 downstairs.
25 Did he ever tell you, either in the

1 interview or in the taped statement, that he saw Gina's
2 car out of the front door?
3 A No, he did not.
4 Q He told us in court that he smelled gun
5 powder.
6 Did he ever tell you that?
7 A No.
8 Q Did he give you any indication to believe he
9 was aware there had been a shooting of any type?
10 A No.
11 Q Did he tell you what he thought happened to
12 his daughter-in-law?
13 A No, he did not.
14 Q Did you question him about that topic?
15 A Yes. I asked that specifically, what did he
16 believe happened to his daughter-in-law as we sat there
17 during the interview and the taped statement.
18 Q And tell me how he reacted to that?
19 A He said that he did not know. I asked him
20 if he knew if she was hurt or if she needed medical
21 attention at the time they went next door. And he said,
22 no, he did not know. He did not know that she was dead.
23 Q Is this the portion that you were referring
24 to earlier that you believed was incredible?
25 A Yes.

1 Q Did he tell you why he went next door?
2 A He said that he went next door and did not
3 know why. He did not know why he had brought a gun in his
4 hand in the towel next door. He did not know how he had
5 gotten the gun.
6 Q He told us in court that he had seen Chip
7 with a gun to his head. Did he tell you that?
8 A No.
9 Q Did you subsequently learn that
10 Mr. Centofanti had told that to non-law enforcement
11 individuals?
12 A Yes.
13 Q Who did you learn he told that to?
14 A I believe it was Mark Wright, a neighbor.
15 Q Did you ask Mr. Centofanti if he was
16 involved in any argument with his daughter-in-law, Gina
17 Centofanti, that night?
18 A Yes, I did. I had asked clearly from
19 arriving at the scene and going to do this interview that
20 I was not briefed in any details in the case.
21 And I had asked Mr. Centofanti, part of that
22 questioning was to assure myself that Mr. Centofanti, Jr.
23 was not responsible for Gina Centofanti's death.
24 And I asked him if he had been in an
25 argument with his daughter-in-law, and he said no. And I

1 asked him if he had fired a weapon, and he said no.
2 Q Did he answer those questions differently
3 than any of the other questions we've been talking about?
4 A Yes.
5 Q Tell me about that.
6 A During this interview we're talking about
7 his narration of events and what happens next, and
8 oftentimes he's saying: I don't remember and not
9 responding.
10 Then I changed the line of questioning and
11 said: Did you get in an argument with Gina Centofanti?
12 And he says -- he stops and looks at me and says: Who?
13 Me?
14 It was like a question that he hadn't
15 thought about or considered before. Then he answered:
16 Yes, you. And he says, no, that he was not in an argument
17 with her and he did not shoot her.
18 Q Did he indicate to you any knowledge about
19 the prior domestic violence incident involving Gina and
20 Chip Centofanti, his son?
21 A He said that he did not know any details,
22 that he was aware that they were separating. And this was
23 discerning afterwards, because when I'm talking to Chip,
24 Alfred Centofanti is the first witness.
25 I did not have the information that Virginia

1 Centofanti and Chip Centofanti were divorced, and he is
2 the first one to mention that they were separated but, in
3 fact, they are divorced and he does not tell me that.
4 Q So he didn't even mention that they were
5 divorced?
6 A No, sir.
7 Q Did he say anything ever to you about his
8 son being scared of Gina?
9 A No.
10 Q Did he say anything about gangs and fear of
11 retaliation?
12 A No.
13 Q If we heard differently in court, that would
14 be different than what he told you the night of the
15 murder?
16 A Yes.
17 Q Can you characterize his overall level of
18 cooperation with you during this voluntary statement, or
19 during this statement with you?
20 A That it was evasive, that it was incredible,
21 that the math did not add up, that it wasiobvious that the
22 narration of events was beyond improbable.
23 Q I think you told us that you subsequently
24 learned that two non-law enforcement persons he actually
25 made additional comments?

1 A Yes.
2 Q And you were able to find out that
3 information?
4 A Yes.
5 Q After you spoke with Alfred Centofanti, the
6 dad, who did you speak with next?
7 A I spoke with Camille Centofanti, his wife.
8 Q I think you mentioned earlier on, and I want
9 to make sure to get that clearly, did either Camille or
10 Alfred indicate to you whether or not the believed they
11 could even be helpful to police?
12 A Yes. Both of them said they did not think
13 that they could be helpful to us at all in our
14 investigation.
15 Q Okay. Did you believe the information you
16 gained from Alfred actually was helpful?
17 MR. BLOOM: Objection as to relevance.
18 MR. PETERSON: I asked what did they
19 say before the interview, and they said: We don't think
20 we can be helpful. In fact, the officer believed he did
21 gain valuable information.
22 I'm talking about them not being
23 cooperative, basically, with the police, Judge.
24 MR. BLOOM: Mr. Peterson can testify
25 all he wants, and even the officer can give such an

1 opinion. It's irrelevant whether this officer felt the
2 information was helpful or not. He's not the jury.
3 THE COURT: What's the reason for that
4 question?
5 MR. PETERSON: Judge, Mr. Bloom asked
6 at length of the various the witnesses, Mark Wright,
7 Marilee Wright, et cetera: Did you feel Alfred and
8 Camille were sincere in the things that they said.
9 Well, rather than a Summerlin husband and
10 wife, I have a homicide detective on the stand and I'm
11 attempting to question someone with a little bit of
12 experience on the matter on the same topic Mr. Bloom
13 raised.
14 THE COURT: I understand you're
15 challenging their helpfulness. You're asking this man did
16 you actually acquire useful information.
17 Why are you asking that?
18 MR. PETERSON: Well, because mom and
19 dad are saying: We don't have anything useful for you,
20 police officers, we don't even want to talk to you.
21 Well, they do.
22 THE COURT: I'll allow it. Go ahead.
23 Q (By Mr. Peterson) Did you, in fact, gain
24 useful information from them?
25 A Yes.

1 Q What types of information? I'm sorry, in
2 just talking about Alfred right now.
3 A Yes. That in certain homicide
4 investigations you want to find out where persons were
5 situated in a house, how many people were at the
6 Centofanti residence at the time the incident occurred,
7 where were the people inside the house, had they heard
8 anything prior to what they were describing to me as a
9 strange noise.
10 And they said that they hadn't heard no
11 arguing, no other noises. They weren't even aware that
12 Gina Centofanti had arrived at the house.
13 However, Camille Centofanti had mentioned
14 that –
15 MR. BLOOM: Objection, Your Honor.
16 This is beyond the scope as it relates just to Alfred.
17 MR. PETERSON: It does, and I'll get to
18 Camille.
19 Q (By Mr. Peterson) Anything else about
20 Alfred?
21 A That he was not responsible for Gina
22 Centofanti's death.
23 Q You next contacted Camille Centofanti, and I
24 think you just told us she joined in the same statement
25 like: I can't help you, I don't remember anything; is

1 that right?
2 A Yes.
3 Q When would you have started your interview
4 of her; not the taped statement of Camille, but the
5 interview with Camille?
6 A Moments after I finished the taped statement
7 with Alfred Centofanti.
8 Q So if you finished the taped statement at
9 2149 in military time, you would have started right after
10 that?
11 A Yes, that's correct.
12 Q Did you use the same procedure of interview
13 and then a taped statement?
14 A Yes, that's correct.
15 Q How did you treat Mrs. Centofanti?
16 A That I was trying to solicit as much
17 information as I can again, so that I was attempting to be
18 polite with her to develop a rapport with her so that she
19 would perhaps be more apt to speak with me.
20 Q Do you treat, for example, the mother of a
21 possible murder suspect differently than, say, a doper or
22 percipient witness who you have to grab off the street?
23 A Well, at times with various backgrounds on
24 suspects or criminals or witnesses, that you have
25 different degrees of cooperation. If somebody is a gang

1 member, that you have to speak with them at a different
2 level than you would somebody such a Camille Centofanti.
3 However, I've never had difficulty
4 soliciting information before in the past from witnesses.
5 Q How long was the taped interview? And,
6 again, if you need to refer to your notes, please do so.
7 MR. BLOOM: Objection, Your Honor. The
8 witness should answer before he looks at his notes and say
9 he doesn't remember, and then refer to his notes if he
10 needs to.
11 MR. PETERSON: No problem.
12 Q (By Mr. Peterson) Do you recall off you the
13 top of your head, detective, what the exact start time and
14 finish time of the taped statement with Camille Centofanti
15 was?
16 A No. But it would be noted in my statements.
17 Q We'll skip ahead or back now. Can you refer
18 to your notes and tell us what the start time and stop
19 time of that taped statement was?
20 A Yes. The time of the beginning of the taped
21 statement with Camille Centofanti is 2221 hours military
22 time, which is 10:21. And that statement finished at 2237
23 hours, which is 10:37.
24 Q So the taped statement is about 15-plus
25 minutes, 16 minutes?

1 A Yes.
2 Q Plus you spoke to her from 9:49 when you
3 were done with dad, to 10:21 when you started the taped
4 statement?
5 A Yes.
6 Q And that would have been about another 30
7 minutes?
8 A That's correct.
9 Q What was Camille Centofanti's demeanor
10 during this time?
11 A Again, she was not forthcoming with
12 information, as far as the narration of events which had
13 occurred at the Centofanti residence during the shooting
14 and afterwards.
15 Q Was she as emotional as Alfred Centofanti,
16 the dad was?
17 A No, not at all.
18 Q Can you tell me about her tone of voice when
19 she was answering your questions?
20 A That she was looking at me straight in the
21 eye. She was not crying. She was not emotional, and that
22 she was answering the questions.
23 However, when I told her that her narration
24 of events was improbable, I didn't understand how somebody
25 could call 911 and not know the reason why they were

1 calling 911, that she mentioned that she was in shock, and
2 had asked me if I had ever heard of posttraumatic stress.
3 Which I thought did not make sense, that
4 I've never interviewed somebody that appeared in shock
5 that was able to tell me that they are in shock at that
6 time.
7 Q Did she cry or get mad or seem to be so
8 emotional that she could not answer your questions?
9 A No.
10 Q She told us in court when I was asking her
11 questions that when she gave a statement to you, she was
12 very hysterical and out of her mind.
13 Would you characterize her that way?
14 A No.
15 Q In fact, would playing a portion of the
16 taped interview with mom help the jury understand that her
17 demeanor that night was not as she indicated?
18 A Yes.
19 MR. BLOOM: May we approach, Your
20 Honor?
21 THE COURT: Yes, you may.
22 (Whereupon, counsel conferred with the Court.)
23 MR. PETERSON: Judge, I forgot to bring
24 the tape down with me, so I imagine we'll get to it at
25 some point.

1 Q (By Mr. Peterson) You have listened to a
2 taped copy of the interview that did you with Camille
3 Centofanti that night; is that true?
4 A Yes, that's correct.
5 Q What level of detail did you get regarding
6 background information from Camille Centofanti?
7 A Again, her identifiers, her date of birth,
8 her social. I remember talking to her in the interview
9 portion and asked her what she had done for previous work,
10 and I remember she said she was like a police patron or a
11 jail patron for a facility back east in the Boston area,
12 and that how long had they lived here in Las Vegas.
13 Q Was she able to give you without any problem
14 details regarding that history, them coming out to Las
15 Vegas, the circumstances regarding Chip and Gina, et
16 cetera?
17 A She said that she found out that they were
18 separated about a domestic disturbance incident on her way
19 out to Las Vegas by telephone call.
20 Q Let me stop you there, detective. I
21 apologize. Did she have any problem relating that
22 information to you?
23 A No.
24 Q Did she have a – did you get a different
25 level of detail regarding the events inside the house of

1 8720 Wintry Garden?
2 A No.
3 Q I'm sorry, maybe I asked a bad question.
4 You told me she answered the background
5 questions without much problem?
6 A That's correct.
7 Q Did she answer questions about what happened
8 inside 8720 Wintry Garden the same way?
9 A No.
10 Q Can you tell me what you mean by that?
11 A Again, I would ask her why she had called
12 911 as the person reporting, the P-R, and what led her to
13 believe that there was problem in the house. And she
14 could not articulate or give me a reason why that she felt
15 something was amiss, something was wrong inside the house.
16 She said that she had heard a strange noise,
17 not even explained or describe that it was a gunshot
18 noise. And that she could not explain that somebody had
19 been shot or injured at the residence, or if she had
20 checked on the welfare of that person at all.
21 She could not explain why she went next
22 door.
23 Q You said that she sort of volunteered to you
24 that she was in shock and was experiencing posttraumatic
25 stress disorder; is that correct?

1 A Yes.
2 Q Have you in your experience as a detective
3 interviewed persons who were in shock, or were
4 experiencing posttraumatic stress?
5 A Certainly, I've interviewed many people that
6 are emotional as witnesses and as family members of people
7 that have been killed or deceased. That on every
8 interview that I've been in that I've been able to get a
9 coherent, understandable narration of events.
10 There's been times where somebody may have
11 seen something, but they're able to say this is what I saw
12 and this is what's so disturbing about it. And it takes
13 them a moment to collect themselves and describe that they
14 saw a dead body, and what was happening with that dead
15 body or the person dying. And that's the point that
16 they're emotional.
17 But a situation where we're able to get
18 through it by dealing with a little bit more time and a
19 little bit more questions, and that did not happen in this
20 case.
21 Q Was Mrs. Camille Centofanti's reactions to
22 the questions you were asking consistent with what you
23 just described a second ago, or were they different?
24 A They were different.
25 Q In what way?

1 A In that she could not give any clear
2 explanation for her action. And that if I could turn to
3 the statement I could refresh part of my memory on part of
4 what was said differently.
5 Q Okay. Can do you that?
6 A Yes.
7 Q And while you're looking for the section,
8 detective, is it your experience that persons who are in
9 shock or experiencing posttraumatic stress are aware that
10 they are in that condition, and label themselves as being
11 subject to that condition?
12 A No. I've never heard that before.
13 Q Have you been able to find the section
14 you're talking about?
15 A Yes. It's on Page 9 of the taped statement
16 transcription.
17 Q Don't read it aloud. Please just review it
18 to yourself so that if you need to you are refreshed about
19 its contents, and then look up when you've done that,
20 please.
21 A Okay.
22 Q If you were going to use this portion as an
23 example, please do so, sir.
24 A Would you like me to read it?
25 Q No, sir. Please summarize it.

1 A That I had asked her why she had called 911
2 that something was wrong at the residence. And she says
3 that -- I'm asking her did she investigate this noise that
4 she had heard, the strange noise.
5 And she said that she had gone into the
6 hallway but did not go downstairs, did not know why she
7 had called 911, that she couldn't explain that she knew
8 from hearing gunshots because she still calls it a strange
9 noise, or felt that there was something wrong inside the
10 house.
11 She wouldn't explain what she felt was
12 wrong, or even if there was something wrong in the
13 residence.
14 Q Let's talk about specifics from the
15 interview. She told us in court that she went halfway
16 down the stairs and saw her husband and son.
17 Did she ever tell you she went down the
18 stairs at all?
19 A No. She never said that she went halfway
20 down the stairs. She did say at one point that she left
21 the residence without seeing her son, is my recollection.
22 Q But the part about going halfway down the
23 stairs and seeing her husband and son, she didn't remember
24 that to you that night?
25 A That's correct.

1 Q Did she explain to you how she knew to call
2 911?
3 A No.
4 Q Did you feel similarly regarding Camille
5 Centofanti, that her account of events was evasive and
6 incredible?
7 A Yes. And then even more so that I just had
8 two people with the same account, roughly the same account
9 that were both evasive and had the same narration of
10 events.
11 Q Would you agree that, basically, their "I
12 don't knows" matched each other like they didn't know the
13 same stuff?
14 A Yes.
15 Q Did Camille Centofanti talk to about the end
16 of the relationship between Gina and Chip?
17 A She told that they were divorced.
18 Q Did she talk about why they had gotten
19 divorced?
20 A No. It's my understanding, my recollection
21 that she said --
22 MR. BLOOM: Objection. There's no
23 question pending.
24 Q (By Mr. Peterson) Do you have a
25 recollection as to what she said regarding their divorce?

1 A Yes. That Gina Centofanti was seeing other
2 people, that Gina Centofanti wanted out of the
3 relationship, and that Gina wanted the divorce.
4 Q Did she characterize Chip, her son's
5 demeanor after the divorce?
6 A Yes.
7 Q How did she characterize it?
8 A She said that she believed that Chip
9 Centofanti still loved his wife, Gina Centofanti, that he
10 was sad, and I believe she said despondent over the
11 relationship over how it had ended.
12 Q Did she ever tell you that, well, she thinks
13 he's dating again and so maybe he wasn't still in love
14 with her?
15 A That Chip Centofanti was dating again?
16 Q Yes.
17 A No, she did not.
18 Q Did she ever tell you that the divorce was
19 allegedly a result of any violence by Gina?
20 A No.
21 Q And let's talk about that a little bit more.
22 The incident on December 5th, the domestic
23 violence incident, did Camille Centofanti say how much she
24 knew about that?
25 A She said that she knew that Gina Centofanti

1 was arrested, that there was an incident at the house, and
2 that she did not know further because she did not like to
3 meddle in Chip Centofanti's affairs.
4 Q And that is her statement to you on the
5 night of December 20th?
6 A Yes.
7 Q She told us here in court that she was
8 afraid for Chip, that Gina had threatened Chip before, and
9 that she was concerned about any number of amount of
10 violence from Gina.
11 Did you ask Camille Centofanti in your
12 interview about any threats of violence between Chip and
13 Gina?
14 A Yes.
15 Q What was her response?
16 A If could I look at the statement, there's a
17 part in the statement that covers it?
18 Q Please refer to it, refresh your
19 recollection, and when you're done please look up. Please
20 indicate the page for counsel.
21 A On Page 14.
22 Q Don't read from it, please, detective.
23 Refresh your own recollection and then tell us did she say
24 anything about threats?
25 A I had asked Camille Centofanti specifically

1 had Gina Centofanti or Chip Centofanti threatened each
2 other. Her first response was that she didn't have any
3 knowledge of them threatening each other.
4 Then she changed it saying that she did not
5 know. Then she said that Chip did not threaten Gina, but
6 that Gina might have threatened Chip.
7 Q Did she say anything about gangs?
8 A No.
9 Q Or gang involvement by Gina?
10 A No, sir.
11 Q Did she say anything about Chip being afraid
12 of Gina because of gangs?
13 A No.
14 Q Did you provide her questions or the
15 opportunity to give you such information if she had it?
16 A Yes.
17 Q In fact, did either mom or dad Centofanti at
18 any time mention gang fear to you in any of their
19 interviews with you?
20 A No.
21 Q And did you provide both them with the
22 opportunity to provide that information?
23 A Yes.
24 Q Did either Alfred Centofanti, the dad, or
25 Camille Centofanti ever express to you a fear that Gina

1 might come over and kill anyone?
2 A No.
3 Q Kill Chip?
4 A No.
5 Q Kill them?
6 A No.
7 Q Kill Baby Nicholas?
8 A No.
9 MR. BLOOM: Objection, Your Honor.
10 It's improper cross-examination because --
11 THE COURT: This is not
12 cross-examination.
13 MR. BLOOM: Improper impeachment of
14 Camille because she never made the statement that, in
15 fact, that she thought Gina was going to kill the baby.
16 So it's improper to ask that. She never
17 said this to the officer.
18 MR. PETERSON: Actually, Judge, what
19 I'm doing is impeaching, essentially, the mind-set of
20 Chip. We heard in opening statement that Chip made the
21 claim that I thought that if Gina got past me, she would
22 go upstairs and kill mom and dad and kill the baby.
23 So I'm trying to explore.
24 Q (By Mr. Peterson) Has anyone ever provided
25 that sentiment to anyone ever before?

1 MR. BLOOM: That's exactly the point,
2 Your Honor. It's entirely improper to try to bring it out
3 secondhand from him as it relates to something my client
4 said. If he wants to ask that question of Camille, he
5 did. She didn't put a different answer. He can't bring
6 it out through something from this officer.
7 THE COURT: It's a topic that has been
8 brought out and I will let him investigate it. Go ahead.
9 Q (By Mr. Peterson) And I think I have the
10 answer, but neither mom or dad ever expressed a fear to
11 you that Gina might come over and kill either Chip, them
12 or Baby Nicholas, did they?
13 A No.
14 Q At some point you also spoke with Mark and
15 Marilee Wright; is that true?
16 A Yes.
17 Q Tell me about the circumstances that led to
18 that.
19 A After concluding the taped statement with
20 Camille Centofanti, I went next door which was one house
21 to the west which was between the crime scene and the
22 Centofanti residence where I was doing the interviews, and
23 met with Marilee Wright.
24 Q At some point the witnesses were all sort of
25 chauffeured outside from the Wright's residence; is that

1 true?
2 A That's my understanding.
3 Q Did you do that?
4 A No.
5 Q Did you help sort of get them back in their
6 house?
7 A I believe they were at the house when I went
8 and contacted them. That was sometime later from having
9 spent the time with those two interviews.
10 Q When you talked to Mark and Marilee Wright,
11 was their level of cooperation different from Alfred and
12 Camille Centofanti?
13 A Yes.
14 Q Can you characterize that for me?
15 A First, from Marilee Wright I had a completed
16 voluntary statement, a piece of paper that gets handed to
17 the witnesses that was handwritten out, that she had
18 supplied information on the events leading up to and
19 including when Camille and Alfred Centofanti, Chip
20 Centofanti went to the residence.
21 So I was able to read that when I first sat
22 down with her, and then took an interview and a taped
23 statement.
24 Q Did you so the same with Mark Wright?
25 A Yes.

1 Q Did he also provide you with a written
2 statement?
3 A Yes.
4 Q At the time you interviewed the Centofantis
5 and Mark and Marilee Wright, did you have detailed
6 information about the events of the domestic violence
7 incident on December 5th?
8 A No.
9 Q Did you know everything about the events of
10 12/5?
11 A No.
12 Q Did you ever tell Mark or Marilee Wright
13 that you knew all about 12/5 and didn't want to talk about
14 that?
15 A No, sir.
16 Q You gave me a a face when you said that.
17 Why?
18 A That it's in the statement that we had
19 spoken about that incident on 12/5.
20 Q And, in fact, specifically with Marilee
21 Wright, did you discuss the incident regarding 12/5 where
22 police arrived at their house, at the Centofanti
23 residence?
24 A Yes.
25 Q Did Mark or Marilee Wright ever tell you

1 that there had been threats made, or that there was
2 possible gang involvement involving Gina Centofanti?
3 A No, she did not.
4 Q Did they ever mention staying up all night
5 and watching for roving bands of retaliatory gang members?
6 A No.
7 Q Would you consider threats of roving gang
8 members between 12/5 and 12/20 to be significant
9 information?
10 A Yes.
11 Q How long in your interview with either Mark
12 or Marilee did you discuss the 12/5 events and the nights
13 after?
14 A If I could refer to Marilee's statement
15 first?
16 Q Please do. Does she refer to it all in her
17 voluntary statement?
18 A No. If I can look at that again?
19 Q That's fine. Go forward to the taped
20 statement.
21 A Yes. Very early in her taped statement,
22 Marilee Wright at Page 3 is talking about a domestic
23 disturbance incident that occurred December 5th.
24 Q Does she ever tell you that he does, in
25 fact, spend the night or come over on nights after the

1 5th?
2 A No. She does not say that he spends the
3 night at the residence.
4 Q Does she indicated to you, however, that he
5 does come over on nights following the 12/5 incident?
6 A Yes.
7 Q However, telling you that, does she mention
8 anything about the gang threats and fear?
9 A No.
10 Q Does Mark Wright ever mention anything like
11 that?
12 A No.
13 Q After you're done with the Centofantis and
14 the Wrights, I assume sometime in that stretch your
15 partner has arrived?
16 A That's correct.
17 Q Do you get a chance to sort of meet with and
18 brief him at any time before you're finished interviewing
19 the four witnesses we've talked about?
20 A My recollection was no, that he was busy
21 documenting the scene. There may have been some point
22 that I spoke with Sergeant Hefner by telephone, but I do
23 not recall speaking with Tom Thowsen, Detective Tom
24 Thowsen until after finishing the statements with Mark
25 Wright and Marilee Wright, then going to the crime scene.

1 However, my recollection at that point was
2 that the coroner investigator was already there, and
3 they're responsible for taking the body down to the
4 morgue.
5 Q Were you involved in the process of
6 obtaining a search warrant for 8720 Wintry Garden?
7 A No.
8 Q Would Tom thowsen have been involved in
9 that?
10 A Tom Thowsen and Sergeant Hefner. Sergeant
11 Hefner at the time was making the applications for a
12 telephonic search warrant.
13 Q Is that a standard practice regarding a
14 residence that is also a murder scene?
15 A Yes.
16 Q Were you involved at all in the
17 investigation and documentation of the body or any of the
18 forensic evidence located at 8720 Wintry Garden that
19 night?
20 A No.
21 Q I want to talk to you now about your
22 subsequent involvement in the case.
23 Did there come a time where you were
24 involved in a search of what you discovered was Gina
25 Centofanti's apartment?

A Yes.
Q Do you recall when and where that was?
A Yes. It was shortly after Christmas. I believe it was December 27th or 28th that we had gone to her apartment which was located in southeastern Henderson. I believe the apartment name was The Summit.
Q Were you present during the search warrant and the search of that apartment?
A Yes, I was present. At that time it was not a search warrant, that it was the victim's apartment.
Q Let me ask you this, detective: You said you were a detective on narcotics for how many years?
A I was a detective in narcotics for approximately four-and-a-half years.
Q Are you familiar, sir, through your training and experience with the identification of controlled substances and the paraphernalia used to create and ingest them?
A Yes.
Q And in what way did you gain that experience?
A During my time in narcotics, and also with the federal task force that part of my responsibilities as a case agent, the case agent is getting the information, managing what's called confidential informants, writing

search warrants, coordinating surveillances, an what's called buy-bust operations, identifying criminals that are dealing with narcotics.
And subsequent to those investigations we do the search warrants, or get the evidence in the case, impound the evidence. And also do what's called the NIK test, which is determining if the evidence is, in fact, a controlled substance such as marijuana, cocaine or methamphetamine, or commonly referred to as speed.
Q Would it be a fair statement that you acquired a rather thorough degree of expertise in visually identifying purported controlled substances, and the paraphernalia that goes along with them?
A Yes. In addition to that, I was going to say in addition to the case agent through my time frame in narcotics is approximately two-and-a-half to three years, that I was assigned the duty as the undercover officer in which I was making the purchases of controlled substances here in Las Vegas, and on some days that you would purchase in excess of 12 to 20 times of cocaine or methamphetamine, again, marijuana.
Q When you searched Gina Centofanti's apartment on December 27th or 28th, did you find any traces of narcotics making, storing or ingestion?
A No.

Q And I'm talking about everything; pipes, glassware, any of that stuff?
A That's correct; none of that.
Q No foil bindles, no methamphetamine, no street drugs, no illegal prescription drugs, nothing?
A That's correct.
Q Any evidence such as odors or stains or chemicals under the sink that would lead you to believe that such items had been created or stored or used on the premises?
A No.
Q Any syringes or other means of personal ingestion of narcotics?
A No.
MR. PETERSON: I'm about to go on to a different topic, Judge.
THE COURT: Thank you.
Can you be back at 1:30 tomorrow?
THE WITNESS: Yes, sir.
THE COURT: You can leave at this time.
"Ladies and gentlemen, it is your duty not to discuss among yourselves, or with anyone else, any subject connected with the trial; or read, watch or listen to any report of, or commentary on the trial or any person connected with the trial by any medium of information,

including without limitation, newspapers, television and radio; or form or express any opinion on any subject connected with the trial until the cause is finally submitted to you."
We will resume sharply at 1:30 tomorrow.
Court is adjourned.

ATTEST: Full, true and accurate transcript of proceedings.

MAUREEN SCHORN, CCR NO. 496, RPR

1 call about can you hand the phone over to him, and she
2 handed the phone over to him towards the end?
3 A I forgot exactly how that happened but,
4 basically, yes. I said to her take care of your business
5 and let me speak to your husband.
6 Q So she handed the phone to him?
7 A Yes, indeed.
8 Q She didn't tell you anything about – she
9 said she did not believe she had a drinking problem,
10 right?
11 A Yes. She did say that.
12 Q Is it your experience that people who do
13 have a drinking problem will often say I don't have a
14 drinking problem?
15 A Absolutely.
16 Q You were unaware that she had been through
17 any drug or alcohol treatment?
18 A I was not aware of that.
19 MR. BLOOM: Thanks very much. Nothing
20 further.
21 THE COURT: Anything further?
22 MS. GOETTSCH: I have nothing further.
23 Thank you.
24 THE COURT: Thank you, sir.
25 Next witness, please.

1 MR. PETERSON: Camille Centofanti,
2 Judge.
3
4 Whereupon,
5 CAMILLE CENTOFANTI,
6 was called as a witness by the State, and having been
7 first duly sworn, was examined and testified as follows:
8
9 MR. PETERSON: May I inquire, Judge?
10 THE COURT: You may.
11
12 DIRECT EXAMINATION
13 BY MR. PETERSON:
14 Q Please state and spell your name for the
15 record, ma'am.
16 A Camille, C-a-m-i-l-l-e; Centofanti,
17 C-e-n-t-o-f-a-n-t-i.
18 Q Are you married, ma'am?
19 A Yes.
20 Q Can you tell me the name your husband?
21 A Alfred Paul Centofanti, Jr.
22 Q You two have a son together?
23 A Yes, we do.
24 Q Could you indicate his name for the record,
25 please?

1 A Alfred Paul Centofanti III.
2 Q Do you see Alfred Paul Centofanti III in
3 court with us today?
4 A Yes, I do.
5 Q Could you indicate where he's seated and
6 what he's wearing?
7 A He's sitting at the table. He has brown
8 suit on.
9 MR. PETERSON: Judge, identifying the
10 defendant.
11 THE COURT: Yes, that's fine.
12 Q (By Mr. Peterson) So Alfred Paul III is
13 your son, and Alfred Centofanti, Jr. is your husband?
14 A Yes.
15 Q Are there colloquial names you use for the
16 two of them to keep them apart when you refer to them?
17 A No; Chip and chip, sometimes Chippy.
18 Q Can we use the phrase husband and son today?
19 Would that be a good way to keep them clear?
20 A Sure.
21 Q What is your son Chip's birth date?
22 A September 28th, 1968.
23 Q Do you know a person named Gina Centofanti?
24 A Yes, I do.
25 Q Is it correct that Gina Centofanti was your

1 daughter-in-law at some point?
2 A Yes.
3 Q She was married to your son, Chip?
4 A Yes.
5 Q In December of 2000, how long had your son
6 and Gina been married?
7 A Two years, I believe.
8 Q Did Gina have a child from a previous
9 relationship that you're aware of?
10 A Yes, she did.
11 Q Do you know his name?
12 A Yes. His name Francisco Sanchez.
13 Q Does he go by a nickname?
14 A Kido.
15 Q Did Gina give you any grandchildren with
16 your son Chip?
17 A Yes.
18 Q Who?
19 A Nicholas Savino Centofanti.
20 Q Could you spell Savino for our court
21 reporter?
22 A S-a-v-i-n-o.
23 Q How old was Nicholas in December of 2000?
24 A He was four months old.
25 Q Did there come a time in mid December of

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2000 that you and your husband moved out here to Las Vegas?

A Yes.

Q Where were you staying when you moved out here?

A At my son's house.

Q What's that address?

A It's Wintry Garden. I'm not sure the address; 8327, I believe.

Q In fact, by the time you arrived in my December, Gina was no longer staying in the house; is that correct?

A That's correct.

Q What about Kido? Was he still in the house?

A No.

Q You're obviously aware that eventually Gina was killed?

A Yes.

Q Between the time that you arrived in Las Vegas and the time Gina's murder, is it correct that you had seen Gina over at the house a few times to pick up the baby?

A Yes.

Q In December of 2000, Gina and your son were divorced; is that true?

A Yes.

Q In your words, would you say that Gina just wanted out of that marriage?

A Yes.

Q To you knowledge, the divorce was mutual, was it not?

A Yes, it was.

Q Gina didn't contest it, to your knowledge.

A Not to my knowledge.

Q It was done very quickly and without her objection; isn't that true?

A Yes.

Q In fact, Mrs. Centofanti, wouldn't you agree with me that your son was very upset over the divorce?

A No. He wasn't very upset over the divorce.

Q Do you remember giving a statement to the police, ma'am?

A Do I remember giving a statement to the police? Yes, I do.

MR. PETERSON: May I approach? Page 6.

THE COURT: You may.

Q (By Mr. Peterson) Your answer previous:

"The whole circumstance is that she didn't want to. She just wanted out."

"Question: And was your son upset by this?"

"Answer: Yes. He was very upset."

Do you agree that you said those words to the police back in 2000?

A I really don't know if I did.

Q I'm sorry?

A I really don't know if I did.

Q You agree you gave a statement to the police in 2000?

A Yes. I do agree I gave a statement to the police.

Q Have you seen a transcript of that statement?

A Have I seen a transcript? Yes.

Q And you agree that in that transcript you said your son was very upset about the divorce, didn't you?

A If you say that's what I said, then that's what I said.

Q I don't want what I'm saying. I want to know what you said.

Did you say that to the police?

A If it's in the paper, then I said it.

Q In fact, would you also agree with me that in addition to being very upset about the divorce, that your son was also devastated and hurt by the divorce?

Would you say that?

A Yes.

Q In fact, wouldn't you agree that in your words your son was very despondent about the divorce?

A I really don't remember saying despondent, using that word.

MR. PETERSON: May I approach, Judge?

THE COURT: You may.

MR. PETERSON: Page 6.

Q (By Mr. Peterson) Answer: I know he was devastate and he was hurt and he was very despondent?

A Well, if it's there then I said it.

Q Do you disagree with that today?

THE COURT: Excuse me. Disagree that she said that, or is that her opinion?

Q (By Mr. Peterson) Is that your opinion today, that he was very devastated, hurt and very despondent at the time of the divorce?

A I don't know. My opinion is not that today.

Q Your opinion is not that today?

A Is that what – you're asking if my opinion today is that he was despondent. I think he was hurt, but as far as being despondent, I don't know.

Q Well, you agree with me that you told the police back in December of 2000 that he was devastated,

1 hurt and very despondent?
2 A Yes. I agree I said that to the police,
3 yes.
4 Q But that's not your opinion today?
5 Is that what you're telling me?
6 A I'm telling you that he was hurt. As far as
7 him being despondent, I don't know.
8 Q But you'll agree with me that you said he
9 was –
10 MR. BLOOM: Objection. Asked and
11 answered.
12 THE WITNESS: And I answered you twice.
13 THE COURT: I think we can move on.
14 Q (By Mr. Peterson) In fact, it was your
15 belief that when your son was divorced from Gina he was
16 still in love with her, wasn't he?
17 A No.
18 MR. PETERSON: May I approach again,
19 Judge?
20 THE COURT: Yes.
21 Q (By Mr. Peterson) Same page.
22 "Question: Was your son still in love with
23 Virginia?"
24 "Answer: I think he was."
25 Isn't that what you told the police in

1 December?
2 A Yes. I said I think he was, I think he was.
3 Q You were living with him at the time, were
4 you not?
5 A Yes, I was.
6 MR. BLOOM: Objection, Your Honor.
7 Vague as to what time.
8 Q (By Mr. Peterson) You were living with him
9 in December of 2000, were you not?
10 MR. BLOOM: Objection. Vague as to
11 when.
12 MR. PETERSON: How about the whole time
13 she was living with him in December of 2000?
14 MR. BLOOM: See, she didn't live with
15 him the whole time in December.
16 MR. PETERSON: That's not what I am
17 saying.
18 Q (By Mr. Peterson) The time that you lived
19 with him in December of 2000?
20 A I didn't live with him the whole time in
21 December. I didn't arrive in Las Vegas.
22 Q Let me try and ask a more clear question.
23 A Sure.
24 Q During the time you did live with him in
25 December of 2000, you had the ability to observe him on a

1 daily basis, did you not?
2 A Yes, I did.
3 Q You observed him from when you moved into
4 town for several days, up to and including the date of the
5 murder on December 20th; is that correct?
6 A Yes.
7 Q And when you gave your statement to the
8 police, you had been able to observe your son for that
9 period of time; is that correct?
10 A Yes, it is.
11 Q And it was your comment to the police when
12 you were asked the question: Was your son still in love
13 with Virginia, your answer was, quote, "I think he was."
14 Was that not your answer?
15 A Yes, it was my answer.
16 Q Is your answer different today?
17 MR. BLOOM: Objection, Your Honor.
18 THE COURT: What's the objection?
19 MR. BLOOM: My objection is it's
20 argumentative, is your answer different today.
21 Is your opinion different today.
22 THE COURT: It is without a difference,
23 in my view. I'll allow it.
24 Q (By Mr. Peterson) Is your answer different
25 today?

1 Do you still think your son was in love with
2 Gina at the time of the divorce?
3 A Well, right after the divorce he started
4 dating, so he had started to date. So was he still in
5 love with her? I don't know, because he had started to
6 date. He was moving on with his life.
7 Q You're telling me you don't know, but you
8 told the police, quote, "I think he was," didn't you?
9 MR. BLOOM: Objection. Asked and
10 answered, Your Honor.
11 THE COURT: I'm going to allow it.
12 Now, are you asking is that her opinion
13 today?
14 MR. PETERSON: Well, I'm trying to
15 explore why there's a minimizing and backing off from the
16 statement made near the time of the murder.
17 MR. BLOOM: Your Honor, I object to the
18 characterization. He can argue that when he gets to
19 closing argument, but now he's supposed to ask questions,
20 so the form of the question.
21 THE COURT: There's not a great deal to
22 discuss here. You're asking her what she said at the
23 time, and then you're asking her if that's still her
24 belief or opinion today. That's not too complicated.
25 You've already established just a moment ago

1 that's what she said. Do you want ask her if that's her
2 opinion now, or are you going to move to another area?
3 MR. PETERSON: I think she's said now
4 that – well, I'll ask her.
5 Q (By Mr. Peterson) Do you think your son was
6 still in love with Virginia at the time of the divorce?
7 A I don't know because he had already started
8 to date and was moving on with his life.
9 Q You didn't say any of that to the police
10 when you were questioned, did you?
11 A No. I didn't say any of that.
12 Q You didn't say that at the Grand Jury when
13 you testified, did you?
14 A No.
15 MR. BLOOM: Objection, Your Honor. At
16 the Grand Jury she never was asked that question, so I
17 would just say the question is improper.
18 If he wants to cross-examine her with
19 something at the Grand Jury about that, there wasn't
20 anything put to her in that regard.
21 THE COURT: The point is well taken,
22 Mr. Bloom, in that regard.
23 Q (By Mr. Peterson) The point is, when
24 questioned about this previously, you never said anything
25 about dating. Your answer was, "I think he was in love

1 with Virginia."
2 A At that time, sir, I was an a emotional
3 wreck and could hardly function.
4 Q You mean at the time of giving this 17-page
5 statement? Is that the time you're talking about when you
6 were an emotional wreck?
7 A Yes.
8 Q When you gave this statement you're asking
9 and answering pretty clearly a whole lot of questions;
10 isn't that true?
11 A Because the officer was asking me a whole
12 lot of questions, and I was trying to answer him.
13 Q And did you answer all these questions,
14 didn't you?
15 A Yes, I did; to the best of my ability.
16 Q But now we're here at trial for your son who
17 is facing charges of murder, right?
18 A Yes.
19 Q You, I presume, are somewhat familiar with
20 the domestic violence incident that happened on December
21 5th of 2000; is that right?
22 A I wasn't in Las Vegas on December 5th of
23 2000.
24 Q I imagine you were told about it by your
25 son?

1 A I was told about it afterwards.
2 Q Is it fair to say that you never heard
3 Gina's side of that story?
4 A Yeah, that's fair.
5 Q As a result of the divorce, isn't it correct
6 that Gina did have visitation rights with Nicholas?
7 A Yes, she did.
8 Q When were they?
9 A You know, I don't recall when they were. I
10 know that she could see him – I do recall the time frame
11 was, I believe, from 5:00 to 8:00, but I don't know if it
12 was every other week, or if it was that she could take him
13 overnight every other week. I'm really not sure.
14 Q Would referring to your statement help you
15 refresh your recollection?
16 MR. PETERSON: May I approach? Page 7.
17 Q (By Mr. Peterson) Please read this question
18 and y our answer there. When you're done reading it, let
19 me know if your recollection is refreshed from your
20 statement.
21 A That's what I just said to, from 5:00 to
22 8:00, and I thought every other weekend.
23 Q Now, you were able to tell the police in
24 your statement accurately that there were visitation
25 rights from the court. It was Wednesday from 5:00 to

1 8:00, and every other weekend.
2 You were able to communicate that to the
3 police that night, were you not?
4 A Yes.
5 Q In fact, you went into greater details about
6 how one Wednesday she doesn't come because she has to get
7 her belongings and there's a restraining order. And you
8 went into some substantial detail in your statement; isn't
9 that right?
10 A Yes, I did.
11 Q This is the same statement you were telling
12 me you were emotionally distraught and couldn't answer
13 correctly that question about whether or not your son
14 loved Gina?
15 A People react very differently under stress.
16 Q To different questions?
17 A No, not to different questions.
18 Q Then why, ma'am, can you answer this one in
19 detail and not that other one?
20 A I'm trying to answer everything that you're
21 asking me to the best of my ability, okay?
22 Q I don't have a problem with that. But I
23 guess the question that still remains is, why is it you're
24 able to say on one question: I was under stress and had a
25 hard time answering that, and on another question you're

1 able to give minute details about visitation rights?
2 A I don't know.
3 Q I want you to think back to December 20th of
4 2000. Do you have that date in mind, ma'am?
5 A Uh-huh.
6 Q That date was a Wednesday, was it not?
7 A I believe it was a Wednesday.
8 Q Were you aware whether or not Gina was
9 supposed to be coming over on the night of the 20th?
10 A She was – she had visitation that night.
11 Q. Do you remember that she was supposed to be
12 coming over that night?
13 A She was supposed to, but I don't know that
14 she was going to because there were several phone calls
15 from her throughout the day.
16 Q We're getting a little ahead of ourselves.
17 Do you remember that she was supposed to
18 come over?
19 A Yes. That was her visitation night.
20 Q Do you remember why she was going to come
21 over?
22 A To pick up Nicholas.
23 Q Was there any other reason?
24 Do you remember telling people it was to
25 sign some papers as well?

1 A She sounded anxious to talk to Chip.
2 Q Can you differentiate in your mind between
3 anxious and mad, ma'am?
4 A Yes, I can.
5 Q Did she sound mad or hostile?
6 A No. She sounded anxious.
7 Q In fact, the diaper bag had been prepared
8 for her to come over and get Nicholas; isn't that true?
9 A It had been prepared in case she showed up
10 to get Nicholas, yes.
11 Q The day of the 20th itself, who was home
12 that day at the residence?
13 A Myself, my grandson and my husband.
14 Q Did Chip spend the night before and leave in
15 the morning for work?
16 A My son.
17 Q I'm sorry; yes, your son.
18 A Yes. That's okay.
19 Q At some point Chip came home from work that
20 day; is that correct?
21 A Yes.
22 Q About what time was that?
23 A 5:00 or 5:30.
24 Q Where were you in the house when Chip came
25 home?

1 A Yes. I did say it was to sign some papers.
2 I don't know what the papers were, but it was something
3 about papers.
4 Q In fact, isn't it true you talked to Gina at
5 about 4:00 p.m. on the phone that day?
6 A I'm not sure of the time, but I did talk to
7 her late in the afternoon.
8 MR. PETERSON: Grand Jury transcript,
9 Page 51. May I approach?
10 THE COURT: You may.
11 Q (By Mr. Peterson) "Question: Directing
12 your attention to that day, did you receive a call from
13 Gina approximately 4:00 that indicated she was coming by?"
14 Answer by you: "Yes."
15 Is that correct?
16 A Yes.
17 Q Gina called you mom?
18 A Yes, she did.
19 Q She called you at 4:00 o'clock and wanted to
20 talk to Chip?
21 A Yes, she did.
22 Q On that phone call she didn't sound mad or
23 hostile, did she?
24 A She sounded anxious to talk to Chip.
25 Q But not mad or hostile?

1 A I was downstairs in the main part of the
2 house.
3 Q Later in the evening did you go upstairs,
4 ma'am?
5 A Yes, I did.
6 Q Who all was upstairs later in the evening?
7 A My husband, myself and the baby.
8 Q What room in the house were you in, ma'am?
9 A In the master bedroom.
10 Q I have in my hand what's been marked as
11 State's Proposed Exhibit 57B, which I believe purports to
12 be a diagram of the upstairs of the Centofanti residence
13 on Wintry Garden.
14 MR. PETERSON: May I approach the
15 witness, Judge?
16 THE COURT: You may.
17 Q (By Mr. Peterson) Ma'am, I'm showing what's
18 been previously marked as State's Proposed Exhibit 57B.
19 Do you recognize that as a diagram depicting
20 the upstairs of the Wintry Garden Avenue residence, your
21 son Chip's residence?
22 A Yes.
23 Q The stairs going up to a hallway and several
24 bedrooms?
25 A Uh-huh.

1 Q The bedrooms are label on here master
2 bedroom, master bathroom, and then two bedrooms on the
3 south end; is that correct?
4 A Uh-huh.
5 Q Does this appear to fairly and accurately
6 depict the upstairs of that house?
7 A Yes, it does.
8 MR. PETERSON: Move for the admission
9 of 57B, Judge.
10 MR. BLOOM: No objection.
11 THE COURT: It is received.
12 Q (By Mr. Peterson) On the evening of the
13 20th on that diagram 57B, which bedroom on that diagram,
14 ma'am, were you in with your husband and Nicholas?
15 A In the master bedroom.
16 Q You were in the master bedroom?
17 A Yes. We were in the master room.
18 Q And that's depicted on the diagram as master
19 bedroom; is that correct?
20 A Yes, right there.
21 Q Am I correct in looking at this diagram that
22 the master bedroom has a door that opens to, basically,
23 the very top of the stairs?
24 A It has a double door opens to the stop the
25 stairs that were closed.

1 Q And that icon there is the double door; is
2 that right?
3 A Yes.
4 Q You're telling me now that the doors were
5 closed?
6 A Yes, they were.
7 Q And to the side of the stairs on the second
8 floor it is open to the living room below; is that right?
9 A Yes.
10 Q I want to talk to you about the incident
11 itself.
12 Do you know what time Gina came over?
13 A No, I don't.
14 Q In fact, you never heard her come in at all,
15 did you?
16 A That's correct.
17 Q You heard no pounding or knocking or forcing
18 of the front door?
19 A I heard nothing.
20 Q No screeching of tires?
21 A I heard nothing.
22 Q You never heard any argument or struggle
23 from downstairs?
24 A No. Because when you're upstairs in the
25 upstairs part of house, you can't hear anything that's

1 going on downstairs at all.
2 Q Can you hear the door bell from the
3 upstairs, ma'am?
4 A No, you can't.
5 Q The layout of this house, have you seen Mark
6 Wright's house?
7 A Yes, I have.
8 Q It's basically identical to yours, isn't it?
9 Or it's basically identical to that one,
10 isn't it?
11 A Yes, it is.
12 Q You never heard any yelling; is that
13 correct?
14 MR. BLOOM: Objection. Asked and
15 answered.
16 THE COURT: Sustained.
17 Q (By Mr. Peterson) At some point you did
18 hear noise, however; is that fair to say?
19 A Yes.
20 Q Can you describe the noise, ma'am?
21 A It was a popping sound.
22 Q Do you recall subsequently telling Mark
23 Wright that you heard shots?
24 A No. I never said I heard shots.
25 Q Are you aware that Mark Wright told the

1 police you said shots?
2 A No. I'm not aware of what Mark told the
3 police.
4 Q One noise or two noises, ma'am?
5 A Two.
6 Q And where you were when you heard these
7 noises?
8 A Laying down in bed sleeping.
9 Q Where was your husband?
10 A Laying down beside me.
11 Q Do you have any idea where Chip was?
12 A No, I don't.
13 Q He wasn't upstairs with you, was he?
14 A No. He was upstairs with me.
15 Q Did you hear any activity upstairs that
16 indicated to you Chip was upstairs?
17 A No.
18 Q What did you think was happening when you
19 heard these sounds?
20 A At first I thought the noises were outside.
21 Q From inside the bedroom where you say you
22 can't hear noises from downstairs, you think the noises
23 are from outside; is that right?
24 A I wasn't sure where the noises came from.
25 Q Where did you go when you heard those

1 noises?
2 A To the phone. My husband jumped up and he
3 started to say: Oh, no; oh, no. And I ran to the phone
4 and called 911.
5 Q Did you see Chip?
6 A No.
7 Q At that point you didn't see Chip?
8 A No.
9 Q There was a 911 call and a disconnect at
10 7:00 p.m. That was the call you made to 911?
11 A Yes. They put me on hold.
12 Q Why did you -- did you hang up, ma'am?
13 A I waited and waited. Yes, I did hang up
14 because they had me on hold.
15 Q How long do you think you waited and waited?
16 A I have no idea at all.
17 Q Why did you call 911 at that point, ma'am?
18 A Because obviously there was a noise
19 downstairs, and I had my grandson and my husband were
20 upstairs and I called 911.
21 Q Did you go downstairs at that point?
22 A No.
23 Q Did your husband go downstairs?
24 A He did.
25 Q But you never went downstairs to see what

1 happened?
2 A No.
3 MR. BLOOM: Objection. Vague as to
4 time, Your Honor. Are you talking about them, or never at
5 any time in the evening?
6 MR. PETERSON: Right then.
7 Q (By Mr. Peterson) You didn't go downstairs
8 at that point to see what had happened?
9 A No.
10 Q If the 911 disconnect call was at 7:00
11 o'clock, at some point shortly thereafter your husband
12 called Eva Cisneros, Chip's boss at his law firm; isn't
13 that true?
14 A That's not true.
15 Q I'm sorry?
16 A That's not true.
17 Q When did your husband call Eva Cisneros?
18 A I'm not aware that he called Eva Cisneros.
19 Q As of December 20th, did you know who Eva
20 Cisneros was?
21 A Yes.
22 Q How did you know her?
23 A She was my son's employer.
24 Q How had you met her?
25 A I hadn't met her. I spoke to her, I

1 believe, a couple times on the phone from Boston.
2 Q Who initiated those phone conversations?
3 A The phone conversations I had with Eva were
4 when I was living in Boston and I called my son's job, and
5 I believe she answered the phone a few times.
6 Q So when you called Eva Cisneros prior to
7 December 20th, you were calling your son's work number?
8 A Yes. I was calling my son.
9 Q Are you telling me at no time that night did
10 your husband call Eva Cisneros?
11 A I did not have a knowledge of him calling
12 Eva Cisneros.
13 Q Ma'am, isn't it true that at some point your
14 husband handed the phone to you to speak with Eva
15 Cisneros?
16 A I never spoke to Eva Cisneros that night.
17 Q Do you recall telling Eva Cisneros, quote,
18 "Eva, we were upstairs and I heard shots and Gina is dead.
19 I don't know what to do. Can you come over?"
20 A I have no recollection whatsoever of that.
21 Q You have no recollection of that?
22 A No recollection whatsoever of that. I was
23 in a state of shock, is the other thing. And there's lot
24 of things --
25 Q Ma'am, I wasn't asking you a question, if

1 you don't mind. We'll talk about your state of shock
2 later.
3 So you're telling this jury at no time did
4 you ever speak to --
5 MR. BLOOM: Objection. This question
6 was asked and answered, Your Honor. He just asked that
7 question.
8 THE COURT: All right. Sustained.
9 Q (By Mr. Peterson) Did you ever see your
10 husband speak to Eva Cisneros on the night of the 20th?
11 A No.
12 Q Did you ever see Chip speak with Eva
13 Cisneros?
14 A No.
15 Q If, in fact, it turns out you did talk to
16 Eva Cisneros, how did you get the number to speak with
17 her?
18 MR. BLOOM: Objection, Your Honor.
19 THE COURT: You mean how would she
20 have?
21 MR. PETERSON: Yes.
22 Q (By Mr. Peterson) How would you have gotten
23 the number? You certainly don't know Eva Cisneros'
24 personal cell phone or home phone number, do you?
25 A No, I don't.

1 Q And I would imagine your husband does not
2 either, does he?
3 A I don't know.
4 Q And you are denying making a statement to
5 Eva that we were upstairs, heard shots, Gina is dead, can
6 you come over?
7 Are you denying making that statement?
8 A No. I am not denying that. I don't recall
9 saying that.
10 Q So it could have happened, you just don't
11 remember it?
12 A Exactly.
13 Q All right. The 911 disconnect was at 7:00
14 o'clock, and I think Eva would testify that your call was
15 about at the same time.
16 You did eventually speak with a 911 operator
17 that night; is that not right?
18 MR. BLOOM: Your Honor, I object to the
19 foundation of the question. It's not supposed to be
20 Mr. Peterson giving testimony, to give a preamble and then
21 ask the question. I object to the form of the question.
22 THE COURT: Are you clarifying
23 something that was already testified to?
24 MR. PETERSON: I am trying to establish
25 a time frame.

1 Q (By Mr. Peterson) The 911 disconnect was at
2 7:00. You subsequently spoke with a 911 operator; is that
3 correct?
4 A Yes, I did.
5 Q And if I told you that second call was at
6 7:15, does that sound right to you?
7 A It very well may have been at 7:15.
8 Q In the intervening time from 7:00 o'clock to
9 7:15, what did you do?
10 A I stayed stairs.
11 Q The whole time?
12 A Not the whole time. I came halfway down the
13 stairs and --
14 Q And? I want to hear the end of that
15 sentence. And what?
16 A That's when I saw my husband and my son.
17 Q You saw your husband and your son?
18 A Uh-huh.
19 Q What did you see?
20 A I saw my husband -- my husband was whaling
21 and crying, and my son was in a catatonic state. My
22 husband was trying to lead him to put him -- take him from
23 near the laundry room to the front door.
24 Q Catatonic state. That's and interesting
25 phrase. Is that your phrase?

1 A That's -- yes, it is my phrase. He looked
2 like a zombie.
3 Q Are you telling me that in that entire 15
4 minutes you never went downstairs to see the source of
5 that noise?
6 A I said that I went down the stairs at some
7 point. I had the baby, okay, and I was walking back and
8 forth in the hall and was frightened. I didn't know what
9 was downstairs.
10 Q You heard two noises, you didn't know what
11 they were. What are you frightened of, ma'am?
12 A Because I don't know what's downstairs and I
13 had the baby with me.
14 Q So when you don't know what's downstairs,
15 wouldn't one normally go down and look? I mean, if you
16 don't know, why are you staying upstairs?
17 A Because my husband went downstairs.
18 Q Did your husband tell you not to come
19 downstairs?
20 A No. He didn't tell me not to come
21 downstairs.
22 Q Did Chip at any time tell you not to come
23 downstairs?
24 A I didn't see Chip until afterwards, and he
25 was noncommunicative. He was like a zombie, complete

1 zombie.
2 Q How long during that 15 minutes was it
3 before you came downstairs and saw your husband and your
4 son?
5 A I don't know.
6 Q Was it at the beginning, or at the end?
7 A I don't know.
8 Q Did your husband tell you whether or not he
9 saw anything downstairs?
10 A No. I walked -- I layed the baby down on
11 the bed and I walked down the stairs. I came part of the
12 way down the stairs, and that's when I saw my husband and
13 my son.
14 Q And what did you do right after seeing that?
15 A I went backs upstairs, I got baby. I put a
16 blanket over the baby, and I went out the front door and I
17 walked next door to the Wrights.
18 Q So you called 911 before the second time
19 before you went down the stairs?
20 A Yes.
21 Q And neither Chip nor your husband had told
22 you what had happened, and you hadn't been downstairs; is
23 that right?
24 A That's right.
25 Q Do you recall what you said in that second

1 911 call, ma'am?
2 A Yes, I do.
3 Q You do?
4 A Yes, I do.
5 Q What did you say?
6 A I said that my son shot and killed his wife,
7 and that -- first I said I needed help, could they please
8 send help. And then she asked me about the nature of what
9 was wrong, and I said that my son shot and killed his
10 wife, and that we needed help and could they please come
11 right away to help us.
12 Q Ma'am, if you hadn't spoken with Chip or
13 your husband, and you hadn't been downstairs, and you
14 didn't see what happened, how could you have related that
15 information to 911?
16 A My son was in a catatonic state, my husband
17 was whaling like a baby, okay.
18 Q You hadn't see --
19 MR. BLOOM: Objection, Your Honor. He
20 asked her why. She should be allowed to answer why.
21 THE COURT: Go ahead and answer, ma'am.
22 MR. PETERSON: Please.
23 THE WITNESS: My son was in a catatonic
24 state. He was like a zombie. My husband was whaling like
25 a baby, uncontrollable, while he was trying to get my son

1 to walk. And every step that he took it was like he
2 weighed a ton --
3 Q Ma'am, I'm not asking about --
4 MR. BROOKS: Your Honor --
5 THE COURT: An answer is an answer and
6 we could go on for hours here. As the next question.
7 MR. PETERSON: Thank you, Judge.
8 Q (By Mr. Peterson) I'm not asking you about
9 how your son looked. I'm asking you if you didn't know
10 Gina was there, if you had never been downstairs, if you
11 didn't talk to Chip, if you didn't talk to your husband,
12 you didn't see anything in the downstairs room, how, how
13 can you tell a 911 operator: My daughter-in-law is dead?
14 How? How do you know to communicate that
15 information, ma'am?
16 A Well, the first time the 911 operator, she
17 put me on hold. The second time I called we needed help,
18 and I said my daughter-in-law was dead.
19 And the reason I said my daughter-in-law was
20 dead was because she was the only one that was expected
21 there that night to pick up Nicholas. And the other thing
22 was, there was no noise coming from the other room at all.
23 There was no sounds, no noise, no nothing.
24 So that's why I said --
25 Q Let's talk about no sounds, no noise, no

1 nothing. You heard no gunshots. You never heard Gina
2 come over. You never heard an argument. You never heard
3 a shooting. You never even knew Gina was present, and you
4 called 911 to say she was dead.
5 How do you get from A to B? Tell me.
6 A I think I just explained that to you. She
7 was the only one that was due to come there that night,
8 okay, and the situation that I seen with my husband and my
9 son
10 Q Well, what situation? Did you see your son
11 with a gun?
12 A No.
13 Q Did you see your husband with a gun?
14 A No.
15 Q How did you know to tell 911 there's been a
16 shooting if you never saw a gun and never heard shots?
17 A I said I heard popping sounds, is what I
18 said.
19 Q Okay. And I asked you did you say shots,
20 and you said no?
21 A I said popping sounds.
22 Q So are you now telling me those popping
23 sounds you heard you thought were shots?
24 A When I saw the situation downstairs I wanted
25 to get help. I knew something was terribly wrong.

1 Q You heard something was terribly wrong, but
2 you didn't call 911 and say: 911, something is terribly
3 wrong. You gave them facts. You said: My
4 daughter-in-law is dead.
5 A Yes. I did say that, and I said that my son
6 shot her. Yes, I did say that.
7 Q Actually, you didn't. We'll get to that in
8 a minute. You said your daughter-in-law was dead and
9 there had been a shooting.
10 How in the world did you get that
11 information?
12 Ma'am?
13 A I got information, but when I looked over
14 the stairs and saw the state that any son was in, and the
15 state that my husband was in. Gina had already tried to
16 kill Chip two weeks prior on the 5th of December.
17 Q Are you done with that part about the 5th of
18 December? Because I'm talking about the 20th.
19 MR. BLOOM: Objection, Your Honor, to
20 the argumentative form.
21 THE COURT: Well, I think we're going
22 to take a break on that note.
23 "Ladies and gentlemen, it is your duty not
24 to discuss among yourselves, or with anyone else, any
25 subject connected with the trial; or read, watch or listen

1 to any report of, or commentary on the trial or any person
2 connected with the trial by any medium of information,
3 including without limitation, newspapers, television and
4 radio; or form or express any opinion on any subject
5 connected with the trial until the cause is finally
6 submitted to you."
7 We will start on the hour at 4:00 o'clock.
8 Court's in recess.
9 (Whereupon, a brief recess was taken.)
10 THE COURT: The continuation of
11 C172534, State versus Alfred P. Cantofanti III. The
12 record will reflect the presence of the defendant; his
13 counsel, Mr. Bloom and Ms. Navarro; Mr. Peterson and
14 Ms. Goettsch present for the State.
15 Would counsel stipulate that all members of
16 the jury are present and properly seated?
17 MR. PETERSON: Yes, sir.
18 MR. BLOOM: Yes, Your Honor.
19 THE COURT: Mrs. Cantofanti, if I may,
20 I would admonish you that you're still under oath.
21 Proceed, please.
22 MR. PETERSON: Thank you, Judge.
23 Q (By Mr. Peterson) You told us when you
24 called 911 the first time you were on hold and eventually
25 hung up; is that right?

1 A Yes.
2 Q Do you recall telling the Grand Jury that
3 the baby started crying and your attentions were
4 distracted towards him?
5 A Yes.
6 Q When you called 911 the second time, where
7 was the baby?
8 A I had the baby in my arms.
9 Q Was he still upset?
10 A Yes, fussing.
11 Q What do you mean by fussing? I have a
12 two-year-old, so fussing has a wide range.
13 Was he crying?
14 A No. He wasn't crying. I think he sensed my
15 uneasiness.
16 Q Making noises though?
17 A Yes.
18 Q And you know you were with the baby because
19 you were upstairs?
20 A Yes.
21 Q If we listen to the 911 tape on the second
22 call and there's no noise of the baby, do you have an
23 explanation for that?
24 A No, I don't.
25 Q You said that you told the 911 operator that

1 Chip shot Gina, and I want to play the tape for you and
2 ask you a few questions about that.
3 (Whereupon, the 911 tape was played.)
4 Q Ma'am, I played a portion of the 911 tape
5 from December 20th.
6 That is your voice, is it not?
7 A Yes. It is my voice.
8 Q You were relating the address to 911. When
9 you said "wait", what is it? Were you talking to someone
10 else in the room?
11 A No. I was trying to remember the address.
12 Q So you were not talking to either Chip or
13 your husband?
14 A No.
15 Q In fact, you said your daughter-in-law had
16 been shot, but you did not mention Chip, did you?
17 A I guess I didn't.
18 Q In fact, when the 911 operator asked you who
19 shot your daughter-in-law – well, let me back up.
20 According to you, you had never seen that
21 your daughter-in-law had been shot; is that true?
22 A That's true.
23 Q You were never downstairs and saw Gina
24 laying there with seven shots in her?
25 A No, I never did.

1 Q So after you told 911 that your
2 daughter-in-law had been shot, and the 911 operator asked
3 who did it, you said, "I can't talk now," isn't that
4 right?
5 A I couldn't even catch my breath. I couldn't
6 compose myself. I couldn't talk anymore.
7 Q Was there someone in the room with you?
8 A There was nobody in the room with me.
9 Q Were you downstairs?
10 A No. I wasn't downstairs, I was upstairs.
11 Q Then how did you know tell them your
12 daughter-in-law had bee shot?
13 A Because I walked down the stairs, halfway
14 down the stairs and I leaned – when I looked down the
15 bottom near the stairs, the middle of the room, I'm really
16 not sure right now.
17 I saw my husband and my son, and my husband
18 was whaling uncontrollably, and my son was like zombie.
19 And the only thing I could think about was that we needed
20 help, and I tried to get help.
21 Q I understand that you said that, but you
22 also said there was shooting and your daughter-in-law had
23 bee shot?
24 A Yes. That's what I said.
25 Q Now, how did you know to relate that

1 Information?
2 A Because Gina was expected to come to the
3 house that night, that's why. And that's what I thought
4 happened.
5 Q But, ma'am, you were very specific when you
6 told me you did not see Gina come over, you didn't hear
7 her come over, you didn't hear shooting, according to you
8 today, and you never went downstairs and you never saw her
9 body.
10 Yet, you told the 911 operator specifically,
11 "My daughter-in-law has been shot," isn't that right?
12 A Yes.
13 Q And, in fact, were either Chip or your
14 husband preventing you from seeing what was downstairs?
15 A No.
16 Q At some point you eventually left and went
17 next door; isn't that right?
18 A Yes, I did.
19 Q And you're telling me from all that time
20 from when you called 911 to when you left to go next door,
21 you never saw Gina dead?
22 A No.
23 Q In fact, didn't you tell persons that you
24 didn't learn Gina had been shot until a detective told
25 you?

1 A Yes. That's what I said.
2 Q However, you told Mark, in addition to the
3 911 operator, you told Mark or Marilee Wright that Chip
4 had shot Gina, didn't you?
5 A Yes. I did say that to Marilee.
6 Q Once you left the house you didn't come back
7 in and peak to see her dead body, did you?
8 A No. I had the baby in my arms. I didn't go
9 in the room at all.
10 Q How did you know to tell Mark or Marilee
11 Wright that Chip shot Gina and, quote, "She's dead. She's
12 already dead?"
13 A Marilee wanted to go over to the house. She
14 wanted to go into the house, and her and Mark were arguing
15 about it. And they kept arguing and arguing about it and
16 I said please don't go over there.
17 The only thing I -- because I didn't want
18 her to walk into anything, so I told her that Gina was
19 dead.
20 Q So you were just making that up?
21 A No, I wasn't --
22 Q Ma'am, how in the world --
23 MR. BLOOM: Excuse me, Your Honor. I
24 don't mind a vigorous question, but she should have an
25 opportunity to respond.

1 THE COURT: Actually, she interrupted
2 him, but we all have to speak separately. Go ahead.
3 Q (By Mr. Peterson) You told us you had never
4 heard shots. You never heard Gina come over. You never
5 went downstairs. You never saw Gina's body to even know
6 she's shot. And now you're telling people, in addition to
7 being shot, she's also dead.
8 Do you remember saying that to Marilee
9 Wright or Mark Wright?
10 A Yes; to Mark and to Marilee.
11 Q So you remember telling Marilee that?
12 MR. BLOOM: Objection, Your Honor. She
13 just said she did remember.
14 MR. PETERSON: I'm trying to clarify.
15 MR. BLOOM: I'll withdraw.
16 Q (By Mr. Peterson) Do you remember telling
17 Marilee Wright?
18 A Marilee and Mark were arguing because
19 Marilee wanted to go next door, and I was trying to
20 prevent her from going next door.
21 Q So if you surmised previously, if you're
22 what telling me today is that you called 911 sort of
23 surmising Gina had been shot, how in the world could you
24 surmise that she was dead, unless you saw her or were you
25 told that she was dead?

1 How?
2 Ma'am, you saw her, didn't you?
3 A No, I didn't see her.
4 Q You saw Chip shoot her, or you saw Chip
5 afterwards, didn't you?
6 A I never saw Gina's body.
7 Q You were on the phone with Mrs. Cisneros
8 discussing matters with Eva Cisneros that night, were you
9 not?
10 A I wasn't on the phone with Eva.
11 Q You're sure about that?
12 A No. I'm not sure about that. I don't
13 recall speaking to Eva that night. I don't recall
14 speaking to Eva. I was in a state of shock. I was
15 hysterical. I couldn't even function.
16 I tried to do the best that I could when I
17 spoke to the detective, who before he put the tape
18 recorder on asked me a series of questions. However, when
19 he put the tape recorder on, he never asked me those
20 questions about my son and different things. He never
21 took me in that direction again.
22 Q Ma'am, what does that have to do with
23 anything? I mean, are you just here badmouthing the
24 detectives?
25 A No. I'm not badmouthing the detectives.

1 I'm just telling you that --
2 Q You tell us that you were in a state of
3 shock. Did you tell the police that night you were in a
4 state of shock?
5 A I don't think I had to tell them. I think
6 they could see it.
7 Q Would you be surprised to learn that they
8 disagree with that assessment?
9 Did you tell the police you were in a state
10 of shock?
11 A No, I didn't.
12 Q Would you be surprised to learn that
13 according to Detective La Rochelle you tried to say it
14 over and over and you were not cooperative with them?
15 Would that surprise you?
16 THE COURT: Excuse me. Tried to say
17 what over and over?
18 MR. PETERSON: That she tried to say
19 over and over that she's in shock and doesn't think she
20 can help.
21 Q (By Mr. Peterson) Do you remember saying
22 that?
23 A I don't know.
24 Q So it sounds like you don't remember exactly
25 the noise you heard, never saw a body, never went

1 downstairs to have seen anything incriminating. But the
2 thing you do remember is your son's demeanor.
3 Would you agree that's pretty much a good
4 summary of what you've said here today?
5 MR. BLOOM: Objection, Your Honor. It
6 misstates the evidence.
7 THE COURT: In what way?
8 MR. BLOOM: It misstates the evidence.
9 It's argumentative in its form.
10 THE COURT: In what way does it
11 misstate the evidence?
12 MR. BLOOM: Because she said many, many
13 things today, and then ask her to say is that the summary
14 what you said.
15 THE COURT: That's fair. You mentioned
16 a few things, but that is not entirely what she said.
17 Q (By Mr. Peterson) Would you agree that the
18 sum of what you're telling us -- I guess the bottom line
19 is this: Forget it.
20 Do you recall telling Mark and Marilee
21 Wright that Chip shot Gina?
22 MR. BLOOM: Objection, Your Honor. She
23 already answered she told Marilee that.
24 MR. PETERSON: I apologize, Judge.
25 Q (By Mr. Peterson) Do you recall Marilee

1 asking you if she needed to call 911, and you said that
2 she did not?
3 A I said I had already called 911.
4 Q Is that when you told her that she's dead,
5 she's already dead?
6 A No. It was when Marilee wanted to go over
7 there.
8 Q You don't seem to be having much difficulty
9 parsing out for us the events once you get to Mark and
10 Marilee's house. I mean, you can remember the order of
11 events, the conversation. You're remembering events you
12 made.
13 If you're in shock and hysterical, why is it
14 you can remember this stuff and not other stuff, ma'am?
15 A I don't know.
16 Q Would you agree with me that if you
17 remembered stuff from inside the house, it might hurt your
18 son Chip on trial here today?
19 MR. BLOOM: Objection, Your Honor.
20 That's vague and calls for speculation, assumes facts not
21 in evidence.
22 THE COURT: Are you asking if that is
23 why she remembers some things and not others?
24 MR. PETERSON: Yes.
25 THE COURT: Can you answer that, ma'am.

1 Q (By Mr. Peterson) Basically, I'm asking
2 you, ma'am -- well, I know where we're going with that.
3 At some point your husband came over to the
4 Wright's residence after you had already gone over there?
5 A Yes.
6 Q Detectives arrive, police arrive. You guys
7 are ushered out of the house; do you recall that?
8 A Uh-huh, yes.
9 Q And at some point you go to yet another
10 neighbor's house to be inside; is that true?
11 A Yes.
12 Q Do you recall talking to Mark Wright, and
13 either you or husband saying, quote, "All we heard is a
14 couple shots and we went downstairs and there it was?"
15 A I don't remember that at all.
16 Q You don't recall telling Mark Wright that?
17 A No, I don't.
18 Q And you're maintaining you never saw Gina's
19 body that night?
20 A I never saw Gina's body.
21 Q Since the murder have you spoken with your
22 husband about what happened that night?
23 A No.
24 Q No?
25 A No.

1 Q How about your son Chip?
2 A I haven't spoken to him about it either.
3 Q Face-to-face, on the phone, in writing,
4 anything?
5 A Face-to-face, on the phone or in writing,
6 I've never discussed the case with him. I've spoken to
7 legal counsel, not his -- I've spoken to legal counsel
8 that he's had through the years.
9 Q So your daughter-in-law is dead, your son is
10 on trial, and you're telling us you haven't talked with
11 your husband or son even once?
12 MR. BLOOM: Your Honor, that's not a
13 recap, that's an argumentative question. I object on the
14 form of the question.
15 THE COURT: Sustained.
16 Q (By Mr. Peterson) You'll agree with me that
17 you certainly didn't fire any gun on the night of December
18 20th, did you?
19 A That's correct.
20 Q And you told us that you called 911 twice,
21 you fled to a neighbor's house, but you've maintained that
22 you don't know what happened in the house that night; is
23 that right?
24 MR. BLOOM: Your Honor, it misstates
25 evidence. It's an improper question.

1 THE COURT: It's real vague too.
2 MS. GOETTSCH: Well, I'll do it one by
3 one. You called 911 twice, right?
4 MR. BLOOM: Objection. Asked and
5 answered.
6 THE COURT: Haven't we gone over that?
7 MR. PETERSON: We have.
8 Q (By Mr. Peterson) Would you agree that you
9 pretty much, basically, ran next door with the baby to the
10 Wright's house?
11 A I went next door to the Wright's house with
12 the baby, yes.
13 Q Well, you're kind of conveying that in a
14 calm manner. As you're describing that right now, is that
15 how you were that night?
16 A No. It wasn't how I was that night.
17 Q If you don't know what happened and never
18 saw the body, why are you running excitedly to a next door
19 neighbor's house?
20 A I went to get help.
21 Q To get help for what?
22 MR. BLOOM: Excuse me, Your Honor. The
23 witness should be able to finish her question. He asked
24 her why, she starts to tell why.
25 THE COURT: I wasn't aware she wasn't

1 finished. You went to get help?
2 THE WITNESS: I was extremely upset,
3 extremely hysterical. I had a four-month-old baby, and I
4 wanted to get next door with the baby. I wanted to get
5 help.
6 Q Get help for what? Get help for something
7 you didn't see, didn't hear, didn't know about and no one
8 told you about?
9 Is that what you were going to get help for?
10 A I wanted to get help because my son was like
11 a zombie, my husband was whaling like a baby.
12 Q If your son is like zombie and your husband
13 is like a baby, why do you need to leave the house?
14 You've got a phone right there.
15 Why do you need to leave the house?
16 A Because I was hysterical and I wanted to get
17 some help.
18 Q Let's talk about that hysteria. You called
19 911, not once, but twice. Eva Cisneros will testify you
20 talked to her. You were able to handle the baby. You
21 were able to talk to witnesses once you got to the
22 Wright's house. You were able to speak to the police and
23 give a statement.
24 MR. BLOOM: Is there a question?
25 Q (By Mr. Peterson) What level of hysteria

1 did you have that allowed you to do all those things, but
2 made you run from the house?
3 Help me understand that.
4 A I was in a total and complete state of
5 shock.
6 Q Ma'am, people in states of shock can't do
7 the things you've admitted that you've done.
8 Are you aware of that?
9 MR. BLOOM: Your Honor, you can't get
10 more argumentative. Mr. Peterson will have a chance to
11 address the jury in closing statement and give his
12 argument, and they can be persuaded by it or not.
13 He should ask questions of a witness.
14 MR. PETERSON: I'm asking her. I mean,
15 I've got a witness here --
16 THE COURT: Do you want to ask her if
17 she thinks a person in a state of shock can do the things
18 she did?
19 MR. PETERSON: I know what her answer
20 is going to be to that.
21 THE COURT: You're stating people
22 can't.
23 MR. PETERSON: I'm seeing if she's
24 aware of that.
25 THE COURT: But you're saying a fact of

1 your own making, you're not a doctor. So I'm going to let
2 you form an opinion and see if she agrees with it.
3 MR. PETERSON: Court's indulgence.
4 Q (By Mr. Peterson) If you believed that Gina
5 had been shot and killed, why did you wait 15 minutes to
6 call 911 back?
7 A I called 911 immediately, even before I knew
8 what happened.
9 Q And what you were going to say if 911
10 answered on that?
11 A Please send help, because I didn't know what
12 was going on, something was going on downstairs in my
13 house, in the house.
14 Q All you heard was two sounds, and I think
15 you previously described it like a car back firing?
16 A Popping sound.
17 Q And I think we went over in detail that you
18 said you thought the noises were outside the house. Now
19 you're telling me you were concerned with something that
20 was happening inside the house?
21 Which is it?
22 A I was extremely confused and upset.
23 Q By two popping sounds?
24 MR. BLOOM: Excuse me, Your Honor. How
25 many times Mr. Peterson should be given a chance. I mean,

1 it's just common courtesy.
2 THE COURT: Understood.
3 MR. PETERSON: Two popping sounds you
4 thought were from outside made your extremely nervous and
5 upset?
6 A Yes. Because my husband jumped up and
7 started yelling: Oh, no; oh, no, and then he went
8 downstairs and I called 911 immediately. And then when I
9 saw my son downstairs, because I thought my son would be
10 the one dead on the floor downstairs because Gina had
11 tried to kill him.
12 Q Looks like you were wrong, weren't you?
13 Gina was the one who was dead downstairs, wasn't she?
14 A Yes.
15 Q You never had any fear that Gina would kill
16 you, did you?
17 A No, I didn't. But I did have a fear that
18 she would try to kill my son again.
19 Q You did?
20 A Yes, I did. My son was very frightened. He
21 was actually sleeping in the same room with his father and
22 I on the foot of the bed.
23 Q Is that when he was disturbed, distraught,
24 upset about the divorce with Gina?
25 A No. That's when he was frightened and

1 scared after she tried to kill him.
2 Q If you're he was so scared of Gina like
3 you've testified, apparently the whole household was
4 frightened of this woman.
5 THE COURT: Objection, Your Honor.
6 THE COURT: What was the question?
7 Q (By Mr. Peterson) You said your son was
8 afraid of Gina, right?
9 A Yes, he was.
10 Q If you knew your son was afraid of Gina and
11 you knew Gina was coming over, why were you upstairs with
12 the door closed then?
13 A I didn't know if Gina was coming over. I
14 prepared the baby's bag and got things ready in case she
15 was going to come over.
16 Q Ma'am, she called you at 4:00, did she not,
17 and said: May I speak with Chip, and let you know she was
18 come over?
19 A She never told me if she was coming over.
20 MR. PETERSON: May I approach? Page
21 51, Grand Jury testimony.
22 Q (By Mr. Peterson) I think you just told me
23 that she never told you that she was coming over.
24 "Question: Directing your attention to that
25 day, did you receive call from Gina approximately 4:00

1 o'clock that indicated she was coming by?"
2 "Yes."
3 "And she was coming by to pick up Nicholas
4 for her visitation; is that correct?"
5 "Yes."
6 Did you say those things at the Grand Jury
7 under oath?
8 A Yes. I said them. At that particular time
9 for the Grand Jury I was just still out of my mind. My
10 son was in jail, my daughter-in-law was dead, and I was
11 just –
12 Q So that was, what, a couple weeks later?
13 A Yes, it was.
14 Q And you're still hysterical and out of your
15 mind at that time?
16 A No. I wasn't hysterical. I still felt like
17 I was going out of my mind.
18 Q To this day, are you saying that you've
19 never seen Gina's body dead?
20 A I never saw Gina's body.
21 MR. PETERSON: I don't have anything
22 else, Your Honor.
23 THE COURT: Cross-examination?
24 ///
25 ///

1 ///

2 CROSS-EXAMINATION

3 BY MR. BLOOM:

4 Q Did you ever hear a call-back after your

5 first 911 call?

6 A No.

7 Q Is there a machine in the house, an

8 answering machine?

9 A It was downstairs in the kitchen, and I was

10 upstairs in the upstairs bedroom.

11 Q You have a walker phone?

12 A Yes.

13 (Whereupon, the 911 tape was played.)

14 Q (By Mr. Bloom) Is that your voice,

15 Mrs. Centofanti?

16 A Yes, it is.

17 MR. BLOOM: No further questions.

18 THE COURT: Anything further from the

19 State?

20 MR. PETERSON: No.

21 THE COURT: Ma'am, thank very much.

22 You're excused.

23 Next witness, please.

24 MR. BLOOM: Can this witness be subject

25 to recall?

1 THE COURT: Ma'am, you will be

2 available for recall, if necessary?

3 THE WITNESS: Yes.

4 THE COURT: Next witness.

5 MS. GOETTSCH: The State would call

6 Alfred Centofanti.

7

8 Whereupon,

9 ALFRED CENTOFANTI, JR.,

10 was called as a witness by the State, and having been

11 first duly sworn, was examined and testified as follows:

12

13 DIRECT EXAMINATION

14 BY MS. GOETTSCH:

15 Q Could you state your name and spell your

16 last name for the record, please.

17 A Alfred Paul Centofanti, Jr.,

18 C-e-n-t-o-f-a-n-t-i.

19 Q You live here in Las Vegas?

20 A Yes, I do.

21 Q Are you married?

22 A Yes.

23 Q And what's your wife's name?

24 A Camille.

25 Q Do you have any children?

1 A Yes.

2 Q How many?

3 A One.

4 Q What's his name or her name?

5 A Alfred Paul Centofanti III.

6 Q Is he present in the courtroom today?

7 A Yes, he is.

8 Q Could you point to him and describe

9 something that he's wearing today?

10 A He's sitting right in the middle of that

11 table right there.

12 MS. GOETTSCH: Let the record reflect

13 the identity of the defendant.

14 THE COURT: I shall.

15 Q (By Ms. Goettsch) So he's your only child?

16 A Only child.

17 Q Does anyone else live with you and Camille

18 today?

19 A Yes.

20 Q Who is that?

21 A My grandson.

22 Q What's his name?

23 A Nicholas.

24 Q How old is he?

25 A Three years old.

1 Q You moved here from Massachusettes in

2 December of 2000; is that right?

3 A Yes.

4 Q What was your purpose for moving out here?

5 A To help bring up my grandson.

6 Q Were you retired at that time?

7 A Yes.

8 Q Were you okay with that arrangement?

9 A Yes.

10 Q Now, your son was married to a person by the

11 name of Virginia Centofanti; is that right?

12 A Yes.

13 Q When did you first meet Virginia Centofanti?

14 A I believe it was 1999.

15 Q Before they were married?

16 A Yes.

17 Q And then you at some point found out they

18 were engaged and going to be married; is that right?

19 A Yes.

20 Q You attended their wedding in San Diego?

21 A Yes.

22 Q And you were happy about that marriage?

23 A Yes.

24 Q And then at some point your son and

25 Gina – you knew her as Gina; is that right?

A Yes.
Q At some point your son and Gina moved to Las Vegas; is that right?
A Yes.
Q From the time that he lived in Las Vegas, how often did you speak to your son?
A How often did I speak to my son?
Q Correct.
A Several times a week.
Q How often during the year that they lived in Las Vegas did you actually see your son?
A I don't know.
Q Assuming it wasn't very often, considering the length of space that separated you; is that right?
A Yes.
Q And at some point your son and Gina have a baby, Nicholas; is that right?
A Yes.
Q After that you continued to talk to your son several times a week?
A Yes.
Q And you considered yourself pretty close to your son?
A Yes.
Q Did your son ever tell you anything about

any problems they were having?
A When?
Q Prior to you moving out here.
Prior to you making a decision to move out here from Massachusettes, were you aware that Gina and your son had any problems?
A No.
Q At some point you did learn that there had been an incident on December 5th; is that right?
A Yes.
Q Was that the first indication that you had that there was any problems in the marriage?
A In that time period?
Q Yes.
A Just that specific day.
Q Is it fair to say that the first time you were aware that there was anything wrong with your son's marriage, is when you were in route moving out here from Massachusettes somewhere around December 5th of 2000?
A I moved from Massachusettes, yes.
Q And I'm assuming that by the time you actually arrived in Las Vegas Gina had moved out of the house?
A Yes.
Q And I am assuming that your son gave you a

rendition of the facts from what happened on December 5th?
A Yes.
Q Did you ever talk to Gina about what happened on December 5th?
A No.
Q Did you ever talk to any police officers or anyone else involved with what happened on December 5th?
A When I first got here?
Q Correct.
Well, have you ever stalked to any police officers who were involved in investigating the December 35th incident?
A I don't understand the question.
Q You were aware that Gina was taken to jail as a result of the incident on December 5th; is that right?
A Yes.
Q And you were aware that police were dispatched to your son's home on December 5th; is that right?
A Yes.
Q Did you ever talk to any of those officers at any time?
A No.
Q Now, it's fair to say that when you arrived

here from Massachusetts you found your son was very sad about his current situation would you say?
A Yes.
Q He was despondent, upset about what had happened between him and Gina?
A He was upset.
Q Would you say he was devastated?
A More bewildered.
Q Was he -- would you say he was despondent?
A No.
Q Did he tell you that he wanted the divorce?
A I don't know.
Q Did he also tell you that Gina wanted the divorce and just wanted to move on with her life?
A I don't know.
Q Was he able to go to work every day?
And let me say from the time frame from the time you arrived in Las Vegas, until the day of the murder, did your son go to work every day?
A I don't know.
Q Was he having trouble functioning in his daily life?
A Trouble in what way?
Q Getting up, going to work, doing what he needed to do every day?

A No.
Q He wasn't having any trouble doing that, or he was?
A Again, I'm getting a little confused with the time span here.
Q I'm talking about the time you were living in Las Vegas, the time from December 5th until December 20th, the day Gina was killed, that time frame.
During that time frame was your son having trouble functioning, meaning getting up, going to work and just going through his daily routine?
A I still don't know how to answer that. When you say time frame, do you mean the next day, that week, the next week? I don't understand your point. I seem to be getting confused with you going from the 5th to the 20th.
Q Just before the murder and when you lived in Las Vegas, you were living with him in his house, right?
A Yes.
Q You and Camille had moved in?
A Right.
Q And you were taking care of Nicholas during the day?
A Yes.
Q Was the defendant going to work every day?

A Excuse me?
Q Was the defendant going to work every day during that time period?
A I don't know.
Q Isn't it fair to say he was starting to miss work during that period of time?
A I truly don't understand the question.
Q You don't understand he missed work during that time frame?
A Right. I don't know.
Q You don't know if he missed work?
A Right.
Q Fair enough. It's fair to say, however, that your son was extremely bothered by the current state of his situation, and the fact that he and Gina were divorced?
A No.
Q He was not. Isn't it true, Mr. Centofanti, that your son was sleeping – your 32-year-old on was sleeping in your bed with you and your wife at night?
A Yes.
Q And is that because you were concerned what he may do to himself during that time frame?
A No.
Q Did you think it was normal that a

32-year-old man would sleep with his parents?
A I can't answer that with a yes or no. All I know is that he was scared.
Q And let's explore that. Scared of what?
A Excuse me?
Q Scared of what?
A Scared of what happened on the December 5th.
Q So he told you that I'm so scared of what happened on December 5th that I have to sleep with my parents?
A He was scared. He was really, really scared.
Q Were you scared?
A I was scared for my son.
Q Gina never threatened you before?
A No.
Q Were you scared of Gina?
A No.
Q Were you scared that Gina was going to break into your house in the middle of the night and come upstairs and kill you?
A When?
Q Well, between December 5th and December 20th, were you, Mr. Centofanti, scared that Gina was going to come back to the house, bust open the door, run

upstairs and kill you?
A I don't know how to answer that.
Q Why not?
A I don't. I don't understand the question.
Q Surely you weren't in fear for your life from Gina Centofanti when you were here living in Las Vegas with your son?
A I don't think I was as much scared as I was concerned about the whole situation.
Q Fair enough. Did you have any reason to believe that Nicholas, your four-month old grandson, was in danger when it came his mother?
A I believe I was more concerned.
Q Concerned about what?
A Just concerned about what happened previously on the 5th that, you know, anything might happen, but I'm not sure.
Q So you thought Gina might harm her infant son?
A I was just more concerned. I didn't think how or whatever.
Q Did you see Gina at all between the time you that arrived in Las Vegas, and the time that she was killed?
A Yes.

1 Q When did you see her?
2 A I believe once she came to pick up the baby
3 for visitation.
4 Q Were there any problems then?
5 A Problems with what?
6 Q Well, she didn't threaten you, did she?
7 A No.
8 Q She didn't threaten your wife, did she?
9 A No.
10 Q On that occasion she didn't threaten
11 Nicholas, did she?
12 A No.
13 Q On that occasion she didn't threaten your
14 son, did she?
15 A I don't believe he was home when she picked
16 up the baby.
17 Q When you saw her that time, did she appear
18 to be angry?
19 A No.
20 Q When she came to the house to get Nicholas,
21 she wasn't -- she didn't appear to be drunk, was she?
22 A No.
23 Q She didn't appear to you to be strung out on
24 some sort of drugs, was she?
25 A No.

1 Q And the time --
2 A Excuse me.
3 Q And the time that you lived in your son's
4 house prior to the murder, did you ever see any suspicious
5 characters lurking around your house?
6 A Suspicious characters?
7 Q Yes.
8 A Not that I know of, no.
9 Q You never had an occasion to call the police
10 and say: Hey, drive by my house because I'm scared of
11 some gang banger standing on the corner, or something like
12 that?
13 A Gang banger?
14 Q Yes.
15 A No.
16 Q And I'm going to take you to the day of
17 December 20th, the day of the murder.
18 MR. BLOOM: Objection, Your Honor.
19 That misstates facts not in evidence. We talked about
20 this before. This is a killing, we know that. I think
21 it's argumentative for the District Attorney to use the
22 phrase "murder."
23 THE COURT: Well, that is a valid
24 point. I think we should refer to this as the killing or
25 the incident. Whether or not it's a murder is a decision

1 for the jury to make. That's fair.
2 Q (By Ms. Goettsch) The day of the killing,
3 did your son go to work?
4 A Excuse me?
5 Q The day of the killing whether Gina was
6 shot, did your son go to work?
7 A Yes.
8 Q What did you do during the day?
9 A Stayed in and played with the baby all day.
10 Q Your wife stayed with you?
11 A Yes.
12 Q Did you talk to Gina at all during the day?
13 A Yes.
14 Q How many times?
15 A I think it was twice.
16 Q When was the first time you talked to Gina?
17 A I can't be exact. It was in the afternoon.
18 Q And what did you talk to her about?
19 A Not much.
20 Q Was she just checking in on the baby?
21 A No. She called to ask if my son was home.
22 Q And he was not?
23 A He was not.
24 Q Did she -- did you talk to her a second
25 time?

1 A Yes.
2 Q When was that?
3 A In the afternoon.
4 Q Was your son home at that point?
5 A No.
6 Q Do you recall what time it was?
7 A No, I don't.
8 Q And you actually spoke to her?
9 A Yes.
10 Q What was the nature of that conversation?
11 A The same thing. She seemed to be anxious to
12 talk to my son and, again, I told her my son wasn't home.
13 Q Did she tell you at that point that she was
14 going to come over and pick up the baby?
15 A No.
16 Q Did she tell your wife at approximately
17 4:00 p.m. that she was going to come over and pick up
18 Nicholas for visitation that night?
19 A I don't know.
20 Q Were you aware as you proceeded as afternoon
21 turned into evening, were you aware that Gina was going to
22 come over and pick up Nicholas that afternoon?
23 A No, I wasn't.
24 Q At some point your son comes home from work;
25 is that right?

A Yes.
Q Did you see him when he came home from work?
A Yes.
Q Where were you when he came home from work?
A I was upstairs with the baby.
Q What room were you in?
A The master bedroom.
Q And if could you look over here to the side, is it this master bedroom that's right at the top of the stairs?
A Yes.
Q Where was your wife at that time?
A I don't know.

THE COURT: Excuse me, counsel. Before we get into all that, which I think it will be lengthy, we'll adjourn for the day

"It is your duty not to discuss among yourselves, or with anyone else, any subject connected with the trial; or read, watch or listen to any report of, or commentary on the trial or any person connected with the trial by any medium of information, including without limitation, newspapers, television and radio; or form or express any opinion on any subject connected with the trial until the cause is finally submitted to you."

We will begin at 1:30 tomorrow.

Mr. Centofanti, can you be here at that time?

THE WITNESS: Yes, I will, Your Honor.

THE COURT: Court's adjourned.

ATTEST: Full, true and accurate transcript of proceedings.

MAUREEN SCHORN, CCR NO. 496, RPR

DISTRICT CO

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

ALFRED P. CENTOFANTI, III,

Defendant.

No. C172634
Dept. No. XIV

REPORTER'S TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE DONALD M. MOSLEY

March 26, 2004
1:30 P.m.
Department XIV

APPEARANCES:

For the State:
MR. ALAN BLOOM
MS. GLORIA NAVARRO
Attorneys-at-Law

For the Defendant:
MR. CLERK PETERSON
MS. BECKY GOETTSCH
Deputy District Attorneys

For Parole and Probation:

Reported by:
Joseph A. D'Amato
Nevada CCR #17

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REPORTER'S PAGE

THE COURT: The continuation of C172534, State versus Alfred P. Centofanti, III. Record reflect the presence of the defendant, his counsel, Mr. Bloom and Ms. Navarro, Mr. Peterson and Ms. Goettsch present for the State.

Ms. Clerk, will you call the roll of the jury, please.

(Whereupon, the clerk called the roll of the jury.)

COURT CLERK: The panel is present.

THE COURT: Very good.

Good afternoon, Ladies and Gentlemen. Counsel, we discussed in chambers the taking of a witness out of order.

Is there an agreement as to such?

MR. PETERSON: There is.

I spoke with Mr. Bloom and with all parties' consent I believe the State will interrupt the testimony of Mr. Centofanti, Senior, to call Francisco Sanchez, a 12 year old boy, to the stand.

THE COURT: He's known by what name?

MR. PETERSON: Francisco is his name. He goes by Q-u-i-t-o.

THE COURT: Is is that true?

MR. BLOOM: Yes. We have no objectoin.

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THE COURT: Very good. Bring Quito in, please.

MR. BLOOM: May I have a moment to confer with counsel?

THE COURT: Yes.

MR. BLOOM: I'm sorry to interrupt the jury, but may we approach, please?

THE COURT: Yes.

MR. BLOOM: Thank you.

(DISCUSSION OFF THE RECORD)

THE COURT: You may proceed.

MR. PETERSON: Thank you.

FRANCISCO QUITO SHANCHEZ,

called as a witness hereink, was sworn, was examined and testified as follows:

EXAMINATION

BY MR. PETERSON:

Q. Can you tell me your name?

A. Quito.

Q. What's your full name, Quito?

A. Francisco Sanchez.

Q. Can you spell Francisco for our court

reporter?

A. F-r-a-n-c-i-s-c-o.

Q. Do you understand that you're here today as a witness to tell the jury things you saw and heard?

A. Yes.

Q. I want this to be real important to you.

Can you distinguish between things you saw and heard and things an adult might have told you?

A. Yes.

Q. Can you promise us that you're only going the tell the jury things that you saw and heard?

A. Yes.

Q. How old are you right now, Quito?

A. Twelve.

Q. Where are you living?

A. San Diego.

Q. And in what grade are you in in school?

A. Seventh.

Q. Do you remember a time where you lived in Las Vegas?

A. Yes.

Q. What grade were you in then?

A. Third.

Q. Who did you live with in Las Vegas?

A. Chip and Gina.

Q. Do you see Chip in the courtroom today?

A. Yes.

Q. Who is Gina?

A. My mom.

Q. I want you to think back to December of 2000 when you lived here in Las Vegas.

What house did you live in?

A. A two-story house.

Q. Who lived in that house?

A. Chip and Gina.

Q. Did you live there, too?

A. Yes.

Q. Was there anyone else living there in December?

A. Nick.

Q. Who is Nick?

A. My brother.

Q. How old was Nick at that time?

A. I don't know.

Q. Was he little, big?

A. Little.

Q. Did you have a room in that house that was all your own; it was kind of your own bedroom?

A. Yes.

Q. I want to ask you now about a day that

you've talked about before when you heard an argument between Chip and Gina.

Do you remember that day?

A. Yes.

Q. Where were you right before you heard that argument start?

A. In the master bedroom.

Q. What were you doing in the master bedroom?

A. Sleeping.

Q. Why were you sleeping in that bed?

A. I asked my mom if I could.

Q. Can I inacquire, judge, are you able to hear him? He's rather quiet.

THE COURT: I can hear him.

Can the jury?

(Jury indicated affirmatively.)

BY MR. PETERSON:

Q. So you were in the master bedroom bed, sleeping?

A. Yes.

Q. What happened?

A. I woke -- I was woke up by a glass on the covers.

Q. A glass on the covers?

A. Yeah.

Q. Can you sit forward a little, Quito, and talk into the microphone for me? Thank you.

Do you have any idea where that glass came from?

A. Um, no.

Q. Did you see or hear anything after that glass hit sort of the covers?

A. I saw them fighting, Chip and Gina.

Q. Chip and Gina?

A. Yes.

Q. When you say fighting do you mean like punching or what do you mean be fighting?

A. Arguing.

Q. Were they talking with voices like you and I are talking now?

A. No.

Q. What kind of voices were they using?

A. They were yelling.

Q. Was one of them yelling or both of them?

A. Both of them.

Q. What kind of things, if you remember?

A. Cussing.

Q. When you heard this argument what did you do?

A. I pretended to be asleep.

Q. Where were Chip and Gina when you saw and heard this argument?

A. In the master bedroom.

Q. Did there come a point when Chip and Gina left the master bedroom?

A. Yes.

Q. What did you do when that happened?

A. I went under the bed.

Q. Why did you go under the bed?

A. Because I was scared.

Q. We're talking about this kind of calmly today. Is this how you were that day?

A. No.

Q. When you went under the bed could you see anything else?

A. No.

Q. Could you hear anything else?

A. Yes.

Q. Can you tell me what you heard?

A. Same thing when they were in the master bedroom.

Q. I'm sorry?

A. Same thing when they were in the master bedroom.

Q. Same thing when they were in the master

bedroom?

A. Yeah.

Q. More arguing?

A. Yeah.

Q. At some point did you hear anyone threaten anyone else?

A. Yes.

Q. Who made the threat?

A. Chip.

Q. Can you remember what you heard Chip say?

A. He was gonna kill himself, Gina, me and Nick.

Q. Do you remember the order that he said them in?

A. No.

Q. Could you see Chip and Gina when you heard that statement?

A. No.

Q. Do you know where they were?

A. No.

I think they were out in the hallway.

Q. Did there come a time where you came out from under the bed?

A. Yeah.

Q. Why?

A. Because I didn't hear anything.

Q. I'm sorry?

A. I didn't hear anything.

Q. You didn't hear anything more?

A. No.

Q. What did you do after you got out of the bed or from under the bed?

A. I saw them in my room.

Q. Were they still arguing?

A. No.

Q. What was Chip doing?

A. He was talking to her.

Q. Was he yelling at that point?

A. No.

Q. What was your mom doing?

A. Crying.

Q. Do you recall -- and I want to be -- this is real important. I don't want you to say anything an adult ever told you.

Did you ever see or hear a gun?

A. No.

Q. Are you aware that Chip had a gun in that house?

A. Yes.

Q. I know you're a kid, but let me ask you do

you know what kind of gun?
Do you know what color the gun was?
A. Black.
Q. Was it the kind that you put something in the bottom or the kind that has a spinny thing on it?
A. The bottom.
Q. It's not one of the ones with the spinny things?
A. No.
Q. When you saw your mom crying and Chip talking to her in the bedroom after you heard the statement you told us about what did you do next?
A. I don't remember.
Q. Okay. Did there come a time that you left the house?
A. Yeah.
Q. Why did you leave the house?
A. Chip told me to go to Burger King.
Q. Chip told you to go to Burger King?
A. Yes.
Q. Did you have money to go to Burger King?
A. Yes.
Q. Where did you get that money to go to Burger King?
A. From Chip.

Q. How much did he give you?
A. Five dollars.
Q. Did you go to Burger King?
A. Yes.
Q. How far is Burger King away from the house that you were living in in Las Vegas?
A. About four blocks.
Q. How did you get there?
A. On the bike.
Q. Your bike?
A. Yeah.
Q. When you got to Burger King what did you get?
A. Chicken tenders, french fries and a coke.
Q. Did you eat it there or did you take it to go?
A. I took it to go.
Q. Did you ride back towards home on your bike?
A. Yeah.
Q. What did you see when you got back with your Burger King on your bike?
A. I saw cops.
Q. Where were the cops?
A. Going to my house outside, in front.
Q. Did you try to go over to the cops?

A. Yeah.
Q. What did they tell you?
A. To go away.
Q. Did you tell them that you lived there?
A. No.
Q. Where did you go?
A. I went to the park that's next to my house.
Q. Can you see your house from the park?
A. Yeah.
Q. Did you eat your Burger King?
A. Yeah.
Q. At some point did you ever see Chip or your mom outside of the house from the park, if you remember?
A. Yeah.
Q. What did you see?
A. I saw them getting handcuffed.
Q. Did you go back to the house at any time?
A. Yeah.
Q. Do you remember how long later that was?
A. No.
Q. What was happening when you got back to the house from the park?
A. I don't know what was happening.
Q. Did this seem kind of like weird adult stuff to you?

A. Yeah.
Q. Where were your mom and Chip when you got back to the house?
A. Getting handcuffed.
Q. Were they inside the house or outside the house; do you remember?
A. They were outside.
MR. BLOOM: My objection is vague.
The first time or the second time, before the park or after the park?
BY MR. PETERSON:
Q. We're talking about after the park, now, Quito; is that right?
A. Yeah.
Q. Do you know what time I'm talking about?
A. No.
Q. After you got back from the park, after you had eaten Burger King, where were Chip and your mom?
A. Outside.
Q. At some point did you ever see them inside the house?
A. Yeah.
Q. And then after this did you talk to some police officers?
A. Yeah.

MR. PETERSON: Court's indulgence, judge.
(DISCUSSION OFF THE RECORD)
BY MR. PETERSON:
Q. When you spoke to the police that afternoon did you talk to them in detail in the way we're talking today?
A. What?
MR. PETERSON: I won't ask. I'll withdraw that. I don't have any other questions.
HE COURT: Cross-examination, Mr. Bloom.
MR. BLOOM: Thank you, Your Honor.

EXAMINATION

BY MR. BLOOM:
Q. Hi, Quito.
A. Hi.
Q. My name is Alan.
Do you remember talking to me when you came to court kind of a long time ago?
A. No.
Q. I'm going to ask you to do something for me, please. When I ask you -- I'm going to stand a little closer so I can hear you a little better, but make sure that if you don't understand my question that you let the judge know or let me know and say "I don't understand.

Could you say it again?"
Something like that, okay?
A. Okay.
Q. Please do me a favor. You've done a very good job so far.
Be sure to give us words as your answers instead of just shaking your head or instead of saying um-hum or hum-um, because that's hard to write down if we say it that way, I mean, if you do it that way.
If you say words it makes it easier for us to understand, okay?
A. Okay.
Q. Thank you.
Quito, how old you were you when this happened, this whole incident you're talking about?
A. I think I was nine.
Q. The morning of the -- of this argument, the morning of this argument you got woken up because of glass on you, right?
A. Um-hum, or yeah.
Q. I want to talk about the night before. I want to start with that, not the morning, but the night before, okay?
A. Okay.
Q. I'm going to ask you some questions about

the night before.
Do you remember going to a hospital or an emergency room with Chip and Nicholas?
A. No.
Q. Do you remember that you -- that your mom wasn't home, but Chip had to take the baby, Nick, to the doctor's?
A. No.
Q. Do you remember that also that night of going to a pharmacy, RiteAid Pharmacy?
A. No, I don't remember anything last night. I just remember that day.
Q. Don't remember anything about the night before?
A. No.
Q. Do you remember going to Burger King the night before?
A. No.
Q. Do you remember doing your homework?
A. No.
MR. BLOOM: May we have marked next in order, Your Honor, three pages?
May I approach?
THE COURT: Yes.
BY MR. BLOOM:

Q. Can I come forward and show you something, please?
A. Yes.
Q. We have stapled together three pages with a green cover sheet. We put the letter -- what's that letter?
We put the letter Q on the front part of it. I want you to take a look at that. You can take it and hold it, if you want.
Do you recognize that?
A. No. I probably wrote it, but I don't remember.
Q. You have to keep your voice up, son.
A. I probably wrote it, but I don't remember it.
Q. Do you think that was your homework from December 4?
A. Probably.
Q. Let me show you the next page, it says 12.04.00. It says Quito Sanchez on the top, right?
A. Yes.
Q. Is that how you write your?
A. I used to.
Q. Is this your writing on this page?
A. Yes.

21

1 Q. It looks like you were trying to put in a
2 list of words, like these words here, into sentences?
3 A. Yes.
4 Q. Do you remember doing your homework on the
5 night before, with Chip?
6 That would be December 4, 2000; do you
7 remember doing your homework with Chip?
8 A. No.
9 Q. But this does look like your writing; is
10 that right?
11 A. Yes.
12 Q. Do you need some water, Quito?
13 A. No, thanks.
14 Q. I'm going to give it to you, just in case
15 you need it.
16 A. Okay.
17 Q. Quito, how come you can remember -- and
18 whatever your reason is is all right, but is there some
19 special reason why you can remember things on December
20 5th, rather than the night before, December 4?
21 A. Because it was like a normal day yesterday
22 or the day before that.
23 Q. Say again.
24 A. It was like a normal day the day before
25 that.

22

1 Q. The day before was just kind of normal,
2 nothing special to remember?
3 A. Yeah.
4 Q. But December 5th was pretty different. It
5 was unusual, wasn't it?
6 A. Yeah.
7 Q. Is it also because you have been asked a lot
8 of times of what happened on December 5th, about what
9 happened on December 5th, that unusual date?
10 That's another reason why you can remember
11 it, because you've been asked a lot about it?
12 A. No. I just remembered it.
13 Q. Quito, the night before, on December 4,
14 isn't it correct that when you went to bed your mom wasn't
15 home, that it was just and -- you and Chip and Nick?
16 A. I think.
17 Q. Pardon?
18 A. I think.
19 Q. You think, okay.
20 And you asked Chip if you could sleep in the
21 big bed in the master -- in the beg bedroom and it was
22 Chip who said okay, right?
23 A. Yeah.
24 Q. I think, just to be sure -- I'm not trying
25 to put words in your mouth -- you said it might have and

23

1 then you said yeah?
2 A. Yeah.
3 Q. The microphone is close to you. I'm going
4 to ask you to keep your voice up so maybe you can speak
5 all the way -- as if that was a microphone way back there
6 and you had to talk to the Great Seal of Nevada on the
7 wall.
8 You have to keep your voice up that loud,
9 okay?
10 A. Okay.
11 Q. But you do remember waking up on the morning
12 of the 5th, the morning that the incident happened, the
13 argument, because there was glass on you; is that right?
14 A. Can you repeat that?
15 Q. Sure.
16 You remember waking up on the morning of the
17 5th because there was glass on you?
18 A. Yes.
19 Q. Tell me about that glass.
20 A. Um, what do you mean?
21 Q. Well, tell me how it was that you woke up.
22 Did you it hit your skin, your belly, your
23 leg?
24 A. It hit my stomach.
25 Q. How big of a glass was it?

24

1 A. It was like this big.
2 Q. Could you hold your fingers up a little bit
3 so the judge can see?
4 Your Honor, looks like about say, three
5 inches by six inches, something like that?
6 THE COURT: Perhaps a little smaller.
7 MR. BLOOM: Three by five, two by five.
8 MR. PETERSON: No. Three by three.
9 Whatever.
10 MR. BLOOM: Okay, three by three
11 BY MR. BLOOM:
12 Q. Was there more than that one piece of glass
13 kind of spread around?
14 A. I didn't see any, but there probably was.
15 Q. When you -- at some time later, not right
16 then, but at some time -- no, no, let me ask you. Right
17 then, before you hid underneath the bed, before you hid
18 underneath the bed, you were on top of the bed obviously,
19 right?
20 A. Yeah.
21 Q. And you saw your mom and Chip arguing,
22 yelling at each other, right?
23 A. Yeah.
24 Q. Both of them were cussing back and forth; is
25 that right?

A. Yes.
Q. Can you remember the words that were used?
You won't get in trouble if you say them; it's okay. The judge will tell you it's okay you can say the words.
Do you remember the words?
A. I just remember them cussing. I don't remember what the words were, though.
Q. But both of them were doing the cussing back and forth; is that true?
A. Yeah.
Q. Did both of them seem angry?
A. Yeah.
Q. Had you heard much anger like that between the two of them on any days before then?
A. No.
Q. This would seem to be the worst?
A. Yeah.
Q. Chip had -- I asked you about if you remember this set of homework, if you did it, or if you remember Chip helped you and you said you didn't really remember.
In general, did Chip often help you with your homework?
A. Yeah.

Q. Before you went under the bed, while you're still on top of the bed, where was your mom and where was Chip that you saw?
Were they in the bedroom?
A. Yeah.
Q. Just outside the bedroom there's kind of like -- not exactly a hallway, but kind of a hallway and an area right on top of the stairs, isn't there?
A. Yeah.
Q. But their arguing was first inside the bedroom when you woke up?
A. Yes.
Q. Where was Nick?
A. I think he was in the room, the master bedroom.
Q. And could you hear what they were arguing about?
A. No.
Q. Then you got underneath the bed; is that right?
A. Yeah.
Q. Did you get under there pretty much right away?
A. When they went in the hallway.
Q. How long were they in the bedroom, arguing?

If you remember a time, how long were they in there arguing before they went into the hallway outside their bedroom?
I don't want you to guess, but if you happen to know you can tell you us that, too?
THE WITNESS: I'm not sure.
BY MR. PETERSON:
Q. When you went beneath the bed they went inside or they went outside and then you went underneath the bed, right, and you heard more arguing going on that night?
A. Yes.
Q. You don't see because you were underneath the bed; is that correct?
Quito, you have told us what happened then, the sequence of events of then going out. Well, then the arguing stopped, right?
A. Yeah.
Q. And then they were talking in your bedroom, I think; is that right?
A. Yes.
Q. And then Chip said "Quito, you should go now. You should go over to Burger King and get some food," like that?
A. Yeah.

Q. He gave you some money to get -- you told us exactly what you got, then came back and the police told you to don't go inside, right?
A. Yeah.
Q. You went to the park, you ate your lunch. This was a school day, right?
A. I don't remember.
Q. Did Chip say to you "Quito, I don't think you're going to school today. Go to the Burger King."?
A. I don't remember if it was a school day.
Q. Then you were at the park, you ate your food and you came over -- back -- after you came back to the house after you got done eating at the park?
A. Yes.
Q. At that time when you came back tell us what happened.
A. They were getting handcuffed.
Q. When you say they, who is the they?
A. Chip and Gina?
Q. Both Chip and Gina?
A. Yeah.
Q. Then what happened?
A. The police talked to me.
Q. What did they do with Chip and Gina?
A. I don't know.

Q. Where did Chip and Gina go?
You were asked one time where did your mom go.
A. I don't think she got handcuffed. I remember on the couch inside, talking, so I don't think she was.
Q. Your mom was inside talking and wasn't handcuffed; is that right?
A. Yeah, I think.
Q. And Chip, where was Chip?
A. He wasn't -- I didn't see him.
Q. Was he getting handcuffed?
Had he been handcuffed outside?
A. Yeah.
Q. So when Chip was outside being handcuffed and now that you remember, mom was inside the house, did you come inside the house and talk to the policeman and the policeman, where did the policeman talk to you?
A. In the kitchen -- no, not the kitchen, but like when you walk in the door just right there.
Q. And when you walk into the door, the front door, there's kind of a base at the base of the stairs and you go upstairs or you can stay downstairs -- let me ask you that.
Was it upstairs or downstairs the policeman

talked to you?
A. Down.
Q. When you're inside the door, you have -- you can be in the living room?
A. Yeah.
Q. And you can walk back towards the garage and the bathroom and beyond that is the kitchen and family room, okay?
A. Yeah.
Q. Where was the first policeman that talked to you?
A. Where? By the black couches.
Q. I'm not not sure of the house. Is that in the front room or is that back in the family room near where the kitchen is?
A. The first part.
Q. The first part, okay.
Q. I don't know if this will help, Quito, but I'm going to show you a picture we've marked as 57A.
We put numbers on things so we can figure out what they are.
May I approach?
THE COURT: Is that in evidence?
MR. PETERSON: We're certainly going to introduce it later. Sorry. Thank you.

THE COURT: This is not -- we'll do it without the picture.
BY MR. BLOOM:
Q. You come inside the house and you -- not on that first platform at the door, but when you step down into the living room there were some black couches there, right?
A. Yes.
Q. And that's where the policeman talked to you?
A. Yeah.
Q. When he talked to you was it just him and you alone?
A. No.
Q. Who else was there?
A. My mom was sleeping (sic) on the couch.
Q. Your mom was on the couch, okay.
The policeman, he must have talked to you for a little while, right?
A. Yeah.
Q. He put it on a tape recording?
A. Yeah.
Q. And have you taken a look at your words that you said to the policeman?
A. Yeah.

Q. I don't mean that day, but I mean since then have you taken a look at your words?
A. Yeah.
Q. And read them?
A. Yeah.
Q. On that day the policeman asked you a variety of questions, a series of questions to tell him what happened, right?
A. Yeah.
Q. Of course, you were trying to tell the truth, weren't you?
A. Yeah.
Q. And did you tell him the truth?
A. Yeah.
Q. And when he talked to you was it kind of as five us as we are in here with a whole bunch of people looking at you and stuff or was it a little bit calmer then than it was in here?
A. What?
Q. When he talked to you in -- on the black couches in the living room was it kind of as five us as it is today with all these people or was it a little bit calmer or was it the same?
A. Calmer.
Q. It was calmer then?

A. When I was talking to the police.
Q. Okay. Did you feel upset or anything like that when you were talking?
A. No.
Q. I'm sorry, son. I have to say I didn't hear you.
A. No.
Q. You weren't crying or anything like that?
A. No.
Q. And the policeman, he didn't tell you what you should say, right?
A. No.
Q. He didn't tell you "That's wrong, have to say it this way" or something like that?
A. No.
Q. And the policeman asked you about what happened that day, right, what you had seen and what you had heard, right?
A. Are you talking about the day at San Diego when the cop talked to me?
Q. No.
I know you've talked to a policeman when you went to San Diego. I'm talking about the same day you were on the black couches, that same day he talked to you then, that day.

A. Okay.
Q. That day he asked you about what happened, right?
A. Yes.
Q. And when he asked you, if you could, he asked you about the yelling, right?
A. I don't remember.
Q. Did he ask you about a glass?
A. No.
Q. Did you talk to him about a glass?
I don't mean a drinking glass, I mean the glass like a piece of glass.
A. I don't remember what we were talking about. I just remember talking to him.
Q. Fair enough. Do you remember -- okay.
Let me ask you this: When you talked to the policeman were you doing your very, very best to tell him everything that happened?
A. Yes.
MR. BLOOM: May I have just one moment, Your Honor?
THE COURT: Yes.
BY MR. BLOOM:
Q. You've given statements to a couple different people, over time, right?

A. Yeah.
Q. When you first talked to the policeman that first day did you ever tell him that you heard this statement about Chip saying something about kill me, the baby, my mom or anything like that?
Did you ever tell that to the policeman?
A. Which one?
Q. The very first one, the first one that was talking to you that day.
MR. PETERSON: He's already asked. He's already answered. He doesn't remember what he and the police officer that day talked about.
THE COURT: I'll let him ask this specific question.
BY MR. BLOOM:
Q. That means you can answer, Quito. Let me ask it again.
When you talked to the policeman that very first day did you ever tell that to the policeman?
A. I don't remember.
Q. Do you remember telling -- after that first day you went back to live with your grandma, right?
A. Yeah.
Q. Now, you call your grandma, mom, don't you?
A. Yeah.

Q. That's because she's the person that has spent more time raising you, taking taking care of you than Gina, right?
A. Yes.
Q. And you have an Aunt Lisa, right?
A. Yeah.
Q. And she used to live with you, too, back in San Diego, right?
A. Yeah.
Q. And when you went back to San Diego your grandma and Lisa told you some things that they wanted you to say when you were going to talk to the police, right?
A. Yeah.
Q. But these were things that you hadn't really seen yourself, but they wanted you to say them?
A. Yeah.
Q. For example, the thing about the gun, you never, ever saw a gun when you were hiding under the bed, did you?
A. No.
Q. But they asked you to say that you saw a gun, right?
THE COURT: Your question is?
MR. PETERSON: For the record, the Defendant has been sobbing and the cross-examination of the

1 child/witness has been interrupted.
2 THE COURT: The record will so reflect.
3 BY MR. BLOOM:
4 Q. Quito, they asked you to say that you saw a
5 gun, but you never really did see a gun, right?
6 A. It was just my mom -- like Gina told me
7 that.
8 Q. Gina told you that?
9 A. No, that she was threatened and stuff with a
10 gun, so.
11 Q. Well, you went back to San Diego and it was
12 grandma who told you to say that, right?
13 A. Yeah.
14 Q. And afterwards you even told that to a few
15 people, didn't you?
16 A. Yeah.
17 Q. But then you also when you were asked you
18 also made -- some of the time you made it clear you never
19 really saw that, right, the gun?
20 A. Can you repeat that?
21 Q. Sure.
22 You told -- after grandma and Gina told you
23 to say you saw a gun and they asked you to say you saw a
24 gun, you told that to a few people, didn't you?
25 A. Yeah.

1 Q. But then you corrected it and you said no,
2 you didn't see the gun, right?
3 A. Yeah.
4 Q. The truth is you never did see the gun?
5 A. No.
6 Q. You never said anything about that first
7 statement about Chip saying "I will" --
8 MR. PETERSON: We're not asking and
9 answering this again, are we?
10 He's already gone over this.
11 THE COURT: Is this a new area of inquiry?
12 MR. BLOOM: I think it's a new area, yes,
13 Your Honor. If I can get the question out, the Court can
14 make its ruling.
15 THE COURT: Go ahead.
16 BY MR. BLOOM:
17 Q. Didn't Lisa or your grandma tell you
18 something about saying that you should say that you heard
19 Chip say that about the killing of him and the baby and
20 Gina?
21 A. No. I heard that.
22 Q. Are you sure?
23 A. Yeah.
24 Q. Is there any reason why you wouldn't have
25 told the policeman, the very first time?

1 A. No.
2 Q. The very first time you told anybody about
3 hearing that statement of Chip's was after you had gone
4 back to San Diego, right?
5 A. Can you repeat that?
6 Q. Sure.
7 The first time you ever told anybody about
8 hearing Chip say that about the gun -- no, I'm sorry --
9 start all over.
10 The first time you ever told anybody about
11 hearing Chip say he was going to kill him and kill you and
12 kill the baby and that, the first time you ever told
13 anybody that was after you had been back to San Diego and
14 living with grandma and Lisa, right?
15 A. Yeah.
16 Q. Your grandma told you that it was important
17 to get Chip in jail, right?
18 A. Yeah.
19 Q. One time when we were here kind of a long
20 time ago you even said that to one of the judges. It
21 wasn't this judge, but it was another judge that you said
22 that grandma told you it was important to get Chip in
23 jail, right?
24 A. Yeah.
25 Q. She told you she didn't like Chip, didn't

1 she?
2 A. Yeah.
3 MR. BLOOM: Thank you, Quito. Your Honor, I
4 have no further questions.
5 THE COURT: Anything further?
6 MR. PETERSON: Sure?
7
8 RE-EXAMINATION
9 BY MR. PETERSON:
10 Q. Quito, are you here today to get Chip in
11 jail or tell the jury the truth?
12 A. Tell the jury the truth.
13 Q. Counsel asked you some questions about when
14 you said things. I don't care about when. I want to know
15 if they are true.
16 When you said that you - - when you told the
17 jury earlier that you heard Chip make the threat you told
18 us about; is that true?
19 A. Yeah.
20 Q. You're old enough, son, are you not, to know
21 the difference between what you heard and saw and between
22 what adults have told you?
23 A. Yeah.
24 Q. All the questions I asked you and the
25 answers you have given today, have they been based on what

you heard and saw?
A. Yeah.
Q. Is it fair to say that you don't remember much about homework and dinners from two or three years ago?
A. What?
Q. Confusing question, hum?
A. Yeah.
Q. Do you remember homework projects you did two or three years ago?
A. No.
Q. The day you saw and heard this argument, that wasn't a normal day, was it?
A. No.
Q. Have you ever seen an argument like that or been questioned by police or seen your people that you loved handcuffed?
A. No.
Q. Before that day?
A. No.
THE COURT: What was the answer before that day? Had you seen that?
THE WITNESS: Hum?
THE COURT: Before that day had you seen anyone that you loved handcuffed?

THE WITNESS: No.
BY MR. PETERSON:
Q. If you knew something bad was going to happen to your mom would you have tried to remember more?
A. Yeah.
What did you say?
Q. If you knew that afterwards something bad was going to happen to your mom would you have tried to remember more about the date of the argument?
MR. BLOOM: Objection.
THE WITNESS: Yeah.
MR. BLOOM: Never mind. I'll withdraw.
MR. PETERSON: Did we hear the answer to the question?
THE COURT: I think he said yeah. Is that the answer to the question?
THE WITNESS: Yeah.
BY MR. PETERSON:
Q. Did I tell you what to say this morning?
A. Tell the truth.
Q. Is there any -- was there any other instruction I gave you?
A. Tell what you heard and saw.
Q. Did you do that today?
A. Yeah.

MR. PETERSON: I don't have anything else, judge.
THE COURT: Mr. Bloom?
MR. BLOOM: One area, Your Honor.

RE-EXAMINATION

BY MR. BLOOM:
Q. Quito, when you talked to the policeman on the black couch in the house --
MR. PETERSON: I think that's beyond the scope of re-direct.
MR. BLOOM: It's foundational, sir.
THE COURT: Go ahead.
BY MR. BLOOM:
Q. When you talked to the policeman when you were on the black couch in your living room in the house on the day this happened that was not the very first time you have ever given a statement to a police officer, was it?
A. What?
Q. It was the first time you talked to a police officer about this case, right?
A. Yeah.
Q. Pardon?

A. Yeah.
Q. You had talked to a police officer and given a statement yourself on -- about something else before that day, right?
A. Yeah.
MR. PETERSON: Can we approach on this?
THE COURT: Come forward, counsel.
MR. PETERSON: I'd like to know where he's going on this.
(DISCUSSION OFF THE RECORD)
THE COURT: Proceed.
BY MR. BLOOM:
Q. Sorry, Quito.
That was kind of rude for us to leave you there and kind of rude to the jury, too. We were talking about some kind of technical questions.
Quito, this is my only question: I know you told us that on the day that you were -- on the day this happened you talked to the police and you told us how they were in your living room, et cetera, and you talked to them and it was kind of calm and so forth.
There had been one time a little while before that where you had also given a statement to the police about something totally different, right?
A. Can you you repeat that?

Q. Sure.

Back when you were in San Diego with Chip there had been a time when there was something you had gotten in trouble with, something silly, but something about some lemmons, but you had talked to the police about that at that time, right?

A. Yeah.

Q. All right.

A. That wasn't in Las Vegas, though.

Q. Right, it was in San Diego, a long time before. Here is my only point.

You had had a little experience talking to a policeman even before this incident, this time that happened, right?

A. Yeah, but no one was handcuffed.

Q. No, nobody was handcuffed. I understand.

But you knew it was important when you talked to the policeman this time you should tell him everything, right?

A. Yeah.

MR. BLOOM: Thanks, Quito. Nothing further.

THE COURT: Anything further from the State?

MR. PETERSON: Oh, yeah

RE-EXAMINATION

BY MR. PETERSON:

Q. Quito, that time you talked to a cop about throwing some lemmons, was that anywhere even remotely like what you saw the day of the accident where Chip and Gina were handcuffed?

A. No.

MR. PETERSON: Thank you, judge.

THE COURT: Anything further?

MR. BLOOM: No, nothing.

THE COURT: Quito, you're a fine young man. Thank you for coming in.

Next witness.

MS. GOETTSCH: Our next witness, judge, would be the continuation of Alfred Centofanti.

THE COURT: Understood.

Mr. Bailiff.

ALFRED P. CENTOFANTI, JR,

previously called as a witness herein, was re-called as a witness and testified further as follows:

EXAMINATION (cont'd.)

BY MS. GOETTSCH:

Q. Mr. Centofanti, we went through part of this yesterday and you're still under oath; you understand that?

A. Yes.

Q. And yesterday I believe we got up to the day of December 20. You indicated that you were upstairs sleeping/watching t.v. earlier in the evening; is that right?

A. Yes.

Q. Do you recall what time you went up there?

A. Probably mid afternoon.

Q. This was up in the master bedroom; is that right?

A. Yes.

Q. That's at the very top of the stairs?

A. Yes.

Q. Where was your wife?

A. Um, I believe she was down in the kitchen.

Q. Did there come a time when she came up and joined you in the bedroom?

A. Yes.

Q. Where was Nicholas?

A. He was on the bed with us.

Q. Was he awake, sleeping?

What was he doing?

A. Little bit of both.

Q. Did you -- were you aware that at some point your son came home?

A. Yes.

Q. How were you aware that he came home?

A. My wife happened to be downstairs and he came upstairs to see the baby and myself.

Q. He came into the master bedroom?

A. Yes.

Q. Did he appear to be dressed from work?

A. Yes.

Q. Do you recall what he was wearing?

A. A suit.

Q. What did he tell you when he came into the master bedroom?

A. He told me he just came home from work and that he wanted to see how the baby was.

Q. Did he -- how long did he stay in the master

1 bedroom?
2 A. I can't recall, but it was for a while.
3 Q. Did you have any plans that evening?
4 A. Excuse me?
5 Q. Did you have any plans?
6 Did you have any plans that evening?
7 A. No.
8 Q. Did your wife have any plans that evening?
9 A. No.
10 Q. You were both planning on just staying home
11 for the night?
12 A. Yes.
13 Q. At some point your son leaves the bedroom;
14 is that right?
15 A. Yes.
16 Q. And you and your wife stay in the bedroom?
17 A. Yes.
18 Q. When you saw your son did he have anything
19 in his hands?
20 A. No.
21 Q. Did he discuss with you having picked up his
22 guns from Metro Police that day?
23 A. No.
24 Q. Had he been telling you or talking to you
25 about trying to get his guns back from Metro Police?

1 A. No.
2 Q. Were you aware that Metro Police had his
3 guns?
4 A. Yes.
5 Q. Were you aware when they were going to be
6 released back to him?
7 A. No.
8 Q. Did you ever go downstairs, again, before
9 you went down, after you heard the shooting?
10 A. Say that one more time.
11 Q. It's a little confusing.
12 A. Yes, I'm sorry.
13 Q. After your son comes home, you talk to him,
14 he leaves your bedroom.
15 Is the next time that you went downstairs or
16 left the master bedroom the time after you heard the
17 shots?
18 A. Yes.
19 Q. When you were in the master bedroom did you
20 keep the door open or shut?
21 A. Shut.
22 Q. Did the Defendant tell you if he had any
23 plans for the night?
24 A. Yes.
25 Q. What did he tell you about that?

1 A. He had a date.
2 MR. BLOOM: I'm sorry, Your Honor.
3 Whatever happened to the air conditioning,
4 can I ask the witness to pull the mike over?
5 THE COURT: We have a problem with the air
6 conditioning.
7 BY MS. GOETTSCH:
8 Q. He told you he had a date.
9 Did he tell you who that was with?
10 A. Yes.
11 Q. Who was it?
12 A. A girl named Amanda.
13 Q. What's her last name?
14 A. Don't know.
15 Q. Did he tell you Gina was going to come over
16 to pick up Nicholas?
17 A. He wasn't sure.
18 Q. Did you know -- did you come to learn
19 whether Gina was going to come pick up Nicholas?
20 A. No.
21 Q. Of course, even though you're not sure Gina
22 is going to come over to pick up Nicholas, you packed the
23 diaper bag and got Nicholas ready for Gina to be -- to
24 pick him up; is that right?
25 A. Yes. That was earlier.

1 Q. Did you come to find out that Gina was, in
2 fact, going to come over to pick up Nicholas?
3 A. No.
4 Q. Did your son ever tell you "Hey, Gina is
5 coming over. I'm scared. Can you come downstairs, can
6 you sit with me, can you meet her at the end of the
7 driveway?"
8 Anything like that?
9 A. No.
10 Q. Did the Defendant ever tell you to come
11 downstairs, keep the master door open, anything like that?
12 A. No.
13 Q. Did your son discuss with you the temporary
14 protection order that he had against Gina?
15 MR. BLOOM: Objection. Vague as to time,
16 Your Honor.
17 BY MS. GOETTSCH:
18 Q. That night?
19 A. Can you --
20 Q. That night when you saw your son did he
21 discuss with you the temporary protection order he had
22 against Gina?
23 A. No.
24 Q. Had he told you that it expired?
25 A. I don't know.

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1 Q. Did you ever see a copy of the temporary
2 protection order against Gina?
3 A. No.
4 Q. Now, approximately 7:00 p.m. are you still
5 upstairs in the master bedroom?
6 A. Yes.
7 Q. Your wife is with you?
8 A. Yes.
9 Q. Nicholas is with you?
10 A. Yes.
11 Q. Did you hear Gina arrive?
12 A. No.
13 Q. Did you hear a car pull up?
14 A. No.
15 Q. Did you hear tires screeching?
16 A. No.
17 Q. Did you hear the door bust open?
18 A. No.
19 Q. Did you hear anybody ring the doorbell?
20 A. No.
21 Q. Did you hear any yelling, screaming,
22 fighting?
23 A. No.
24 Q. What's the next thing you heard?
25 A. I heard a loud noise.

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1 Q. What was that noise?
2 A. Well, I come to learn that it was an -- it
3 was gunshots.
4 Q. What did you think the noise was at the time
5 you heard it?
6 A. Just a loud, weird noise that didn't belong.
7 MR. BLOOM: That what?
8 MS. GOETTSCH: A loud, weird noise.
9 THE WITNESS: A loud, weird noise.
10 BY MS. GOETTSCH:
11 Q. Did you think that noise was coming from
12 inside or outside the house?
13 A. I felt it came from inside.
14 Q. What did you do?
15 A. I jumped up and yelled no.
16 Q. Why were you yelling no?
17 A. I just got a bad feeling.
18 Q. When you got up and yelled no did you go
19 downstairs?
20 A. Yes.
21 Q. Did your wife follow you?
22 A. No.
23 Q. What did your wife do?
24 A. While I was yelling no, no, no, I told her
25 to stay upstairs.

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1 Q. Did she get on the phone?
2 A. No.
3 Q. Did you think to call 911 at that time?
4 A. I don't know if anything had happened. I
5 just had a feeling.
6 Q. Did you go downstairs?
7 A. Yes, I did.
8 Q. I'm going to show you what's been marked as
9 State's proposed exhibit 57A and have you take a look at
10 this.
11 MR. BLOOM: I don't mind if it's published
12 at this time. I'll stipulate to it.
13 It makes it easier.
14 MS. GOETTSCH: State moves for admission of
15 57A.
16 MR. BLOOM: No objection.
17 THE COURT: Proceed. Thank you.
18 BY MS. GOETTSCH:
19 Q. Does this fairly depict kind of the
20 schematic of the first floor of your son's house in
21 December of 2000?
22 A. Yes.
23 MR. BLOOM: It hard to hear so I'm going to
24 ask if everybody -- I'll try to keep my voice way up.
25 It's hard and I know Mr. Centofanti is

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1 having trouble hearing.
2 THE COURT: We'll all try to speak up, okay?
3 THE WITNESS: Okay.
4 BY MS. GOETTSCH:
5 Q. So you come down the stairs and could you
6 point out for me with this pointer how you traveled down
7 the stairs?
8 Do you see where the stairs are on this
9 document?
10 A. Yes, I do.
11 Q. Can you take the pointer, please?
12 A. I don't remember how I came down the stairs.
13 Q. You came down the stairs, right?
14 A. Yes, I came down the stairs.
15 Q. Then where did you go?
16 A. I came -- I came down the stairs and I was
17 right here. I saw that the front door was half open. I
18 looked outside.
19 MR. BLOOM: I'm sorry. I don't know if
20 everybody can hear.
21 THE COURT: Put the microphone before you,
22 sir.
23 THE WITNESS: I'm sorry. I saw that the
24 door was half open and I looked outside and I seen Gina's
25 car.

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1 BY MS. GOETTSCH:
2 Q. Now, isn't it true, Mr. Centofanti, that you
3 have given two recorded statements in this case thus far;
4 is that right?
5 A. I believe so.
6 Q. You gave one to the detectives the night of
7 the shooting, right?
8 A. Yes.
9 Q. And that was tape recorded?
10 A. Yes.
11 Q. And then you also testified at a Grand Jury
12 proceeding; is that right?
13 A. Yes.
14 Q. And isn't it true, Mr. Centofanti, that not
15 once ever did you mention that you came down the stairs,
16 paused, and looked outside and saw Gina's car?
17 MR. BLOOM: My objection is as it relates to
18 the Grand Jury only, because he can only answer questions
19 that are put to him at the Grand Jury.
20 That question there is compound.
21 THE COURT: All right. Separate questions.
22 BY MS. GOETTSCH:
23 Q. Isn't it true that you never told the
24 detectives the night of the shooting that you came down
25 the stairs, paused, looked outside and saw Gina's car?

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1 A. I don't know.
2 Q. Isn't it true that's the answer that you
3 consistently gave to the detectives that night was "I
4 don't know. I don't remember. I don't know."?
5 A. I also said I was in shock and I didn't
6 remember anything.
7 Q. And now you remember that you went down the
8 stairs and looked out the door?
9 A. Yes.
10 Q. Isn't it true that at the Grand Jury
11 proceeding you were asked the question --
12 MR. BLOOM: What page, counsel?
13 MS. GOETTSCH: Thirty-four.
14 BY MS. GOETTSCH:
15 Q. And when you came down those stairs into the
16 living room, sir, what, if anything, did you see?
17 Your answer was "At this point, nothing."
18 Do you recall saying that at the Grand Jury?
19 A. No.
20 Q. Would it refresh your recollection to look
21 at your Grand Jury transcript?
22 A. Okay.
23 Q. If you take a look it it says when you came
24 down those stairs into the living room, sir, what, if
25 anything, did you see?

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1 You state "At this point nothing.
2 Then you were asked the question where did
3 you go next, sir?
4 Answer: "I went towards the kitchen.
5 Question: "So you're going towards the
6 kitchen?"
7 Answer: "Yes."
8 Isn't that where you left out the fact that
9 you came down, paused on the landing and looked out and
10 saw Gina's car?
11 A. I couldn't remember everything. I was still
12 crying, if I remembered, through the whole questioning.
13 Q. So you look outside and you see Gina's car.
14 At this point you must realize that Gina is
15 in the house, right?
16 A. Yes.
17 Q. Where do you go from there?
18 A. I go towards the kitchen.
19 Q. When you come around the corner here from
20 the landing and you're looking back into the kitchen; is
21 that right?
22 A. Yes.
23 Q. Do you see anything?
24 A. Yes.
25 Q. What do you see?

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1 A. I seen my son.
2 Q. Where, in your line of sight here, is your
3 son?
4 A. My son is in the hallway, down there where
5 the laundry room was.
6 Q. In between back in the laundry room?
7 A. Yeah, somewhere in that general area.
8 Q. Can you mark with -- with this blue marker
9 an "X" in the general area where you saw your son?
10 A. I'm not sure exactly. It's just the general
11 area; in that area there.
12 Q. Why don't you put a circle into the general
13 area that encompasses where you saw your son?
14 A. (Witness complied with request of counsel.)
15 MS. GOETTSCH: Let the record reflect he
16 made a circle with the blue marker on Exhibit 57.
17 THE COURT: It shall.
18 BY MS. GOETTSCH:
19 Q. Tell me, Mr. Centofanti, was your son
20 standing or sitting?
21 A. No. My son was on one knee.
22 Q. Like one knee down kind of like a proposal,
23 like this?
24 A. One knee down.
25 Q. What else was he doing?

A. He had the gun to his head.
Q. When you say gun to his head, what do you mean?
A. He had the gun to his head like that.
MS. GOETTSCH: Let the record reflect Mr. Centofanti is taking his right hand and putting it to his right temple; is that right?
THE WITNESS: It was somewhere up in his area.
THE COURT: Is that correct, Mr. Bloom?
MR. BLOOM: I couldn't see. I'll take Ms. Goettsch's representation. Somewhere up to the side of his head.
THE COURT: The record will so reflect.
BY MS. GOETTSCH:
Q. What did you think at that time?
A. Well, up until then I thought -- I thought my son was dead, seeing him kneeling there I guess it was shock.
Q. What did you think he was going to do when you saw him in that position?
A. I wasn't -- I wasn't sure. He had his head down and I yelled -- I kept yelling, Chip, Chip, put the gun down.
Q. Is it fair to say, Mr. Centofanti, that you

were afraid your son was going to kill himself right there?
A. I don't know. I was in the shock.
I just concentrated on the gun and I wanted him to put it down and I wanted to get it away from him.
Q. But my question is isn't it true that when you see your son kneeling on the ground with a gun to his temple your fear was he's going to shoot himself right here and right now?
A. I -- I can't answer that. I really went in to shock. I really didn't know what I could do other than yell, come towards him and try to take the gun away from him.
Q. Would you agree with me, sir, that that's a reasonable interpretation of that kind of a position and that kind of a behavior?
MR. BLOOM: Objection. Speculation. What's reasonable or not.
THE COURT: Just a moment.
THE WITNESS: I can't --
THE COURT: Just a moment. Response to the objection?
MS. GOETTSCH: He is not answering my question, judge, so I'm asking him if it's a reasonable interpretation, in his mind, if someone is kneeling down

with a gun to their temple that your thought would be he's going to kill himself.
MR. BLOOM: He answered the question exactly. The question was what were his thoughts and he told this jury what his thoughts were.
If she wants to argue it, she can argue it at the end.
MS. GOETTSCH: No.
I was asking repeatedly isn't that what you thought was going to happen and he would say something else.
THE COURT: I'll allow it. Can you answer, sir?
THE WITNESS: Can I have some water?
MS. GOETTSCH: Sure.
THE WITNESS: Thank you
BY MS. GOETTSCH:
Q. Are you okay?
A. Yeah.
Q. Okay.
What I want to know is -- what I want to know is wouldn't it be a reasonable interpretation in your mind of someone -- when you come around the corner and someone is kneeling down on the ground with a gun to their temple that they are going to kill themselves?

A. Not when you go into shock.
I was totally -- at that point with seeing my son there expecting him to be dead, seeing him with with a -- seeing him with a gun in his hand, I totally went in to a nightmare.
Multiply that times a billion.
Q. What I don't understand is if you didn't think he was going to kill himself why did you go into shock?
A. Because I had heard the noise upstairs and when I came down and seen the gun I knew that then it was gunfire.
Q. Okay.
A. And I went into shock when I seen him.
Q. But at that point you don't know what -- who was shooting who, what was going on, what the gunfire was about until you saw him with the gun to his temple, right?
A. Right. No.
Q. And then you indicated that you go into shock and you begin to cry, right?
A. Right.
Q. And, in fact, you were in shock and emotionally distraught and upset and wailing the rest of the evening; is that right?
A. Yes.

Q. And isn't it true part of the reason, most of the reason that you were in such a condition is because you thought your son was going to kill himself?
A. No.
I answered the question already. I went into shock when I seen him. I didn't know what happened, so I -- I went up to him.
I reached for the gun and I asked him for the gun and he was frozen and as I held onto the gun I also asked him where Gina was.
Q. Okay.
A. He didn't answer me.
Q. Why did you want to take the gun away from him?
A. Because I just wanted to.
Q. That was a major concern of yours at that time?
A. Yes.
Q. You wanted to get to that gun quickly and get it out of his hands?
A. Right.
Q. What was the urgency of that if you didn't think he was going to kill himself?
A. I just wanted to take and secure the gun.
Q. Now, at this point you obviously can't see

Gina; is that right?
A. Right.
Q. And you asked your son, according to you, where is Gina?
Was he able to answer you?
A. No.
Q. What did you do next?
A. I then started yelling her name to see if she would respond and there was no answer.
Q. Were you able to get the gun out of your son's hand?
A. Yes.
Q. What did you do with it?
A. I had it in a towel.
Q. Where did you get the towel?
A. Right there in the laundry room.
Q. Why did you put it in the towel?
A. When I first came down there it felt warm or hot and it was an instinct to grab a small -- it was a small towel and put the gun in it.
Q. When you took the gun out of your son's hand what did your son do?
A. Nothing.
Q. Did he stay in the kneeling position?
A. Yes.

Q. How long did he stay in the kneeling position?
A. Forever.
I just couldn't -- I couldn't get him up. I told him to get up. He wouldn't get up. And I reached under his right arm and I had the gun in my right hand and I just -- there was no way I could pick him up.
Q. What did you do after that?
A. Well, I think at that point my wife had come partially down the stairs and observed what was going on and I yelled at her to get back upstairs and call 911.
Q. Let me stop you there, sir. Why are you calling 911?
A. Because I'm smelling gunpowder coming from the kitchen, I have a weapon in my hand, I'm calling out Gina.
I'm pretty sure that she was in the house, seeing her car outside. So I told her to call 911.
Q. At this point you hadn't seen Gina?
A. No.
Q. Do you ever see Gina?
A. No.
Q. You tell your wife to call 911, but you don't go to investigate where this gunpowder is coming from?

A. Well, I have a gun in one hand and I have my son, trying to get him up to get him out of the house.
Q. And it didn't strike you to maybe go see what's going on in the family room?
A. In shock, I did what I had to do.
Q. And that was what?
A. Secure the gun, get my son up and get out of the house.
Q. Were you able to do that relatively quickly?
A. No.
Q. Why not?
A. He was dead weight. It was like he was frozen, rigid. He just -- he just wouldn't move.
Q. So at some point it must strike you to call your son's boss?
A. At that point?
Q. At some point during this time where you're trying to get out of the house, at some point it must have come to your mind that "I need to call my son's boss."
A. If you're talking about Eva Cisneros -- I can't pronounce her last name.
Q. Do you know how to spell it?
A. It begins with a "C"
Q. Do you know the rest of the last name?
A. C-i-s, Ciscero, Cisneros.

Q. You said Ciscero to the detectives; is that --

A. Well, I wasn't sure of the spelling.

Q. You weren't sure who his boss was?

A. No. I knew who his boss was.

I didn't know how to spell her last name at that particular point and I still don't.

Q. Why would you decide to call his boss?

A. Well, after -- I was moved into the third house, and my son was already handcuffed in the police car and I didn't know where my wife was and I didn't know where my grandson was, I found myself all alone --

Q. You decided to call --

MR. BLOOM: Objection.

THE WITNESS: -- in the neighbor's house.

BY MS. GOETTSCH:

Q. And so out of anybody to call you decide to call your son's boss who you don't really know?

A. Well, that's the only -- that's the only person I knew in Las Vegas that I could call for help.

Q. Isn't it true, Mr. Centofanti, that you called Eva Cisneros from the house shortly after the shooting?

A. No.

Q. Never made that phone call?

A. No.

Q. Isn't it true that you called Eva Cisneros and then handed the phone to your wife so she could have a conversation with Eva Cisneros that "Hey, Chip shot Gina."?

A. When I called Eva from the third house down, my wife was not with me. I was all alone except for two uniformed police officers.

Q. Here is my question: If you don't know how to spell her last name -- Chip's not with you at this point -- how did you get her phone number?

A. When I first came out to Las Vegas I ended up with her card and he said "This is also my boss."

Q. She puts her home number on her card?

A. I think my son put it there for reference and that was the only card he had at the time. He didn't have no other business cards.

Q. Would you be surprised if Eva Cisneros says that you called her from the house shortly after the shooting?

A. Would I be surprised?

Q. Yes.

A. She wouldn't say that.

Q. Okay. And she wouldn't say that you handed the phone to your wife and your phone -- and your wife

said "Chip shot Gina."?

A. She wouldn't say that either.

Q. Okay. Were you --

Q. Were you aware that your wife called 911 at approximately 7:00 o'clock and hung up?

A. No.

Q. And were you aware that your wife called 911 approximately 15 minutes later, saying that her daughter-in-law had been shot?

A. No.

Q. Were you aware that any of these phone calls or both of these phone calls occurred from your son's house at 8720 Wintry Garden?

A. No, not at that time, no.

Q. Have you since come to learn that those phone calls were made?

A. Yes.

Q. And do you have any reason to dispute the 911 dispatch log that shows the 15 minute disparity between those two phone calls?

A. I can't dispute anything.

Q. So are you telling us that in the course of 15 minutes, before you went over to the Wrights, that you stayed in this general area of the house and you never saw Gina's body?

A. That's correct.

Q. And are you also saying during those 15 minutes that your wife never came downstairs?

A. That's true.

Q. And that you spent 15 minutes doing nothing but securing the gun, I guess?

A. Trying to get my son to get up and try to pull him out of the house.

Q. He did walk next door to the Wrights; is that right?

A. He went there the same way I took him down the hallway.

Q. Walking on his own volition?

A. No, with me pulling him.

Q. You didn't have to carry him like a baby or anything, right?

A. No.

Q. He walked?

A. I'm sorry. That was the same question.

Q. He walked over there to the Wrights?

A. No. He didn't walk.

He was stopping and I had to keep pulling him and I had to keep talking to him and a couple times I had to keep yelling at him.

Q. During this period of time did your son say

1 anything to you?
2 A. Nothing.
3 Q. Nothing about "She attacked me, I was
4 scared. I thought she was some gangbanger;" anything like
5 that?
6 A. No.
7 Q. At some point you go over to the Wrights and
8 you continue to say "I can't believe he shot her."
9 A. I don't remember that.
10 Q. If the Wrights said that you said "I can't
11 believe he shot her", more than once, do you have any
12 reason to dispute their recollection of that?
13 A. No.
14 Q. How did you know that your son had shot her
15 if you never saw her?
16 A. I believe I answered that.
17 I had taken the gun away from him. I asked
18 him where she was. And then I yelled out her name many
19 times at the top of my lungs and I didn't hear any
20 response.
21 Q. Did it strike you at any time, though, that
22 maybe your daughter-in-law could have been saved?
23 A. I was still in shock.
24 Q. Shock from what, seeing your son with a gun
25 to his head?

1 A. Because I thought he was dead.
2 Q. But you saw he wasn't.
3 A. Yeah, but how do you recover from something
4 like that?
5 Q. How do you recover from --
6 A. Falling into shock and seeing your only
7 child.
8 Q. Only child do what, put a gun to his head?
9 A. Still there.
10 Q. I think, if it's like you say, Mr.
11 Centofanti, that you thought he was going to be killed,
12 and then you hear gunshots and you see he's still there, I
13 would think your feeling would be immense relief, not
14 shock.
15 A. I wasn't relieved.
16 Q. You weren't relieved?
17 A. No.
18 Q. You weren't relieved that your son was still
19 alive?
20 A. I don't know how to answer that. I don't
21 understand the question right now.
22 Q. Well, every time I'm trying to get to what
23 questions are in my mind, as far as why would you not go
24 check on Gina, if you think she's been shot, and she's not
25 answering your question, I don't think anyone would say

1 that it's a gut reaction to just stand in the hallway.
2 MR. BLOOM: Objection. Calls for
3 speculation.
4 THE COURT: What is your question?
5 MR. BLOOM: Can I ask a question?
6 Is there any reason now why Ms. Goettsch's
7 examination is done on top of the witness?
8 MS. GOETTSCH: Because I was told to keep my
9 voice up.
10 THE COURT: I don't think she's too close to
11 the witness.
12 MR. BLOOM: Thank you, Your Honor.
13 THE COURT: Go ahead
14 BY MS. GOETTSCH:
15 Q. It doesn't seem logical call to me, Mr.
16 Centofanti, that --
17 MR. BLOOM: Objection. The form is
18 improper. That's argumentative.
19 MS. GOETTSCH: I'm asking for an
20 explanation.
21 THE COURT: Why don't you ask for an
22 explanation?
23 BY MS. GOETTSCH:
24 Q. Can you explain why you heard gunshots, you
25 smelled gunfire, your son is not injured, you know Gina is

1 there, she is not answering your calls for help?
2 Can you explain why you didn't just
3 instinctively run to see if she needed help?
4 A. Instinctively, I wanted to secure the gun,
5 get my son up on his his feet and make sure my wife and my
6 grandson got out of the house, too.
7 Q. Why are you running from the house?
8 A. To feel that we needed some support, some
9 help.
10 Q. For what? Help for what?
11 You got the gun. Your son is perfectly
12 fine. You're telling me you didn't think he was suicidal.
13 Help for what?
14 If you thought it was help for Gina, why
15 didn't you go help Gina?
16 A. It was just instinct to secure the family
17 and to have some support.
18 Q. Did your wife ever see Gina?
19 A. No.
20 Q. Were you aware that your wife told the
21 Wrights "Don't go over there. She's dead."?
22 A. No.
23 Q. Did your wife have any reason to know
24 whether Gina was alive, dead?
25 A. When I talked to her, when she came down,

1 part way down the stairs --
2 Q. Did you tell her Gina was dead?
3 A. -- I told her to call 911, that it looks
4 like Gina has been shot. Chances are she might be dead.
5 Q. She just assumed she was shot, must be dead.
6 You assumed that or she assumed that?
7 A. No. I assumed it.
8 Q. Without ever looking at her?
9 You don't have any doubt sitting here today
10 that it was your son that shot Gina; is that right?
11 A. I still don't want to believe it.
12 Q. But you don't have any doubt that it had to
13 have been him?
14 A. Um, it's a hard answer to come out.
15 Q. Pardon me?
16 A. It's a hard answer to come out.
17 Q. I know it is, but the point is you didn't
18 shoot Gina; you didn't shoot Gina?
19 A. No.
20 Q. Your wife didn't shoot Gina?
21 A. No.
22 Q. The only other person in the house was your
23 son, right?
24 A. Yes.
25 Q. According to you, you called Eva Cisneros

1 after you were in the third house.
2 A. Yes.
3 Q. You didn't call her at the Wright's house?
4 A. No.
5 Q. When you talked to Eva Cisneros did you tell
6 her to send lawyers?
7 A. When I talked to Eva I told her to send
8 help.
9 Q. What help did you think Eva was going to
10 send?
11 A. Um, people that she worked with or my son
12 worked with, you know, friends, friends of my son.
13 Q. Who were lawyers, right?
14 A. Yes.
15 Q. Did you speak with any of those lawyers that
16 arrived on the scene after the shooting?
17 A. Yes.
18 Q. Did they tell you not to fill out any
19 statements?
20 A. No.
21 Q. Did they --
22 A. I didn't see the lawyers until after we left
23 the third house.
24 Q. So you had left -- you didn't see lawyers
25 while you were at the Wright House?

1 A. No.
2 Q. And you didn't see lawyers while you were at
3 the third house you were removed to?
4 A. Right.
5 Q. You only saw the lawyers after what, you got
6 back into your house?
7 A. I believe it was my house.
8 Q. You were back --
9 A. I mean my son's house.
10 Q. -- you were back in your son's house before
11 the lawyers ever talked to you?
12 A. I'm not sure if that was the house we talked
13 at.
14 Q. Your testimony today has been that -- let me
15 ask it this way.
16 Did you ever go past -- this where you saw
17 your son with the gun -- did you ever go past this point
18 into the kitchen/family room area?
19 Did you ever go back in there that night?
20 A. No.
21 Q. And so you didn't know what condition Gina
22 was in or technically if she was even there, right?
23 A. That's true.
24 Q. Do you recall talking to the detective the
25 night of the shooting?

1 Are you okay?
2 A. Yeah, yeah.
3 Q. Do you recall talking to the detective the
4 night of the shooting?
5 A. I talked to a Detective LaRochelle.
6 Q. He tape recorded your statement, right?
7 A. Yes.
8 Q. And do you recall him asking you a question
9 "It sounds to me like you were coming over --"
10 MR. BLOOM: What page?
11 MS. GOETTSCH: Page one
12 BY MS. GOETTSCH:
13 Q. "It sound to me like you were coming over
14 here with the gun, that you looked at her, to see maybe if
15 somebody could try to save her or not. Is that what
16 happened, Alfred?"
17 And he couldn't hear your response.
18 And he says "Chip."
19 And you said "Yeah."
20 Then he asked you the question
21 "Could somebody have helped her?"
22 Answer: "I don't know."
23 Question: "You don't know"?
24 And you say "No, I don't think anybody
25 helped her. I don't know."

1 That sounds to me like you looked at Gina
2 that night.
3 A. No.
4 Q. But you agreed with Detective LaRochelle
5 that you looked at her to see if maybe somebody could try
6 to save her and when you thought maybe she couldn't be
7 saved. That's when you left the house?
8 MR. BLOOM: Objection, Your Honor.
9 THE WITNESS: I don't believe I said that.
10 THE COURT: Is there an objection?
11 MR. BLOOM: No. I'll withdraw.
12 THE COURT: Go ahead.
13 BY MS. GOETTSCH:
14 Q. You don't believe you said that?
15 A. No.
16 Q. I'm going to show you your transcript here.
17 Have you seen this before?
18 A. Yes.
19 Q. I'm going to show you page 18 and have you
20 read the last half of that.
21 A. I didn't say I seeen hear.
22 Q. Isn't it true that Detective LaRochelle said
23 "It sounds to me like you were coming over here with the
24 gun, that you looked at her to see if maybe somebody could
25 try to save her or not. Is that what happened Alfred?"

1 And you said "Yeah."
2 MR. BLOOM: Objection. That misstates
3 exactly.
4 THE WITNESS: Yeah, because of here it says
5 I didn't respond because I was still crying. He called me
6 Chip.
7 He went from Alfred to Chip.
8 BY MS. GOETTSCH:
9 Q. So you were responding to Chip, not his
10 question that somebody could try to save her?
11 A. I think that's obvious.
12 Q. You think it's obvious? Okay.
13 And then you said you were still crying when
14 you gave the statement, right?
15 A. Yes.
16 Q. And would it surprise you to learn that
17 several witnesses described you that night as wailing?
18 A. Yes.
19 Q. That wouldn't surprise you, would it?
20 A. No.
21 Q. That accurately depicts your demeanor on
22 that night?
23 A. Yes.
24 Q. And isn't it true, sir, that the reason you
25 were wailing is because you did look at Gina's body and

1 you saw how brutally she was injured?
2 A. No.
3 Q. Now, you said something interesting.
4 You said that you were surprised to see your
5 son still alive when you came down the stairs; is that
6 right?
7 A. That's right.
8 Q. Why would you -- why would you say that?
9 A. Well, because on the 5th of December Gina
10 tried to kill him.
11 Q. Any other basis for that other than the
12 December 5th incident?
13 A. The urgency in the phone calls of just
14 wanting to talk to him and not wanting to leave any
15 message when she called the house that night.
16 Q. That made her scary, to you?
17 A. Not scary.
18 It just the way she was urgently wanting to
19 talk to my son and she didn't want to leave a message and
20 she said she would call back.
21 Q. And that made you think maybe she was gonna
22 come over there and kill him; is that your testimony?
23 A. My testimony is that two weeks before she
24 tried to kill him. She pulled the trigger twice and the
25 urgency in her voice to talk to him that night there, when

1 I heard the gun shots, I said oh, my God.
2 I ran from the bedroom and started yelling
3 then. I thought I was going to find a dead son.
4 Q. But you didn't, did you?
5 A. No.
6 Q. And what you thought from the December 5th
7 incident is based on what your son had told you; is that
8 right?
9 A. Yes. I talked to my son.
10 Q. And that's where you got the rendition of
11 facts regarding December 5th?
12 A. Yes, some of it.
13 Q. Did you ever talk to Gina about what
14 happened on December 5th?
15 A. No.
16 Q. Now, if that was really what you thought,
17 Mr. Centofanti, don't you think that would have been an
18 important fact to tell Detective LaRochelle that night
19 when he was conducting an investigation?
20 A. I couldn't control myself and I just kept
21 crying.
22 Q. Do you recall Detective LaRochelle asking
23 you specific questions about whether this was the result
24 of an escalating fight, whether there had been any
25 problems between the two of them in the past, and you said

no?
A. Did he say how far back?
Did he go back to December 5th?
Q. He asked you questions as to whether something has been -- as to whether something that has been going on in the past, and that each one of them has been arguing with each other and escalating to this thing tonight.
You said "I can't answer that."
Do you recall saying that?
A. No.
Q. You don't deny you said it?
MR. BLOOM: Objection. That misstates the evidence.
THE COURT: How many ways is there to read these transcripts?
MR. BLOOM: I don't know.
THE COURT: Get with counsel, Ms. Goettsch, at the table and see.
MS. GOETTSCH: Would you like me to read the whole question; would you prefer that?
MR. BLOOM: Yeah.
BY MS. GOETTSCH:
Q. Detective LaRochelle asked you a question --
THE COURT: What line?

MS. GOETTSCH: Halfway through the page on page 16.
THE COURT: There is no numbering line.
BY MS. GOETTSCH:
Q. Again, this is detective Jim LaRochelle continuing the taped statement.
Time is 2139 hours, person giving the statement is Alfred Centofanti. No other persons present.
There must have been some sort of interruption at some point; do you remember that?
A. No, not right now, no.
Q. You don't deny that's probably what happened?
A. Yes.
Q. "Alfred, I was talking to you about the case and telling you why it's important that we know the details surrounding it. I was asking you, do you think this was a one-time thing that something -- that you hadn't seen something like this happen before and, um, circumstances got out of control tonight or is this something that has been ongoing in the past, and, and, um, that each one of them has been arguing with each other and escalating to this thing tonight or -- and you answer.
"I can't answer that."
A. I can't answer that now. That's a long

question.
Q. Don't you think that might have been a good time to tell him about how scary Gina was?
A. I don't know how to answer that.
Q. How about -- do you also recall Detective LaRochelle on the night of shooting asking you this question? This is page 20.
Do you know why -- do you know if there's any other incidents between your son and your daughter-in-law that they had got in an argument and the police have been called out?
Do you remember him asking you that question?
A. No.
MS. GOETTSCH: If I may approach.
THE COURT: Yes.
THE WITNESS: Sure.
MS. GOETTSCH: Show you page 20 of your statement
BY MS. GOETTSCH:
Q. It's this question right here. You don't deny Detective LaRochelle asked you that question?
A. No. I mean, if it's there, it's there.
Q. If you could read for the jury what your answer was.

A. And I don't even know what happened. All I know is that they were going to be together -- they weren't going to be together anymore and just like that _____ overnight, and we were having fun with the baby four months ago.
Q. Where you say we were having fun with the baby four months ago, because there is a blank here.
A. I don't know what the blank means, so that's what it says.
Q. Wouldn't that have been a good time to tell the detective about how scared you were for your son?
A. I don't think so.
Q. Okay. You've talked with your son about what happened that night over the last three years; have you not?
A. Which night?
Q. You've talked with your son about what happened the night of December 20th?
A. No, I haven't.
Q. You've never spoke to him, had him explain what happened that night?
A. No.
Q. He's never wanted to tell you what happened that night?
A. That's true.

Q. You spoke with your wife about what happened that night; isn't that true?
A. Somewhat.
Q. Did you speak last night about what happened that night?
A. No.
Q. And you spoke -- you've spoken with the Wrights, Mark and MeriLee, about what's happened over the last three years?
A. I don't know.
Q. Have you talked -- you've talked with the Wrights surely over the last three years about what happened the night of December 20th?
A. I don't think so.
Q. It's true that you see the Wrights quite frequently or MeriLee, I should say?
A. Yes.
Q. You see MeriLee, you visit with her regularly?
A. Yes.
MS. GOETTSCH: Court's indulgence.
THE COURT: Cross-examination.
Counsel, how long, do you think?
MR. BLOOM: I'll be probably about 45 minutes or an hour.

THE COURT: Let's take our break.
(Whereupon, the court admonished the jury.)
THE COURT: The continuation of C172534, State versus Alfred P. Centofanti, III. Record reflect the presence of the Defendant, the presence of Mr. Bloom and Ms. Navarro is acknowledged as is Mr. Peterson and Ms. Goettsch.
MS. GOETTSCH: Mr. Peterson was called away on some business. If I may proceed without him.
THE COURT: All right. The record will be corrected. Ms. Goettsch is representing the State at this juncture, without Mr. Peterson.
MR. BLOOM: Your Honor, may we approach off the record?
THE COURT: Yes.
(DISCUSSION OFF THE RECORD)
THE COURT: Will counsel stipulate all members of the jury are present and properly seated?
MR. BLOOM: Yes, Your Honor.
MS. GOETTSCH: Yes, Your Honor.
THE COURT: Anything further?
MR. BLOOM: I don't think I have any questions of Mr. Centofanti, Your Honor. We have other areas to talk about.
I'd ask he be subject to recall or with

regards to the matters that were raised. The defense has no questions.
THE COURT: Mr. Centofanti, you can stand down. Will you be available to be recalled, if necessary?
THE WITNESS: Yes, Your Honor.
THE COURT: Thank you. Go ahead.
MS. GOETTSCH: Next witness is Robbie Dahn, please.

ROBBIE DAHN,

called as a witness herein, was sworn, was examined and testified as follows:

EXAMINATION

BY MS. GOETTSCH:
Q. Good afternoon.
Could you state your name and spell your last name for the record, please?
A. My name is Robbie Dahn, last name D-a-h-n.
Q. Are you employed?
A. Yes, I am.
Q. In what position?
A. I'm a senior Crime Scene Analyst with the Las Vegas Metropolitan Police Department.
Q. How long have you been employed in that

capacity?
A. In July it will be six years.
Q. What sort of training do you get to have the job of a Crime Scene Analyst?
A. When I was hired I had a four-year degree from UNLV in criminal justice and they put you through a crime scene analyst academy.
It's not the same as a police academy. It's more towards forensic science and learning how to fingerprint process and such and after that we go through a field training program and over time they do send us to different types of classes -- like I'm getting ready to go to a blood stain II class, so we've a lot of additional training just through the years, maybe two or three classes extra a year and then the experience from the field.
Q. What are your duties generally of a Crime Scene Analyst?
A. Our duties -- we're called out for service, after an apparent crime possibly is committed or if photographs are needed, anything that the detectives and the police deem needs to be documented a little bit further.
And what that entails is we'll go out and try to find any and all evidence to either prove or

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1 disprove somebody committed a crime, do crime scene
2 diagrams, fingerprint processing, photograph a crime scene
3 to document it, the way that we found it and, of course,
4 come and testify in Court is a big part of our job also.
5 Q. You also, I think you said, photograph crime
6 scenes?
7 A. Um-hum.
8 Q. Would you say yes?
9 A. Yes.
10 Q. And you also impound any physical evidence
11 into the evidence vault; is that right?
12 A. Yes, we do.
13 Q. On December 20 of the year 2000 were you on
14 duty at approximately 7:30 p.m.?
15 A. Yes, I was.
16 Q. Were you dispatched to a homicide or
17 potential homicide at 8720 Wintry Garden Avenue?
18 A. Yes, I was.
19 Q. Now, when you go to a homicide scene what is
20 the standard procedure, if you will, of a Crime Scene
21 Analyst?
22 A. When we first arrive -- I was the first
23 arriving representative from the the criminalistics bureau
24 for crime scene detail and when we initially get there we
25 get together with the detectives, any officers that were

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1 first at the scene prior to our arriving, and we all get
2 together and try to find out the basics of what's going on
3 with the scene.
4 Soon after my supervisor and also a senior
5 Crime Scene Analyst Dan Peterson, he also arrived at the
6 scene and that's when we decide how we're going to work a
7 certain type of a scene, all of them being very different,
8 and --
9 Q. So you do -- when it's a homicide which may
10 involve kind of a protracted investigation do you
11 sometimes work as a team?
12 A. Yes, we do.
13 Q. On this particular call who was on your
14 team, if you will?
15 A. There was Crime Scene Analyst supervisor
16 Randy McLaughlin, and Senior Crime Scene Analyst Dan
17 Peterson.
18 Q. When you all got to the scene at 8720 Wintry
19 Garden did you make a determination between you as to who
20 was going to be responsible for what?
21 A. Yes.
22 The supervisor will assign who is going to
23 be responsible for the scene. Generally the first
24 responder will be the person who does the photography and
25 the crime scene report.

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1 The second responder will -- so we can go
2 ahead and start photographing as the other people are
3 showing up.
4 Dan Peterson was assigned to do the crime
5 scene diagram and because he was going on vacation the
6 next day it was deemed I would go ahead and do the
7 evidence, whereas normally the person who does the crime
8 scene diagram is also taxed with also doing the evidence.
9 Q. What did you find upon your arrival at 8720
10 Wintry Garden?
11 A. When I arrived there was crime scene tape
12 extending from the front of 8720 Wintry Garden out into
13 the roadway, across to the east and around the front of
14 the next house to the east, a lot of patrol officers on
15 the scene.
16 General assignment detectives arrived to the
17 scene, maybe, I don't know, 10 minutes after I was there.
18 There was just a lot of police response at the scene and a
19 patrol vehicle where I noticed it appeared like they had
20 somebody in the back seat at the time.
21 Q. Were you able to immediately go into the
22 crime scene at 8720 Wintry Garden?
23 A. No, we were not.
24 Q. Why was that?
25 A. It was determined through homicide once they

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1 arrived that we would need a search warrant before we
2 could enter the residence.
3 Q. So while you were waiting to get a search
4 warrant to go in there did you learn of a second crime
5 scene?
6 A. Yes.
7 I was -- once we all got together and
8 discussed the scene I was requested by my supervisor,
9 Randy McLaughlin at the time, that we did have permission
10 to enter the house to the east, which was I believe 8716
11 Wintry Garden, and that there was a towel in the -- on the
12 tile entryway with an apparent gun inside of it and so
13 they wanted me to photograph that and then I would be
14 taking that into evidence.
15 Q. I'm going to show you what has been marked
16 as State's proposed exhibit 13, 14 and 15.
17 MS. GOETTSCH: May I approach?
18 THE COURT: You may.
19 MS. GOETTSCH: I believe you may have them.
20 BY MR. GOETTSCH:
21 Q. I'm going to show you what has been marked
22 as proposed 12, 14 and 15.
23 Have you seen these, counsel?
24 MR. BLOOM: I don't remember. Thank you.
25 BY MS. GOETTSCH:

Q. I'm going to ask you to take a look at those and tell me what's depicted in those photographs.

A. The first photo I'm looking at, right away I recognize it as being one that I took. It's the front door, looking inside the front door from the outside at the next door house, 8716, and there is a blue towel laying on the tile entryway on the first picture.

The next picture -- did you want me to show the jury what I'm looking at?

Q. No, that's okay.

Tell me what they are at this point.

A. Okay. The next photo is -- I've moved closer to take a close-up picture and it appears like there is a towel on the entryway floor in this picture.

The next picture is another close-up that I took. Once I documented that the towel on the floor, I went ahead and unwrapped the towel which revealed a handgun.

Q. Do these fairly and accurately depict the area of 8716 Wintry Garden that you photographed on that night?

A. Yes.

These are a little bit more close-up pictures. I did take some all around pictures to show the location of the gun from deeper inside, but yes, this was

the main focal point at that particular location.

Q. I believe maybe that some of those other pictures have already been admitted as Exhibits 11 and 12; is that right?

A. Yes. Those are the ones I'm referring to.

MS. GOETTSCH: State would move for admission of 13 14 and 15 at this time.

MR. BLOOM: No objection.

THE COURT: Those are received.

BY MS. GOETTSCH:

Q. Showing you 13 at this point, does that show what you saw when you approached 8716 Wintry Garden?

A. Yes.

Q. Did you know at that point what was in the blue towel?

A. I was -- the first responding patrol officer had told us that she believed that there was a handgun inside the towel. So she did make me -- I was aware of that at the time I was taking these photos.

Q. When you got closer to it you couldn't tell if it was a gun or not; is that right?

A. At that point, no.

Q. Did you uncover the towel?

A. Yes.

Q. Was there in fact a gun inside of it?

A. Yes, there was.

Q. And does that appear to be the gun here?

A. Yes.

Q. Did you understand this particular gun to be the murder weapon?

A. That's what I was told, that it was believed to be the weapon that was used.

Q. Did you impound this particular weapon and the towel into evidence?

A. Yes, I did.

Q. I'm going to show you what has been marked as State's proposed 122 and 124. I will start with 122 and ask you if you recognize what this is.

A. Yes, I do.

I recognize it to be my evidence package containing a gun, a magazine and a couple of cartridges and it's in my own handwriting and it also has my signature on it and my initials and my personnel number.

I do recognize that to be my package.

Q. When you impound an item into evidence what's the process that you go through?

A. The process that we go through is we go ahead and take custody at the scene and secure it, because we might be asked to do a lot of other work, and when we we get back to the crime lab sometimes that day we don't

get right to the evidence, because maybe we've worked at a scene until the end of our shift, so we'll take and secure it.

We have a secured evidence vault back at the the criminalistics bureau. From there then we have to deem how we want to handle the weapon.

Our policy at the Las Vegas Metropolitan Police Department is any type of a case that might be considered a possible homicide weapon, those type of weapons I wouldn't handle myself as far as to process for prints or blood or any of that.

As far as the weapon was concerned, and all the firearms evidence, in this particular package I just photographed it, carefully, and packaged it up and then later it would be processed by someone else in our more specialized area of the forensic lab area.

Q. When you say package it up, what do you do?

A. When we package a firearm in this particular case we'll usually either use like a small box or we'll do a double bag and basically just make sure that the firearm is safe.

We run a flex cuff through to hold the barrel open and it's really not a heavy science as far as when it comes to, you know, packaging up.

You want to safely try to preserve any

evidence that might be on the gun or fingerprints.
Q. Does this appear to be in the same condition it was when you put it into evidence?
A. No, it does not.
Q. What's different about it?
A. When I package this, this seal right here is the common seal for this type of packaging and it's also got my initials and my personnel number, the date I packaged it and, as I'm looking at this, I can read on the label here there is a lot of signatures here and this is a chain of custody list.
It's evidenced by all these cuts in the package, because normally somebody that takes this and examines it has to cut into the package so they can re-seal it in their own special area.
There is a lot of, as you can tell, lot of tape on this from all different areas of the bag.
Q. Other than the people who have signed in and out on the chain of custody it appears to be what you impounded on that day?
A. Yes.
MS. GOETTSCH: State would move for admission of 122 at this time.
THE COURT: The bag and its contents?
MS. GOETTSCH: Yes.

THE COURT: Any objection?
MR. BLOOM: I don't think we're going to have an objection. She hasn't looked at it to see if it's the same item.
MS. GOETTSCH: She has testified that this is in the same condition other than the chain of custody which has been established through this and that that's what's inside.
THE COURT: Is that the only objection?
MR. BLOOM: That's all.
THE COURT: I'm going to receive that, provisionally. If it turns out in your cross there's some divergence as to what's supposed to be in the bag and what's in the bag, you can voice your objection further.
MR. BLOOM: Thank you.
BY MS. GOETTSCH:
Q. I'm going to show you now State's proposed 124 and ask you what that is.
A. This is also in my my own handwriting, the label, my own signature. This is the bag containing the blue terrycloth towel.
Q. Does that appear in the same condition it was when you impounded it into evidence?
A. This bag appeared like -- appears like the tape I put it here and it's also been entered and there is

a signature under the chain of custody, so no, it has been entered into since I put it into evidence.
Q. What's the chain of custody indicate for who has looked at that?
A. There is a P number 7240 and it is a handwritten signature that I cannot read at this point.
Q. Does it appear to have been signed out to somebody and then signed back into evidence?
A. Yes.
MS. GOETTSCH: State would move for admission of State's proposed exhibit 124 at this time.
THE COURT: Any objection?
MR. BLOOM: Same objection.
THE COURT: Same ruling. Thank you.
BY MS. GOETTSCH:
Q. When you impound a weapon such as this what process do you go through to document the condition of the gun?
A. Generally, any type of evidence for any type of crime against a person, even some burglaries, we'll take and we document it photographically, generally, is our main way that we do document the condition of a piece of evidence before we package it up.
Q. And do you also fill out a firearm information sheet before you impound it?

A. Yes, we do.
Generally, any firearm absolutely needs one of these sheets filled out if it's been fired and I, as a general rule, fill one out for all hand guns.
Q. In this particular case did you document what type of gun it was?
A. Yes, I did.
Q. What was it?
A. It was a nine millimeter Ruger.
Q. Did you also record the serial number on that?
A. Yes, I did.
Q. Do you also record whether or not there is a magazine in the firearm?
A. Yes.
Q. Do you recall whether there was a magazine in this firearm?
A. Yes, there was.
Q. Did you also -- do you also record whether or not there are any cartridges or live ammunition in the gun?
A. Yes, we do.
Q. What did you find with this particular weapon?
A. In this particular weapon there was a live

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1 cartridge in the chamber of the weapon and one cartridge
2 left in the magazine.
3 Q. I think what I'll have you do at this time,
4 if we can, Your Honor, is open 122.
5 THE WITNESS: Is there an issue with me
6 wearing gloves at this point or should I have a pair of
7 gloves?
8 MS. GOETTSCH: If you'd feel better about
9 that, I believe there was a biological issue on that.
10 THE WITNESS: This is again an issue -- I
11 have to find a spot where there's not been a cut. I'm
12 going to choose the bottom straight across within this
13 area. Try to get to this.
14 Just set it right here?
15 BY MS. GOETTSCH:
16 Q. Set it right there and then we'll talk about
17 it.
18 Has the gun been disabled at this point?
19 A. Yes.
20 The slide is back and the magazine is out
21 and it appears, yes, the flex cuff that was in it has been
22 removed. It's right here.
23 With the slide back, the gun is absolutely
24 safe and there's no magazine in it -- inside of it, so I
25 would trust this to be really safe.

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1 Q. The magazine, can you show the jury what
2 part of the gun is the magazine?
3 A. This part here.
4 Q. And is this what holds the ammunition into
5 the gun?
6 A. Yes, it is.
7 Q. Where does that fit into the gun?
8 A. It fits into this port on the underneath
9 side of the weapon.
10 Q. So that's what they have to like shove up in
11 there like they do in the movies?
12 A. Right.
13 They will put it up in there and it's best
14 to kind of hit it, rather than to click it in, to give it
15 a little snap to get it in there real good.
16 Q. Now, you indicated that when you impounded
17 this or when you retrieved it from that position that's on
18 the monitor there, that the magazine was, in fact, in the
19 gun?
20 A. Yes, it was.
21 Q. And it was loaded?
22 A. There was a cartridge inside the chamber.
23 Q. So a cartridge inside the chamber means that
24 it was ready to fire?
25 A. Yes.

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1 Q. One was inside the chamber and one was also
2 left in the magazine?
3 A. Yes.
4 Q. And on an automatic I take it that as soon
5 as one is fired another one pops up automatically?
6 A. Right.
7 These type of hand guns are considered
8 semi-automatic. And yes, absolutely, that's what happens
9 in this case.
10 Q. You also impounded then the live cartridge
11 that was in the chamber and the live cartridge that was in
12 the magazine?
13 A. Yes.
14 Q. By live chamber that means an active, ready
15 to go bullet?
16 A. Right.
17 We refer to a cartridge as the live -- lot
18 of people call it a bullet. A cartridge is the live
19 ammunition.
20 A cartridge case is the spent ammunition and
21 the leftover and the bullet would be the projectile.
22 Q. When you impound a gun do you also check to
23 whom it is registered or if it's registered?
24 A. Yes, we do.
25 On that gun sheet -- I wanted to mention

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1 that -- but on the gun sheet I always call into our gun
2 registration section and I'll try to run a gun and get a
3 registration to see who it belongs to or if it was a
4 wanted gun.
5 Q. Were you able to determine as part of your
6 investigation to whom this was registered?
7 A. Yes. It was registered to --
8 MR. BLOOM: Objection. Hearsay.
9 MS. GOETTSCH: I think it's part of her
10 investigation that she relied on these documents. We'll
11 call somebody else.
12 THE COURT: I'm going to sustain the
13 objection.
14 Go ahead.
15 BY MS. GOETTSCH:
16 Q. But you guide through that process?
17 A. Yes.
18 Q. To find out who it was registered to?
19 A. Yes, I did.
20 Q. Do you also take photographs of the weapon?
21 A. Yes, I did.
22 Q. I'm going to show you what's been premarked
23 as State's Exhibits 110 through 120 and ask you to look at
24 these collectively and tell me if they fairly and
25 accurately depict the gun as you were dismantling it and

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1 pounding it into evidence.
2 A. Yes, they do do.
3 MS. GOETTSCH: State would move for
4 admission of State's proposed 110 through 120.
5 MR. BLOOM: No objection.
6 THE COURT: They are received. Thank you.
7 BY MS. GOETTSCH:
8 Q. This photograph which is State's exhibit
9 112, does this show the one cartridge, live cartridge,
10 that was found in the chamber as well as a live cartridge
11 in the magazine?
12 A. Yes, it does.
13 Q. State's 118, does this also show the live
14 cartridge that was in the magazine?
15 A. Yes.
16 Q. Did you notice whether there was any blood
17 or other foreign substance on the muzzle of the gun when
18 you impounded it, this is Exhibit 120?
19 A. The gun, when you looked at it with your
20 naked eye, so to speak, it wasn't real, real obvious, but
21 I did look at it through a 10 times magnifier and it
22 appeared like there was possibly a couple of drops of some
23 kind of substance.
24 If it was blood -- in fact, blood a lot of
25 times when it dries gets really dark and almost a blackish

110

1 color.
2 At that point, I'm not for sure if it was
3 blood or not, but I did see some kind of drops around the
4 barrel.
5 Q. Did you impound it in such a condition that
6 it would be available for testing that substance later?
7 A. Yes.
8 Q. After you left 8716 were you able to
9 document the outside of the crime scene?
10 A. Yes. I took overall photos of the general
11 area in front of both homes.
12 Q. I'm going to show you -- Ms. Clerk, I need
13 16, 17 and 18. They have already been -- I'm going to
14 show you State's Proposed Exhibit 19 and show you if you
15 recognize what's depicted in that photograph.
16 A. Yes.
17 It's a BMW vehicle. I believe this is the
18 one that was parked in front of the 8720 Wintry Garden.
19 Q. And that, along with what's already been
20 marked and admitted as 16, 17 and 18, do they fairly and
21 accurately depict the outside of the crime scene at 8720
22 Wintry Garden?
23 A. Yes, they do.
24 Q. And putting up Exhibit 16, do you recall
25 which house was the actual crime scene of 8720?

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1 A. Yes, I do. It's the -- not the house with
2 the white truck, but the one further from us with the
3 brown -- I believe it was a Ford Explorer and a van in the
4 driveway.
5 Q. And this is that?
6 A. Yes.
7 Q. And 8716, is that depicted over here with
8 the white truck?
9 A. Yes.
10 Q. And did you notice that the BMW that you
11 photographed was parked askew?
12 A. No, I did not notice that.
13 Q. Didn't stand out in your mind?
14 A. No.
15 Q. Did you photograph in fact in this picture
16 which is -- I need to move for admisssion of State's 19.
17 MR. BLOOM: No objection.
18 THE COURT: It is received. Thank you.
19 BY MS. GOETTSCH:
20 Q. State's 19, did you document how the car
21 was, in fact, parked?
22 A. I must say that I did take photos, but I
23 know Randy McLaughlin also took photos at this scene and
24 just looking at that photo it doesn't look like one of my
25 photos, but I know I did document it.

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1 Q. And obviously the way the BMW was parked,
2 exhibit 18 didn't stand out in your mind as particularly
3 unusual?
4 A. No.
5 Q. Did there come a time when you were called
6 away from the crime scene to accompany the Defendant to
7 the Clark County Detention Center?
8 A. Yes.
9 Q. Why did you do that?
10 A. We were at a situation where everything was
11 done that could be done. I had already impounded the gun
12 and there was an issue of a warrant to enter the home, the
13 crime scene, so to speak, and so we were -- they were
14 waiting for a warrant.
15 We were basically at a standstill at that
16 point and the detective showed an urgency. They felt as
17 if they wanted to go ahead and take Mr. Centofanti on down
18 to -- on down to the jail.
19 Q. Do you routinely attempt to document the
20 appearance of a homicide suspect?
21 A. Yes, that's just common procedure, that
22 someone would go to the jail to collect the clothing and
23 photograph someone that would be in custody.
24 Q. When you got to the jail were you able to
25 make observations regarding the Defendant?

A. Yes, I was.
Q. Do you recognize the Defendant here in Court today?
A. Yes, I do.
Q. Can you point to him and describe something he's wearing?
A. The gentleman sitting in the middle of the table with the brown coat.
MS. GOETTSCH: Record reflect identity of the Defendant?
THE COURT: The record will so reflect.
BY MS. GOETTSCH:
Q. I'm going to show you what has been marked as State's proposed 20 through 27 and ask you to look at these collectively and tell me what they depict.
A. This first photograph that I took -- it's been a really a long time ago, but I took a close-up and I think there was just maybe ever so small a little mark on the right side of his forehead, so I went ahead and moved in a little closer to show that photo.
Q. Let's do this. Can you look at all of them collectively and then we'll go through each one?
It might speed things up.
A. I see.
Q. Do those fairly and accurately depict the

condition of the Defendant and the photographs you took of him on that date?
A. Yes.
MS. GOETTSCH: State moves for admission of State's proposed exhibits 20 through 27.
THE COURT: They are received.
BY MS. GOETTSCH:
Q. Was there anything unusual about the defendant's appearance on that night?
A. No, there wasn't.
Q. Other than State's 25, I believe you said you saw a slight mark on his head; is that right?
A. Yes, I'm referring to that.
We can all see it. It's like a little bit of a roundish mark, but I don't know if that was -- I don't know what it was.
I moved in close because I think someone, once I got there, had pointed it out that go ahead and document that.
Q. Other than that, there were no injuries on Mr. Centofanti; is that right?
A. No.
Q. Did he appear -- his clothes appear disheveled, in any way?
A. His shirt was tucked in. It was a little

loose, but it was a soft type fabric and other than that, no.
Q. Did you notice -- when you go through and photograph him you take photographs of him from different angles; is that correct?
A. Yes.
Q. Do you move or do you give him instructions to turn and move, that type of thing?
A. I generally will give the person the instructions and then have them move and I'll stay on the same spot.
Q. Was he able to follow your instructions?
A. Yes.
Q. Did he appear to have any trouble understanding you?
A. No.
Q. Is this a picture of his face as he appeared at that time?
A. Yes, it is.
Q. Anything unusual about his demeanor?
A. No. He just followed my instructions; did not speak and just followed my instruction.
There was really not any -- not anything to comment on.
Q. And this is State's 23. This is an accurate

side view of Mr. Centofanti on that date?
A. Yes.
Q. This shows that his shirt was, in fact, tucked in, right?
A. Yes.
Q. Did you notice any rips or tears on his shirt?
A. No.
Q. And you made an effort to photograph the back of his shirt?
A. Yes.
Q. As well as the front of his shirt?
A. Yes.
Q. Any buttons missing on his shirt?
A. No, not that I saw that night.
Q. And also did you make an effort to photograph his hands?
A. Yes.
Q. Did you notice anything unusual about his palms?
A. No.
Q. Anything unusual about the top of his hands?
A. No.
Q. And even though there was nothing unusual about his appearance did you go ahead then and impound his

clothes that he was wearing into evidence as well?
A. Yes, I did.
I stepped out and the corrections officer that was with him that night collected the clothing and he brought me the bag. I took custody of it from -- I believe his name was Tacher (phonetic). It was correction officer Tacher.
Q. I'm going to show you what's been marked collectively as 104 through 109.
Showing you what has been marked as 104 through 109 and if you can tell me collectively what they depict.
A. These pictures were taken at the crime lab on butcher paper and they are just close-up views of the clothing I collected that night.
Q. Before you actually put the clothing into evidence you take photographs of it?
A. Yes.
Q. They fairly and accurately depict those clothes that you imounded at that time?
A. Yes.
MS. GOETTSCH: State would move for admission of 104 through 109.
MR. BLOOM: No objection.
THE COURT: Received.

BY MS. GOETTSCH:
Q. I'm going to show you what has also been marked as State's proposed 15 and the contents there are marked for identification as 125A through E.
I'll ask you what this item is.
A. This bag is my bag that I impounded all the clothing inside of. It's got my signature on it and --
Q. And these are all the defendant's clothing we just saw the photographs of; is that correct?
A. Yes.
Q. Is this in the same condition it was when you impounded it?
A. No, it's not.
Q. What's the chain of custody indicate for this?
A. I believe it looks like it's been checked out three different times on the chain of custody. I can tell that somebody has been additionally been inside the bag, because there's several openings where it's been sealed and initialed by different people.
Q. When you say these different people, these are all people from Metro; is that correct?
A. Lot of times, yes.
It could be an outside laboratory. It's hard to say, unless I knew who these people were on this

chain of custody.
Q. Other than the people who have signed it in and out for the chain of custody does it appear to be in the same condition?
A. Yes.
MS. GOETTSCH: State moves for admission of 125 and its contents at that is time.
MR. BLOOM: No objection.
THE COURT: It is received.
BY MS. GOETTSCH:
Q. What people always wonder is whether or not you can test a person for recent firing of a weapon.
Can you do that?
A. There is a kit called a SR Gunshot Residue Kit and there is a way to do it. It's not used a whole lot because it's thousands and thousands of dollars to have the -- our forensic lab doesn't have the facility to be able to test that.
It has to be sent out to outside laboratories, so yes, there is a way to do that.
Q. Did it occur to you that that was an issue in this particular case?
A. At the point that night, I don't recall it ever being brought up. Not to me, anyway.
Q. Thank you.

After you were done, then, with the Defendant at the Clark County Detention Center did you return to the crime scene at 8720?
A. Yes, I did.
Q. Were you able to actually get into the house at that at that time?
A. Yes.
When I was still at the jail -- I carry a radio so I was monitoring my frequency. I'm always on and I could hear the radio traffic that the warrant had been telephonically issued and that they were making entry.
My supervisor, the detectives and Dan Peterson, my co-worker, were all entering at that time prior to my getting there.
Q. So had Mr. Peterson and Mr. McLaughlin kind of already gone through the crime scene and pointed out items of evidentiary value for you?
A. Yes.
It was deemed that I was going to do all the photography, but rather, for times sake and not making people wait, because I was photographing Mr. Centofanti at the jail, Randy McLaughlin, the supervisor, went ahead and proceeded to just do all the interior photos of the scene. So yes, they had already entered and then when I arrived Dan Peterson spent about 10 minutes walking me through the

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1 scene, both upstairs and down.
2 Q. Also as part of that did you or Mr. Peterson
3 do a crime scene diagram or is that part of what occurs
4 when you're documenting a crime scene?
5 A. Yes.
6 It's our policy that on officer involved
7 shootings and homicides that a crime scene diagram is not
8 only done at the scene; a rough sketch and then a
9 computer-generated sketch within a month has to be
10 generated.
11 Q. If you can look behind you at what's already
12 been admitted as Exhibit 57, is this an accurate blow-up
13 of the crime scene diagram that was done at that crime
14 scene?
15 A. Yes.
16 That's the diagram and I know I did help Dan
17 do some measuring on this diagram. I recognize it and
18 it's -- we have not to scale, so I don't want to say it's
19 absolutely accurate, but it's as accurate as possible that
20 night.
21 Q. Just for recordkeeping, this is 57 and 57A
22 and it's been admitted.
23 Were you the Crime Scene Analyst that was
24 going to write the report of all the documentation of the
25 crime scene?

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1 A. Yes.
2 MS. GOETTSCH: State would move for
3 admission at this time of 57, which had not yet been moved
4 for admission, and that is the smaller computer-generated
5 floor plan as opposed to the blow-up.
6 MR. BLOOM: No objection.
7 THE COURT: Received. Thank you.
8 BY MS. GOETTSCH:
9 Q. Show you what has been marked as State's
10 proposed 71 through 74. Look at them collectively and
11 tell me what they depict.
12 A. These photographs are ones that I'm assuming
13 these are Randy McLaughlin's, because they are inside the
14 home and they are depicting what I believe to be -- looks
15 as if it's the front door of the residence.
16 Q. Do they fairly and accurately depict the
17 front door as you saw it on that day?
18 A. Yes. Looks like they were trying to
19 document especially around the door knob area and it looks
20 as if it's the same as when I got to the scene.
21 MS. GOETTSCH: State would move for
22 admisssion of State's 71 through 74.
23 MR. BLOOM: Your Honor, I do have an
24 objection as to the foundation. At least reserve ruling
25 for a later time, please.

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1 THE COURT: Are there questions to be asked
2 on foundation while this witness is here?
3 Do you care to take her on Voir Dire?
4 MR. BLOOM: No. She said she didn't take
5 the pictures and the timing of them and so forth.
6 That would be my issue.
7 MS. GOETTSCH: She testified this fairly and
8 accurately depicts the front door as it was. We don't
9 have to have the photographer in.
10 THE COURT: May I see them?
11 MS. GOETTSCH: Just so you know, the
12 photographer will be testifying.
13 THE COURT: Do you need these in evidence to
14 continue your questioning at this time?
15 I do agree with the statement, status of the
16 law in the matter.
17 MS. GOETTSCH: She did the report.
18 I would prefer to ask her questions about
19 these and publishing them to the jury with this witness.
20 We will have other witnesses, if there's any problems with
21 the documentation.
22 THE COURT: I don't want to get involved in
23 asking her questions, but I believe you have asked if she
24 took the pictures or not, if this door appears in the
25 pictures as it did when she observed it.

124

1 MS. GOETTSCH: If they fairly and accurately
2 depict the door as it appeared on December 20th.
3 MR. BLOOM: I'll take her on Voir Dire.
4 THE COURT: Go ahead.
5 MR. BLOOM: Thank you.
6
7
8 VOIR DIRE EXAMINATION
9 BY MR. BLOOM:
10 Q. Exhibit 74, Ms. Dahn, can you tell me, do
11 you see a key inside the upper lock?
12 A. Yes, I do.
13 Q. Which looks like on the inside of the door?
14 A. Yes.
15 Q. Did you ever see that key there yourself?
16 A. I don't recall seeing that key.
17 Q. That's referring to photo 74.
18 Here is photo 73. I can't see -- can you
19 see a key?
20 A. It looks like there is a key.
21 Q. You didn't see that key either?
22 A. I have to tell you I looked at the door and
23 I was focusing on possible damage and that was pointed out
24 by Dan, but I didn't focus in on whether there was a key
25 there or not.

Q. So these two pictures which are 72 and 71 which depict the door and the doorjam, those comport with your recollection of what you saw?
A. Yes.
Q. That is yes?
A. Yes, yes.
Q. But 73 and 74, which depict the key, you can't say if those were there or not when you saw it?
A. I can't say that. I can't say that I have any recall of that key.
MR. BLOOM: That's my concern at this time.
THE COURT: No objection to 71 and 72?
MR. BLOOM: Correct.
THE COURT: That are received. Court will reserve ruling as to 73 and 74.
Proceed, please.

EXAMINATION (cont'd.)
BY MS. GOETTSCH:
Q. You indicated that you did in fact look at the door to see if there was any sign of a forced entry?
A. As Dan Peterson was walking me through, he pointed out the door.

Q. Did you notice anything unusual about the door?
A. No, I didn't.
Q. Did you notice where it was kicked in, the front of the door, or anything like that?
A. No.
Q. Was there a shoe print or any sort of footwear print on the front door?
A. No.
Q. Was the door handle loose or otherwise not functioning?
A. I don't recall that I jiggled it to see that, but as far as I could tell it looked fine from the outside and all the way around the locking area.
Q. And including the doorjam did not appear to be disturbed in any way?
A. No.
Q. Show you State's proposed 77 and 78.
MR. BLOOM: Thank you.
BY MS. GOETTSCH:
Q. I'll ask you what these collectively represent.
A. These are pictures just inside the front door of the formal living room area and dining room.
Q. Do these fairly and accurately depict how

that area looked when you were in this crime scene on December 20, 2000?
A. Yes.
MS. GOETTSCH: State would move for admission of 77 and 78.
MR. BLOOM: No objection.
THE COURT: They are received.
BY MS. GOETTSCH:
Q. Was there anything that you noticed of evidentiary value in the front living room area?
A. No.
Q. And is it fair to say that this staircase over here on the left of the picture corresponds with the stairway that's depicted right there in exhibit 57?
A. Yes.
Q. And that if you walk down from the front door and go straight back down off the picture that goes into the family room/kitchen area?
A. Yes.
Q. And was there anything of evidentiary value in the dining room area?
A. No.
Q. Did it appear that there had been any signs of a struggle in that area?
A. No.

Q. I'm going to show you what has been marked as State's proposed exhibits 75 and 76 and ask you what they depict.
A. Photos across the living room showing the front door and the base of the stairs and then a shot focusing on the upstairs landing in the house.
Q. Do you recall if -- do these fairly and accurately depict how that area looked on the fit of December 20?
A. Yes.
MS. GOETTSCH: Move for admission of 75 and 76 at this time.
MR. BLOOM: No objection.
THE COURT: They are received.
BY MS. GOETTSCH:
Q. This picture shows the top of the or the stairs as it goes to the upstairs area; is that right?
A. Yes.
Q. Do you recall whether this room at the top is the master bedroom?
A. I believe it is. I'm not -- I'm not exactly for sure from that photograph, if that would be the door for the master.
Q. Did you spend a lot of time upstairs?
A. No, I didn't.

1 MR. BLOOM: What photo is that?
2 MS. GOETTSCH: This is 75.
3 BY MS. GOETTSCH:
4 Q. Seventy-six is also -- it shows the front
5 door; is that right?
6 A. Yes, it is.
7 Q. Show you what has been marked as State's
8 proposed 79 and 80. I ask you what's depicted in these
9 two photographs.
10 A. These are pictures of the kitchen.
11 Q. Do they fairly and accurately depict the
12 kitchen as you saw it at that time?
13 A. Yes.
14 MS. GOETTSCH: Move for admission of 79 and
15 80.
16 MR. BLOOM: No objection.
17 THE COURT: Received.
18 BY MS. GOETTSCH:
19 Q. Did you make an effort to look through the
20 kitchen area as part of your investigation?
21 A. No.
22 When I arrived I -- like I said, I did a
23 walk-thru with Dan and Randy and no, we didn't go through
24 drawers or search the kitchen at all.
25 Q. Did you ever look at the top -- you looked

1 at the top of the kitchen area?
2 A. Yes, I looked at the countertop.
3 Q. Did you find any knives laying out on top of
4 the kitchen?
5 A. No.
6 Q. Any screwdrivers on top on the kitchen?
7 A. No.
8 Q. Any other guns on top of the kitchen?
9 A. No.
10 Q. Any other bags of guns on top of the
11 kitchen?
12 A. No.
13 Q. Any blood or anything that could be
14 construed as blood in the kitchen?
15 A. No.
16 Q. In fact, did you find anything of any
17 evidentiary value in the kitchen?
18 A. No.
19 Q. At this time did your investigation take you
20 into the family room area?
21 A. Yes. When I arrived back from the jail the
22 main focus concentration was that area.
23 Q. What did you find there?
24 A. As I entered, I walked in. Dan Peterson met
25 me and we initially walked in and, of course, walked into

1 the family room so he could show me the main crime scene.
2 Q. I'm going to show you number 28 at this
3 time. I'm going to ask you if the photograph, exhibit 2,
4 fairly and accurately depicts an overview of that family
5 room area as you saw it on that night.
6 A. Yes.
7 Q. Did you find, in fact, find the victim in
8 that area?
9 A. Yes.
10 MS. GOETTSCH: Move for admission of 28 at
11 this time.
12 MR. BLOOM: No objection.
13 THE COURT: They are received.
14 BY MS. GOETTSCH:
15 Q. When you took this picture which is 28, you
16 were standing near the kitchen?
17 A. These are -- again, I have to repeat that
18 all the picks inside were taken by Randy McLaughlin, but I
19 at one point probably viewed the body at that point,
20 because I was over by the table quite often, so I can
21 recognize that, the scene from that.
22 Q. You're familiar with the layout --
23 THE COURT: Just a minute. Are you
24 finished?
25 THE WITNESS: Yes.

1 THE COURT: Next question.
2 BY MS. GOETTSCH:
3 Q. You're familiar with the layout of the area?
4 A. Yes.
5 Q. And this would have been taken from the
6 kitchen table area?
7 A. Yes.
8 Q. When you are attempting to document a crime
9 scene like this what steps do you take?
10 A. Generally the photos are taken Four Corners
11 of the room to show the overall layout and then
12 intermediate shots and then there's also the close-up and
13 comparison type photography that will be taken to document
14 a scene.
15 Q. Do you in fact photograph each one of the
16 wounds on a victim?
17 A. Generally, at the scene an attempt will be
18 made to do that. Of course, at autopsy that's where it's
19 documented fully and thoroughly.
20 Q. Do you also make an attempt to document any
21 blood splatter or anything that looks like blood that
22 might be in the area?
23 A. Yes.
24 Q. When you looked through this area did
25 appear to you that there had been any signs of a struggle?

A. When I walked in I noticed a chair that was overturned at the dining room table and there was a black coat hanging on the chair and the chair was overturned.

Q. Other than the chair being overturned did you notice any other signs of a struggle?

A. No.

Q. Was anything tipped over or disturbed in that area that's depicted in number 28?

A. No.

Q. And I'm going to show you what has been marked as 47 through 51. I'm going to have you take a look at these collectively and tell me what they depict.

A. These are all shots and angles of the dining room table inside the family room and I believe it was located over on the north side of the room, like northwest corner of the room.

Q. Do these fairly and accurately depict that area as you saw it on December 20?

A. Yes.

MS. GOETTSCH: State moves for admisssion of State's 47 through 51 at this time.

MR. BLOOM: No objection.

THE COURT: They are received.

BY MS. GOETTSCH:

Q. And starting with Exhibit 51, what does this

show; what angle is that?

A. That's entering into the family room, walking via the front door and in through the living room and dining room area into the family room, kitchen area.

Q. And is this generally -- the photographer of this picture, would he generally be standing in the area represented circled by the blue circle on number 57?

A. Yes.

Q. And would it be fair to say that this is that area would be the only ingress and egress from the family room out to the front door?

A. Yes.

Q. Does this photograph also show the chair that's tipped over?

A. I see the jacket, but I don't see a real good clear view of the chair.

Q. The black thing that's on the floor there is the jacket?

A. I believe that to be the jacket, from this angle.

Q. Okay. And here is, this is 50. Is -- does that show that the chair is tipped over?

A. Yes.

Q. And that's the only sign of a struggle that you saw in the crime scene?

A. That's the only one that I saw.

Q. And number 47, this also shows another angle of the chair tipped over?

A. Yes.

Q. Were you able to determine whether that jacket that was on the back of this chair was a man's or woman's jacket, if you know?

A. I don't recall. I really don't recall, but I don't believe so.

Q. You don't believe it was a woman's or man's?

A. I don't recall. I don't know.

Q. That's all right.

Did you notice any items of evidentiary value on top of the table?

A. There was a temporary Protective Order on the table and as well as a black woman's purse.

Q. On this particular photograph which is four where was the temporary Protective Order?

A. There in the front of the table.

Q. Is this the one hanging off --

A. It's either that one or the other. I know it was laying out on the 8 1/2 X 11 paperwork.

I'm not for sure if it's the one hanging off or the other piece.

Q. Do you recall what the other items on the

table were?

A. I know there was a stack of mail and -- in the name of Virginia Centofanti and the purse and as you can see a Dr. Pepper can and some other paperwork.

Q. So this here, this was a stack of bills of Virginia Centofanti?

A. Yeah, looked like a stack of mail.

Q. Show you 49.

Is that also a close-up of the purse?

A. Yes.

Q. And do you also notice near that purse -- did you actually go through the purse?

A. I think a detective had gone through it prior to my getting there.

Q. Did you also notice that there -- what is -- was lying next to the purse that's shown here?

A. Keys and cellphone.

Q. Were you able to determine to whom the keys and cellphone belonged?

A. I wasn't -- like I said, the detectives, I think they were handling that end of it.

MS. GOETTSCH: May we approach at this time?

THE COURT: You may.

(DISCUSSION OFF THE RECORD)

THE COURT: Can you be back at 1:30 Monday?

1 THE WITNESS: Yes, I ca

2 (Whereupon, the court admonished the jury.)

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21 ATTEST that this is a true and complete transcript of the

22 proceedings held, DATED this 28th day of March 2004.

23

24

25 J. A. D'AMAT CCR #17

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1 DISTRICT COURT

2 CLARK COUNTY, NEVADA

3 * * * *

4

5 STATE OF NEVADA,)
6 Plaintiff,)
7 vs.) Case No. C172534
) Dept. XIV
8 ALFRED P. CENTOFANTI III,)
9 Defendant.)
10

11

12 **REPORTER'S TRANSCRIPT**
13 **OF**
JURY TRIAL

14

15 **BEFORE THE HONORABLE DONALD M. MOSLEY**

16 **DISTRICT JUDGE**

17 Taken on Monday, March 29, 2004

18 At 1:30 p.m.

19 **APPEARANCES:**

20 For the State: BECKY GOETTSCH, ESQ.
21 CLARK PETERSON, ESQ.
Deputy District Attorneys

22 For the Defendant: ALLEN R. BLOOM, ESQ.
23 GLORIA M. NAVARRO, ESQ.
Special Public Defender

24

25 Reported by: Maureen Schorn, CCR No. 496, RPR

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1 LAS VEGAS, NEVADA. MONDAY, MARCH 29, 2004, 1:30 P.M.
2 ****
3
4 THE COURT: The continuation of
5 C172534, State versus Alfred P. Centofanti, III. The
6 record will reflect the presence of the defendant; his
7 counsel, Mr. Bloom and Ms. Navarro; Mr. Peterson and
8 Ms. Goettsch present for the State. The absence of the
9 jury is noted.
10 We discussed several matters in chambers,
11 the principle among them, I believe, is this question of
12 photographs. We have one packet which are photographs,
13 allegedly, of the scene of the homicide. The other is a
14 packet a larger packet of autopsy photographs.
15 We've gone over these, counsel and I. And I
16 believe, Mr. Bloom, you have something to annoyance for
17 the record?
18 MR. BLOOM: Yes, Your Honor. I would
19 just place on the record the fact that the Defense
20 believes that there is evidentiary relevance to each of
21 the photos that the State has submitted, that in some
22 respects they are cumulative, and the evidentiary value is
23 outweighed by the prejudicial value, or the prejudicial
24 impact, the improper prejudicial impact of the
25 photographs.

1 Specifically, I have in mind the fact that
2 there are, I think, three or four photographs in the
3 autopsy set of Gina's head injuries, and an equal number
4 of those same injuries in what I'll call the crime scene
5 set.
6 Though I understand the State's position
7 that there is evidentiary value to each one individually,
8 the Defense believes cumulatively that only one of each of
9 those injuries should be presented.
10 There is several of them that show all three
11 of the injuries and, in effect, you have eight pictures
12 which I think could be reduced down to one, and I'll
13 submit it.
14 THE COURT: Eight pictures that would
15 be reduced to one?
16 MR. BLOOM: It's my recollection that
17 by the time you combine the three or four, I think there's
18 four in the autopsy, and an equal number in the crime
19 scene of her head. That's, in effect, eight pictures that
20 can basically show the same thing.
21 THE COURT: All right. Response from
22 the State?
23 MR. PETERSON: Judge, there are
24 basically two batches. There are crime scene photos
25 showing how the body lay, and her position is very

important to the forensic analysis in the case.

There are pictures of each injury at the scene, as well as several that were replied on by forensic experts for blood spatter, et cetera. The nature and manner of the blood leading at the scene is relevant to several of the forensic experts, including the blood spatter experts.

We also have photos from the autopsy, and I should say at the outset that we excluded a large number of photos, including the ones at the autopsy where, for example, her scalp is peeled back to show the jacket, or her arm is cut open to find the bullet.

All those types of photos we are doing by x-ray, photograph. All the ones we've also submitted regarding the autopsy she has been cleaned up of blood so that they are as neutral as possible.

The ones from the autopsy are relied on by Dr. Simms in determining that they are entry versus exit wounds, the angles and trajectories of the various wounds themselves.

We're not attempting to put any unduly gory photos, and I should say there are several that we did not put in that to sort of have that reflection.

There are several pictures of -- usually we'll do it this way, we'll show one photo that shows

1 collectively as the result of the injuries, and then we
2 have one photo each of the injuries sort of up close. And
3 that's basically the state of the photographs, Judge.
4 THE COURT: Well, as I announced
5 earlier, we went over these in chambers. And I misspoke
6 incidentally. The larger packet is the packet containing
7 the photographs marked 13 through 56, which is the alleged
8 crime scene. And the autopsy photographs are the smaller
9 packet, 135 through 154.
10 There were some points made by the Defense
11 that there are some duplicitous shots, particularly of the
12 head. I thought Mr. Peterson pretty well explained that
13 there was additional evidentiary value of some of these
14 pictures, this stipling of the gun powder.
15 Obviously, some of them are cleaned up and
16 some are not cleaned up version of the victim which would
17 show trajectory, that sort of thing. There's any number
18 of things we went over together.
19 Candidly, while there might have been one or
20 two photographs of this entire body of photographs, I
21 really don't think that we have duplicitous photographs
22 here. There's a legitimate value in each, I believe, and
23 earnestly believe that.
24 As counsel would be aware, I'm sure, the
25 Court is inclined allow sufficient photographic evidence

1 to support the State's theory of the case.
2 But on the other side of the equation, it's
3 certainly gratuitous scenes of violence that would have a
4 shock value and invoke them to emotion is not to be
5 allowed either. I think we structured it on balance here
6 and assuming there's validation, it will be received.
7 There is also another item outside the
8 presence, Mr. Bloom?
9 MR. BLOOM: Yes, Your Honor. The keys
10 of Gina Centofanti are photographed in several pictures
11 that we've already talked about at the scene, and the keys
12 were taken into police custody.
13 But prior to them being inventoried and
14 determined if there was key to the house at 8720 Wintry
15 Garden, the keys were released to the family of Gina
16 Centofanti. And it was done before the Defense had any
17 opportunity to confirm that the key -- that Ms. Centofanti
18 had the key to the house.
19 It's important to the Defense to establish
20 that, in fact, Ms. Centofanti entered this house without
21 being admitted by anyone. And we believe that the
22 presence of a key on her key ring would have been able to
23 go a long way towards establishing that, if not
24 establishing it in and of itself.
25 The Defense' position was that she entered

1 without anyone letting her in, and she came in on her own.
2 So kind of a middle ground that the Court and counsel has
3 settled on.
4 But let me back up one second. This is
5 pursuant to a motion that was filed in 2001 when Judge
6 Gibbons was still on the case, and it had to do under the
7 category of destruction of evidence, or loss of evidence
8 to the Defense.
9 The issue, I believe, was raised to my
10 recollection. I don't think it was ever resolved. We
11 didn't get to that stage because of the interruption in
12 the proceedings for the writ, the way that the case went
13 to the Supreme Court on an entirely different matter
14 short-stopped that.
15 We never got to a resolution of this
16 particular issue. That's my recollection. I think
17 Ms. Goettsch's recollection is pretty much the same. We
18 never resolved it.
19 The resolution we've reached today with
20 regards to the loss of that evidence, is that at the
21 appropriate time when the officers are going to testify as
22 to the receipt of the keys and to the fact that they were
23 turned over, it will be determined through their evidence
24 that no inventory of the keys were taken.
25 There was no comparison made to determine if

1 It contained one to the house, and the Defense did not
2 have the opportunity to make any determination
3 independently of it, we believe that she had such a key on
4 her key ring.
5 At which point the Court will turn to the
6 State, and State will make some statement along the lines
7 that they we don't have any way to say anything else, or
8 they cannot confirm anything different, or something of
9 that kind of presentation.
10 MR. PETERSON: Judge, it's certainly
11 acceptable, obviously, for him to ask the relevant witness
12 whether or not those keys were impounded, and if they were
13 not impounded, what was done with them. They were turned
14 over to the family is the answer.
15 We're certainly not alleging she went in any
16 way other than through the front door, and I can't call
17 Gina Centofanti to ask whether she unlocked it or opened
18 it another way.
19 I don't think the State should be put to the
20 task having to confirm something for Mr. Bloom when he can
21 readily through cross-examination point out: We don't
22 have these keys; is that right, so we don't know whether
23 there's a house key on that key ring or not.
24 I'm uncomfortable stipulating, just because
25 I don't want to stipulate to a fact I know nothing about,

1 but that's my concern.
2 THE COURT: But the State, would it be
3 fair to indicate, that they have no evidence or knowledge
4 one way or the other as to whether or not there was a key
5 to the door on that key ring; is that true?
6 MR. PETERSON: Sure. We will agree
7 that the keys were released to the family appropriately,
8 and we don't know at this point what keys were on those
9 key rings.
10 MR. BLOOM: Well, the substance of it,
11 the question, the appropriateness of that conduct I think
12 is not a given. I think it's inappropriate for them to
13 have been released. I think it was wrong for the police
14 to have released them. I think it was wrong to release
15 them without an inventory.
16 I can bring some of that out through
17 questioning. But the issue is, the Defense has now lost
18 the opportunity to make that confirmation. The police had
19 this exclusively within their control. We have lost the
20 opportunity to have any confirmation because of it.
21 I am not alleging that there was an
22 intentional effort to destroy evidence. U.S. versus
23 Trambetta and a lot of other cases talk about how you deal
24 with things at different levels, depending upon
25 intentional destruction.

1 I don't think there was any intentional
2 destruction, but the State does have to bear the burden
3 that it was their agents that had the matter and released
4 them and the Defense didn't have the opportunity to do
5 that. That's the only burden I'm asking them to take.
6 THE COURT: Well, I think we're
7 overcomplicating the thing. You're going to inquire as to
8 the existence of the keys.
9 And at some point the State is going to be
10 asked to voice an opinion as to whether or not they are
11 aware of this key was on the ring or not, and
12 Mr. Peterson is going to say we don't know whether there
13 was a key to the front door or not on the ring, and we're
14 not taking a position, right?
15 MR. PETERSON: I guess my position is,
16 it should just be done through the witness: You don't
17 know today whether or not there was a key to that front
18 door on there?
19 No, we don't know that.
20 I don't think the State as a party should be
21 forced. Because what Mr. Bloom is trying to do is make it
22 look light the State has prejudiced his client, and that's
23 nonsense.
24 The case law shows that you would have
25 to – for there to be anything even remotely to what we're

1 doing right now for it to be beyond questioning and
2 argument, there would have to be negligence and some
3 relevance to the failure to preserve this item.
4 Nor was there any apparent evidentiary value
5 to those keys at the time they're returned. So I think
6 putting the State in that position is something that's
7 unnecessary, because Mr. Bloom can ask those exact
8 questions of the witness:
9 You didn't impound them?
10 No.
11 You released them to the family,
12 Yes.
13 So we don't know today whether or not
14 there's a house key on that ring?
15 I don't think I should have to affirmatively
16 stand up and say, yes, you're right, we don't know that,
17 Mr. Bloom. That's my concern, Judge.
18 THE COURT: Are you contemplating
19 reexamining Ms. Dahn after cross?
20 MS. GOETTSCH: We still have to
21 continue direct on that.
22 THE COURT: I'm sorry. I lost track of
23 that. Well, at some point when Mr. Bloom examines her,
24 he'll ask the pertinent question.
25 And my thinking was, if you want to

1 reexamine her, you can just as easily ask why did you not
2 keep the key? Was there apparent evidentiary value at the
3 time?
4 And then in your closing, of course,
5 everybody can say, well, you're going to indicate that
6 the keys would have value, and we maintain that she had a
7 key. And you're going to say you don't know.
8 MR. PETERSON: We're going to say who
9 cares. Let's pretend she did let herself in with a key.
10 Who cares?
11 MR. BLOOM: One thing I do want the
12 record to state clearly, Your Honor, is we do think the
13 State prejudiced the Defense in this regard. We don't
14 think it's intentional. We do think it is negligent. We
15 do think it was improper.
16 We do believe that they had a duty to
17 maintain the evidentiary value of that key ring, the
18 contents of that key ring. I think it's evident now and
19 was evident then, because the whole idea of how she got
20 in, whether or not my client let her in is a big issue.
21 This is the Defense' position she burst into
22 the house and didn't have any right to be there, and that
23 she used her key to sneak in without any okay from any of
24 the residents or the inhabitants of the house, and we
25 think that's an important factor.

1 So we do think without question that there
2 was negligence on the part of the police for the release
3 of it without inventory.
4 I distinguish that between intentional
5 destruction, which would require a much greater sanction
6 that, quote, "sanction" or response I'm asking for I think
7 is appropriate.
8 That's why I believe it's proper for the
9 State to carry the burden and have them make the best of
10 it that was an error on their behalf, and we're left
11 without it.
12 THE COURT: When were the keys turned
13 over?
14 MR. PETERSON: Judge, I don't know. I
15 imagine the keys actually probably went with the person
16 who impounded Gina's car that night, which would have been
17 that official who comes out and impounds the cars. I
18 can't remember what her name was. It's a county person
19 who comes out and does that. I can't even tell, exactly.
20 But when Mr. Bloom uses that phrase, that's
21 exactly what he's trying to do. He's trying to get the
22 State to fess up, and none of the case law stands for that
23 proposition. This type of situation is fairly handled by
24 questioning and argument by counsel.
25 It is not the State's -- the circumstances

1 that the Court would have to find to force the State to,
2 quote, "fess up," are much different than the ones
3 regarding these keys. And this is making, frankly, a
4 mountain out of a mole hill.
5 THE COURT: Well, I'm struggling a
6 little bit with this question of negligence.
7 Would a reasonable person believe
8 investigating this crime situation on either one of the
9 cars turned over along with the keys, supposedly, that the
10 keys were relevant?
11 There's no allegation of a breaking or
12 entering. It was her home, or it was her home at some
13 point.
14 MR. BLOOM: No. That's the key point,
15 Your Honor. She did not have a right to access to this
16 home. She went into this home without access.
17 THE COURT: Ostensively, as far as the
18 investigating officer is concerned, this is the family
19 home, now in custody the husband, ex-husband that she went
20 to see the child. So it's not like she didn't have any
21 business in the home.
22 MR. PETERSON: Right.
23 MR. BLOOM: She had no business coming
24 into that house unannounced, no business coming in on her
25 own. She had no right to enter the premises. She was

1 clearly a trespasser on those premises at that time, no
2 question.
3 THE COURT: She was an invitee.
4 Whether she announced her presence or not, as I understood
5 it, they were expecting her, or your client was expecting
6 her to come and get the child.
7 MR. PETERSON: It was her visitation
8 night. They clearly expected her to come over, or they
9 knew she was coming over. It's clear she entered the
10 house not by forcible or illegal means, because we have
11 photos of the door that shows that.
12 Her purse is inside the house. Her cell
13 phone is in the house next to her keys, essentially, on
14 the table. Her body is there. She clearly came over that
15 night.
16 And the manner of her coming in or going in
17 has never been suggested by anyone prior to today, I might
18 add, three years later to be some improper issue. And I
19 think on its face is kind of belied, it's importance is
20 belied by the evidence that's clearly present at the
21 scene.
22 I don't know what Mr. Centofanti would say.
23 We've been told he's going to take the stand. He may
24 describe her entry as surreptitious, and counsel can
25 certainly argue that. But the keys' presence or absence

1 was mad that she had gone to jail.
2 Do you endorse that same view?
3 A. That is what Chip told me that, she was
4 upset that she was in jail and she wanted to be bailed out
5 as soon as possible.
6 Q. Would you -- your level of concern about
7 retaliation change if you learned that that wasn't really
8 the circumstances of how it went down?
9 MR. BLOOM: Objection. No foundation.
10 THE COURT: Sustained.
11 BY MR. PETERSON:
12 Q. Did you speak to any of the police officers
13 concerning the 12.5 incident?
14 A. No.
15 MR. PETERSON: No further questions.
16 THE COURT: Re-cross.
17 MR. BLOOM: Thank you.
18
19 RE-EXAMINATION
20 BY MR. BLOOM:
21 Q. I'm going to ask you about something that --
22 you were asked to explain something about hurt his ego,
23 too. I think that was at page 12 of your statement.
24 Was the whole statement that you gave -- was
25 the context of that statement statement as follows:

1 "I know they had a domestic dispute here
2 about two weeks ago that involved a gun also. And he told
3 me that she actually had hold of the gun and was
4 holding -- she had the gun and he grabbed her and she was
5 actually trying to pull the trigger on the gun to shoot
6 him. Two weeks ago he was freaked and he was a very real,
7 emotional, really good caring guy and he didn't recover
8 from that two weeks ago.
9 I mean, he had been a basket case ever
10 since."
11 Q. When you say a basket case, was he
12 distraught that his wife had left him or --
13 A. Well, I think he was distraught. I
14 think what really, really blew his mind was that he (sic)
15 could leave this little baby -- I guess it's she could
16 leave this little baby right here with no remorse. I mean
17 it really shook him up. I think I'm sure it hurt his ego,
18 too.
19 Q. Now, what did -- at the time that you saw
20 Chip from the time of the 5th up until the time of the
21 shooting of the 20th -- and I know you didn't see him that
22 much after the 7th.
23 A. Correct.
24 Q. I'll put it to you again.
25 Was there any indicatioin that you got from

1 him that he, Chip, was obessing or jealous or was upset
2 about not being able to be with Gina?
3 A. No.
4 Q. Any doubt in your mind about that?
5 A. No doubt in my mind. There was no
6 indication of that at all.
7 Q. The question was put to you why didn't you
8 say that to the police?
9 Didn't the police tell you they didn't want
10 information into the incident of the 5th? They knew about
11 that.
12 They wanted your statement about the 20th,
13 not about the 5th?
14 A. That's correct.
15 Q. A moment ago in your examination you said
16 the police told you they didn't want to talk about the
17 20th.
18 Did you mean to say the 5th?
19 A. Correct.
20 He said he already knew about that. All he
21 wanted to do was focus on this incident.
22 Q. And with regards to retaliation would it
23 make sense to you that the person who got arrested, the
24 the person who got taken to jail, the person who
25 apparently was calling to try to get out of jail, that

1 that person might be angry and that could be the basis of
2 wanting to retaliate?
3 A. Yes.
4 MR. BLOOM: Nothing further.
5 MR. PETERSON: Nothing else, judge.
6 THE COURT: We're going to take a recess.
7 I'd like you to remain in the area. You may step down.
8 (Whereupon, the Court admonished the jury.)
9 THE COURT: Let the record reflect the jury
10 has exited the courtroom.
11 A few minutes ago there was a sidebar
12 conference wherein an objection was voiced by Mr. Peterson
13 concerning a question Mr. Bloom was about to ask the
14 witness, Mark Wright, about certain observations he made
15 concerning our previous witness, Ms. Miller.
16 We discussed that briefly and I would invite
17 an Offer of Proof, Mr. Bloom.
18 MR. BLOOM: Thank you.
19 I found out about an observation of Mr.
20 Wright's today when I spoke to Mr. Wright. I found out
21 about the possibility of it last night and spoke to Mr.
22 Wright today about what he saw with regards to Trish
23 Miller when Mr. Wright was outside in the hallway outside
24 of our courtroom.
25 He made two observations. He made several

1 observations involving two conversations that Ms. Wright
2 had -- that Ms. Miller had.
3 I believe they are proper for purposes of
4 impeachment.
5 Ms. Miller made a statement on a number of
6 occasions during her testimony about how well she knew
7 Gina, and I attempted to cross-examine her about that in a
8 number of ways to try to show that she did not know Gina
9 that well, a number of details about Gina's life and a
10 number of details about Gina's background that a close
11 friend would know, if she truly was a close friend.
12 Miller's testimony that she was a close
13 friend is important to the state's case because they want
14 to establish statements like she would have known if she
15 was angry at Chip after the divorce; she would have known
16 how Gina would have reacted.
17 She would have known if Gina was moving on
18 with her life and part of the reason she would have known
19 is because she knew Gina so well.
20 Mark Wright happens to have been outside
21 when he observed Ms. Miller sitting outside and was
22 approached by a person who had been in the courtroom and
23 was later identified as one of Gina's sisters.
24 It's my understanding -- I didn't see it,
25 but it's my understanding she was gesturing in the

1 background and the bailiff asked her to leave.
2 And that this sister went outside and
3 introduced herself to Trish Miller in the presence of Mark
4 Wright where they are both in the same general vicinity.
5 I don't know how far they were from him, but
6 Mark Wright was there and the sister and Ms. Miller were
7 right there.
8 During that time they conversed about a
9 variety of things, some of which was Ms. Miller asking the
10 sister questions about Gina's background, how many
11 brothers and sisters there were, when Gina had been born,
12 when -- where she had grown up, various details about
13 Gina's background.
14 Ms. Miller then came in and talked about
15 Gina's background, giving the impression, I believe, to
16 the state's case that she knew this because see had gotten
17 it from Gina.
18 In fact, I think she had gotten some of that
19 information a few minutes before her testimony from Gina's
20 sister, when Ms. Miller admitted she didn't know about the
21 background and inquired of the sister to get this
22 information.
23 Ms. Miller had identified herself to Mark
24 Wright as "I'm the best friend" at one of the points that
25 she sat down. I mean, before she sat down and before this

1 conversation, so I believe that indicates that Ms. Miller
2 knew her role or believed her role to be that she was the
3 best friend, testifying as the best friend, and yet Mark
4 Wright has information showing that Ms. Miller didn't
5 really -- well, Ms. Miller was still inquiring about the
6 basic rudimentary background about Gina.
7 I think that reflects that Ms. Miller didn't
8 know Gina all that well at all and it goes to impeaching
9 on that point.
10 Also, Mr. Wright happened to see another
11 conversation between Ms. Miller and a person who he has
12 now seen where a juror from the next department,
13 Department XV, he believes, it was in that conversation
14 that Mr. Wright heard snatches of the conversation of the
15 conversation whereby the juror was telling Ms. Miller
16 about the things of her demeanor, something about "Well,
17 here is what you have to do. You have to show this or
18 show that or something like that."
19 He was up able -- it was clear that the
20 parts he heard, they were talking about Ms. Miller as a
21 witness in the manner in which she was a witness.
22 I think that goes to her -- to impeachment.
23 There's another point as well. The record
24 doesn't reflect it. I don't know if the record will
25 reflect that.

1 I haven't read yesterday's testimony yet,
2 but the record should now reflect clearly that yesterday
3 Ms. Miller on a number of occasions broke down and cried
4 from the witness stand, when she said things of "I've been
5 afraid of your client for four years," and various other
6 times.
7 She appeared to be crying. That may or may
8 not have had an impact on the jury, but it certainly was
9 something they observed. There was no question that on a
10 number of occasions that she did that, yet when she was
11 talking about this very subject to these two people
12 outside Mr. Wright observed that this person did not cry
13 in any way.
14 In fact, in his view, she was absolutely
15 giddy -- his word giddy -- that she was light hearted and
16 laughing and that she was talking about the very same --
17 she's talking about apparently the subject matter
18 involving about which she testified as a witness, but her
19 demeanor wasn't anything with those tears.
20 It was, in his words -- I don't know if this
21 would ever come into the jury, because it was his
22 opinion -- it was as if she was attempting to gain her 15
23 Minutes of Fame
24 that's how he characterized it to me.
25 I do know what he observed and I do believe

1 it would have been admissible to say that she was happy,
2 giddy, lighthearted, et cetera, in her manner. That I
3 think goes to impeaching her crying from the witness stand
4 to try to show that that was very much contrived.
5 That's my Offer of Proof.
6 THE COURT: Thank you.
7 Mr. Peterson?
8 MR. PETERSON: I think this is the most
9 fraudulent stuff I've ever heard. First of all, counsel
10 sets up a straw man about how well she knows Gina. She
11 said they were good friends.
12 Mr. Bloom has always wanted to say you knew
13 her so intimately.
14 She said "I didn't know everything about her
15 past." She didn't try to come in and say "I know every
16 single thing about this woman."
17 That's ridiculous.
18 The claim about this juror telling her how
19 to appear -- I'll tell the Court right now, if there's any
20 doubt of the genuineness of her crying, I would be shocked
21 if the Court would think there was any doubt of its
22 genuiness. She was very nervous and very upset.
23 To suggest -- for Mark Wright to say this
24 suggests she wants her 15 Minutes of Fame, shows his I
25 think connection with Bloom perhaps and the defense, more

1 than anything else.

2 This is a wholly innapropriate topic for

3 Mark Wright to be talking about. If he wants to re-call,

4 you know, if he wants to re-call Trish and try to ask her

5 that stuff, you know, that's the court's discretion, but

6 getting into it with Mark Wright, I think it's -- I mean,

7 I'm trying to restrain -- I think it's nonsense, judge.

8 For the record, your bailiff informs me Mark

9 Wright was also trying to engage in conversation with

10 homicide detectives who were out in the hallway.

11 We have an intermeddling sort of overly

12 officious person who is going out and trying to stir this

13 stuff up.

14 I don't want to have to get into that. This

15 is just a ridiculous hornets nest that needs to be stayed

16 away from.

17 THE COURT: I have a question to all

18 present. Help me in my memory.

19 As I recall, the alleged sister of the

20 victim who was in the courtroom was asked to leave while

21 Ms. Miller was on the witness stand.

22 MR. PETERSON: That's true.

23 MR. BLOOM: That's right, as far as I know.

24 THE COURT: I understand Ms. Miller had been

25 on the stand for quite sometime before she would have had

1 an opportunity to speak to the person in the hallway; is
2 that true?
3 MR. BLOOM: I believe the conversations are
4 separate. Mr. Wright talked about the conversation with
5 the juror being at one time, the conversation with the
6 sister being at another.
7 THE COURT: I understand that.
8 My point is this: Was it not true that Ms.
9 Miller had testified about her relationship to Gina at
10 length before she had an opportunity to talk to this
11 sister person?
12 MR. BLOOM: That's exactly right, which is
13 why she knew that she didn't have enough information, why
14 she was being challenged about the fact that she wasn't
15 very close to her so she was making and effort to make up
16 for that when she was getting the information.
17 THE COURT: I don't remember, counsel, that
18 Ms. Miller came back in on her second segment of testimony
19 and said "I know the family, I know how many sisters she
20 has, when she was born, all these things you said she
21 learned. I don't remember her testifying to that.
22 Did I miss that?
23 MR. PETERSON: No.
24 She didn't say anything remotely connected
25 to that. That's the straw man argument. She said nothing

1 on the witness stand that was any different that I've
2 heard from her in pre-trialing her.
3 There was not a shred of new evidence or
4 information she talked about on the witness stand. To
5 suggest that a casual conversation with her now dead
6 friend's family member is -- I mean she didn't testify to
7 anything even remotely like that on the witness stand.
8 We're not even in the ballpark on this.
9 THE COURT: Any response?
10 MR. BLOOM: Yeah.
11 My response is I don't really know the
12 extent that the District Attorney pre-trialed her. I'm
13 not quite sure what that phrase means, but that's not the
14 issue, nor is it the issue of whether or not Mr. Peterson
15 believes his second witness's tears were crocodile, fake
16 tears or not.
17 I certainly think they were.
18 What's important to the defense is that
19 quite frankly the only issue here is would this be proper
20 impeachment to do that?
21 If she was trying to gain information about
22 her knowledge about the family in some fashion, and she
23 was trying to prop that information up from whatever
24 source, if it happened to be in front of Mark Wright or
25 happened to be in front of anyone, that information should

1 be able to come in front of the Trier of Fact, so that the
2 jury can make that determination.
3 And also, the manner in which she was
4 handling coming in here yesterday, as opposed to her first
5 day, when she was very less emotional, the second day of
6 her testimony was when I would say about 90 percent of her
7 emotion was coming out, then the -- the question is her
8 demeanor and her manner is very much at issue in front of
9 this jury.
10 If Mr. Wright happened to see something very
11 different about it the jury can say, you know, that
12 doesn't matter. The jury can say there's not much weight
13 to it.
14 Quite frankly, I think the jury will
15 consider that.
16 I reach a very different view as to
17 Ms. Miller's sincerity wen she testified here, but I have
18 every right to have that opinion and Mr. Peterson has
19 every right to his opinion.
20 The fact of the matter is it's for the jury
21 to decide and Mr. Wright made an observation that goes
22 right to the heart of that.
23 He's here. I would ask to have a chance to
24 have him come in. He's willing to testify about this,
25 what he observed, under oath, and the Court can make its

1 determination.

2 That would be my request.

3 THE COURT: Is he going to say anything

4 different than you have indicated in your Offer of Proof?

5 MR. BLOOM: To be honest, Your Honor, I

6 spoke to him in less detail than we - - for a shorter

7 period than we've spent here discussing this matter.

8 I did not have the opportunity to sit down

9 and go with him in chapter and verse. He's told me what

10 I've told you.

11 He may have more information. He may not.

12 THE COURT: Understanding that you haven't

13 quoted him obviously --

14 MR. BLOOM: I'm telling you what he told me.

15 THE COURT: Do we have the tenor of what his

16 testimony is going to be?

17 MR. BLOOM: Yes. That's my Offer of Proof

18 of whatever it might be. He might have more detail.

19 There's been some question -- Mr. Peterson

20 talked about his efforts to try to stir this up and create

21 it himself.

22 I think that is not at all the situation and

23 if there's any question about that, the Court can see him

24 and can hear his testimony. I would like to have that

25 testimony on the record, but I don't think -- I don't know

1 it to be any different.

2 I haven't interviewed him in any greater

3 detail than that. I can't represent everything I --

4 THE COURT: As to Mr. Peterson's suggestion

5 that Mr. Wright is stirring things up, I don't know

6 whether that's true or not, but in all candor I think we

7 would all concede that Ms. Miller in squarely in the

8 prosecution's camp, if you will, and Mr. Wright is

9 squarely in the defense's camp, in my judgment.

10 No question in the world about that.

11 The fact they might get out there in the

12 hallway and banter back and forth or look for frailties in

13 the other's testimony, et cetera, is certainly

14 understandable, but back to the more specific matter at

15 hand.

16 You are correct, Mr. Bloom, when you say

17 that all these things are up to the jury to determine to

18 be properly allowed.

19 My function is to allow only relevant

20 evidence before the jury.

21 When you approached the bench, counsel, all

22 present, and I heard just briefly discussed what we are

23 discussing more at length now, I said -- and I hope it

24 wasn't considered my brashness or any attempt to be

25 discourteous, but I said I think it's ridiculous.

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22 present, and I heard just briefly discussed what we are

23 discussing more at length now, I said -- and I hope it

24 wasn't considered my brashness or any attempt to be

25 discourteous, but I said I think it's ridiculous.

1 Having heard more, Mr. Bloom, I have not
2 retracted from that position. It is totally ridiculous.
3 Let me explain my thinking -- and this is for the record.
4 I don't mean to be critical. I know you're
5 doing a fine job representing your client and that's not
6 to be scoffed at or criticized.
7 Here is my thinking in the matter: The
8 witness, Ms. Miller, did not say she knew the family well.
9 She said she knew Gina well, but she didn't talk about her
10 past, the gang involvement and all those other things.
11 Gina didn't relate it to her.
12 I see nothing shocking about the fact that
13 she's talking to the sister of her now deceased friend and
14 asking about the family history. Evidently there is a
15 number of sisters. I don't know where I got that thought,
16 but I think that is the fact.
17 Somehow I don't know where I heard it, but
18 that doesn't, I don't think, suggest a divergence from her
19 testimony and nor do I think that that was something she
20 needed in order to testify because she had already
21 testified at length.
22 She didn't change her testimony after she
23 spoke to this lady in the hallway that I'm aware of. She
24 didn't say, as I said earlier, all about how well she knew
25 about her family and all these things so there's nothing

1 new.

2 As to talking to the juror in another case,

3 I don't know that we can hold against Ms. Miller what some

4 jurors offer by way of suggestion as to testimony. As we

5 know, jurors and witnesses come to Court, they become

6 experts in a matter of hours and they like to -- they tend

7 to talk about things.

8 I don't know what that has to do with the

9 situation, unless -- well, I really don't think that it's

10 of any consequence.

11 We have here where Ms. Miller told Mark

12 Wright she is the best friend. Maybe I'm just not

13 grasping that, but I don't know what that has to do with

14 anything.

15 If she is the best friend, that's her status

16 as far as being in the order of witnesses and the

17 hierarchy of who is testifying here.

18 I don't think there is a better friend

19 that's going to testify, Ms. Goettsch, is there, Gina's

20 better friend?

21 MS. GOETTSCH: Probably not. There are

22 other friends. I mean, that is a glib statement. That's

23 her role.

24 THE COURT: In any case, the last thing is

25 the fact she wasn't crying when she was speaking to the

1 juror or the sister or Mark out there and I would indicate
2 there is a vast difference, in my view, of being grilled
3 on the witness stand for in excess of an hour, on two
4 occasions, and the stress involved in that where people
5 might break down in tears for brief periods.
6 She didn't go on and on in hysterics. She
7 broke into tears and regained her composure. Vast
8 difference from that and being out in the hallway speaking
9 to people in a casual and relaxed manner.
10 Altogether, it is remote to the issues in
11 this case and it is not relevant, in my judgment.
12 MR. BLOOM: I understand the Court's ruling.
13 I accept the Court's ruling.
14 One thing I do want to dispute with regard
15 to the Court on the record is my view that her break down
16 and her crying did occur and where she did regain her
17 composure, but I thought on the second day that it was not
18 a single incident.
19 I'm quite certain it was repeated instances.
20 I would say four or five.
21 THE COURT: I didn't mean to infer it was a
22 single instance. I think it was three instances. That
23 was an estimate.
24 It may have been more. They were brief. I
25 think at least once she kind of swallowed and you see she

1 got teary-eyed and went on.

2 They came and went, but they weren't long

3 drawn out emotional outbursts, except for one instance was

4 longer than the others.

5 MR. BLOOM: Yes, the one instance where she

6 said something about "I've been afraid of your client for

7 four years." You're right. We're not talking minutes and

8 minutes. We're talking in response to several questions

9 or a question or two or something like that.

10 Submit it.

11 THE COURT: Counsel, with that said let's

12 take about five minutes.

13 MR. BLOOM: With regard to Mr. Wright, he's

14 free to go?

15 THE COURT: He's free to go.

16 (Brief recess taken.)

17 THE COURT: The continuation of C172534,

18 State versus Alfred P. Centofanti, III. Record reflect

19 the presence of Mr. Bloom and Ms. Navarro, the Defendant

20 present, Mr. Peterson and Mrs. Goettsch.

21 Do counsel stipulate all members of the jury

22 are present and the properly seated?

23 MR. PETERSON: Yes.

24 MR. BLOOM: Yes, Your Honor.

25 THE COURT: Next witness, please.

1 MR. PETERSON: Kim Govea.

2

3

4

5 KIMBERLY GOVEA,

6 called as a witness herein, was sworn, was examined and

7 testified as follows:

8

9 EXAMINATION

10 BY MR. PETERSON:

11 Q. I blocked my own view with the easel.

12 Can you state and spell your name for the

13 record, please?

14 A. Kimberly Govea, K-i-m-b-e-r-l-y G-o-v-e-a.

15 Q. Ms. Govea, what do you do for a living?

16 A. I am a 911 dispatcher.

17 Q. What exactly does that mean?

18 A. It means that I take calls on 911, 311 and I

19 also work at the dispatch channel sending the officers to

20 the calls.

21 Q. Do you take calls in and you send -- you

22 dispatch people to calls; is that right?

23 A. Yes, depending on where I'm sitting in the

24 room at the time.

25 Q. What do you do with that information that

1 you receive?
2 A. If I'm on the calls I make up the actual
3 call that is sent to the dispatcher that then sends it to
4 the units and send the units to the calls.
5 Q. Okay. When a call is taken you make up the
6 event and send it to the dispatcher and the dispatcher
7 sends it to the officers.
8 You sit in front of a computer terminal and
9 a phone?
10 A. Yes.
11 Q. What do you enter into that computer?
12 A. All the pertinent information of the call,
13 whose calling, the address they are calling from, where
14 they need help, what they say, what's going on.
15 Q. You said -- you used a phrase a minute ago,
16 make an event or create an event.
17 What do you mean?
18 A. There is a blank format screen in front of
19 you that you fill in different screens like the address,
20 there's an address screen, there's an address phone number
21 portion, comment portion, a name portion, several things
22 in the event --
23 Q. Okay.
24 A. -- that's required for the dispatcher to
25 send someone.

1 Q. Is each call to 911 treated as a discreet
2 and separate event, if they are different incidents?
3 A. Yes.
4 Q. How is it that Metro distinguishes between
5 different events?
6 A. Everything is recorded. There's an event
7 number assigned to each call that's actually sent to be
8 dispatched.
9 Q. And what is an event number?
10 A. The event number is what's assigned to that
11 person's call. When an officer responds there's one event
12 number, for others there's multiple, then other events are
13 cross-referenced.
14 We put see event number.
15 Q. What does an event number consist of?
16 A. All the information of that call.
17 Q. The number itself, what does the number
18 itself consist of?
19 A. The date, the year, the date, the year and
20 then the actual number of that call.
21 Q. If today is March 24, 2004, and this is the
22 first call you received of the day --
23 THE COURT: ONE AT A TIME.
24 He's got to take this down, so finish your
25 question.

1 BY MR. PETERSON:
2 Q. If today is March 24, 2004, and this is the
3 first call of the day to 911 what would the event number
4 for that call be?
5 A. 04323000001.
6 Q. So it would be the last two digits of the
7 year, then month, then day, then a consecutive number for
8 each call to 911?
9 A. Right, starting at midnite, 1.
10 Q. Do you keep those record in your ordinary
11 course of business?
12 A. Yes.
13 Q. You're the custodian of those types of
14 records or a person familiar with them?
15 A. Right.
16 Q. And they are made by you or other persons
17 like you at the time they receive the information?
18 A. Right.
19 Q. I want to turn your attention now to the
20 night of December 20, back in 2000.
21 Were you working as a 911 operator that
22 night?
23 A. Yes.
24 Q. And just to make sure I make it clear, what
25 agency do you work as a 911 operator for?

A. Las Vegas Metro Police.

Q. That's here in Las Vegas?

A. Yes.

Q. That was a dumb question, wasn't it? Sorry about that.

Did you receive a call regarding an event that had occurred at 8720 Wintry Garden here in Las Vegas?

A. Yes.

Q. Did you enter information into your computer system as a result of that call?

A. Yes.

Q. Do you know what event number was generated from the call we just mentioned?

A. Not specifically the event number, no.

Q. If showed you a 911 log would you be able to tell me?

A. Yes.

MR. PETERSON: Approach with State's Exhibit 4 and 6 previously marked as shown to counsel?

THE COURT: Sure.

MR. PETERSON: Approach?

THE COURT: Sure.

BY MR. PETERSON:

Q. Showing you State's proposed Exhibit 6 do you recognize what that document is?

1 A. Yes. It's a printout of one of our events.
2 Q. Which event?
3 A. That's the event from 8720 Wintry Garden.
4 Q. What's the event enumerated to this event?
5 A. 2141.
6 Q. And let me ask you this: Have you seen a
7 copy of this document I'm showing you before?
8 A. Yes.
9 Q. Does this appear to be a fair and accurate
10 copy of the 911 log that you generated as a result of this
11 event?
12 A. Yes.
13 MR. PETERSON: Move the admission of
14 proposed six, judge.
15 THE COURT: Any objection to that?
16 MR. BLOOM: Yes. I heard the court's --
17 THE COURT: I didn't know if you were
18 hearing what I was saying.
19 MR. BLOOM: No. I did hear Your Honor. I
20 was thinking about it.
21 I do wish to discuss that outside the
22 presence of the jury with regard to its admission. I
23 don't mind to it being referred to here.
24 MR. PETERSON: It's a business record at
25 this point.

1 THE COURT: It does not qualify for a
2 business record?
3 MR. BLOOM: It qualifies as a business
4 record.
5 There is a question of foundation if this
6 witness knows about how the computer generates this.
7 MR. PETERSON: I think she's answered that
8 in my preliminary questions. If the Court would like --
9 THE COURT: Do you want to take her on Voir
10 Dire?
11 MR. BLOOM: Yes.
12 THE WITNESS: I'm going with you?
13 MR. BLOOM: You're going to stay right
14 there.
15 THE COURT: Stay right here for a minute.
16 Go ahead.
17
18 VOIRE DIRE EXAMINATION
19
20
21 BY MR. BLOOM:
22 Q. I'm going to ask you some questions.
23 This log that was just shown to you I'm
24 going to bring it to you.
25 If I may approach?

1 THE COURT: Yes.
2 MR. BLOOM: My question is not whether or
3 not this is a business record or an accurate reflection of
4 the file, but my question is do you know how the computer
5 works in terms of making this log?
6 MR. PETERSON: That's not foundational.
7 The questions he said he wasn't going to ask
8 her are the ones that are foundational.
9 Whether it's a business record is the only
10 matter at issue for its admissibility.
11 THE COURT: Are you asking her what her --
12 how her input is reflected on that document?
13 MR. BLOOM: I'm asking if she knows about
14 how the computer reflects what she does.
15 I know she does.
16 THE COURT: Her input on the computer, how
17 is it reflected, that is what you're asking?
18 MR. BLOOM: Yes.
19 THE COURT: I'll allow that. Can you answer
20 that?
21 THE WITNESS: If I understand the question
22 correctly, yes. I know what all of these symbols and
23 codes mean, how they reflect how the call went.
24 It's a document of every one that was
25 dispatched, everyone that worked the call, everyone

1 involved in the process
2 BY MR. BLOOM:
3 Q. Does the computer make note of when the call
4 comes in?
5 A. Yes.
6 Q. What if somebody is put on hold, does the
7 computer reflect when the person hangs up or when they
8 make their call?
9 MR. PETERSON: This is cross issue. This
10 isn't foundation for its admission as a business record.
11 THE COURT: You're going to ask these
12 questions on cross, aren't you?
13 MR. BLOOM: If you want me to reserve, I'll
14 reserve. I think it is foundational, but I don't mind
15 waiting.
16 THE COURT: You're probably going to go into
17 this in cross, as well.
18 MR. BLOOM: I won't go into it again. I
19 would go into it once.
20 THE COURT: Go ahead and ask your questions.
21 BY MR. BLOOM:
22 Q. The question is do you know if the computer
23 reflects when a call is made?
24 I know it reflects when a call is hung up,
25 but what about if you make a call and are put on hold,

1 does it reflect when that call is made?
2 A. That time is in here, yes, because if you
3 transmit the time is started at the time of call and that
4 time is logged at the time of call.
5 Any time in between the time of call and
6 when you're done is logged.
7 Q. Even if it was just a hangup?
8 A. Right.
9 MR. BLOOM: That's all I need for
10 foundation.
11 THE COURT: Do you have any opposition to
12 the document?
13 MR. BLOOM: No, Your Honor.
14 THE COURT: It is received. Go ahead.
15 MR. PETERSON: Thank you, judge.
16 BY MR. PETERSON:
17 Q. I'm bringing you State's proposed six and
18 6B. Do these appear to be enlargments of the first two
19 pages of exhibit six?
20 A. Yes.
21 Q. Please review them and what is it that
22 you're using to determine that they are the same?
23 A. You can see the dates, you can see the
24 times, the units logged, the events, the comments.
25 MR. PETERSON: Move the admission of 6A and

1 B, judge.

2 THE COURT: I'm sorry?

3 MR. PETERSON: They are enlargements of this

4 smaller version.

5 MR. BLOOM: No objection.

6 THE COURT: They are received. Thank you.

7 BY MR. PETERSON:

8 Q. Will referring to these blowups help you

9 describe the event that you took that night on December 20

10 regarding the call at Wintry Garden?

11 A. Right.

12 I can tell you how the updates were put in,

13 show units en route. It shows pretty much everything that

14 happened on the call. I mean, aside from the report

15 aspect of the officer's side.

16 Q. I've put up exhibit 6A, judge, and Court's

17 indulgence.

18 Can you tell when the first call was

19 initiated to 911 from 8720 Wintry Garden from this

20 document, 6A?

21 A. Yes. It came in at 1900 hours.

22 Q. Can you step town here and help show me?

23 A. Sure.

24 Q. Can you show me where this says a call was

25 initiated at 1900 hours.

1 A. Right here. There is the date and this is
2 the time.
3 Q. I'm highlighting that in yellow, and what
4 happened when this event was initiated --
5 A. She got a call and either in her ear she had
6 a beeping sound which means they have hung up or she --
7 this means she didn't hear anything.
8 She had a beeping sound and there was no one
9 there, but she got this display, which means this is who
10 called us. The address came in on 911 so we can show who
11 is calling, what address.
12 Q. You can see who is calling?
13 A. Yes, the address pops up on a 911 call.
14 Q. The address that popped up was?
15 A. 8720 Wintry Garden.
16 Q. That event you talked about, where on this
17 document is that?
18 A. Right here.
19 Q. I'm highlighting that as well. 001220 and
20 then 002141; is that right?
21 A. Right.
22 Q. Does the Las Vegas Metropolitan Police
23 Department dispatch have a policy of what you do when you
24 get a hangup or a disconnect call to 911?
25 A. Yes. You immediately make up a call for

1 dispatch purposes and send it to the dispatcher.
2 Q. What does that then?
3 A. That means that there's call takers. They
4 sit and fill in the screen I talked about earlier with
5 this pops up and it's already filled in there.
6 What she put in here she's trying to re-call. She sends
7 it to the dispatcher with the code of -- it was a 404A.
8 Q. Let me stop you. You don't let a hangup go.
9 You try to call back?
10 A. No.
11 THE COURT: I want you to SPEAK SLOWER and
12 the wait until he finishes.
13 BY MR. PETERSON:
14 Q. You don't let a disconnect go.
15 You try to call back?
16 A. Yes.
17 Q. Are units also dispatched to the location of
18 the disconnect?
19 A. Yes.
20 Q. You told me it was initially written up as a
21 code, a what?
22 A. It was a 404A.
23 Q. Can you tell the jury what that means?
24 A. It means a hang up. We didn't hear
25 anything. We didn't get any information from anyone on

1 the line.
2 It means they were gone when we got the
3 call.
4 Q. Does this log tell you whether or not a call
5 back was made to that residence?
6 A. Yes.
7 Q. Can you tell me where on this document you
8 see that?
9 A. Right here, our abbreviations, ATT, the
10 recall.
11 Q. What time did that occur?
12 A. 1900 hours.
13 Q. For us civilians, what does that mean?
14 A. 7:00 o'clock at night.
15 Q. Was that recall successful, according to
16 this log?
17 A. No. We didn't reach a live person. We
18 reached an answering machine. That's not successful for
19 us.
20 Q. When did we reach an answering machine?
21 A. 1901.
22 Q. Where do you see that on this document?
23 A. Right there. She even put the time.
24 Q. So 1901, it says message machine on recall;
25 is that right?

1 A. Yes.
2 Q. At some point it looks like this document
3 was updated with information from a previous call, is that
4 true?
5 A. Correct.
6 Q. And then eventually a unit is assigned to
7 this disconnect call; is that right?
8 A. Correct.
9 Q. Where -- can you tell me that the unit is
10 assigned?
11 A. Three x-ray at 1904.
12 Q. Police officer unit three x-ray was assigned
13 at 1904 and how do you know that they are assigned?
14 A. This symbol here means they were sent to
15 their computer and assigned.
16 Q. ASS means assigned?
17 A. Yes.
18 Q. I see somewhere down ER. What does ER mean?
19 A. That means that he is now en route.
20 Q. Going there?
21 A. Right.
22 Q. I see sometimes an AR. What does AR mean?
23 A. Arrived.
24 Q. On subsequent documents there is a CL. What
25 does that mean?

1 A. They have cleared the call and left.
2 Q. And TB, what does that mean, to booking?
3 Q. That would be taking someone down to the
4 detention center?
5 A. Right.
6 Q. So the first unit was assigned at 1904 hours
7 according to this log. What's the next event of relevance
8 on this call?
9 A. This one right here at 1905 hours, we've
10 gotten another call.
11 Q. Okay. And at 1915 hours what is it that's
12 happening?
13 A. I changed it from a 404A, to a 415A.
14 Q. In fact you took this call, is that true?
15 A. Yes.
16 Q. 404A you said was a disconnect. Why did you
17 change it to 415A?
18 A. Because I received another call from the
19 same address or from a person stating they are at the same
20 address who told me she needed medical and police.
21 Q. We'll get into the dates of the call, but you
22 actually got a call from a live person?
23 A. Right, that gave me more information to
24 change the code.
25 Q. Can you tell from the log what time the

first officer arrived at 8720 Wintry Garden?

A. Yes.

Q. Can you me where that is?

A. 1917 hours.

Q. Why do you know someone arrived?

A. Because it's the AR.

Q. I'm highlighting that as well. That's Las Vegas three x-ray. That's the same unit assigned at 1904 hours?

A. Correct.

Q. There is a hangup at 1900, a call back at 1901, a unit is dispatched at 1904, you get another call back at 1915 and the first officer arrives at 1917; is that right?

A. Correct.

Q. Subsequently -- let me talk about this call. You can take your seat.

I approached earlier with state's exhibit 4. This is a manila envelope that has an event number written on it.

Do you recognize that event number?

THE WITNESS: Yes.

Q. What is that event number?

A. The same event number 2141.

Q. For the call on December 20 we've been

1 talking about?
2 A. Yes.
3 Q. I'm removing from the contents of this
4 unsealed envelope a CD ROM that bears a label.
5 Have you seen this before?
6 A. Yes.
7 Q. Have you listened to what's on this CD with
8 me and verified it is in fact the 911 call for the night
9 in question we're talking about?
10 A. Yes.
11 Q. That is is a fair, true and correct copy of
12 that call?
13 A. Right.
14 MR. PETERSON: Move admission of four,
15 please.
16 THE COURT: Any objection?
17 MR. BLOOM: No.
18 THE COURT: It is received.
19 BY MR. PETERSON:
20 Q. Might I publish State's 4 to the jury?
21 THE COURT: How long is this tape?
22 MR. PETERSON: Very short.
23 (Whereupon, the tape was played.)
24 BY MR. PETERSON:
25 Q. That last part is your voice, Ms. Govea?

1 A. That's correct.
2 Q. The tape we just heard has sort of all the
3 calls squished together, that's not real time. Would you
4 agree with that?
5 A. Correct.
6 The first, the beeping sound is what she
7 hears when there's nobody on the phone. That's your
8 disconnect.
9 Q. The second part was the call back?
10 A. Was mine. They taped it when I got it.
11 Q. Let me back up.
12 The first part is the beeping where there is
13 a 911 disconnect?
14 A. Correct.
15 Q. The second portion we heard, was that 911
16 calling back to the residence?
17 A. Yes, that was the first call-taker calling
18 back, correct, sorry.
19 Q. That was 911 leaving a message at that
20 message machine saying, you know, Metro pick up, cops are
21 on the way?
22 A. Correct.
23 Q. Then there's no space, but then we hear the
24 call from a person at Wintry Garden; is that right?
25 A. Correct.

1 Q. That actually happened, according to this
2 log, 15 minutes later?
3 A. Correct.
4 Q. It's just recorded in this condensed
5 fashion?
6 A. Correct.
7 Q. Let me talk about that call itself. When
8 you first received the call back, the call at 815 how did
9 you treat it?
10 MR. BLOOM: 7:15?
11 MR. PETERSON: I'm sorry, 7:15. I
12 apologize.
13 THE WITNESS: As another 911 call. When I
14 first get it I just know there's someone calling us again.
15 Q. What's a hot call?
16 A. To us a hot call is something of an extreme
17 nature. It's a shooting or someone being stabbed or a
18 real bad car wreck.
19 A hot call is something that you just roll
20 code 2 which means lights, sirens, fast.
21 Q. Did you treat this call at 7:15 as a hot
22 call?
23 A. Not initially.
24 Q. Why not?
25 A. Because I was trying to get information.

1 She sounded upset, but you know, a lot of people call us
2 upset. They can be upset about -- I've had people call
3 freaking out because their Vodka bottle seal was broken.
4 We're used to dealing with people who sound that way.
5 Until she gave me further information she
6 didn't sound -- didn't sound like a hot call to me at the
7 time, the first initial start of the call.
8 Q. Was the demeanor of the caller that was on
9 that line consistent with what you usually get in a
10 shooting or hot call cases?
11 A. No.
12 I remember the call specifically because
13 when I found out what it was I was shocked.
14 Q. Is there anything unusual about the
15 information you received from the caller?
16 A. No. Just that it was difficult to get it.
17 Usually, she was giving me an address but
18 usually -- I can't say usually because every call is
19 different, but she wasn't answering questions.
20 That's the only thing.
21 Q. Let's talk about that. In fact was medical
22 even requested right away?
23 A. Not when I was initially talking to her.
24 Q. Did that surprise you given what you later
25 found out this call was?

1 MR. BLOOM: Objection. Relevance as to
2 surprise.
3 THE COURT: What is the relevance?
4 MR. PETERSON: I think we've talked a lot
5 already about the demeanor of -- the demeanor of Camille
6 when she goes over to the neighbor's house. I think it's
7 starkly different to this 911 operator. Her demeanor on a
8 call of murder after 15 minutes have lapsed at the house.
9 I think that's a very important question for
10 the jury.
11 THE COURT: You're asking this witness if
12 she was surprised?
13 MR. PETERSON: I'm asking her if it's --
14 maybe surprised is the wrong word.
15 BY MR. PETERSON:
16 Q. Was her demeanor different from what you
17 expected a normal caller's demeanor is on calls that
18 involve killings?
19 MR. BLOOM: Objection. Her opinion on that
20 matter is not at issue. The jury has heard the tape, has
21 heard the same thing the witness heard.
22 It's for the jury to make the decision as to
23 that. Her opinion as to vouching or not vouching for
24 somebody's demeanor is irrelevant.
25 MR. PETERSON: I would ask this: He asked

1 at length about MeriLee Wright and Mark Wright.
2 Ms. Centofanti, did that seem real to you
3 that she was upset?
4 Did that seem real to you?
5 I would submit that a 911 operator is
6 perhaps at least equally able to give her opinion.
7 THE COURT: Ma'am, can you answer that
8 question, the question based on your experience, do you
9 feel?
10 THE WITNESS: Yes. I've taken several
11 shootings.
12 THE COURT: I'll allow it.
13 MR. PETERSON: How long have you been a 911
14 operator?
15 THE WITNESS: Four and a half years.
16 BY MR. PETERSON:
17 Q. Compared to other shootings or incidents of
18 murder was the demeanor of the caller consistent with
19 those other incidents?
20 A. Not in my opinion.
21 Q. On the log, I note here it says, at 1905,
22 FEM, female; is that right?
23 A. Correct.
24 Q. Stating her DTR-in-law, daughter-in-law?
25 A. Correct.

1 Q. Has been shot. And then it says REF, I
2 guess refusing -- what does that mean?
3 A. Refusing.
4 Q. Refusing to give further.
5 A. Correct.
6 Q. Why did you put that entry in the log?
7 A. Because she hung up on me. I was trying to
8 get further information. It's very important for officer
9 safety. We ask a lot of questions, especially after that
10 information we try to get as much as we can.
11 Q. You didn't hang up that call?
12 A. No.
13 Q. In fact it sounded -- that was your voice
14 that seemed perhaps a little frustrated at the end of the
15 call?
16 A. Yes, because that's what we're thinking,
17 other people's safety and when they hang up we have no
18 one. Now it's a process to get them hopefully to answer
19 the phone.
20 I had already seen that the message machine
21 was on the first re-call.
22 Q. What question was it that you were asking
23 that to the caller started to no longer want to answer
24 your questions?
25 MR. BLOOM: Objectoin. The evidence speaks

1 for itself.

2 THE COURT: What is the need of that?

3 MR. PETERSON: I'm going to ask her if

4 that's significant. All right.

5 I can play the tape again if we have to do

6 that.

7 BY MR. PETERSON:

8 Q. At some point in the call the caller stopped

9 providing you with information. Would you agree with

10 that?

11 A. Correct.

12 Q. Were you also involved in a 911 call from

13 the same address on December 5?

14 A. Yes.

15 MR. PETERSON: Showing counsel what has been

16 previously marked as State's proposed 5 and 7.

17 May I approach?

18 THE COURT: You may.

19 BY MR. PETERSON:

20 Q. Is it true that you took a call regarding an

21 event that occurred at Wintry Garden on December 5th,

22 2000?

23 A. Yes.

24 Q. And the initial caller reported information

25 to you regarding a female; is that true?

1 A. Yes.
2 Q. And he gave you information about the event;
3 is that correct?
4 A. Yes.
5 Q. Do you recall the name of that individual?
6 A. No. He was a counselor of some sort,
7 though.
8 Q. Was he calling from in-state or
9 out-of-state?
10 A. I believe he was out-of-state.
11 MR. PETERSON: Move the admission of seven
12 which is the log.
13 THE COURT: Any objection?
14 MR. BLOOM: No, Your Honor.
15 THE COURT: Proceed.
16 Thank you.
17 BY MR. PETERSON:
18 Q. Showing you State's exhibit 5 which appears
19 to be a manila envelope bearing an event number, does that
20 event number on state's proposed 5 mean anything to you?
21 A. That's the date on the same event where I
22 received the call from the counselor reference that
23 address.
24 Q. I'm now removing a CD ROM from inside of
25 this manila envelope that bears a label. Have you in fact

1 seen that CD ROM, listened to it with me and can you
2 confirm that that is in fact a true and accurate copy of a
3 portion of the call that was recorded regarding the
4 December 5th incident?
5 A. Yes.
6 MR. PETERSON: With the Court's permission
7 may I play a portion of State's exhibit 5?
8 THE COURT: Yes, you may.
9 MR. PETERSON: Thank you.
10 (Whereupon, the tape was played.)
11
12 THE COURT: You say a portion.
13 Is it all relevant portions?
14 MR. PETERSON: Yes.
15 BY MR. PETERSON:
16 Q. After you got the information from the
17 initial caller did you have problems dispatching a unit to
18 8720 Wintry Garden on the 5th?
19 A. Yes.
20 Q. Can you tell me what happened?
21 A. Wintry Garden, I was spelling it
22 W-i-n-t-e-r-y. The computer wouldn't route it. It wasn't
23 working with the address.
24 Q. Did you do a follow up to try to tape the
25 correct address?

1 A. Yes.

2 I re-called him and then I called Sprint to

3 go through the phone number to get the address they show

4 displaying on that phone number.

5 Q. Subsequently did you attempt to re-call the

6 residence 8720 Wintry Garden?

7 A. Yes.

8 Q. Did you speak with a female there?

9 A. Yes.

10 MR. PETERSON: I apologize. I may need to

11 fast forward a portion of this as well.

12 (Whereupon, the tape was played.)

13 MR. PETERSON: There's some garbled language

14 on the tape. What's going on there?

15 THE WITNESS: We can listen to the call to

16 see if he's saying Wintry Garden.

17 BY MR. PETERSON:

18 Q. You were attempting to check your spelling?

19 A. Right.

20 Q. Is this portion I'm about to fast forward

21 through, you're attempting to re-call the original caller

22 to confirm the address?

23 A. Yes.

24 Q. Did you subsequently learn that you were

25 misspelling it?

1 A. Yes. It's Wintry.
2 Q. Now we're listening to a portion where
3 you're calling Sprint to check the address on the reverse
4 directory?
5 A. Yes.
6 Q. Did you subsequently get confirmation that
7 you had misspelled it?
8 A. Yes.
9 Q. The caller's husband was there; is that
10 correct.
11 A. Yes, the initial --
12 MR. BLOOM: Objection. No foundation.
13 THE COURT: Is that what it says?
14 BY MR. PETERSON:
15 Q. Is that what it said?
16 THE COURT: Is that your understanding of
17 what was said?
18 THE WITNESS: Yes.
19 BY MR. PETERSON:
20 Q. Did you get the impression she did not want
21 to discuss the matter?
22 MR. BLOOM: Objection. Irrelevant.
23 THE COURT: I don't know about irrelevance.
24 MR. BLOOM: Her impression of whether she
25 wanted to discuss it.

1 THE COURT: Are you saying her opinion?
2 MR. BLOOM: I think it's no foundation as to
3 whether or not she had that impression or not.
4 It's for the jury to make that decision, not
5 this witness to.
6 THE COURT: I don't know if this witness can
7 tell us what the speaker wanted to or didn't want to do.
8 MR. PETERSON: I'll rephrase and go a
9 different way.
10 BY MR. PETERSON:
11 Q. Did you have concerns about calling that
12 residence, based on the call?
13 A. Yes. The initial caller told me that she
14 was --
15 MR. BLOOM: Objection.
16 What her concerns are is irrelevant. We
17 know what she did. There may be a foundation coming from
18 other sources, which I think there is, but why she made
19 the callback or anything is irrelevant.
20 She did make the call. The jury has heard
21 the call. That's what's relevant.
22 THE COURT: I think the jury understands
23 this lady is in the business of answering these calls and
24 confirming them and whatnot.
25 I think we will let that suffice.

1 BY MR. PETERSON:

2 Q. I forgot what it was.

3 Did you have concerns about calling back

4 that residence?

5 A. Yes.

6 THE COURT: That was the question you just

7 asked.

8 MR. PETERSON: I thought you said you would

9 allow it in.

10 THE COURT: No. I'm saying we'll go on to

11 another area. I think jury understands that's her

12 function, to confirm these calls and probe into these

13 things.

14 BY MR. PETERSON:

15 Q. Did you desire to gain further information

16 from the female that you were unable to gain?

17 A. Yes.

18 Q. What kind of information did you want?

19 MR. BLOOM: Objection. Irrelevant.

20 THE COURT: I will allow that. Go ahead.

21 BY MR. PETERSON:

22 Q. What kind of information were you seeking?

23 A. I wanted to know where the gun was that was

24 mentioned by the first caller, if she was okay, who else

25 is in the residence, where is the person I was told had

1 the gun, is she safe, can she leave the house, can she
2 meet the officers elsewhere?
3 Q. Of all of those things what was the only one
4 fact that you were able to confirm?
5 A. That he was there.
6 MR. PETERSON: Court's indulgence, judge.
7 The log that you -- that we're talking about
8 in this case also, this event, indicates that officers
9 were dispatched and uses the same codes as the ones you've
10 explained to the jury previously regarding the other call.
11 A. Yes.
12 MR. PETERSON: I don't have anything else.
13 Judge, let me confirm with your clerk, are exhibits four,
14 five, six and seven, have they been admitted into
15 evidence?
16 MS. CLERK: Yes.
17 MR. PETERSON: All four of them?
18 MS. CLERK: Yes.
19 THE COURT: Mr. Bloom, I apologize. I don't
20 like to bifurcate examination of a witness, but I'm going
21 to have to recess early today.
22 Can you be back here at 1:30, ma'am,
23 tomorrow?
24 THE WITNESS: Yes.
25 THE COURT: In the afternoon?

THE WITNESS: Yes.

THE COURT: Is that 1350 hours or 30 hours? With that said you can leave at this time.

We'll be back at 1:30.

(Whereupon, the Court admonished the jury.)

ATTEST that this is a true and complete transcript of the proceedings held, DATED this 25th day of March 2004.

J. A. D'AMATO CCR #17

COPY

DISTRICT COURT

CLARK COUNTY, NEVADA

FILED IN OPEN COURT
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BY LINDA SKINNER
DEPUTY

* * * *

STATE OF NEVADA,	)	
Plaintiff,	)	
vs.	)	Case No. C172534
	)	Dept. XIV
ALFRED P. CENTOFANTI III,	)	
Defendant.	)	

REPORTER'S TRANSCRIPT
OF
JURY TRIAL

BEFORE THE HONORABLE DONALD M. MOSLEY

DISTRICT JUDGE

Taken on Thursday, March 25, 2004

At 1:30 p.m.

APPEARANCES:

For the State: BECKY GOETTSCH, ESQ.
CLARK PETERSON, ESQ.
Deputy District Attorneys

For the Defendant: ALLEN R. BLOOM, ESQ.
GLORIA M. NAVARRO, ESQ.
Special Public Defender

Reported by: Maureen Schorn, CCR No. 496, RPR

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1 DISTRICT COURT
2 CLARK COUNTY, NEVADA
3 ....
4
5 STATE OF NEVADA,)
6 Plaintiff,)
7 vs.) Case No. C172534
8 ALFRED P. CENTOFANTI III,) Dept. XIV
9 Defendant.)
10
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1 LAS VEGAS, NEVADA, THURSDAY, MARCH 25, 2004, 1:30 P.M.
2 ....
3
4 THE COURT: The continuation of
5 C172534, State versus Alfred P. Centofanti, III. The
6 record will reflect the presence of the defendant; his
7 counsel, Mr. Bloom and Ms. Navarro; Mr. Peterson and
8 Ms. Goettsch present for the State. The absence of the
9 jury is noted.
10 Counsel?
11 MS. GOETTSCH: Yes. We have one
12 witness that will be testifying after we finish up with
13 the remaining witness from yesterday. His name is Mark
14 Smith. We need to have a record made regarding a
15 potential privilege issue, and have the Court order him
16 to, in fact, testify truthfully about what you knows.
17 THE COURT: For the record, what is
18 Mr. Smith's connection with the defendant?
19 MS. GOETTSCH: He is a licensed social
20 worker in New York City. He was manning the phone lines,
21 if you will, for an employee assistance program.
22 On December 5th the defendant called this
23 employee assistance program and was hooked up with Mark
24 Smith in New York City. Mark Smith then took information
25 from the defendant and Gina Centofanti, and eventually

1 called 911, or called the police here in Las Vegas to
2 dispatch the police to that house on December 5th.
3 THE COURT: Is this gentleman
4 Mr. Smith?
5 MR. SMITH: Yes, Your Honor.
6 THE COURT: Thank you. Mr. Smith is
7 present.
8 Mr. Centofanti, did you have that
9 conversation, essentially?
10 MR. BLOOM: Excuse me, Your Honor?
11 THE COURT: I'm asking your client, I
12 ask you on behalf of your client if he did have the
13 conversation and he wishes to waive the privilege?
14 MR. BLOOM: He doesn't wish to waive
15 the privilege, Your Honor.
16 THE COURT: I'm sorry. I thought
17 that's what we remember here for.
18 MR. BLOOM: No. We submit the matter
19 to the Court, but we don't waive the privilege.
20 THE COURT: I misunderstood the
21 discussion we had in chambers.
22 MR. BLOOM: No. There is not a waiver
23 on our part, Your Honor.
24 MS. GOETTSCH: If I could make an offer
25 of proof as to what the issue is. Basically, the

1 defendant got on the phone and said: I'd like to seek
2 help for my wife's alcohol problem.
3 Mr. Smith tells him: Your wife needs to get
4 and the phone.
5 Gina gets on the phone and says: He stuck a
6 gun to my head, I scared. Make your husband leave the
7 room. The defendant leaves the room. Up until that
8 point, I believe Mr. Smith can testify to everything
9 because it pertains to Gina.
10 However, at the very end of the conversation
11 the defendant gets on the and says: You know what, I need
12 help too. That invokes the privilege there. He also got
13 personal information from Mr. Centofanti because he was
14 the employee that allowed him to use this service.
15 So, technically, under New York law and
16 probably under our law as well there could be a privilege
17 as to the fact that Mr. Centofanti even accessed that
18 system's program.
19 That's what Mr. Smith is concerned about,
20 that he has to protect that confidentiality, kind of like
21 Ms. Repta yesterday, who will provide the documents for
22 what Mr. Smith prepared.
23 THE COURT: All right. Well, as to the
24 first part of the conversation, the fact that
25 Mr. Centofanti initiated the call, arguably, and the

1 conversation with Gina, that in the first place there's no
2 privilege to be exercised by the defendant as to Gina. I
3 think you agree with that.
4 As to calling about my wife's alcohol
5 problem, I don't consider that critical information that
6 would be the kind of thing that the privilege would extend
7 to.
8 As to the latter, I don't know what basis we
9 would have, and I say "we," the State would have to
10 acquire that the privilege be waived.
11 What would the argument be there?
12 MS. GOETTSCH: Very relevant because
13 the defendant makes no indicators that he needs help until
14 after Gina Centofanti tells somebody that: He stuck the
15 gun to my head and threatened to pull the trigger, and
16 threatened to kill me, the kids and himself.
17 Then when the defendant hears that, he gets
18 on the phone and says: Oh, I need help too. I believe
19 Mr. Smith will testify that that's kind of an unusual
20 circumstance, and that it makes the appearance and gives
21 the State the ability to argue that the defendant, who is
22 a lawyer, would know that that invokes such a privilege.
23 THE COURT: You're saying it's
24 contrived?
25 MS. GOETTSCH: Exactly.

1 THE COURT: And is that the extent of
2 this when he said: I need help too, was there anything
3 other conversation?
4 MS. GOETTSCH: No. The phone got
5 disconnected after that. But I believe the police
6 arrived, is what Mr. Smith was able to kind of hear as the
7 police arrived at that time, and they said: Hang up the
8 phone.
9 THE COURT: Mr. Bloom, do you want to
10 be heard.
11 MR. BLOOM: Yes, Your Honor. It brings
12 up kind of an interesting point as it relates to that last
13 portion of asking Mr. Smith his opinion as to what that
14 represents to him.
15 That has happened several times throughout
16 these proceedings. It happened once with Patricia Miller.
17 It happened once with Kim Govea, and it's apparently going
18 to happen again now.
19 It's, in effect, the People polling their
20 witnesses to get their witness vouching for some
21 particular theory or something. That's entirely improper.
22 It's improper, for example, Miller's view
23 about her fear. It's improper about Govea's analysis of
24 this tape: Did you have a concern is a question put to
25 her; what did that mean.

1 However, for Mr. Smith to talk about whether
2 he believes this to have been genuine or not genuine.
3 Mr. Smith doesn't have any clairvoyant ability. These are
4 matters for the jury to decide.
5 So in that regard, that question shouldn't
6 be allowed, not having to do with the issue of privilege
7 but having to do with the issue of just irrelevance.
8 Mr. Smith's opinion about how that sounded or whether or
9 not he viewed this as contrived or not contrived or
10 something, is not within his province, and that is within
11 the jury to argue.
12 They can argue at the end of the case that
13 that was the purpose and put it together.
14 MS. GOETTSCH: I think we can clear
15 this up. He's not going to give his opinion because it's
16 not a clinical opinion that, yes, I think he was being
17 manipulative.
18 We're not going to ask that, because it's
19 not – that's his opinion, but we're not asking that.
20 We're asking is that unusual for that to happen.
21 He can explain as a licensed social worker
22 as to why that is unusual for a spouse calling to
23 intervene for an alcoholic member of the family, alleged
24 alcoholic member of the family, to then all of a sudden
25 come in and ask for himself. He will explain those

1 circumstances.
2 I also find it very interesting that
3 Mr. Bloom can ask people like Marilee Wright if she thinks
4 the defendant's fear and concern about gangs, et cetera,
5 was genuine. That all came out. It was Mark Wright,
6 Marilee Wright.
7 But now somehow we can't ask what someone
8 else thought of the defendant's statements or his state of
9 mind. It's the same thing. That's what we allowed him to
10 do with Mark and Marilee, and now they're trying to
11 prevent us from doing the same thing. It's all about
12 state of mind.
13 MR. BLOOM: The differences is, Your
14 Honor, and the People have gotten the opportunity to do
15 this, if the jury is hearing the same thing that the
16 witnesses like Ms. Govea, and her opinion is offered as to
17 what she hears there, then that means she's in no better
18 position to evaluate that than the jury.
19 What Marilee Wright was talking about was
20 something that the jury did ot have the opportunity to
21 see, to see that Marilee Wright was the person that saw
22 it.
23 In other words, they didn't have a videotape
24 of Mr. Centofanti at that time to make a judgment. But
25 here if we have this witness here and Ms. Govea giving an

1 opinion about something that the evidence speaks for
2 itself, the jury has all the same evidence they have, and
3 we're moving into the province of the jury if we let
4 Ms. Govea or Mr. Smith start giving opinions about what
5 they feel that same evidence holds. And that's why I
6 think it's improper.
7 MS. GOETTSCH: They didn't hear the
8 defendant's voice say: Oh, I need help too, after Gina
9 had already told them: He held a gun to my head and
10 threatened to kill me. Please don't call 911, he's going
11 to kill me.
12 That's when he gets on the phone and asks
13 for help. And the jury has not been able -- they didn't
14 hear that phone call.
15 MR. BLOOM: Well, if the Court rules it
16 coming in then the jury will hear it. That's what I'm
17 saying. If the jury hears it, then the jury makes the
18 evaluation based on that, and then we don't have an
19 outside person taking a poll.
20 Like the Court said, we don't just call
21 people in say: What do you think? Was this normal to you
22 or not? That's for the jury to decide.
23 THE COURT: Ms. Goettsch, are you
24 suggesting then that Mr. Centofanti had the presence of
25 mind on the 5 th of December of the year 2000, having

1 heard his wife outline what her explanation of all this
2 was, to get on the phone and say: I need some help too,
3 so that he could invoke the privilege?
4 MS. GOETTSCH: Absolutely. And I
5 believe Mr. Smith got the same impression. Am I going to
6 ask him that? Is he comfortable testifying to that? No.
7 But he has indicated to me that that was his
8 impression. So it's not just me thinking that. That
9 comes from my witness.
10 THE COURT: Did anything go further? I
11 need help too, and then there was a disconnect?
12 MS. GOETTSCH: Right. And then the
13 police showed up. And that may not be an issue here if
14 the defendant wasn't a lawyer. But these types of issues
15 are on the top of the way lawyers think.
16 We all know we think different, right, but
17 if he wasn't a lawyer, we may not be making this argument.
18 But the fact he is a lawyer and other witnesses have
19 thought that, that was their impression.
20 MR. BLOOM: My point is, Judge, they
21 have the right to argue this. They can argue it and the
22 jury will have the same benefit of all that information to
23 argue.
24 What they can't do is call on somebody else
25 because I could -- do you want me to get somebody? I

1 mean, this is so ridiculous, but I could find somebody to
2 take a look at that and say: Is that unusual for them to
3 do to? And when a person who says: I want help too, is
4 that unusual to do.
5 Then we're going to get into a battle over
6 that. It would be just as improper. Why? Because that's
7 purely for argument sake. Mr. Smith's view is not at
8 issue here, it's for the jury.
9 MS. GOETTSCH: Maybe we can clear that
10 up then. Because if you're agreeing that I can argue
11 that, that's fine. I will ask Mr. Smith: Did the
12 defendant get back on and phone with you?
13 Yes, he did.
14 What did he say?
15 I need help too.
16 Did you find that strange or unusual?
17 MR. BLOOM: Stop. That's where I say
18 they can't get into it. I don't think that they can argue
19 that it's strange or unusual.
20 THE COURT: Let me see if I understand
21 this. If the question is asked: What did the defendant
22 say? He says: I need help too.
23 If you cut it off there you don't have a
24 problem? And then she can argue the significance of that
25 in closing.

1 MR. BLOOM: If she wishes to do that,
2 yes; not Mr. Smith giving an opinion that in his
3 experience it's such and such.
4 MS. GOETTSCH: Well, let me clear
5 something else up too. Mr. Smith is not going to say it's
6 unusual because I thought he was creating a privilege.
7 He's not going to say that.
8 He's going to say it's unusual because
9 usually in an alcoholic family if someone is invoking
10 intervention for somebody else because they're an
11 alcoholic, it's not common nor them to also invoke it.
12 He's not going to testify: I think the
13 defendant said that to create a privilege. I am not going
14 to solicit that.
15 So, really, if the issue is just whether or
16 not I can ask the question as to what the defendant said,
17 I can ask the one follow-up question as to whether or not
18 that was unusual, leave it at that. I'll argue about the
19 contrivance.
20 THE COURT: What about that?
21 MR. BLOOM: The question of whether Mr.
22 Smith deems it to be unusual or not is of no relevance.
23 He is not an expert.
24 THE COURT: I tend to think we're
25 getting into areas that are rather remote, just as we were

1 talking about the things that were happening out in the
2 hallway. We're getting away from the issues here.
3 I don't think that we need to go into
4 anything further than Mr. Centofanti saying: I need some
5 help too, and then there was a disconnect or whatever. We
6 don't have to go any further.
7 Mr. Smith does not have to give an opinion
8 one way or the other, and I realize when I say opinion
9 that's a broad area. And you can argue it as you feel.
10 MS. GOETTSCH: That's fine.
11 THE COURT: But other than those
12 parameters, I'm going to allow the testimony of Mr. Smith,
13 and Mr. Smith, you are so instructed.
14 MR. SMITH: So you're ordering me to
15 testify, Your Honor?
16 THE COURT: I am, sir, within the
17 parameters I have just outlined.
18 Anything else we have to do at this point,
19 counsel?
20 MS. GOETTSCH: I don't believe so.
21 THE COURT: Mr. Bailiff, please, bring
22 the jury in.
23 (Whereupon, the jury entered the courtroom.)
24 THE COURT: Ms. Clerk, would the call
25 the roll of the jury, please.

1 THE CLERK: Ricardo Smythe?
2 JUROR SMYTHE: Here.
3 The CLERK: Paul Denorio?
4 JUROR DENORIO: Here.
5 THE CLERK: Caren Barrs?
6 JUROR BARRS: Here.
7 THE CLERK: James Owens?
8 JUROR OWENS: Present.
9 THE CLERK: Christopher Kelly?
10 JUROR KELLY: Here.
11 THE CLERK: Matthew Adams?
12 JUROR ADAMS: Here.
13 THE CLERK: Joshua Wheeler?
14 JUROR WHEELER: Here.
15 THE CLERK: Alan Miller?
16 JUROR MILLER: Here.
17 THE CLERK: Nancy Gordinier?
18 JUROR GORDINIER: Here.
19 THE CLERK: Oscar Flores?
20 JUROR FLORES: Here.
21 THE CLERK: Diana Miller?
22 JUROR MILLER: Present.
23 THE CLERK: Emily Carlsen?
24 JUROR CARLSEN: Here.
25 THE CLERK: Heather Brissette?

1 ALTERNATE JUROR BRISSETTE: Here.
2 THE CLERK: Joseph Mills?
3 ALTERNATE JUROR MILLS: Here.
4 THE CLERK: The panel is present, Your
5 Honor.
6 THE COURT: Very good. The record will
7 so reflect.
8 Good afternoon, ladies and gentlemen. We
9 also have Ms. Kim Govea has returned from her examination
10 yesterday.
11 Ms. Clerk, would you swear her for the day,
12 please.
13 THE COURT: Counsel, you may proceed.
14
15 Whereupon,
16 KIM GOVEA,
17 was called as a witness by the State, and having been
18 first duly sworn, was examined and testified as follows:
19
20 CROSS-EXAMINATION
21 BY MR. BROOKS:
22 Q Good afternoon, Ms. Govea.
23 Yesterday you said that you're a dispatcher
24 at 911 and 311. What are those two numbers?
25 A 311 is the nonemergency line, 911 is for

1 emergencies.
2 Q That was a division that was created because
3 911 got to just be overloaded?
4 A Correct.
5 Q So there was a separate system created of
6 311 so that it would free up 911 for pure emergencies.
7 Because sometimes people would be calling 911 and they
8 couldn't get through, or they would be put on hold and get
9 the recording; is that right?
10 A Correct.
11 Q There is a recording that goes with 911 if
12 you're put on hold if the whole trunk system is busy that
13 says something along the lines that you've reached 911,
14 your call will be answered in the order it was received,
15 please remain on the line, something like that, correct?
16 A Correct.
17 Q And that existed as of December 2000,
18 correct?
19 A Yes.
20 Q When was 311 put into place?
21 A I couldn't give you an exact date.
22 Q It was after December 2000, wasn't it?
23 A I believe so.
24 Q You have been a dispatcher now for
25 four-and-a-half years. Exactly, when did you start?

1 A 10 of '99.
2 Q So you had been about a year and few months
3 as of December of 2000?
4 A Correct.
5 Q With regards to the two calls that came in
6 on December 20th, there was a call – the hang-up, we know
7 the hang-up was at –
8 A 1900 Hours.
9 Q 7:00 p.m. at night. We don't know how long
10 the person, if they had been on hold before that?
11 A No. You would have to check with research
12 assistance to see if they are on at all.
13 Q But we know that's when the hang-up was?
14 A Right.
15 Q So the hang-up was right at 7:00 p.m., and
16 we know the call-back was at 7:15?
17 A Right.
18 Q Let me just make sure of a couple of things.
19 As soon as the 7:00 p.m. hang-up came on, there was an
20 automatic call-back, correct?
21 A Correct.
22 Q Another thing happened. There was an
23 automatic dispatch or assignment to an officer, right?
24 A Correct.
25 Q And I think we had a log blown up. And that

1 was at 7:03, right? If you don't remember, I don't
2 expect –
3 A I think that's when they went in route,
4 right, :03 or :04 somewhere.
5 Q Can you see?
6 A :04.
7 Q So :01 was the automatic call-back, and then
8 there's something called A-S, that's a sign, right?
9 A Correct.
10 Q So at 7:04 the call went out to direct an
11 officer to go over to this location at 8720 Wintry Garden,
12 right?
13 A Correct.
14 Q And we happen to know who that officer was.
15 She was in to testify earlier, but it does her name of
16 Goglan anywhere on here?
17 A Yes.
18 Q Where is that?
19 A It's when she has to hit a button. You can
20 see –
21 Q You can come forward and point to it, if you
22 wish.
23 A I think it's on your next page. They hit
24 their button and you can tell which officer it is. I
25 think it's on your other page.

1 I'm sorry, here it is, because she hit it.
2 That's her. She hit her in route button. When they hit
3 their computer it logs who they are.
4 Q So at 7:04 p.m. the call went out, she said
5 I'm on route, hits the button and her name prints out
6 Goglan right here?
7 A Right.
8 Q You can resume your seat. Thank you.
9 So there wasn't any delay in getting out her
10 assignment?
11 A No.
12 Q As a result of the fact that this was a
13 hang-up?
14 A No.
15 Q So the call went out, getting her assigned
16 went out the regular way right away. Nobody waited until
17 7:15 for a call-back to respond?
18 A No.
19 Q I only have one other area, and that is –
20 MR. BLOOM: May I approach the witness,
21 Your Honor?
22 THE COURT: You may.
23 MR. PETERSON: Which one are you
24 playing, Mr. Bloom?
25 MR. BLOOM: The 12/20. Exhibit 4.

1 Q (By Mr. Bloom) This is the 12/20 call; is
2 that right?
3 A Yes.
4 Q The first one we hear is just the beeping
5 and the disconnect; is that right?
6 A Yes.
7 (Whereupon, Mr. Bloom plays the 911
8 call while questioning the witness.)
9 Q (By Mr. Bloom) This is the call-back a few
10 moments later that is an automatic call-back; is that
11 right?
12 A Correct.
13 Q Your voice?
14 A No; Joey.
15 Q Joey Delugo?
16 A Yes.
17 Q That's your voice on the one end, and that's
18 the caller on the other end. Did you later find out that
19 to be the mom of my client, Camille Centofanti?
20 A I would assume so, right. She said
21 daughter-in-law.
22 Q Now, then there was Exhibit 5. This is the
23 call 15 days earlier; is that right?
24 A Right.
25 Q December 5th. You happen to have taken that

1 call as well, right?
2 A Yes.
3 (Whereupon, another 911 tape was played.)
4 Q (By Mr. Bloom) Now, you received this call
5 on December 5th?
6 A Correct.
7 Q This was after you had gotten the call from
8 Mark Smith, after you had to try to confirm the address
9 because you had it spelled wrong, correct?
10 A Correct. It should be at that point.
11 Q And then you called --
12 A Sprint.
13 Q This is you calling back?
14 A Correct. That's me talking to the
15 counsellor.
16 Q Trying to get the right address.
17 Have had the name Gina already? You had
18 that name?
19 A I think he gave it to me.
20 Q Mr. Smith did?
21 A I think so, yes.
22 MR. BLOOM: 7:53, counsel.
23 Q (By Mr. Bloom) That was the extent of the
24 conversation you had with Gina on December 5th?
25 A Correct.

1 MR. BLOOM: No further questions, Your
2 Honor.
3 THE COURT: Redirect?
4
5 REDIRECT EXAMINATION
6 BY MR. PETERSON:
7 Q That call on 12/5 that he just played for
8 you where you called back to Gina, I'm going to back up to
9 the beginning of that call.
10 The beginning of that call was from Mark
11 Smith, and he was reporting something to you; is that
12 right?
13 A Correct.
14 Q Did he also not indicate to you not to call
15 the residence?
16 A Yes. He was emphatic about not calling
17 because she was extremely petrified or frightened, and
18 that he was still in the residence and she did not want to
19 talk about it.
20 MR. BLOOM: Objection. This is
21 hearsay.
22 MR. PETERSON: Well, it's explaining
23 her subsequent conduct.
24 MR. BLOOM: What's relevance of that.
25 MR. PETERSON: She subsequently calls

1 the residence despite that warning, and we're going to
2 find out why.
3 THE COURT: It will be allowed to show
4 why she acted in the matter she did, not for the truth of
5 the matter asserted. Go ahead.
6 Q (By Mr. Peterson) So Mark Smith told you
7 when he reported this not to call the residence. You
8 confirmed the phone number, et cetera, and eventually did
9 call the residence?
10 A Yes. We always try to call back on these
11 just for officer safety, guns involved. That's why I
12 said: Hi. We usually get further, but I didn't know if
13 he picked up the other line.
14 Q Did feel there was in the risk involved in
15 calling back to the residence?
16 A Yes, definitely.
17 Q Did it surprise you that Gina did not speak
18 with you in detail when you called her?
19 A No.
20 MR. BLOOM: Objection.
21 THE COURT: Sustained.
22 MR. BLOOM: I would move --
23 THE COURT: Stricken.
24 Q (By Mr. Peterson) Did you announce yourself
25 immediately as Metro police when you called Gina?

A No.
Q Did she relate to you she that was on the other line?
A Yes.
Q Do you know, or are you aware that she was on the other line to Mark Smith at the time?
A No.
Q Did it trouble you that you were not able to speak to Gina further?
A Yes.
Q What did you do in response?
A I told the dispatcher that I didn't want to talk to her any further, because it sounded to me she was frightened and I didn't want to push the issue, because I didn't know the situation in the house.
Q And officers were dispatched already?
A Yes.
Q Going back to the 20th that counsel asked you about, he said: It looks like there was a hang-up and there was no delay in officers being dispatched, there was an officer dispatched.
Do you remember that question?
A Yes.
Q Are officers dispatched differently when a call is a 911 hang-up, versus when it's a murder?

Q Am I correct?
A We would have rolled code on that call, yes.
Q You didn't roll code on that call yesterday. You said you didn't roll code because you said that you didn't believe that was serious enough to do it, did you?
A No. I said that on the initial -- he was asking me on the initial in speaking with her initially did you think it was a hot call, and I said no.
Q At some point during that call you realized it was a hot call?
A Correct.
Q Now, let's go on to the statement about December 5th. On December 5th, were you aware that it was my client, not Gina who had initiated the call to Mark Smith?
A No. I just got what he gave me.
Q So Mark Smith never told you that?
A No, I don't believe so. I think he just started off with: I have just hung up with a female that stated.
Q Mark Smith never told you that after my client talked to Mark Smith and called Mark Smith and spoke to Mark Smith, Mark Smith asked to speak to Gina and my client handed the phone over to Gina.
He never told you that?

A Definitely.
Q So were officers dispatched with the same promptness on 12/20 as a result of a 911 disconnect as they would have been had you got information that it was a murder?
A No. They would have been going code at the initial time of call.
Q What does going code mean?
A Code is, like, sirens and fast.
Q So even though a 911 disconnect call response is important, you don't role a code to a 911 disconnect call?
A No.
MR. PETERSON: Nothing else, Judge.
THE COURT: Recross?

RECROSS EXAMINATION
BY MR. BLOOM:
Q As I understood it from your testimony yesterday, even after listening to Chip's mom give that 7:15 call that we heard where she called for medical help and asked for police help, and said hurry and her daughter has been shot and so forth, you wouldn't have called code on that anyway; is that correct?
A No.

A No.
Q Did you detect anything that could have been considered slurred speech in your view on that December 5th statement, such that could be consistent with that person, Gina, having been under the influence of alcohol?
A No. I just thought she was crying. I mean, that's the impression I got. I didn't speak to her long enough to get any --
MR. BLOOM: Thank you. Nothing further, Your Honor.
THE COURT: Anything further from the State.
MR. PETERSON: No, sir.
THE COURT: Thank you very much.
Next witness, please.
MS. GOETTSCH: The State would call Mark Smith.
Whereupon,
MARK SMITH,
was called as a witness by the State, and having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION
BY MS. GOETTSCH:
Q Could you state your name and spell you last

1 name for the record.
2 A Mark Smith, S-m-i-t-h.
3 Q Mr. Smith, how are you employed?
4 A I'm now employed as a therapist in an
5 employee assistance program in New York City at the Mt.
6 Sinai NYU Employee Assistance Program.
7 Q How long have you been employed there?
8 A Three years.
9 Q Before you took that position, where were
10 you employed.
11 A I was employed with another employee
12 assistance program called Harris Rothenberg.
13 Q Is that also in New York City?
14 A It is.
15 Q Could you tell us -- now are you a social
16 worker?
17 A I'm a social working by training.
18 Q Are you licensed?
19 A I am in the State of New York.
20 Q Would you tell the jury exactly what Harris
21 Rothenberg does?
22 A Basically, their assessment and referral for
23 employees in the workplace. So that if somebody has a
24 problem with marital difficulties, or substance abuse, or
25 stress, they call the employee assistance program and we

1 make an assessment and refer them to an appropriate --
2 Q And these calls that would come in would go
3 directly to you if you're on duty?
4 A That's correct.
5 Q On December 5th of 2000, were you on duty?
6 A I was.
7 Q Did you receive a call coming from Las
8 Vegas?
9 A I did.
10 Q Who was on the phone?
11 A Alfred Centofanti.
12 Q What was the nature of your initial
13 conversation with him?
14 A He called asking for intervention for his
15 wife who he said was having a problem with alcoholism.
16 Q Did you get information from him regarding
17 his address and his employment?
18 A I just took his -- he mentioned that he
19 worked for City Bank, I believe at the time, and I did ask
20 some questions about where he lived and so forth.
21 And then I asked him, I told him that we
22 didn't speak to the spouses of people who are having
23 problems, that we needed to speak to the person having the
24 problems directly.
25 Q Why was that?

1 A Well, there's couple of issues. The policy
2 at Harris Rothenberg is that we don't make referrals for
3 people who are calling for other people. And also there's
4 a question of confidentiality in terms of my licensure.
5 I cannot elicit information from someone
6 about someone else. It has to be a direct communication,
7 and then that becomes a privileged communication.
8 Q Do you also sometimes have problems with one
9 spouse invoking intervention on behalf of the other for
10 all the wrong reasons?
11 A It does happen.
12 Q What was the demeanor of Mr. Centofanti when
13 he was speaking to you?
14 A He sounded calm. In clinical terms I call
15 it flat affect, no variation in tone in his voice.
16 Q Now, when you take phone calls from people
17 who are calling with problems, do you listen for certain
18 things in their voice?
19 A Since you only have the voice you become
20 pretty well attuned to voices, so you listen for
21 breathing. For instance, if I call today you can hear
22 that I have a cold. I would immediately know that.
23 You listen to intonation where they place
24 their voice, whether they place it in their hands, whether
25 they place it in their chest tells you a lot about, it can

1 tell you about -- gives some indication of stress and
2 anxiety and so forth.
3 Q Did you sense any of that in
4 Mr. Centofanti's voice?
5 A No.
6 Q And what, exactly, did he say was the nature
7 of his wife's problems?
8 A He said she was an alcoholic.
9 Q And was he pretty matter-of-fact about that
10 report?
11 A Yes. And he said that he'd like to get
12 intervention for her.
13 Q At that point you asked him to put her on
14 the own?
15 A I did.
16 Q Did you then take information from her?
17 A I did. I should say I attempted to.
18 Q Tell me what happened.
19 A Well, he put her on the phone and she
20 was -- in clinical terms I would call it very labile. She
21 was not able to speak. She was crying. She was breathing
22 can hard, rasping breath. She was choking.
23 I had made several attempts get her name. I
24 couldn't do it. I asked her to calm down, gave her time
25 to do so. She couldn't do it.

1 Q Did you ask her at some point if her husband
2 was still in the room with her?
3 A Yeah. After a while I realized there was
4 something going on that I wasn't aware of, I don't know
5 why; call it intuition. And I asked her if her husband
6 was still in the room and she said yes.
7 At that point I asked her to have her
8 husband leave the room.
9 Q Did she do that?
10 A I heard her ask her husband to leave, and I
11 could hear the door closing.
12 Q Did she then speak to you?
13 A She did. At that point she said: He has a
14 gun, it's loaded. He pointed it at me and pulled the
15 trigger.
16 Q What was your response to that?
17 A I said: Why are you still alive?
18 Q What did she say?
19 A She said: I don't know. The gun jammed.
20 Q Did she tell you whether or not the gun was
21 loaded?
22 A She said initially that the gun was loaded.
23 Q Did she change that? You said initially.
24 A I forgot exactly what she said. She either
25 said the gun was loaded, or she said the clip was in it;

1 one of the two.
2 Q And did you make notes out of what she was
3 telling you in your database?
4 A No, I did not. You need verbatim notes.
5 No, I did not.
6 Q Did you fill out information when you're
7 taking this call?
8 A Yes; in general terms.
9 Q And tell us about that. Is that handwritten
10 notes? On the computer? Where is that?
11 A There are notes on the computer in a
12 database. You're typing information in fields, but also
13 you have a space to give your clinical impressions in a
14 general sense.
15 That all happens while you're talking and
16 listening, so that there's no – this is a real high
17 pressure job and there's no time between calls. So
18 generally what you're doing is entering information as
19 it's happening.
20 Q And that includes kind of a summary of what
21 the person is telling you?
22 A It can be, yes.
23 Q Would looking at your notes and records from
24 that day refresh your recollection as to what Gina told
25 you about the gun being loaded?

1 A It might, yes.
2 MS. GOETTSCH: If I may approach, Your
3 Honor?
4 THE COURT: You may.
5 Q (By Ms. Goettsch) I'm going to show you
6 what's been marked as State's Proposed Exhibit 129A, and
7 ask you if you could take a look at that.
8 A Right. This is the record.
9 Q This is your record that you created when
10 you were on the phone with Gina Centofanti?
11 A Yes, it is.
12 Q Does this fairly and accurately depict your
13 input into the computerized database at this time?
14 A It does.
15 MS. GOETTSCH: The State move for
16 admission of State's Proposed Exhibit 129A at this time.
17 THE COURT: Is there objection,
18 Mr. Bloom?
19 MR. BLOOM: No, Your Honor.
20 THE COURT: It is received.
21 MR. BLOOM: Well, that one in
22 particular, I do object to this, Your Honor, because it
23 involves something on the 20th that didn't have to do with
24 the call on the 5th.
25 I don't object to the notes on the 5th.

1 That would be the other – both them have on the 5th, and
2 one has some notes on the 20th as well. I don't object to
3 the one that deals with just the 5th.
4 MS. GOETTSCH: I'm not sure I know what
5 you're talking about. One is her and one is his, that's
6 the difference.
7 MR. BLOOM: No objection, Your Honor.
8 I withdraw the objection.
9 Q (By Ms. Goettsch) Does this refresh your
10 recollection as to what Gina Centofanti told you about
11 what was happening at the house at that time?
12 A Well, are you referring to the clip of the
13 ammunition of the gun?
14 Q Yes.
15 A Yes, it does. The ammunition was installed.
16 I think she actually used those words. I'm not
17 particularly familiar with guns and that's not a phrase I
18 would use.
19 Q She said to you that he pointed a revolver
20 at her with the ammunition clip installed?
21 A I don't know if she said revolver. I think
22 she had actually used the type of weapon that she learned
23 that he was pointing at her.
24 Q So what was your response to her when she
25 told you that?

1 A What I said to her at that point was that I
2 had to call the police and attempt to protect her, and she
3 begged me not to. She told me that she had two small
4 children in the house and she was afraid her husband would
5 kill her and them.
6 Q As a result of that, what did you tell her?
7 A I told her that she had to see that -- that
8 I would not call the police, but that she would have to
9 see a therapist that I obtained for her on the same day.
10 Q And did you then tell her that you were
11 going to get that contact information?
12 A I did, and I put her on hold, At that point
13 I attempted to call Las Vegas 911.
14 Q So you attempted to call the Las Vegas
15 Police even though she had begged you not to?
16 A I have what's called a duty to warn as a
17 social worker. And despite the fact that she didn't want
18 me to, at that point I felt like her life was in danger
19 and I moved to protect her.
20 Q Now, when she was telling you this about
21 what her husband had done and that she was afraid he was
22 going to kill her and the kids, did she strike you as
23 sincere?
24 A Yes.
25 Q Were you able to make contact with the Las

1 Vegas Police?
2 A No, not initially. Unfortunately, it's a
3 very tortured process. You can't call from one state to
4 another directly. You can't call 911. You have a use a
5 long distance operator, and you have to identify the
6 precinct you want, and then get in touch with a dispatcher
7 in that precinct, which I did.
8 Q So even though this was kind of a
9 protractive thing, you thought it was important that you
10 call the police and dispatch somebody to their house?
11 A Oh, I thought it was imperative.
12 Q Did this affect you?
13 Were you scared of the situation?
14 A I was very --
15 MR. BLOOM: Objection how it affect
16 him.
17 THE COURT: Are you asking personally
18 how it affected him?
19 Q (By Ms. Goettsch) Well, my question is, did
20 you feel the stress of the situation?
21 A Yes, I did.
22 MR. BLOOM: Objection, Your Honor.
23 MS. GOETTSCH: That's the same thing
24 he's been asking, Your Honor.
25 THE COURT: Are you asking this man's

1 stress, or the person on the phone's stress?
2 MS. GOETTSCH: The person on the
3 phone's stress, if he felt the stress was real.
4 THE COURT: To some extent. But I will
5 allow that, certainly.
6 THE WITNESS: I'm sorry. I don't
7 understand the question.
8 Q (By Ms. Goettsch) Did you feel like the
9 stress of the situation was real?
10 MR. BLOOM: Objection, Your Honor.
11 Vague. I'll withdraw the objection.
12 THE COURT: I'm troubled a little bit
13 by "real" too, but I think we're getting where we want to
14 go here. Can you answer that?
15 Q (By Ms. Goettsch) Was the fear genuine?
16 A My fear, her fear, yes.
17 MR. BLOOM: His fear, Your Honor, I
18 move to strike. It's irrelevant what he thought about her
19 fear.
20 THE COURT: Well, he's already
21 testified that he felt it important that he call 911 here
22 in Las Vegas.
23 Is that what you're talking about, your
24 fear?
25 THE WITNESS: Yes. I was fearful for

1 her safety.
2 THE COURT: In other words, when you
3 say scared, you were concerned.
4 Is that fair to say?
5 THE WITNESS: Absolutely.
6 THE COURT: I think we can live with
7 that. Go ahead.
8 Q (By Ms. Goettsch) How long, approximately,
9 did you keep Gina on hold while you were on the phone
10 trying to contact Metro police in Las Vegas?
11 A I am really not sure. It was hard to tell.
12 A lot transpired in a very short period of time. It
13 seemed like quite a long time. My best estimate is ten
14 minutes.
15 Q Did she remain on the line with you?
16 A She stayed on the line, although I put her
17 on hold several times so I wasn't in direct contact with
18 her.
19 Q When you called Metro police, what did you
20 tell them?
21 A I told them that I was a social worker in
22 New York City, and that I felt like there was somebody in
23 their municipality that was in danger and that they needed
24 to send a cruiser.
25 Q Did you instruct them not to call the house?

A What happened was, the dispatcher said: Give me the phone number and I'll call. And I said: No. I don't think you should do that. This is a life or death situation, and I think that might exacerbate it.

Q Did you know whether or not Metro police actually did call the home?

A No, I did not.

Q Now, while you're going back and forth on hold with Gina, do you hear the defendant in the background?

A There was a period, I believe, where they were -- yes, again, talking to one another.

Q Did Gina's demeanor with you on the phone change depending on whether or not you could hear the defendant in the background?

A Absolutely.

Q Tell me about that.

A Well, whenever the defendant was in the room she wouldn't speak directly, or would speak in kind of a disingenuous manner. I'd ask her a question and she wouldn't respond directly.

Q What do you mean by that, not responding directly?

A Well, I'd say: Is he in the room? And she'd say: I don't know.

Q Were there times when you could hear that the defendant then left the room?

A Well, I assume there were times when he left the room when she started speaking more directly to me about her needs and concerns.

MR. BLOOM: And I move to strike, Your Honor, based upon no foundation in the last statement as well about how: Is he in the room? I don't know. Because the witness just said he doesn't know if he was in the room or not.

THE COURT: Do you have two objections here, or one?

MR. BLOOM: I have two, Your Honor; no foundation.

THE COURT: As to what?

MR. BLOOM: As to whether or not my client was in or out of the room, except for that one occasion when he said that he heard the door closed. Other than that, the rest he says he's not sure.

THE COURT: Response?

MS. GOETTSCH: I think I can set foundation for that.

Q (By Ms. Goettsch) Were there times you heard Gina actually address the defendant to leave the room?

A Yes.

Q And did you -- what did she say to the defendant or whoever else was in the room?

MR. BLOOM: Objection. Vague, Your Honor, because I think there's only once. If it's more than once, the question is put as to multiple times and, therefore, I believe it's fake.

Q There was multiple times. She originally said you need to leave the room so she can talk. Then they talk and then he called the police.

We're talking about the time period now where she's on hold and they're talking about things.

THE COURT: Mr. Smith is capable of knowing how many times it was referenced, so I'm going to let him relate whatever number or what was said. Go ahead.

Q (By Ms. Goettsch) So after she had directed the defendant to leave the house at one point, does she then tell him again to step outside, or leave the room, or whatever?

A What I recall is that she began -- I became aware that her husband or someone was back in the room because she was speaking in a manner that was indirect. And, again, she was fearful and, again, she was having difficulty communicating.

Because things were happening so fast, I was coming and going in and out, I don't recall that she then asked that person to leave a second time.

Q Did you discuss with Gina whether or not she had an alcohol problem?

A No. Once I understood that she was in danger -- well, she did say as we were talking, I said to her -- I need to back up a little bit.

When I spoke to Mr. Centofanti, he indicated to me that his wife had spend the night out. And I asked her at a certain point, I said to her: What happened last night? And she said: I spend the night in the car.

Q She told you that she had spent the night in the car?

A Right. That it wasn't as a result of being to drunk, or that she wasn't drinking all night, that she spent the night in the car.

Q Eventually, do you get back on the phone with her and give her a referral to someone in Las Vegas?

A I did. I referred her to Charles Hines in Las Vegas.

Q Are you attempting to keep her on the line at this time?

A I was. I knew that the police at that point were rolling. I was also aware at the time that they were

1 having trouble locating the house.
2 Q And tell me about that. How did you know
3 that they were having trouble locating the house?
4 A Dispatch called me back and said that she
5 didn't have the correct address. And I said: Well, you
6 have the correct phone number, can you use the reverse
7 directory. And she said: Okay, I will.
8 Q Was there a time when the defendant got back
9 on the phone?
10 A At the very end of the conversation I said
11 to Gina the police are coming and you need get your
12 children and get out of the house, and she broke down
13 again.
14 Then I asked to speak to Mr. Centofanti and
15 she put him on. And that's at the point when he asked me,
16 he said to me: Well, maybe I need some help too.
17 Q What was his demeanor like?
18 A It was very much like the beginning of the
19 phone call.
20 Q A flat affect?
21 A Flat affect, matter-of-fact.
22 Q As a result of his request for help, did you
23 also create a computer screen for him?
24 A I did.
25 Q I'm going to approach with State's Proposed

1 Exhibit 129B, and ask you if you recognize that?
2 A Yes. That is the screen, the record that I
3 created.
4 Q And that fairly and accurately depicts the
5 record you created on December 35th for Mr. Centofanti?
6 A Well, what I did was because of the nature
7 of the call, is that I copied one record into another.
8 Then, basically, changed the demographic information as I
9 was speaking to him and tried clean up some of the
10 language in the written record, the grammatical English.
11 Q Just grammatically?
12 A Yes.
13 MS. GOETTSCH: The State would move for
14 the admission of State's Proposed Exhibit 129B.
15 THE COURT: Objection?
16 MR. BLOOM: I do not have an objection.
17 THE COURT: Thank you. It is received.
18 Q (By Ms. Goettsch) Throughout your contact
19 with both Mr. Centofanti and Mrs. Centofanti on that day,
20 did you notice a difference in their voices, their
21 demeanor, and how they were behaving on the phone?
22 A Yes. It was striking.
23 Q If you could explain that, please?
24 A In layman's terms, Mrs. Centofanti was
25 hysterical, and Alfred wasn't.

1 MS. GOETTSCH: No further questions.
2 Thank you. I'll pass the witness.
3 THE COURT: Cross-examination?
4 MR. BLOOM: Thank you.
5
6 CROSS-EXAMINATION
7 BY MR. BLOOM:
8 Q Good afternoon Mr. Smith.
9 A Hello.
10 Q If I could start with something which I
11 think is obvious. You were not present as to what
12 happened between the Centofantis on December 5th so that
13 you could tell us what you saw, or what the event was, or
14 what about the fight, or who had the gun, or any of these
15 details; am I correct?
16 A That's correct.
17 Q And your conclusion -- you're not in a
18 position to tell us if that as you call it hysteria, or
19 that difficulty speaking, that concern you felt for Gina
20 Centofanti was a function of a fear she had of her
21 husband, or an effort to try to get herself -- give an
22 appearance so she wouldn't get in trouble because, in
23 fact, she had the gun?
24 You're not in a position to tell us that one
25 way or the other, are you?

1 A I'm not clear what you're asking.
2 Are you asking me whether I think she was
3 trying to fake what was happening?
4 Q I am asking, sir, if you're in a position to
5 tell us, if you know, if she was contriving those emotions
6 or that presentation in order to make it appear that she
7 was in trouble, or because she didn't want to get in
8 trouble herself?
9 A Everything I did was based on the fact that
10 I thought she was not contriving anything.
11 Q Based upon what you heard and what she told
12 you?
13 A That's correct.
14 Q Would your opinion change if you learned
15 that she had lied to you?
16 A It would depend on what she lied about.
17 Q Would it matter if it was a lie about
18 something that was important, not about something
19 insignificant?
20 A I am not sure what you're driving at.
21 Q What I'm driving at, what you're saying is,
22 it wouldn't matter if she lied about some insignificant,
23 but it would matter, it might matter if she lied about
24 something significant?
25 A It would depend. And then also in this

1 situation, people have a real difficult time with what's
2 true and what's not true. It can happen.
3 Q People who call you have a difficult time –
4 A People who are very emotional in a moment of
5 extremeness have a very difficult time, for instance, with
6 the facts of where they live, how old they are, and so
7 forth and so on.
8 Q So you account for the fact that if a person
9 can be in an emotional condition and be completely
10 inaccurate, it might not be a lie then and, therefore,
11 wouldn't necessarily change your opinion as to whether or
12 not they were genuine in their statements?
13 A That's correct.
14 Q However, if you were to learn that, in fact,
15 about something which was significant, not something that
16 was a function or just some sort of confusion, might that
17 change your opinion as to whether or not –
18 A You'd have to tell me what you're talking
19 about.
20 Q Well, let's talk about what we're talking
21 about. You finally did ask her what happened last night,
22 right?
23 A At some point I said to her, yes, where you
24 were last night, or what happened last night.
25 Q You asked her what happened last night, and

1 she told you that she had spent the night in the car; is
2 that right?
3 A Uh-huh.
4 Q She did not tell you that she had been out
5 since 5:00 p.m. drinking with her coworkers and her
6 friends at a restaurant called Friday's, right?
7 A No, she did not.
8 Q She did not tell you that she continued
9 drinking at Fridays at least until 10:30 or 11:00 o'clock
10 at night?
11 A No, she did not.
12 Q She didn't tell you that after that time
13 period she went from a restaurant and bar called Friday's,
14 and went to a location here in Las Vegas called the Hard
15 Rock Cafe? She didn't tell you that?
16 A No, she did not.
17 Q She didn't tell you that she continued to
18 drink until the wee hours of the morning?
19 A No, she did not.
20 Q She didn't tell you that, in fact, she
21 didn't spend the night in the car but, in fact, spent the
22 night in bed with one of her coworkers?
23 MS. GOETTSCH: Objection, Your Honor.
24 That totally mischaracterizes the evidence in this case,
25 and I guarantee there's no evidence to support that at

1 all.
2 THE COURT: I don't recall anything of
3 that nature.
4 MR. BLOOM: Actually, I think – I do
5 dispute it, but I'll withdrawn it and frame it this way.
6 Q (By Mr. Bloom) Did she tell you that her
7 husband was upset at her because he had thought that she
8 had been out all night?
9 A I think that's what he said to me, as I
10 recall.
11 Q Did she tell you that the very time when she
12 was drinking throughout that evening from 5:00 or 6:00 in
13 the p.m., all the way to 2:00 or so in the morning the
14 next morning or later, that her child, her infant had been
15 ill and had to be brought to the emergency room?
16 A No, she did not.
17 Q Did she tell you that she was with a person
18 by the name of Steve Shula, one her coworkers?
19 A No, she did not.
20 Q Did she tell you that at the time of your
21 phone call she was talking to you about an hour – let me
22 ask you this.
23 Did you get the sense that she was talking
24 about an event that had just happened?
25 A Do you mean with the gun, the pointing of

1 the gun?
2 Q Yes, with the gun.
3 A In terms of that, I had no sense that it
4 had – I had a sense that it was somewhat immediate, but
5 that it hadn't been just immediately before the phone call
6 necessarily.
7 Q But that she was still under the impact of
8 it in some regards?
9 A Well, there was a sense of threat in my
10 opinion.
11 Q Did she tell you that that supposed incident
12 about the gun having been pointed at her had occurred
13 almost two hours before your phone call?
14 A No, she didn't.
15 Q Did she tell you that at the time of the
16 phone call that she was having with you, that her husband
17 was bleeding?
18 A No, she didn't.
19 Q Did she tell you that her husband had a cut
20 on his head?
21 A No, she didn't.
22 Q Or that he was kind of scraped and bruised,
23 kind of raw and some skinned away on his legs and his
24 arms?
25 A No, she did not.

1 Q Did she tell that the reason why he had
2 those injuries was because she had thrown a picture at
3 him, a picture frame with glass and it hit him?
4 Did she tell you that?
5 A No, she did not.
6 Q Did she tell you that her husband
7 had -- well, let me ask you this: What did she tell you
8 as to where the gun was?
9 A My assumption was that it was in her
10 husband's possession.
11 Q She didn't tell you that the gun had been
12 placed by her husband up on a high shelf?
13 A I believe what she said to me was he got a
14 gun.
15 Q As if he had it right then?
16 A Uh-huh, yes.
17 Q Did you inquire if she had been drinking?
18 A I don't remember if I inquired directly, or
19 whether it was -- you know, counsel, I think that the call
20 was so quick and that there was very little time, really,
21 to inquire with much specificity about her drinking.
22 Q You have handled -- you have certain
23 restrictions and responsibilities as a person who deals
24 with crisis calls, correct?
25 A Correct.

1 Q And you have to -- you are mandated by law
2 to deal with certain situations in a particular way.
3 Let me start that question all over. You
4 are mandated by law to be a reporter?
5 A I have what's called a duty to warn.
6 Q A duty to warn. That means -- and you
7 happen to be licensed out of New York State, but the laws
8 probably are similar in many statements. It's an
9 obligation of somebody who takes this kind of call, you
10 must take immediate action based upon what you have been
11 told; is that right?
12 A That's correct.
13 Q And you can't wait under your obligation,
14 your statutory responsibilities. You have to make a call
15 to the police if somebody says they've had a gun pointed
16 at them?
17 A You know, not necessarily. It would depend
18 on my determination about whether or not I thought that to
19 be true.
20 Q If you thought it to be true, your job is to
21 do that?
22 A In that case I would have a duty to warn.
23 Q But you did not in this case make the
24 inquiries along all those other areas of questioning that
25 I talked about?

1 A About drinking?
2 Q About drinking, about whether or not anybody
3 was injured, about whether her husband was bleeding,
4 whether or not she had thrown anything, whether or not the
5 gun was actually placed up high, whether or not she had
6 been out drinking all night before, whether or not she had
7 been drinking while her baby was at the emergency room,
8 all those things.
9 You didn't get into any of them, right?
10 A I didn't think any of that was germane to
11 the situation, sir.
12 Q Well, if she was lying to you about how much
13 she had been drinking, if she was lying to you and
14 covering up that she had assaulted her --
15 MS. GOETTSCH: Your Honor, this assumes
16 facts not in evidence.
17 THE COURT: When you say lying, she
18 didn't say this. Does that mean she lied?
19 MR. BLOOM: Withdrawn; reask.
20 THE COURT: That's stricken. Go ahead.
21 Q (By Mr. Bloom) If she didn't tell you
22 this -- let me ask you this way.
23 Would it have changed your opinion at all if
24 you found out that, in fact, she was the assailant on an
25 incident over two hours before where she had thrown this

1 picture and this glass and caused the bleeding of her
2 husband, and that she hadn't been out drinking all night,
3 and that she had been -- and that the gun was up high; in
4 fact, wasn't in his possession at that time?
5 Would that have changed your opinion as to
6 what steps you should take?
7 THE WITNESS: Your Honor, am I
8 expressing an opinion here? I'm sorry, but I though
9 that's what our hearing was about.
10 THE COURT: I THINK what he's getting
11 at, would you have still have called 911 and gone through
12 those various things?
13 Is that fair to say, Mr. Bloom?
14 MR. BLOOM: No, Your Honor. I'll
15 withdraw the question entirely.
16 I have no more questions, Mr. Smith.
17 THE COURT: Anything further from the
18 State?
19 MS. GOETTSCH: Yes.
20
21 REDIRECT EXAMINATION
22 BY MS. GOETTSCH:
23 Q You indicated that she told you she had been
24 sleeping in the car, but she also admitted to you that she
25 had been out drinking part of night?

1 A Yes, she did.
2 Q Did you go into detail with her about her
3 baby's name, the baby's state of health, who she was
4 drinking with?
5 A No, I did not.
6 Q Did any of those things or any of those
7 details change in your mind how genuine she was about her
8 fear?
9 A No. I didn't feel like I needed know a
10 great deal more than I already had in order to do what I
11 did during that intervention.
12 Q Did you get any impression from her that she
13 was somehow faking or manufacturing what she was telling
14 you?
15 A I didn't then, and I don't now.
16 Q Now, when you spoke to the defendant, did he
17 sound injured or in pain to you?
18 A No.
19 Q Did he request medical help?
20 A No.
21 Q Did he indicate do that she had tried to
22 kill him?
23 A No.
24 Q The defendant never said to you: Oh,
25 actually, she held the gun to my head?

1 A No, he did not.
2 Q And, in fact, as part of your duty to warn,
3 didn't you tell the 911 operator in Las Vegas that she is
4 significantly frightened of her husband, you cannot call
5 her?
6 A Yes. I believe I did say that.
7 Q And, also, on the contrary to whether or not
8 you think Gina's fear was genuine, did you think the
9 defendant's request for help was similarly genuine?
10 A Well, I was surprised by the request.
11 Q And why was that?
12 A In general, particularly in alcoholic
13 families when there's an intervention asked for, it's rare
14 that anybody else asks for help at the same time.
15 MS. GOETTSCH: Court's indulgence.
16 Q (By Ms. Goettsch) You spoke with Gina about
17 whether or not she had an alcohol problem?
18 A I did speak to her briefly about it, but
19 very briefly.
20 Q Did she tell you whether or not she thought
21 she had a problem?
22 A She did not think she had a problem.
23 Q And as a result of that, did you find it
24 necessary to go into the details of her drinking the night
25 before?

1 A Well, in general we try to work on what's
2 primary, and her alcoholism, even if it existed, was not
3 primary.
4 Q What was primary?
5 A Primary, in my opinion, was saving her life.
6 MS. GOETTSCH: Thank you. I have
7 nothing further.
8 THE COURT: Recross.
9 MR. BLOOM: Yes.
10
11 RECROSS EXAMINATION
12 BY MR. BLOOM:
13 Q With regards to what Alfred did, or Chip did
14 in this, so I understand it, he placed a phone call to
15 you, correct?
16 A Yes, did he.
17 Q And then you asked him to give the phone to
18 Gina?
19 A No. I said that his wife needed to contact
20 us directly, at which time he gave the phone to his wife.
21 Q Even without asking you he gave the phone to
22 Gina?
23 A I said his wife needed to contact us
24 directly for services.
25 Q So without you asking him to give the phone,

1 he gave the phone to Gina?
2 A Yes.
3 Q On his own?
4 A Yes.
5 Q And then at some point you thought that they
6 were both in the room, and you asked her to ask him to
7 leave, or something like that, you heard a door close,
8 right?
9 A She couldn't speak, and it became
10 increasingly clear to me she was frightened.
11 Q Did you ask her to make it so she could be
12 private away from him?
13 A Yes, I did.
14 Q And as far as you could tell, he did leave?
15 A Yes.
16 Q And how much time did you speak to him?
17 A Ninety seconds, minute-and-a-half, two
18 minutes.
19 Q And the total call was ten minutes?
20 A It's very difficult for me to tell.
21 Unfortunately, they don't time these calls, but I would
22 say probably a minimum of ten. It might have stretched
23 out to 20 with all the holding and the calling and the
24 back and forth with the Las Vegas police.
25 Q But then at some point there was another

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALFRED P. CENTOFANTI III,

Appellant,

vs.

E.K. McDANIEL, WARDEN,
ELY STATE PRISON

Respondent.

DOCKET NUMBER: 58562

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DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

ALFRED P. CENTOFANTI, III,

Defendant.

No. C172534
Dept. No. XIV

COPY

REPORTER'S TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE DONALD M. MOSLEY

March 24, 2004
1.35 p.m.
Department XIV

FILED
2004 MAR 25 P 1:46
CLERK

APPEARANCES:

For the State:
MR. CLARK PETERSON
MS. BECKY GOETTSCH
Deputy District Attorneys

For the Defendant:
MR. ALAN BLOOM
MS. GLORIA NAVARRO
Attorneys-at-Law

For Parole and Probation:
NO APPEARANCE

Reported by:
Joseph A. D'Amato
Nevada CCR #17

THE COURT: The continuation of case C172534, State of Nevada versus Alfred P. Centofanti, III. Let the record reflect the presence of the Defendant, his counsel Mr. Bloom and Ms. Navarro, and Mr. Peterson and Ms. Goettsch present for the State.

Let the record further reflect the absence of the jury.

Mr. Peterson?

MR. PETERSON: I think we discussed previously in chambers and I want to put on the record that some hearsay statements that will be admitted from the Defendant that are allegedly corroborative of things that happened to him that he said, the State could object to some of those and wait until the Defendant testifies and then essentially have the witnesses re-called.

We didn't want to do that, to burden the Court with that.

However, I did want to put on the record we do object to those kind of statements, unless and until the Defendant testifies to them, such as the specific instances of conduct and events on the night of the 20th.

We're not talking about the night of the 5th. We do presume the Defendant is going to testify, but in the event he changes his mind, I want to place this objection on the record -- and I think I asked Mr. Bloom

1 and he doesn't have a problem -- that it be sort of a
2 blanket objection to those particular issues so that I
3 don't have to continually stop the trial to just preserve
4 the issue.
5 THE COURT: Mr. Bloom, do you concede that
6 issue?
7 MR. DEFENSE: I agree, Your Honor.
8 THE COURT: Thank you, very much.
9 Is there anything else outside the presence?
10 MR. PETERSON: No.
11 Judge, I apologize for bringing that up at
12 this late moment.
13 THE COURT: Mr. Bloom, are you ready to go
14 forward as well?
15 MR. BLOOM: Yes, Your Honor.
16 (Whereupon, the jury entered the courtroom.)
17 THE COURT: Ms. Clerk, will you call the
18 roll of the jury, please?
19 (Whereupon, the Court clerk called the roll
20 of the jury.)
21 THE CLERK: The panel is present, Your
22 Honor.
23 THE COURT: Very well. Good afternoon,
24 Ladies and Gentlemen.
25 The State's first witness of the day.

1 MR. PETERSON: Mark Wright, judge.
2
3 MARK WRIGHT,
4 called as a witness herein was sworn, was examined and
5 testified as follows:
6
7
8
9 EXAMINATION
10 BY MR. PETERSON:
11 Q. Can you state and spell your name for the
12 record, please, sir?
13 A. Mark Wright, M-a-r-k W-r-i-g-h-t.
14 Q. I want you to think back to the year 2000.
15 In that year where were you living?
16 A. 8716 Wintry Garden.
17 Q. Is that here in Clark County, Nevada?
18 A. Yes, Las Vegas.
19 Q. Were you married at that time?
20 A. Correct, yes.
21 Q. What was the name of your wife?
22 A. MeriLee Wright.
23 Q. Are you two still married?
24 A. No, sir.
25 Q. Do you - - are you presently residing

1 out-of-state?
2 A. Yes.
3 Q. When you lived on Wintry Garden, back in
4 2000, did you know a person named Alfred Centofanti?
5 A. Yes.
6 Q. Did you know him by a colloquial name?
7 A. Chip.
8 Q. Do you see Chip in the courtroom with us
9 today?
10 A. Yes.
11 Q. Can you tell us where he's seated and what
12 he's wearing?
13 A. Straight in front of me wearing a blazer
14 with a shirt and tie.
15 MR. PETERSON: Identifying the Defendant,
16 judge?
17 THE COURT: It may.
18 BY MR. PETERSON:
19 Q. Did you also have cause to know his wife?
20 A. Yes.
21 Q. Do you know her name?
22 A. Gina.
23 Q. Would you recognize her if I showed a
24 picture of her to you?
25 A. I think so.

1 Q. Showing you State's 10, do you recognize
2 that as Gina Centofanti?
3 A. Yeah, I guess. She didn't look like that
4 when I saw her.
5 Q. What do you mean?
6 A. That just looks different, I guess.
7 Q. What was your relationship with Chip
8 Centofanti back in --
9 A. I don't know.
10 Q. -- December of 2000?
11 A. We were neighbors.
12 Q. Is this, you know, best buddies going out at
13 night, neighbors or wave when they drive their car in the
14 garage neighbors?
15 A. Yes.
16 We were just casual neighbors, say Hi to
17 each other when we came home.
18 Q. Occasionally maybe have a beer, see a fight,
19 that sort of thing?
20 A. Correct.
21 Q. Had you ever seen any arguing or fighting or
22 hostility between Gina Centofanti and Chip?
23 A. No.
24 Q. Did you ever discuss your personal, private
25 business with Chip Centofanti?

1 A. No.

2 Q. Is it correct that at some point in early

3 December you became aware of a domestic situation that

4 happened between Chip and Gina?

5 A. In December?

6 Q. Yes.

7 A. Yes.

8 Q. Do you remember what day that was?

9 A. The 5th, I believe.

10 Q. Is it fair to say, sir, that the version of

11 events you got was from Chip Centofanti?

12 A. Yes.

13 Q. Were you able to ever hear Gina's version of

14 what happened that day?

15 A. No.

16 Q. Am I right in understanding that you got

17 this version of the story from Chip as you were taking him

18 to Court to get a Restraining Order?

19 A. Correct.

20 Q. I want to bring your attention now to the

21 night of December 20 of 2000.

22 Do you have that night in mind?

23 A. Yes.

24 Q. Is there a time that night where you heard a

25 commotion that attracted your attention?

1 A. Yes.
2 Q. Tell me what you heard.
3 A. I was upstairs in my office. I heard a
4 banging on the door, ringing of the doorbell.
5 Q. Let me stop you right there.
6 You heard the doorbell and the banging from
7 upstairs?
8 A. Yes.
9 Q. What did you next hear?
10 A. I didn't think much of it. I thought maybe
11 my daughter locked herself out of the house.
12 Q. How old is your daughter?
13 A. At the time I think she was 16 or 17.
14 The next thing I heard was MariLee screaming
15 at me to come down the stairs, to come down.
16 Q. Your wife was screaming?
17 A. Yes.
18 Q. What did you do?
19 A. Well, I came downstairs. I saw at the
20 bottom of the stairs -- I saw Camille Centofanti and --
21 with the baby and my wife standing there.
22 Q. Let me stop you right there.
23 Who is Camille Centofanti?
24 A. Chip's mother.
25 Q. Before the night of the 20th had you had

much interaction with Camille Centofanti?

A. Just briefly, off and on.

Q. Enough to meet her and identify her?

A. Yes.

Q. You said Camille Centofanti had the baby. Who are you referring to?

A. Nicholas.

Q. Who is Nicholas?

A. Chip's son.

Q. And Camille, the baby and your wife were at the foot of the stairs in your house?

A. Correct.

Q. Where is the foot of the stairs in relation to the front door, sir?

A. Right there, the foot of the stairs, and you walk about another five feet, there's the front door.

Q. Where or what happened between your wife and Camille Centofanti that you observed?

A. Camille was crying, saying, hysterically "Oh my God, Oh my God."

My wife looks at me and says "Chip shot Gina."

Q. Did you ever hear Camille speak those words?

A. No.

Q. What happened next?

1 A. Just as I reached the bottom of the stairs
2 there was another knock on the door.
3 Q. Am I to understand then that the door had
4 been closed when Camille came in?
5 A. Yes.
6 Q. What if anything was Camille saying at that
7 point?
8 A. Just that -- she was just saying "Oh my
9 God."
10 Q. What happened next?
11 A. There was another knock on the door.
12 Q. And what happened?
13 A. I opened the door.
14 Q. Who was there?
15 A. Chip Senior and Chip Junior or Chip Junior
16 and Chip, The Third.
17 Q. Maybe we can simplify these terms.
18 Chip, The Third, is the person who is in
19 Court with us today; is that right?
20 A. Correct.
21 Q. And Chip Junior is actually Chip's father;
22 is that right?
23 A. Correct.
24 Q. So Chip, who is with us here today, and his
25 dad were at the door?

1 A. Yes.

2 Q. What did you hear and see?

3 A. I opened up the door. Chip, older Chip was
4 crying. He had hold of his son's arm and was holding up a
5 blue towel in his right hand, had his son by the left
6 hand.

7 Q. What if anything did -- what, if anything,
8 did the Defendant's dad say at that point?

9 A. He was just -- he was very hysterical. He
10 was crying, whimpering. He said that -- he pointed his
11 head like this and said "Chippy, Chippy tried to, you
12 know" -- and then I kind of knew what he was talking
13 about -- and he says "But I got the gun away from him."

14 Q. Exactly what did he say, Mark; do you
15 remember?

16 A. "Chippy tried to shoot himself", I think.

17 Q. And a minute ago you made a gesture.
18 Can you show me what that gesture was?

19 A. He just pointed his head like this.

20 Q. He had one finger outstretched and had it
21 pointed at his right temple?

22 A. Right.

23 Q. The motion you just indicated, did you
24 interpret that to mean a gun?

25 A. Yes.

1 Q. Did Mr. Centofanti, Chip's father, indicate
2 he had stopped Chip from doing that?
3 A. Yes.
4 Q. What happened with that blue towel that was
5 in Chip's father's hand?
6 A. It ended up in the foyer on the floor.
7 Q. Did anyone indicate to you what that was?
8 A. Chip told me the gun was in the towel.
9 Q. And Chip, The Father, or Chip, The Son?
10 A. Chip, The Father.
11 Q. What did you do when you learned that
12 information?
13 A. Nothing.
14 Q. What happened next?
15 A. They came in the house. MeriLee grabbed
16 Chip, young Chip. He was in a very catatonic state at the
17 time.
18 They kind of had to drag him in the house,
19 took him over to the couch and sat him down on the
20 loveseat, actually, and then older Chip, Chip's father,
21 sat on the stairways right there at the foyer, because as
22 you walk in the foyer there is a little step down into the
23 little room.
24 Q. Where did the towel that contained the gun
25 get placed?

A. It was on the middle of the floor in the foyer.

Q. I'm going to put on the overhead. Now what's been previously admitted as State's 11, do you recognize what's depicted in this photo?

Can you see it from where you're seated?

A. Yes.

Q. Can you recognize what's depicted in that photo?

A. Yes.

That's our house with the towel laying on the floor.

Q. The blue item on the center of the screen on State's 11 is the towel containing what you were told was the gun?

A. I would guess. That's what it looks like.

Q. Did you ever open up that towel and see the contents?

A. No, sir.

Q. Did there come a time when your wife was concerned whether or not 911 had been called?

A. When we -- when I first came downstairs and we brought Chip and stuff in I said did somebody call 911?

And the response was "Yes, we already called 911."

1 Q. Who made that response?
2 A. I believe it was Camille.
3 Q. Did anyone call 911 from your home?
4 A. Not that I'm aware of.
5 Q. Did there come a point where your wife
6 wanted to go next door?
7 A. Correct.
8 Q. Why?
9 A. She wanted to see if she could help. She
10 was very concerned that what was going on there, what
11 happened or she wanted to see if there was something she
12 could do.
13 Q. I imagine a number of persons told her not
14 to go next door?
15 A. I told her not to go next door.
16 Q. What did your wife say as you were telling
17 her not to go next door?
18 A. She wanted to go and I was telling her don't
19 go over there. We don't know what's over there. We don't
20 know what's going on over there.
21 The police have been called. Wait for the
22 police.
23 Q. Did your wife respond?
24 A. Yeah. She still wanted go over there.
25 She started heading out the door and I had

1 to grab her and pull her back in the house.
2 Q. At some point did Camille say anything?
3 A. At that time I was telling her don't go over
4 there, don't go over there and bringing her back in the
5 house and Camille said "Yeah, don't go over there. I
6 think she's already dead or she's already dead."
7 Q. Do you recall what your words were or what
8 her words were?
9 A. I think she said "She's already dead."
10 Q. At some point -- what do you do after you
11 prevent your wife from going next door or stop your wife
12 from going next door?
13 A. I bring her in the house. I shut the door.
14 I wait for a few -- seemed like a few seconds.
15 I thought, you know, the police have been
16 called. I'm going to go outside and just wait for the
17 police to arrive.
18 Q. At some point did an officer arrive?
19 A. Yes.
20 I walked outside, walked down to the end of
21 my driveway and I saw a police vehicle down the street a
22 little ways.
23 I looked towards the -- Chip's house and
24 noticed that there -- it was a female officer going up
25 toward the front door.

1 Q. What did you do?
2 A. I motioned to her to come to my house, that
3 everybody was over there.
4 Q. I assume she followed your request?
5 A. Yes.
6 Q. When that officer came into the house where
7 was everybody?
8 A. Basically in the same exact spots that I had
9 left them in when I left.
10 Big Chip was on the stairs, the younger Chip
11 was on the couch, Camille was holding the baby and MeriLee
12 standing there.
13 Q. We're discussing this pretty calmly today.
14 I imagine this wasn't the demeanor of the individuals who
15 were present at that time?
16 A. No. It was kind of chaotic.
17 Q. And in fairness to the lone female officer
18 who responded, she came into a pretty chaotic scene; would
19 you agree?
20 A. Well, it was upsetting, yeah. I mean, it
21 was very -- everybody was calm, but it was -- there was
22 tension in the air.
23 Q. And you immediately directed that officer to
24 what you believed to be a loaded firearm?
25 A. Right.

1 She asked me -- first thing she said is
2 "Where is the gun?"
3 I said I believe it's right there.
4 Q. What happened?
5 A. She kind of kicked it away with her foot a
6 little bit and she wanted to know where the suspect was or
7 where Chip was.
8 Q. Did you indicate that information to her?
9 A. Yes. I said he's right over there on the
10 couch.
11 Q. She then took him out of the house, I
12 presume?
13 A. Correct?
14 Q. At some point detectives arrived; is that
15 true?
16 A. Um-hum, yes.
17 Q. And at some point you guys were all ushered
18 out of your house; is that true?
19 A. Yes.
20 Q. Was that before or after the detectives
21 arrived?
22 A. That was after the detectives arrived.
23 Q. That's because your house was a crime scene
24 now?
25 A. Yes.

1 Q. Or part of one?
2 A. Yes.
3 Q. Did you continue to have discussions with
4 the Centofantis after you had been moved out of the house?
5 A. Briefly.
6 I mean, we had to get out of the house so
7 fast and we really didn't have any place to go. They
8 asked us to leave immediately.
9 We were in our -- we had already dressed
10 basically for the evening. We got our jammies on and
11 stuff.
12 They said "You guys got to get out now."
13 I said can we change our clothes?
14 They said "No. You got to get out now."
15 They at least allowed us to get our coats.
16 Next door we saw our neighbor Herb pulling out of the
17 driveway. We went and said Herb can you give us a hand
18 here? We have no place to go.
19 He pulled back in and said no problem and we
20 went into Herb's house.
21 Q. While it may have been annoying to you I
22 imagine that you didn't take particular issue with the
23 police moving you out of the scene with the weapon, did
24 you?
25 A. No.

1 Q. You didn't feel you were handled
2 inappropriately?
3 A. Well, yeah, I kind of did, yes.
4 Q. Tell me about that.
5 A. I think just -- we didn't even have a chance
6 to, I mean, get food or diapers for the baby. I mean, it
7 was like "You got to go right now. Get out."
8 We're like where do you want us to go? And
9 they said "We don't care."
10 Q. You can understand, can you not, why they
11 wouldn't want people going back in and out of a place they
12 wanted to preserve?
13 A. Sure, I can understand that.
14 Q. A frustrated group, I imagine, went next
15 door to Herb's house?
16 A. Yes.
17 Q. At Herb's house you continued to have some
18 discussions with the Centofantis; is that true?
19 A. Basically the discussion was is how they are
20 going to get the baby taken care of. That was the main
21 discussion of the whole thing going on.
22 She had no diapers, had no food. We're
23 standing around in our slippers.
24 Q. Who was having that discussion?
25 A. MeriLee having that discussion with Camille.

1 They were wondering how we can get out of
2 here and get some diapers and stuff. About -- we weren't
3 there very long before the police came in and kind of
4 separated us all out and wanted statements.
5 Q. At some point during that discussion did
6 either Camille or Alfred Centofanti say what they had
7 observed or heard inside the residence related to the
8 shooting?
9 A. They said they really didn't know what
10 happened. They heard a few pops, noises, and that's
11 basically it.
12 Q. The police interviewed you on the night in
13 question that we're talking about; isn't that true?
14 A. Yes.
15 Q. Would it be fair to say that your
16 recollection, then, is a little clearer than now, three
17 years later?
18 A. Sure.
19 MR. PETERSON: May I approach, judge?
20 THE COURT: Yes.
21 BY MR. PETERSON:
22 Q. You've seen a transcript of your recorded
23 statement from that night; have you not?
24 A. Yes.
25 Q. Do you recall that in your statement you

1 say -- and this portion is in quotes -- "All we heard is a
2 couple of shots."?
3 MR. BLOOM: Excuse me, counsel.
4 THE COURT: Excuse me?
5 MR. PETERSON: Page 11, taped statement.
6 BY MR. PETERSON:
7 Q. "All we heard is a couple of shots and we
8 went down there and there it was."?
9 A. Right.
10 Q. Do you recall whether it was either or both
11 Camille or Alfred who said those words?
12 A. I'm not sure.
13 Q. It could have been both, but it was at least
14 one of them?
15 A. Yeah. I'm not sure.
16 MR. BLOOM: Excuse me. Mr. Peterson, could
17 I have your copy of that?
18 My copy is missing that one page.
19 MR. PETERSON: It's a good page.
20 MR. BLOOM: Thank you.
21 BY MR. PETERSON:
22 Q. Sir, when did you move out of town?
23 A. It was like July of'02, I think.
24 Q. Your now ex-wife has told us she's gone on
25 to become friends with Alfred and Camille Centofanti, the

1 Defendant's mother and father.
2 Have you developed that same relationship?
3 A. Not to the extent that she has, but I am
4 familiar with the Centofantis.
5 MR. PETERSON: Court's indulgence, judge.
6 THE COURT: Yes.
7 MR. PETERSON: No further questions. Thank
8 you.
9 THE COURT: Cross-examination.
10 MR. BLOOM: Thank you, Your Honor.
11
12
13
14 EXAMINATION
15 BY MR. BLOOM:
16 Q. Good afternoon, Mr. Wright.
17 A. Good afternoon.
18 Q. I'd like to go back and we'll start at the
19 beginning in some chronological order, if we could.
20 In terms of how long you knew Chip
21 Centofanti and Gina -- and Gina Centofanti and so forth,
22 approximately how long had you known them as of the time
23 of the December 5th domestic violence incident?
24 A. I believe it was probably around a year that
25 they had moved in before.

1 Q. And in that year's time can you describe --
2 you talked about it being a neighborly sort of
3 relationship.
4 Were there some occasions where you actually
5 spoke to Chip?
6 A. Yes.
7 Q. And do you remember some of those occasions?
8 A. Yes.
9 Q. Can you tell us some of them?
10 A. Whenever there was a fight on tv, you know,
11 a big fight, pay perview HBO or something, you know, a guy
12 is a guy.
13 I would walk over and knock on his door and
14 see if he wanted to come over and watch it with me.
15 Q. Was that with a group of people that were
16 there at the house as well?
17 A. Just myself, MeriLee and I'd have Chip over.
18 Q. Were there also times when there was a
19 bigger group, like maybe more friends of yours?
20 A. Yeah, my mom would come over, maybe my
21 cousins would come over, something like that, yeah.
22 Q. Besides him coming over to your house on
23 those occasions did you ever go anywhere with him on any
24 other occasion?
25 A. No.

1 Q. So when you talk about going to see a fight
2 or something like that, you're talking about him coming
3 over to your house on those few occasions?
4 A. Correct. And I went over to his house on
5 one occasion.
6 Q. For what purpose?
7 A. To watch a fight.
8 Q. Did you see Gina at that time?
9 A. Yes.
10 Q. Did you speak to Gina throughout that year's
11 time?
12 A. Just -- it was very short and sweet. Just a
13 hello, how are you? That's it.
14 It was never any kind of conversation. It
15 was just -- I would see her coming or going out of the
16 driveway and I'd just wave or say Hi.
17 Q. Was there an occasion when you found out
18 Gina was pregnant?
19 A. Yes.
20 Q. How did you find that out?
21 A. I believe Chip came and told us. It's
22 foggy. I can't really remember how it exactly happened.
23 Maybe my wife told me.
24 I'm not quite sure.
25 Q. Was there an occasion when Chip was over at

1 your house watching a fight where there was a discussion
2 about him drinking something or drinking alcohol?
3 A. Yes.
4 Q. Would you tell us that?
5 A. Yeah. I offered him a beer and he said "No,
6 I'm not drinking right now."
7 I said how come?
8 He said "My wife is pregnant and she can't
9 drink. So I'm respecting her by not drinking also."
10 "I think it's only fair if she can't drink I
11 can't drink either. So we're just going to -- we're not
12 giong to drink while she's pregnant."
13 Q. MeriLee talked about something about fixing
14 a doggie door. Do you remember that incident?
15 A. Sure.
16 He was trying to put a doggie door in. He
17 had a couple little miniature greyhounds or Italian
18 greyhounds and he was trying to put a doggie door in the
19 side garage door. It's a metal door and he didn't have
20 the right tools to do it. He was kind of struggling.
21 I offered to help him because I had a
22 hacksaw and some other things so I helped him install that
23 doggie door.
24 Q. Other than these sort of neighbor
25 acquaintances it sounds like helping with the doggie door

1 and swapping some viewings of the pay perview fights or
2 something like that, you did not consider yourself really
3 close friends, in any way?
4 A. No.
5 It was more like neighbors. You know, we
6 never went out together or shared any intimate stories or
7 anything like that. It was kind of just a nice neighborly
8 relationship.
9 Q. During the time that you saw Chip after you
10 found out that the baby was -- I mean that Gina was
11 pregnant, what was his -- what were your observations of
12 his feelings towards having a baby?
13 A. He was very excited. I believe he comes
14 from a good family and he's very family-oriented that way.
15 He was very excited about starting a family
16 and excited about starting a family and being happy.
17 Q. When you heard what happened on December
18 5th, now the day of the domestic violence day, is this the
19 first inkling that you had of any kind of disturbance
20 between the two of them?
21 A. Yes.
22 Q. How was it that you got notified about that
23 incident?
24 A. My wife called me on the cellphone and she
25 said "You're not going to believe this but there's cops

1 out in front of Chip and Gina's house."
2 I said really?
3 What's going on there?
4 She says "I don't know, but come home." So
5 I came home.
6 Q. And when you got home were the police still
7 there?
8 A. No. They were gone.
9 Q. What happened when you came home?
10 A. When I came home MeriLee told me that the
11 police were out there and stuff. She wasn't quite aware
12 of what was going on, but she had talked to Chip briefly
13 and she said that Chip wanted to talk to me.
14 Q. And so what did you do?
15 A. Then I went over and knocked on his door and
16 I went to find out what he wanted.
17 Q. What did he want?
18 A. He asked me to drive him to the Family Court
19 to get a Restraining Order against Gina.
20 Q. Why did he want you to drive?
21 A. He was very shook up. He was just very
22 nervous, very shook up, shaking.
23 He just really didn't feel like he was able
24 to drive himself to go do that.
25 Q. Were these just words that he said to you or

1 was this part of the observation that you had?
2 A. No. I observed him being very upset and
3 very nervous. He was shaking.
4 Q. Did it appear to be genuine and real to you?
5 A. Yes, it did.
6 Q. Did he tell you what happened before you
7 went off to -- before you went in the car and drove him
8 about what had happened with Gina?
9 A. It was just brief.
10 It was just brief, that they had had a fight
11 and she pulled a gun on him and he needed to get a
12 Restraining Order.
13 Q. What time of day was this?
14 A. It was -- I know it was close to closing
15 time at the family courts, so it had to be like four,
16 4:30.
17 We had to get down there.
18 Q. Did he at any point in the drive give you
19 details about what had happened?
20 A. He said that they were arguing over an
21 incident that had happened earlier in the morning and at
22 night and that she had -- she had pulled a gun on him and
23 that he had -- and he grabbed her, grabbed the hand and
24 grabbed the gun, and she was trying to squeeze off the
25 trigger. She was like, like this, and he grabbed her and

she was trying the pull the trigger, trying to kill him.

Q. Did you motion -- let me ask you did he actually physically motion?

A. Yes.

Q. Did he motion much as you did?

A. Yes. He said she pointed the gun at him just like this.

Q. If you would show that up for the jury to see.

A. He motioned, like she pointed the gun at me like this and I grabbed the gun and she was trying to pull the trigger and the trigger wouldn't -- I mean she couldn't get a shot off, I guess.

MR. BLOOM: For the record, Your Honor, if I could describe that Mr. Wright held his right arm straight out, that he held it -- his hand in what I'll call the shape of a gun with his index finger in the barrel and his thumb, indicating the hammer, and that when he did so the hammer wasn't at 2:00 o'clock, but rather was at 9:00 o'clock.

THE COURT: Which is represented by his thumb; that is what you're saying?

MR. BLOOM: That is correct.

THE COURT: The record will so reflect.

MR. BLOOM: Thank you, Your Honor

1 BY MR. BLOOM:

2 Q. When he was telling you this you were

3 driving?

4 A. Yes.

5 Q. You're driving and also looking at what he's

6 doing?

7 A. Yeah.

8 We're going down the highway. I can glance

9 at him while he's doing this and he's telling me that.

10 I said why, what happened? Why couldn't she

11 shoot? Why didn't the gun go off?

12 He said "There has to be a bullet in the

13 chamber or something for it to be able to go off. You

14 have to put a bullet in the chamber first before you can

15 fire it."

16 Q. When he was saying this did you -- do you

17 now remember the tone he was using, his mannerisms that he

18 was demonstrating, the demeanor that he showed?

19 A. He was shook up. He was very fearful. He

20 had a gun pointed at him and he was shaking and he was

21 very nervous, fearful, just -- he was upset, very, very

22 upset.

23 Q. And he appeared very real to you?

24 A. Yes, absolutely.

25 Q. Did he tell you anything about why he was

1 afraid?

2 Besides the incident with the gun, did he

3 tell you anything about Gina and anything about him being

4 afraid about what might happen in the future?

5 A. He told me -- he related to me that she had

6 had a past that involved gangs, gang activities, and that

7 he was afraid of some gang retaliation. He didn't know

8 where she -- what she's been doing, if she still had -- if

9 she still didn't have connections to them or what.

10 He was very afraid. He was afraid that they

11 would come back and maybe retaliate against him somehow.

12 Q. Was -- did he express any fear of what she

13 was capable of doing?

14 A. I believe he was, yes.

15 Q. How did he express that?

16 A. He just said I can't believe that -- how do

17 I want to phrase this -- I think I was just in shock that

18 his wife would be pointing a gun at him and trying to kill

19 him.

20 He was so shook up, it was -- maybe you can

21 repeat the question for me again, because I kind of got

22 lost in my thoughts there.

23 Q. Did he say anything at any point about

24 what -- being concerned about what she was capable of

25 doing?

A. I think she was capable of being very violent.

THE COURT: Excuse me.

BY MR. BLOOM:

Q. I want to know if he said anything about that.

A. He said she was very violent and he was afraid for his life.

Q. Tell us what happened.

That's on the drive over to the courthouse?

A. Yes.

Q. Was it this courthouse?

A. No.

Q. Which courthouse was it?

A. It's a family court down on -- I believe it's Bonanza and Stewart, Bonanza and something on the other side of town. I can't exactly remember.

It's Bonanza and -- I can't remember what the cross street is.

Q. But did you get there before it closed?

A. Yes.

Q. And what happened when you got there?

A. We went through -- they have metal detectors there. We went into the place, asked for some directions on how to get -- they directed us to the wrong area.

1 We got more directions back to the right
2 area. We walked in and there was a woman sitting at the
3 front table there and he asked to be able to fill out a
4 Restraining Order.
5 Q. Did you observe him while he was doing that
6 and also observe him while he was at the courthouse the
7 rest of that time?
8 A. Yes.
9 Q. Did his demeanor change in terms of your
10 eyes, in terms of being in fear?
11 A. No. He was still shook up all the way
12 through the whole process.
13 Q. How long was it before that process was
14 over?
15 A. From start to finish, you mean when I got,
16 when we were at the courthouse?
17 Q. Yes.
18 A. We were probably there ahalf hour to 45
19 minutes.
20 Q. And then did you -- then what happened?
21 A. He had filled out his paperwork and we left
22 the courts and we came home.
23 Q. Did you observe anything different than what
24 you've already described on the way home?
25 A. You know, he had his Restraining Order. I

1 think he felt better about that. It was still basically
2 the same stuff on the way home.
3 It was, you know, "I can't believe my wife
4 is doing this. I can't believe she's leaving her baby
5 like this."
6 Q. Where was the baby?
7 A. The baby was with MeriLee. He had made
8 arrangements to have MeriLee watch the baby and also Kito.
9 Q. Tell me about Kito. Who is Kito?
10 A. Kito is Gina's son from a previous
11 relationship.
12 Q. And had you seen Kito at the house or in the
13 neighborhood with Chip prior to this date?
14 A. Yes.
15 Q. What was his relationship with Kito?
16 A. I think they they had a very good
17 relationship. I used to see him take Kito to the ball
18 games.
19 He was active in sports and Chip was always
20 taking him to the ball games and stuff.
21 Q. MeriLee was back at the house.
22 Whose house was MeriLee at, Chip's house or
23 your house, watching the kids?
24 A. I believe -- shoot. You know, I don't
25 recall.

Q. One of the two houses?

A. One of the two houses, yes.

Q. What happened when you got back?

A. When I got back obviously Chip came over to the house, to our house, and came in. MeriLee watched the baby. Kito came over and MeriLee fed Kito, made him dinner and Chip went into the dining room and wanted to use our phone.

He went into the dining room and started making phone calls.

Q. Did you hear these phone calls or did you just give him his privacy?

A. I just gave him his privacy.

Q. What happened next?

A. He was in there quite a while making phone calls for I don't know how many hours. It was a while. He came back into the room.

Q. Why didn't he go to his house to make phone calls?

A. I think he was afraid to stay at the house. I believe he was afraid to stay at the house.

Q. When he got done with the phone calls what happened?

A. He stayed at our house and had conversations with MeriLee.

1 Q. Were you in the same room when those
2 conversations were going on?
3 A. Yes, yes.
4 They were sitting on the couch. I was
5 sitting over there on the chair and they were talking
6 about the baby, kind of some of the events.
7 I was flipping through the channels. Quite
8 frankly, I wasn't paying too much attention to what they
9 were saying.
10 Q. Did Chip's demeanor still appear to be
11 genuine to you?
12 A. Yes, very genuine. He was very upset.
13 Q. This is the day of the 5th. It's now the
14 evening of the 5th.
15 What happened at the end of the evening?
16 A. Well, Chip stayed the night. He stayed up
17 until, I don't know.
18 I went up and went to bed. I think he
19 stayed all night. MeriLee told me he left in the middle
20 of the night and went home.
21 Q. So you don't know. After you went to bed
22 that's the last you saw him that evening?
23 A. Right.
24 Q. What happened?
25 Did you see him the next day, the 6th?

1 A. Did I see him next day, the 6th?
2 Yes.
3 Q. When was that?
4 A. When he came over to the house, when he got
5 done from work. He went to work and came home.
6 Q. Were you home by that time?
7 A. I don't recall if I was or not.
8 Q. You're not sure if you got there or he got
9 there first, but you know he was there in your house that
10 evening?
11 A. Yep.
12 Q. What happened that evening?
13 A. He was afraid to go home. He said he was
14 still afraid about something that could happen over there,
15 retaliation or whatever, and he was -- he really didn't
16 want to go back over there until his parents had arrived.
17 Q. Is there anything that you heard having to
18 do with with him being very tired because he stayed up the
19 night before and wanted some sleep?
20 A. Yes.
21 Q. Can you tell the jury about that?
22 A. Yes.
23 When he came to the house he wasn't there
24 very long before he fell asleep on the couch. It was kind
25 of funny. He kept snoring.

He snored pretty loud and MeriLee and I thought it was kind of funny that he was snoring like that.

He stayed there and was pretty much passed out most of the night.

Q. Some time that evening did he leave?

A. You know, I don't recall.

Q. It could have been -- it's not from what you saw, but from what you were told by MeriLee as to when he left?

A. Yes, right.

Q. What happened next day, the 7th?

A. The next day it kind of started all over again. He came back to the house after work, fell asleep on the couch again and we kind of -- we kind of went on around with our own business around him and MeriLee took care of the baby and I can't remember what time it was, but there was a knock on the door, again, and it was his parents had arrived.

Q. Was he in your house on your couch sleeping when his parents got there?

A. Yes.

Q. And that's Big Chip?

A. Chip and Camille. Big Chip and Camille had come into the house?

1 Q. Was there one of the evenings or more than
2 one of the evenings that MeriLee herself, because of what
3 Chip told her, was checking outside and was staying up,
4 too?
5 A. Yes.
6 Q. Did you observe that?
7 A. I observed it first-hand. She kept waking
8 me up. She would go check out the windows, making sure
9 everything was okay, looking for weird, suspicious stuff
10 going on. She was doing it all night.
11 I finally said it's going to be okay. Just
12 get in bed.
13 Q. Do you remember that to be -- do you
14 remember which night that particularly was?
15 A. I think it was actually during the time,
16 the -- it was the 6th. I believe it was the 6th.
17 Q. Now, after Chip's parents got there I assume
18 you were introduced to them so you found out who these
19 people were; is that correct?
20 A. Yes.
21 Q. Do you see them in the courthouse waiting
22 for the last couple of days?
23 A. Yes.
24 Q. Have you been outside of the courthouse
25 waiting for the last couple days waiting to finally get in

1 here?

2 A. Yes.

3 Q. Did you have much contact with Chip between

4 the time period of the 6th when his parents got there and

5 the time of the shooting on the 20th?

6 A. Not very much.

7 He was pretty much involved with his

8 parents. His parents were there and we really didn't see

9 a whole lot of him.

10 Q. Did you see him on some occasion, though, at

11 least briefly during that time period?

12 A. Yes.

13 He came over and he was all decked out. He

14 was going out on a date. I believe -- I think he was

15 going to a Christmas party or some kind of function like

16 that.

17 He was looking pretty dapper and he was on

18 his way out. He was going out on a date.

19 Q. How is it that that came to your attention?

20 A. That he was going out on a date?

21 Q. Yes.

22 A. He told us. He was excited. He was like

23 yeah, going out on date.

24 We were happy for him.

25 Q. At any point that you saw him on the 5th,

1 the day you took him over to the courthouse, the 6th, the
2 next evening he was there on your couch, the 7th or the
3 time that you saw him going out on a date or going to the
4 Christmas party, was there any time at any point you
5 observed anything in your mind that made you feel that
6 Chip was jealous about wanting to be with Gina?
7 A. Never.
8 Q. That Chip was obsessed with wanting to be
9 with Gina?
10 A. No, never. I never observed that at all,
11 ever.
12 Q. Not once?
13 A. Not -- not once.
14 Q. Did he have a concern during that time that
15 you saw him?
16 A. Absolutely.
17 Q. What was that concern?
18 A. His big concern was the child, his son. His
19 biggest concern was for that baby.
20 Q. If I can, I'd like to go forward to the
21 20th.
22 You talked about how on the 20th the person
23 that you heard was MeriLee screaming, actually you heard a
24 knocking and the doorbell. Could you hear that?
25 A. It was more like a banging, it was like

1 somebody was pounding on the door and then the doorbell.
2 Q. So it wasn't a regular knocking?
3 A. No. Sometimes when you're upstairs --
4 THE COURT: ONE AT A TIME, okay?
5 Ask the question.
6 MR. BLOOM: Sorry.
7 BY MR. BLOOM:
8 Q. You were about to say something when you're
9 upstairs sometimes.
10 Would you continue?
11 A. Sometimes when I'm upstairs you can't hear
12 somebody knocking on the door. My daughter, when she
13 comes, she pounds on the door because sometimes she locks
14 herself out.
15 I just assumed that's who that was.
16 Q. The judge's concern was not how loud you
17 were speaking or how quiet, but we were both SPEAKING AT
18 THE SAME TIME which messes up the court reporter's
19 transcript.
20 That's why I'm sure I'm going to give you a
21 chance to finish your answer.
22 How far down the stairs did you get before
23 you saw MeriLee and Camille?
24 A. About halfway down, I would say.
25 Q. And how was MeriLee?

1 A. MeriLee was -- she was shook up saying, you
2 know "Chip just shot Gina. Chip just shot Gina."
3 I'm like what?
4 It was -- it was kind of one of those things
5 where you're in disbelief.
6 Q. What's MariLee's demeanor in terms of her
7 exciteability or how emotional?
8 A. MeriLee is a very emotional person. She's a
9 very caring person. She's the caregiver type.
10 She wants to take care of everybody. She
11 gets very animated and very excited, emotionally.
12 Q. So did she appear to be very emotional,
13 MeriLee, at this point?
14 A. Yes.
15 Q. How about Camille?
16 A. Camille was, she was in -- she was crying.
17 She was like saying "Oh my God, Oh my God, I can't believe
18 this is happening."
19 And MeriLee is trying to get her calmed down
20 and about that time there was another knock on the door.
21 Q. That was the knock that -- may I approach,
22 Your Honor?
23 THE COURT: You may.
24 MR. BLOOM: Get him a sip of water.
25 THE WITNESS: Thank you.

1 BY MR. BLOOM:
2 Q. That that knock on the door was what you
3 heard from still in the middle of the stairway?
4 A. I probably walked down a couple more stairs.
5 I was almost at the base of the stairs when the knock on
6 the door came.
7 Q. Who opened that door?
8 A. I did.
9 Q. And let me ask you to describe both Chips
10 that you saw.
11 You first saw Big Chip. What was his
12 condition?
13 A. He was a mess. He was crying, sobbing.
14 More than crying, he was sobbing and he had hold of Chip's
15 arm and was -- I mean, he couldn't even hardly get --
16 talk.
17 He was like "Chippy tried to shoot himself"
18 and he held his hand up to his head like that.
19 Q. The words that came out, you could make out
20 the words, but they were very --
21 A. Yeah. He was not screaming it, but he was
22 like sobbing through it.
23 Q. How was it -- describe if you would for the
24 jury the way that Chip looked.
25 A. Chip was staring straight ahead. I mean his

1 eyes, he was just like --

2 Q. You have your eyes wide open?

3 A. He had his eyes wide open, white as a ghost,

4 looking straight ahead like he was just looking right

5 through you. There was no reaction, no anything.

6 He was like in a catatonic state. To move

7 him you actually had to kind of physically pull him along.

8 He wouldn't come on his own. It's like you had to kind of

9 pull him along.

10 Q. Had you ever seen anything like that before?

11 A. No.

12 Q. Did you think it was real?

13 A. Absolutely.

14 Q. What happened?

15 A. MeriLee and Chip helped him down the stairs,

16 even though the foyer has like a one step down to the

17 living room, and they had to help him down that.

18 You can see the one or two steps right

19 there. I mean, you could have pushed him over and he

20 would have went over.

21 They actually had to help him move his legs

22 down the stairs and get him to walk over to the sofa that

23 was sitting there and they actually had to push him down

24 into -- yeah, that one right there -- the loveseat right

25 there.

1 They had to push him down into the seat. He
2 was like stiff.
3 Q. Is this the loveseat here you're talking
4 about?
5 A. Yes, that's correct.
6 Q. On this photo, Your Honor, I'm showing, for
7 display, exhibit 12. In this corner this is the --
8 A. That's the stairway.
9 Q. The stair down?
10 A. Um-hum.
11 Q. When he got pushed, shoved down into that
12 loveseat, what did he do?
13 A. Nothing.
14 There, staring straight ahead, never, never
15 moved his head, never moved a muscle. He was just -- he
16 just stared straight ahead.
17 MeriLee went and kind of grabbed him and
18 said "What happened, Chip, what happened?"
19 No response, nothing.
20 Q. Is that when you asked if they called 911?
21 A. Just as they were entering the door I said
22 call 911. That's when somebody said "We already
23 called 911."
24 I don't remember if it was Camille or Big
25 Chip.

1 Q. When you -- he got Chip into the house did
2 he stumble at any point?
3 A. I don't remember him stumbling. I remember
4 him being very hard to work with to get sat down.
5 Q. MeriLee wanted to go over to the Centofanti
6 house; is that right?
7 A. Yes.
8 Q. The question was put to you was there an
9 effort to stop -- did more than one person try to stop
10 her?
11 Who was it that tried to stop her?
12 A. I tried to stop her.
13 Q. And your concern was you didn't know what
14 was over there?
15 A. Yeah, I didn't know what to expect over
16 there. I really didn't know what to expect over there,
17 quite frankly.
18 I didn't want her going over there. I knew
19 there was somebody shot over there and I wanted her to
20 stay over here and let the police handle it.
21 Q. At the point the way that argument was going
22 or the effort to stop MeriLee and with you ending --
23 having to pull her and her still wanting to go, was
24 Camille's statement about "Gina is dead or Gina is
25 probably dead", something like that, whatever Camille

1 actually said to stop, did you - - was that Camille's
2 effort to try to stop MeriLee or is that her effort to try
3 to agree with you and to support your position that
4 MeriLee shouldn't go over there?
5 MR. PETERSON: Objection. Speculation.
6 He can't get into Camille's mind on that.
7 THE COURT: I would suggest that's probably
8 true.
9 MR. BLOOM: Very well, Your Honor.
10 BY MR. BLOOM:
11 Q. What was Big Chip doing this whole time?
12 A. He was still sobbing.
13 He had walked in and sat down right on the
14 base of the foyer there where the steps are.
15 Q. There was a statement by a police officer
16 early on. Her recollection was that when she came in, the
17 first police officer, that she observed both Chip Senior
18 and Chip -- and young Chip both sitting on this foyer
19 floor.
20 A. No.
21 Big Chip was sitting there, if you can see
22 the Christmas Tree, he was sitting next to that wall right
23 there. He was sitting right there.
24 Q. Here?
25 A. Right there, yes. Chip was already on the

1 sofa. They already moved him down and put him on the
2 sofa.
3 Q. What happened when the police officer got
4 there?
5 A. I had motioned to her to come over to the
6 house. She came in the house.
7 The first thing she said was "Where is the
8 weapon?"
9 I said it's right there on the floor.
10 She kind of moved it with her foot, kicked
11 it out of the way. Then she asked where Chip was.
12 I said that's him right there on the couch.
13 Q. Did she ask for him by name or did she say
14 who did the shooting?
15 A. You know what? She didn't ask by name
16 obviously. I don't recall how she asked for him. I don't
17 recall that.
18 Q. How was your emotional condition at this
19 point?
20 A. It was almost like you're dreaming or
21 something. You're kind of like -- it's all going around
22 you and it's going so fast. You really are trying to keep
23 yourself level headed at this point in time.
24 It was something -- I've never experienced
25 this in my life, so I had no memories or any other

1 memories to kind of deal with this kind of situation.
2 I've never been in this situation before.
3 Q. What did the police officer do with regards
4 to after she kicked the gun?
5 A. She went down and tried to get him up off
6 the couch. She struggled to get him back up again and get
7 him back out the door.
8 She was having to muscle him pretty hard,
9 because he was just -- he was stiff. She got him out the
10 door and put him up against the wall in the entranceway to
11 the house.
12 Q. This is the patio?
13 A. Yeah, patio area to get into the front of
14 the house. She put him up against the wall, got his hands
15 behind his back. He was still standing there and she was
16 trying to kick his feet apart.
17 I don't know why, but she was trying to get
18 his feet spread and she was kicking the crap out of him.
19 She was really wailing on his legs to get him to move.
20 He was solidly planted. I mean, it was --
21 believe me, if somebody is kicking me that hard I'm moving
22 my legs.
23 Q. It made an impression on you?
24 A. Yeah. I was standing right there watching
25 the whole thing in the doorway.

1 Q. Did she finally get his legs apart?
2 A. Yes.
3 Q. Did she finally get him handcuffed?
4 A. Yes.
5 Q. Did his demeanor change at any point that
6 you saw?
7 A. Never, never changed.
8 Q. You talk about his eyes being wide.
9 Did you ever see him blink?
10 A. I never saw him blink. It was like looking
11 straight ahead.
12 It was kind of eerie.
13 Q. Did another police officer finally arrive?
14 A. She didn't want to leave until somebody else
15 arrived to take care of the gun and as soon as he got
16 there she got the gun.
17 Q. A second police officer?
18 A. Yes.
19 Q. It was after that happened that you stayed
20 in your house for a few moments and talked about it or
21 were just there with Camille and the baby, Big Chip and
22 MeriLee?
23 A. Yeah. We were there probably for, I don't
24 know, it seems like seconds, and more police officers
25 arrived and basically told us we had to leave.

1 It was just -- it happened so fast.
2 Q. It was during that time, though, that -- is
3 that when you heard Camille say something about "We didn't
4 hear anything. I don't know what the heck happened. We
5 just heard the noises" or was that when you were at
6 Herb's?
7 A. I think that's when I was at Herb's. I
8 didn't hear anything like that at the house.
9 Q. The cops told you you had to leave. You
10 couldn't get dressed.
11 Get a coat and get out?
12 A. Get out. We were all like you got to be
13 kidding.
14 Q. You happened to see Herb pulling out. You
15 asked him if you could use his house?
16 A. Yes.
17 Q. Before the detectives arrived you sat in
18 Herb's house and it was there that you heard Camille say
19 something about "I didn't hear anything. I don't know
20 what the heck happened. All we heard were a couple shots.
21 We went downstairs and there he was."?
22 A. I don't recall using that word shot, but I
23 may have. I thought she said like bangs, noises,
24 something like that.
25 Q. And did she tell you that she saw Gina?

1 A. No. She did not tell me that.
2 Q. Did she ever tell you that she actually
3 approached the body?
4 A. No. I never -- never.
5 Q. What time did the police leave your house
6 that evening?
7 A. We were allowed to go back in our house
8 probably -- I'm guessing about 11:00 o'clock, in that area
9 some place.
10 We were in the house probably maybe 10
11 minutes and there was another knock on the door and it was
12 another officer wanting to come in and take some
13 statements.
14 Q. This statement says that you made it at 2341
15 hours. That's 11:41 p.m.
16 Does that fit in with your recollection?
17 A. Yeah, it was late, very late.
18 Q. That was December 20 of 2000.
19 You stayed with MeriLee and you were with
20 her for another year or two?
21 A. Correct.
22 Q. Now, I want to turn to something else which
23 is, um, something that brings us to March 22 and 23 of the
24 year 2004 in this courthouse.
25 You said you were waiting --

1 MR. PETERSON: Objection.
2 Can we approach the bench, please?
3 THE COURT: Yes.
4 (DISCUSSION OFF THE RECORD)
5 THE COURT: Proceed.
6 MR. PETERSON: Are you ruling on my
7 objection regarding this question, for the record?
8 THE COURT: We will go into other areas and
9 we'll convene at a later time to discuss it more fully.
10 MR. BLOOM: No further questions, Your
11 Honor.
12 THE COURT: Anything further from the State
13 for this gentleman?
14 MR. PETERSON: Yes, judge. Let me speak to
15 him briefly.
16
17 RE-EXAMINATION
18 BY MR. PETERSON:
19 Q. You said Chip was never jealous of Gina that
20 you observed.
21 Would you agree that he was distraught over
22 his wife leaving him?
23 A. I believed he was distraught over the
24 welfare of his baby.
25 MR. PETERSON: May I approach?

1 THE COURT: You may.
2 BY MR. PETERSON:
3 Q. Can you read your word, along --
4 THE COURT: Refer.
5 MR. PETERSON: Page 12.
6 BY MR. PETERSON:
7 Q. When you say basket case, he was distraught
8 that his wife had left him and you said "Well I think he
9 was distraught. I think what really blew his mind, she
10 could leave a little baby with no more remorse."
11 Would you agree it shook him up?
12 A. Yes.
13 Q. Would you agree it hurt his ego?
14 A. I think when I had stated --
15 THE COURT: Excuse me.
16 BY MR. PETERSON:
17 Q. I'm just asking you would you agree it hurt
18 is his ego?
19 A. I couldn't say.
20 Q. Do you agree that you told the police "and I
21 think I'm sure it hurt his ego, too."?
22 Did you say that to the police?
23 A. Yes, I must have said that to the police.
24 Q. You must have or you did?
25 A. I did.

1 Q. Okay. Did you mean it or were you lying to
2 the police then?
3 MR. BLOOM: Objection, Your Honor.
4 Argumentative.
5 THE COURT: Sustained.
6 BY MR. PETERSON:
7 Q. You certainly weren't trying to mislead the
8 police when you were giving them the statement the night
9 of the murder, were you?
10 A. No.
11 Q. You told me, on direct, that you heard your
12 doorbell ring and a knock at the door. You said you heard
13 the knock because it was -- it was sort of loud; is that
14 true?
15 A. At which time, which knock?
16 Q. When you heard the knock of Camille
17 Centofanti at the door.
18 A. Yes.
19 Q. And you heard the doorbell too, you told me?
20 A. Yes.
21 Q. Your doorbell is no louder than any other
22 doorbell or average home in Las Vegas?
23 A. I couldn't say.
24 Q. Since you can hear a doorbell upstairs, have
25 you ever heard a gun fired, a handgun fired?

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1 A. Sure.
2 Q. I would hope that your doorbell is not that
3 loud, is it?
4 A. No.
5 Q. Is it?
6 A. No.
7 Q. You told us about Chip's version of what
8 happened on December 5th.
9 Are you aware that Gina's version is much
10 different than that?
11 A. No.
12 Q. Were you aware that Kito was home in the
13 house when some of the events of the 5th happened?
14 A. No.
15 Q. All right. I think you mentioned, you said
16 that Chip was distraught on the 5th because Gina was
17 leaving the baby.
18 Did you say that, on cross, to Mr. Bloom?
19 A. I don't remember.
20 Q. On the 5th it would have been difficult for
21 Gina to take care of the baby. She was in jail.
22 Would you agree with that?
23 A. Correct.
24 Q. Let's talk about the night of the 20th where
25 you told Mr. Bloom that you grabbed your wife to prevent

1 her from going next door and Mr. Bloom asked you sort of
2 generally about the things that Camille said and I want to
3 make sure we're very clear on this.
4 Isn't it true Camille Centofanti said "She's
5 dead. She's already dead."
6 Do you remember that?
7 A. I don't remember her exact words.
8 Q. Actually I'm asking -- I for some reason
9 don't have that matter in my head. I'll ask Ms. Goettsch
10 to look for that while I go on to some further questions.
11 I want to talk about some of this gang
12 stuff.
13 You told us on cross-examination to
14 Mr. Bluhm that Chip was afraid because of this alleged
15 gang affiliation of Gina's.
16 A. Um-hum, yes.
17 Q. Do you agree that you never told any of this
18 to the police on -- in either your handwritten statement
19 or in your recorded statement to them?
20 A. Not in any handwritten statement.
21 In the recorded statement we never got into
22 that. He never asked about the 20th. He said he already
23 knew about all of that.
24 He wanted to focus on what was going on that
25 night.

1 Q. When you saw Gina did you think she was a
2 gang member to you?
3 A. I don't know what a gang member looks like,
4 quite frankly.
5 Q. Did you ever see suspicious characters
6 lurking about during the year that you knew Gina and Chip?
7 A. I didn't see anybody suspicious.
8 Q. Gang graffiti?
9 A. No, sir.
10 Q. Lowered cars and guys looking all scary
11 driving around; did you ever see any of that?
12 A. No, I never saw any of that.
13 Q. The "they" who you said Chip was afraid
14 might come back and do something, who is the "they" we're
15 talking about?
16 A. The gang members.
17 Q. These gang members that you never saw at any
18 time?
19 A. You know, I don't know exactly. I guess
20 gang members come in all shapes and sizes.
21 Q. That's probably a fair statement, but you
22 never saw any gang members of any shapes and sizes?
23 A. Not that I'm aware of, no.
24 Q. In any of the time, ever?
25 A. Not that I'm aware of.

1 Q. Okay. Your wife, however, seemed to kind of
2 really be buying into this story. She kind of stayed up
3 at night?
4 MR. BLOOM: Objection. Argumentative as to
5 form.
6 THE COURT: Rephrase.
7 BY MR. PETERSON:
8 Q. Your wife sort of stayed up with Chip on
9 this gang watch vigil?
10 MR. BLOOM: Objection, Your Honor.
11 THE COURT: Excuse me?
12 MR. BLOOM: Object as to form.
13 Argumentative as --
14 THE COURT: I thought her testimony was that
15 Chip had created a concern in her mind that people might
16 be roaming the neighborhood.
17 MR. BLOOM: I understand.
18 I think the question is founded and there is
19 a foundation for the question. My objection in this case
20 is Mr. Peterson's use of quotation marks in forming -- I
21 don't know if the Court saw him in that manner as
22 argumentative.
23 THE COURT: Rephrase.
24 BY MR. PETERSON:
25 Q. Your wife, along with Chip, stayed up at

1 night watching for these alleged gang members; is that
2 right?
3 A. She was afraid that -- she was looking for
4 something that might happen.
5 Q. Nothing ever did happen, did it?
6 A. Not that I know of.
7 Q. I think you told us on cross that at some
8 point you even told your wife "Honey, go to bed. Knock it
9 off."?
10 A. Yes.
11 Q. You took this I guess a little less
12 seriously perhaps than your wife did?
13 A. I don't know if I would say less seriously.
14 I just, you know, I was worried about her not getting any
15 sleep.
16 I was worried about me not getting any
17 sleep.
18 MR. PETERSON: May I approach?
19 Page nine of the voluntary statement.
20 THE COURT: You may.
21 BY MR. PETERSON:
22 Q. I want to make sure we get this working
23 right. Did you say to the police "I believe Camille said
24 she's dead, she's already dead."?
25 A. Yes.

1 Q. That's what you said to the police that
2 night.
3 Regarding retaliation, sir, it was your
4 understanding that according to Chip Gina had pointed a
5 gun at Chip, right?
6 A. On the 5th?
7 Q. Yes.
8 A. That's what I was told.
9 Q. If Gina is pointing the gun at Chip what
10 would Gina have to retaliate about?
11 A. I don't know.
12 Q. Wouldn't you imagine a guy getting the gun
13 pointed at him is the one who is going to retaliate?
14 MR. BLOOM: Objection. Argumentative.
15 THE COURT: I'll allow it.
16 BY MR. PETERSON:
17 Q. Seems reasonable, doesn't it?
18 A. Can I hear the question again?
19 Q. Sure.
20 Wouldn't you agree with me that the person
21 who is the one getting the gun pointed at them is the one
22 that might retaliate?
23 A. I wouldn't know what. I couldn't really
24 assume what they were thinking at the time.
25 Q. Your wife said that Chip also said that Gina