EIGHTH JUDICIAL DIST,RI7 OURT CIVIL/CRIMINAL Dill8d0 7-CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

KIRSTIN BLAISE LOBATO,

Defendant.

DEPT. NO. 11

CASE NO. C177394

Transcripts of Proceedings

BEFORE THE HONORABLE VALORIE J. VEGA, DISTRICT COURT JUDGE

"ROUGH DRAFT"

JURY TRIAL - DAY 10 VOLUME X

FRIDAY, SEPTEMBER 22, 2006

COURT RECORDER:

TRANSCRIPTION BY:

LISA LIZOTTE District Court NW TRANSCRIPTS, LLC. 1027 S. RAINBOW BLVD., #148 LAS VEGAS, NEVADA 89145-6232 (702) 373-7457 nwtranscripts@msn.com

Proceedings recorded by electronic sound recording, transcript produced by transcription service.

X-1

APPEARANCES:			EXHIBITS
			DESCRIPTION: ADMITTE
			SLATE'S EXHIBITS
FOR THE PLAINTIFF:	BILL KEPHART Chief Deputy District Attorney 200 South Third Street Las Vegas, Nevada 89101 (702) 455-3482 SANDRA K. DIGIACOMO Deputy District Attorney 200 South Third Street Las Vegas, Nevada 89101 (702) 455-6450		Exhibit 155 - Folded cardboard box4Exhibit 156 - Box bottom from copy paper carton4Exhibit 157 - Processing of Milwaukee's Best beer can5Exhibit 158 - Processing-Gallery & Triple XXX magazines5Exhibit 159 - Pair of sandals5Exhibit 160 - Gray socks4Exhibit 161 - Empty box for a surge suppressor5Exhibit 163 - Piece of cardboard w/bloody footwear5Exhibit 163 - Piece of cardboard w/bloody footwear5Exhibit 164 - Gold-color chain5Exhibit 169 - ATM receipt dated 07-06-014Exhibit 170 - Small rock4
FOR THE DEFENDANT:	DAVID M. SCHIECK Special Public Defender 333 South Third Street, 2 nd Floor Las Vegas, Nevada 89155 (702) 455-6265 SHARI L. GREENBERGER, ESQ. SARA ZALKIN, ESQ. 506 Broadway San Francisco, California 94133		Exhibit 171 - Two black buttons4Exhibit 172 - Torn condom pack w/Kleenex4Exhibit 173 - US. Airways boarding pass4Exhibit 174 - Empty flip-top box of Marlboro cigarettes4Exhibit 175 - Cut chain links and cut padlock hasp5Exhibit 177 - Empty package Wrigley's gum and wrappers5Exhibit 251 - Diagram of crime scene1Exhibit 252 - Enlargement of dumpster enclosure area1Exhibit 253 - List of items in dumpster area1Exhibit 254 - Milwaukee's Best beer can2

- *	X-2		X-4 .
	INDEX_	1	LAS VEGAS, NEVADA FRIDAY, SEPTEMBER 22, 20 PROCEEDINGS
NAME DIRE	CT CROSS REDIRECT RECROSS	3	(THE PROCEEDINGS BEGAN AT 10:00 A.M.)□
STATE'S WITNESSES		4	(Jurors are present) THE COURT: Let the record reflect that we're
Louise Renhard	9	6	resuming trial in State versus Kirstin Blaise Lobato, under Cas
Daniel Ford 12	59	7	Number C177394, in the presence of the defendant together
	* * * * *	8	with her three counsel, the two prosecuting attorneys and the
		9 10	ladies and gentlemen of the jury. Ladies and gentlemen, with regard to our schedulir
		11	for next week, we will be starting on Thursday at 1:00 o'clock
		12	and on Friday at 1:00 o'clock, as well. Dependent upon when
		13	the close of evidence occurs and the jury initiates your deliberations, the Court advises you that it's possible that you
		15	will be here into the evening hours on Friday. So you should
		16	plan accordingly for that
		17	We are proceeding forward with the testimony of
		18 19	senior crime scene analyst Louise Renhard. And she may be returned to the witness stand at this time. We remain in the
		20	State's case in chief.
		21	At the end of the day various questions came out
		22	from the ladies and gentlemen of the jury and we will be
		1 -	
		23	proceeding with those questions in short order,

<u>4V v</u>	. I .0BATO		9/22/06
1	LOUISE RENHARD, STATE'S WITNESS, SWORN	1	that's the reason we documented it — was consistent with a
2	THE COURT: The Court is going to read to you	2	foot not being inside the sandals at the time that the blood
3	some questions that are being asked by the ladies and	3	was left.
4	gentlemen of the jury. After I read a question, you may give	4	THE COURT: Did any of the crime scene analysts
5	the answer to the question. After there's about eight of	5	compare the height of the red curb at the crime scene and the
6	them. After I've gone through all of them, then the attorneys	6	ground clearance of the Fiero?
7	will have the opportunity to pose any follow-up questions that	7	THE WITNESS: I don't believe we took a
8	they feel is appropriate,	8	measurement of the height of the red curb_ I'm I don't
9	The first question is: The sandals found in the car,	9	believe we did, I wasn't doing the measurements but it's my
10	are these the same sandals found at the crime scene?	10	belief that we did not, And I did not take a ground clearance
11	THE WITNESS: They weren't the same, The	11	measurement on the red Fiero,
12	sandals at the crime scene had already been collected and	12	THE COURT: Was there any damage to the front
13	impounded, and they weren't the same style either,	13	balance on the Fiero where it may have impacted with the red
14	THE COURT: Did the red Hero tire impressions	14	curb at the crime scene?
15	match those at the crime scene?	15	THE WITNESS: We didn't see any such damage on
16	THE WITNESS: That, I don't know. We do have	16	the Fiero,
17	experts who do comparative analysis and they're the ones who	17	THE COURT: Any follow-up questions by the State?
18	would have done that work,	18	MS, DIGIACOMO: Courts indulgence, Pass the
19	THE COURT: Do you know if hair coloring or other	19	witness,
20	hair supplies would have a reaction with luminol?	20	THE COURT: Any by the defense?
21	THE WITNESS: I don't know. I do know chemicals	21	MR. SCHIECK: Just a couple, Your Honor, to clarify
22	like bleach do_ But a lot of the hair supplies, I believe, have	22	some points.
23	hydrogen peroxide, and I'm not sure whether or not that does,	23	/1/
24	Somebody else, later on, might be able to answer that for you	24	///
	X-6		X-8
			RENHARD - FURTHER RECROSS
1	THE COURT: If the luminol reaction in the car was	1	FURTHER RECROSS-EXAMINATION
2	caused by iron or copper residue from the area, wouldn't you	2	BY MR_SCHIECK:
3	expect to find residue in other areas of the car, especially the	3	Q With respect to I believe it was the first question
4	driver's floorboard?	4	talked about, whether the sandals at the scene were the same
5	THE WITNESS: Yes, I would.	5	type as the sandals found in the car, were the sandals that
6	THE COURT: Did the seams on the factory-installed	6	were found in the car actually had a high heel on them, is that
(seat react to the luminol as one might expect a liquid cleaner	7	correct?
a	applied would create or was it more consistent with a substance transferred by being pressed on and not worked	8	A Yes. The sandals recovered from the car were more
9 10	into the seams?	9	like a woman's high-heeled, open-toe-type shoe. The sandals
10 11	THE WITNESS: My recollection is that the actual	10	at the crime scene were flat they weren't flip-flops but they
11 12	seams did not react. Whether or not I can't answer whether	11	had they had a open toe but with just a cover over them, They were a flat sole,
	or not it was a transfer pressed on. That, I don't know.	12	
13 14	THE COURT: Given that there were blood traces	13	Q And the the shoes that were recovered from the
14 15	inside the sandals, is it correct that they would not have been	14	car, those were impounded and tested with negative results?
15 16	worn at the time of the crime?	15	A Yes, O Okay. There was no blood found with the
17	THE WITNESS: I assume we're speaking about the	16 17	Q Okay, There was no blood found with the phenolphthalein test on those shoes?
18	sandals from the crime scene? Not the ones in the car?	17	A That's correct.
19	THE COURT: I can only read the question the way	18 19	Q And you were asked a question concerning whether
20	it's written,	20	or not hair products could cause a false reaction with luminol.
20	THE WITNESS: Okay_ I'm going to assume that	20	Would that depend on what is contained in the hair product?
22	we're speaking if that's okay I'm going to assume that	21	A Yes, that would depend on what's contained, And I
22	we're speaking about the sandals that were recovered from	22	don't know whether or not any hair products would create that
23	the crime scene, and the spatter inside the sandals and	23	false positive,
			Table Postaro,
	X-7		X-9

N v. LOBATO

` I	RENHARD - FURTHER RECR		FORD DIRECT
1	Q And we've all heard the term of "bleached blonde"	1	DANIEL FORD, STATE'S WITNESS, SWORN
2	hair,	2	THE CLERK: Please state your first and last name.
3	A Yes. I don't think they —	3	Spell your last name for the record,
4	Q That implies —	4	THE WITNESS: Daniel Ford, F-O-R-D,
5	A Do they use bleach?	5	MS, DiGIACOMO: May I, Your Honor?
6	Q I don't know. Obviously I	6	THE COURT: You may proceed.
7	A I've heard the term but I don't know that they	7	MS. DiGIACOMO: Thank you,
8	actually use bleach,	8	DIRECT EXAMINATION
9	Q Okay. They use some type of product that removes	9	BY MS, DIGIACOMO:
10	the pigment.	10	Q How are you employed?
11	A A chemical product. Exactly, And I don't know	11	A As a senior crime scene analyst with the Las Vegas
12	whether or not that creates a false positive. I'm unsure of	12	Metropolitan Police Department.
13	that.	13	Q And how long have you been so employed?
14	It would depend on the — what's contained in the	14	A The ₉ th of this month was fifteen years,
15	product,	15	Q Now, what training and experience do you have that
16	A Exactly,	16	allows you to be a crime scene analyst?
17	Q Okay, And there was some questions concerning	17	A Forty hours of basic fingerprint classification taught
18	the Fiero and damage to the Fiero. Would it be fair to say that	18	by the California State Department of Justice, forty hours of
19	your examination of that vehicle on July 22 — you saw no	19	latent print classification taught by the Federal Bureau of
20	indication that would link it to the area of the dumpster or that	20	Investigation, forty hours of advanced latent fingerprint
21	crime scene area?	21	techniques taught by the California State Department of
22	A I saw no indication on the Fiero, of damage, that	22	Justice, a hundred and twenty hours of field evidence
23	would link it to that curb that they spoke about.	23	technician training taught by the California State University at
24	Q For instance, that would include sometimes at	24	Long Beach under the direction of the Orange County Sheriff's
	× 10		
'	X-10		X-12
	RENHARD - FURTHER RECROSS		FORD - DIRECT
1	least when I'm driving and I hit a curb with my tire, it leaves a		Department, and a total of nineteen years' experience and
1 2	least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this	2	Department, and a total of nineteen years' experience and training,
1 2 3	least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case?	2	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th,
1 2 3 4	least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not.		Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were
4	least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you.	3 4 5	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working?
1 2 3 4 5 6	least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor,	3 4 5 6	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was.
4 5 6 7	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? 	3 4 5 6 7	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road?
4 5 6 7 8	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) 	3 4 5 6 7 8	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was.
4 5 6 7 8 9	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as 	3 4 5 6 7 8 9	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there?
4 5 6 7 8 9 10	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read 	3 4 5 6 7 8 9 10	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the
4 5 6 7 8 9 10 11	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. 	3 4 5 6 7 8 9 10 11	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for
4 5 6 7 8 9 10 11 12	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? 	3 4 5 6 7 8 9 10 11 12	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of
4 5 6 7 8 9 10 11 12 13	least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, 	3 4 5 6 7 8 9 10 11 12 13	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building.
4 5 6 7 8 9 10 11 12 13 14	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, THE COURT: No further questions from the jury. 	3 4 5 6 7 8 9 10 11 12 13 14	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building. Q And at the time that you responded there you said
4 5 6 7 8 9 10 11 12 13 14 15	least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, THE COURT: No further questions from the jury. You may step down from the stand,	3 4 5 6 7 8 9 10 11 12 13 14 15	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building. Q And at the time that you responded there you said — was the Palms Casino there?
4 5 6 7 8 9 10 11 12 13 14 15 16	least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, THE COURT: No further questions from the jury. You may step down from the stand, THE WITNESS: Thank you,	3 4 5 6 7 8 9 10 11 12 13 14 15 16	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building. Q And at the time that you responded there you said — was the Palms Casino there? A It was under construction at the time. There was
4 5 6 7 8 9 10 11 12 13 14 15 16 17	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, THE COURT: No further questions from the jury. You may step down from the stand, THE WITNESS: Thank you, THE COURT: State may call their next witness. 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building. Q And at the time that you responded there you said — was the Palms Casino there? A It was under construction at the time. There was offices in the bank building being used as an employment
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, THE COURT: No further questions from the jury. You may step down from the stand, THE WITNESS: Thank you, THE COURT: State may call their next witness. MS. DIGIACOMO: Your Honor, we would call Dan 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9th, 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building. Q And at the time that you responded there you said — was the Palms Casino there? A It was under construction at the time. There was offices in the bank building being used as an employment center for the Palms Casino.
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, THE COURT: No further questions from the jury. You may step down from the stand, THE WITNESS: Thank you, THE COURT: State may call their next witness. MS. DiGIACOMO: Your Honor, we would call Dan Ford. And may I approach the Clerk?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building. Q And at the time that you responded there you said was the Palms Casino there? A It was under construction at the time. There was offices in the bank building being used as an employment center for the Palms Casino. Q When you arrived, what was the scene that you
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, THE COURT: No further questions from the jury. You may step down from the stand, THE WITNESS: Thank you, THE COURT: State may call their next witness. MS. DiGIACOMO: Your Honor, we would call Dan Ford. And may I approach the Clerk?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building. Q And at the time that you responded there you said — was the Palms Casino there? A It was under construction at the time. There was offices in the bank building being used as an employment center for the Palms Casino. Q When you arrived, what was the scene that you encountered?
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, THE COURT: No further questions from the jury. You may step down from the stand, THE WITNESS: Thank you, THE COURT: State may call their next witness. MS. DiGIACOMO: Your Honor, we would call Dan Ford. And may I approach the Clerk? THE COURT: Yes, The Court Clerk that's been with us thus far through the trial, Billie Jo Craig, has a vacation day 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building. Q And at the time that you responded there you said was the Palms Casino there? A It was under construction at the time. There was offices in the bank building being used as an employment center for the Palms Casino. Q When you arrived, what was the scene that you encountered? A There was a trash dumpster enclosure located in the
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, THE COURT: No further questions from the jury. You may step down from the stand, THE WITNESS: Thank you, THE COURT: State may call their next witness. MS. DIGIACOMO: Your Honor, we would call Dan Ford. And may I approach the Clerk? THE COURT: Yes, The Court Clerk that's been with us thus far through the trial, Billie Jo Craig, has a vacation day today, and on Monday, and so we have — Michelle Jerome's 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building. Q And at the time that you responded there you said was the Palms Casino there? A It was under construction at the time. There was offices in the bank building being used as an employment center for the Palms Casino. Q When you arrived, what was the scene that you encountered? A There was a trash dumpster enclosure located in the northwest corner of the parking area. There was that was
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, THE COURT: No further questions from the jury. You may step down from the stand, THE WITNESS: Thank you, THE COURT: State may call their next witness. MS. DiGIACOMO: Your Honor, we would call Dan Ford. And may I approach the Clerk? THE COURT: Yes, The Court Clerk that's been with us thus far through the trial, Billie Jo Craig, has a vacation day today, and on Monday, and so we have — Michelle Jerome's with us today, assisting as the courtroom clerk. And Ms. Craig 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building. Q And at the time that you responded there you said — was the Palms Casino there? A It was under construction at the time. There was offices in the bank building being used as an employment center for the Palms Casino. Q When you arrived, what was the scene that you encountered? A There was a trash dumpster enclosure located in the northwest corner of the parking area. There was a patrol
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, THE COURT: No further questions from the jury. You may step down from the stand, THE WITNESS: Thank you, THE COURT: State may call their next witness. MS. DIGIACOMO: Your Honor, we would call Dan Ford. And may I approach the Clerk? THE COURT: Yes, The Court Clerk that's been with us thus far through the trial, Billie Jo Craig, has a vacation day today, and on Monday, and so we have — Michelle Jerome's 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building. Q And at the time that you responded there you said was the Palms Casino there? A It was under construction at the time. There was offices in the bank building being used as an employment center for the Palms Casino. Q When you arrived, what was the scene that you encountered? A There was a trash dumpster enclosure located in the northwest corner of the parking area. There was that was
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	least when I'm driving and I hit a curb with my tire, it leaves a mark on the side of the tire. You didn't see any of that in this case? A We did not. Q Okay. Thank you. MR. SCHIECK: No further questions, Your Honor, THE COURT: Would counsel approach? (Off-record Bench Conference) THE COURT: The juror questions will be marked as Court's 46 through 53, in the same order that the Court read them. Any follow-up by the State? MS, DIGIACOMO: No, Your Honor, THE COURT: No further questions from the jury. You may step down from the stand, THE WITNESS: Thank you, THE COURT: State may call their next witness. MS. DiGIACOMO: Your Honor, we would call Dan Ford. And may I approach the Clerk? THE COURT: Yes, The Court Clerk that's been with us thus far through the trial, Billie Jo Craig, has a vacation day today, and on Monday, and so we have — Michelle Jerome's with us today, assisting as the courtroom clerk. And Ms. Craig 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Department, and a total of nineteen years' experience and training, Q Now I want to direct your attention to either July 8th, 2001, in the late hours, or early hours of July 9 th , 2001, Were you so employed and working? A Yes, ma'am, I was. Q Were you called to 4240 West Flamingo Road? A Yes, I was. Q And what's located there? A There's a Nevada State Bank building across the street from what is now the Palms Casino, Parking area for the bank building, Both on the west side the north side of the building. Q And at the time that you responded there you said — was the Palms Casino there? A It was under construction at the time. There was offices in the bank building being used as an employment center for the Palms Casino. Q When you arrived, what was the scene that you encountered? A There was a trash dumpster enclosure located in the northwest corner of the parking area. There was a patrol

NV	. LOBATO	_	9/22/06
	FORD - DIRECT		FORD - DIRECT
1	scene analyst Louise Renhard was there. Homicide had been		yes, ma'am.
2	notified. They were en router The a lot of the trash that	2	Q Okay. And then is this what you encountered
3	had been in the dumpster had been removed_ It was on the	3	behind it?
4	ground, to the side of the dumpster. I was given information	4	A This is after removing a lot of the trash and all,
5	that there was a deceased male located somewhere		yes, ma'am, this is what was behind it
6	underneath the trash.	6	Q And you stated it was your scene to process the —
7	Q At the time that you responded did you have any	7	or your duty to process the evidence? Or process —
8	indication how this person had died?	8	A Yes, ma'am, any evidence that we and a lot of
9	A No, I did not	9	things were collected at the scene that we took back for
10	Q So were there other crime scene analysts also there?	10	possible fingerprints that we didn't know whether it had any
11	A Crime scene analyst Louise Renhard was there.	11	relative bearing on the crime or not. If no fingerprints were
12	Later on, our on-call supervisor Al Cabrales showed up and	12	developed, then the as having no evidentiary value, they
13	then Teresa Main also came out.	13	the items were tossed,
14	Q Okay,	14	Q Do you recall the general description of the
15	MS, DiGIACOMO: Your Honor, may I approach the	15	disclosure?
16	Clerk?	16	A Cinder block walls on three sides. There was
17	THE COURT: You may.	17	cyclone fencing material across the top. The gates were open.
18	MS. DiGIACOMO: Court's indulgence?	18	There were cut what appeared to be padlock links or chain
19	THE COURT: Yes.	19	link links on the ground near the gates,
20	BY MS. DIGIACOMO:	20	Q I'm showing you State's Exhibit Number 4 again_
21	Q Now, when you were at this crime scene, what was	21	Now, Louise Renhard also testified regarding cyclone fencing,
22	your — what were your duties?	22	and stated you told her that term. What do you mean by
23	A My duties were to do the crime scene diagram and	23	"cyclone" fencing?
24	collect the evidence that we determined was pertinent to the	24	A It's fencing that's used around the perimeter of
	X-14		X-16
	FORD - DIRECT		FORD - DIRECT
1	scene at the time.	1	property or homes. It's just a it's the stuff you see at the
2	Q And was what were Louise Renhard's duties?	2	top of the screen herer
3	A She was going to do the photography and write the	3	Oops, Let me move it down a little bit.
4	crime scene report.	4	A There, This area here,,
5	Q Did you assist her at all at the scene in processing	5	Q Okay. Now, it's a chain link fence with some sort of
6	it?	6	material through it?
7	A I don't believe I processed for any latent fingerprints	7	A I don't remember if there was any material on it or
8	at the scene. I did processing back at the crime lab after	8	not,
9	evidence was returned there,	9	Q All right. Do you recall whether or not you could see
10	Q Okay, Let's back up. When you first get there —	10	through the fencing or that was on the roof?
11	and I apologize, My pictures are out of order- Is and I'm	11	A I thought we could, yes, ma'am.
12	showing you State's Exhibit Number 4. Is this what the scene	12	Q Now, part of your duties as well did you do a
13	looked like when you arrived? Can you see that? Is that	13	crime scene diagram?
14	better?	14	A Yes, ma'am.
15	A Yes, ma'am, that's better. Yes, ma'am, very similar	15	MS. DiGIACOMO: May I approach, Your Honor?
16	to that.	16	THE COURT: You may.
17	Okay. So when you arrived, no one had gone in	17	BY MS, DIGIACOMO:
18	there and started to process the scene at all?	18	Q I'm going to show you what's been marked as
19	A No. And I'm I don't remember how we received	19	State's Proposed Exhibits 251, 252 and 253 which have been
20	the information that the victim was located there-	20	previously shown to defense counsel. Would you look at those
21	Q Okay. And then later I'm showing you State's	21	and let me know if you recognize them?
22	Exhibit Number 6. Was the dumpster enclosure the	22	A Yes, ma'am. It's the diagram that I conducted or
23	dumpster itself actually removed?	23	constructed, rather, after the scene-
24	A We pulled the dumpster out of the enclosure area,	24	Q 251, is that the actual diagram you did?
I	X-15		X-17

<u> V V</u>	. LOBATO		9/22/06
	FORD - DIRECT		FORD - DIRECT
1	A Yes, ma'am, it is	1	A Yes, ma'am.
2	Q Okay, And 252 and 253, what are those?	2	Q Okay. Now I'm going to show you State's Exhibit
3	A 252 is an enlargement just of the dumpster	3	231, Is that you in that photograph? Do you know?
4	enclosure, showing the location of items that were collected	4	A No, ma'am. I believe that's Louise Renhard. I was
5	and removed. And, then, 253 is a list of those items.		wearing a different shirt that night.
6	MS. DiGIACOMO: Your Honor, at this time the State	6	Q Did you — you recall what shirt you were wearing?
7	would move for admission of State's Proposed Exhibits 251	7	A It's red and white, because I wore it to bring
	through 253,	8	evidence in here the other day and my wife reminded me of
9	MR. SCHIECK: No objection, Your Honor,	9	the news that was covered it was the same thing t wore five
10	THE COURT: Granted.	0	years ago. So —
11	(State's Exhibits 251, 252, 253, admitted)	1	Q Okay.
12	BY MS. DIGIACOMO:	12	A Sorry,
13	Q And do you recall how you went about processing or	13	Q Now, did you ever look back at do you know what
14	going through the trash over the body to get to the body?	14	area that 231 is depicting?
15	A We pulled the dumpster container out and then	15	A It's near the back corner of the dumpster enclosure.
16	slowly started removing trash that was located on top of the	16	You can see because of the low wall here, and also along here
	body, towards the outside of the enclosure looking again for	17	
18	items that we felt was pertinent to the scene, until we got	18	Q Now, the — Teresa Main is standing on a curb not
19	down to the body. Louise Renhard would take photographs	19	down on the ground where this area is shown. Is that correct?
20	along the way, documenting whatever we found or whatever	20	A I believe I believe that would be Louise. I don't
21	was noticed in that pile.	21	think that was Teresa. But if either one of the two. They
22	Q Okay, And I'm going to show you, hopefully this	22	are standing on the curb not on the bottom portion of the
	is State's Exhibit Number 144 Do you recognize what's	23	enclosure, correct,
24	depicted here?	24	Q The other yeah, another CSA is not standing down
	X-18		X-20
	FORD - DIRECT		FORD - DIRECT
1	A Yes, ma'am. It's apparent bloody footwear that	1	in this.
2	starts back by this trash bag and then you can see a partial	2	A Right.
3	here as it comes out it gets less and less, which is common	3	Q Do you recall whether or not this area was still wet?
	with bloody footwear the further you walk the less you have	4	A To be honest, no, ma'am, I don't.
5	of an impression leading towards the front of the enclosure	5	MS, DiGIACOMO: Court's indulgence.
6	which is down here at the bottom of the screen,	6	BY MS, DiGIACOMO:
7	Q Okay, And then there were no more bloody	7	Q Now, you said that as you brought trash out you'd
8	footprints after that?	8	process it and some you kept and impounded, and others you
9	A No, ma'am.	9	didn't?
10	Q Okay. And when you looked at these, do you recall	10	A We would pull stuff out and look to see whether or
	if they were dry or still wet?	11	not there was any blood on the items, blood on the bags or
12	A I want to say it was a mixture of both. There were	12	whatever, to see whether blood spatter had gone from the
	some dry portions to it but there were still some wet areas as	13	victim onto the other items that appeared — most of the stuff
	well.	14	that we brought out had been placed on top of the victim.
15	Q Okay. Of these actual footprints?	15	There was no blood on the items. It was clean. To us, that
16	A Yes, ma'am.	16	had been removed from the dumpster and tossed on top of
17	Q Okay, Now, there's a lot of markings around these	17	the victim, and there was no reason to take that for evidence,
	footprints. Do you know what those are?	18	It was an agreement made and a decision made between the
19	A I now know swabs or collections were made from	19	homicide detectives and the four of us crime scene analysts
	those, so they didn't appear to be blood to us. We didn't	20	that were there on the scene that night. Other items that we
	collect anything. It appeared to be residue from the trash	21	weren't certain about were bagged and then taken back to the
22	bags or whatever had been carried out to the dumpster,	22	lab and processed for possible prints. If prints were located,
	Q Okay. So the only blood that was seen in this area		the second strength and show that list If you the second shows the sin
23		23	they were impounded on that list. If not, they were their
	were the footwear impressions themselves?	23 24	location was noted for later on. But if there were no prints on

<u>IV v</u>			9/22/06
	FORD - DIRECT		FORD DIRECT
1	it, it was discarded.	1	A At the scene, yes, ma'am.
2	Q Okay. So you don't recall blood being on the trash	2	Q Okay, I'm going to show you what's been admitted
3	bags that were in the dumpster?	3	as State's Exhibit 252, Do you recognize this?
4	A Not in the dumpster itself, no, ma'am.	4	A Yes, ma'am, It's the enlargement of the enclosure
5	Q Okay., What about in the enclosed area, behind	5	scene with numbers identifying items of evidence.
6	where the dumpster was?	6	Q And the numbers that correspond on the
7	A There may have been one bag that was up close to	7	dumpster area you've drawn here, on 252, they correspond to
8	a wall that appeared to have had some blood on it or	8	the legend that's a blowup here on in 253, correct?
9	whatever. There was spatter on the wall near that, I think. It	9	A That's correctr
10	was the west wall.	0	Q All right. If you can just go through and point out
11	Q And I'm going to show you State's 153, Is that what	1	like Item Number 1, what was that?
12	you're referring to?	2	A Item Number 1 was the I think cut chain piece
13	A Yes, ma'am,	13	of cut chain link that was there on the scene,
	Q Okay, Can you see in that picture where the spatter	14	Q And Item Number 2?
15	was that you're talking about?	15	A Again, cut chain link, Item Number 3 was a piece of
16	A It's there's a small amount here on this wall, and	16	cut chain link. Number 4 was a cut padlock hasp, and Number
17	what appears to be blood residue or a blood transfer of type	17	5 was a cut chain link,
18	on that bag,	18	Q Okay, And I'm going to show you State's Exhibit
19	Q Okay As if the bag had touched the wall?	19	246, Do you recognize that?
20	A Touched the wall or someone had come in contact	20	A Yes, ma'am. That's one of the cut chain pieces,
21	with the bag, yes, ma'am.	21	Q Okay, So this is what you're talking about when
22	Q Did you find any at all when processing this scene,	22	you're talking about 1 through 5?
23	any fingerprints left in blood? Any hand prints left in blood?	23	A 1, 2, 3 and 5.
24	Palm prints? Anything like that?	24	Q Okay. Is this the cut I'm showing you State's
	X-22		X-24
·			
	FORD - DIRECT		FORD - DIRECT
1	A No, ma'am, not at all.		Exhibit 243, Is that the cut padlock?
1 2	A No, ma'am, not at all. Q Did you actually help process the scene there for	2	Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is.
1 2 3	A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab.	2 3	Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4?
3	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have 	3 4	Exhibit 243, Is that the cut padlock?A Yes, ma'am, it is.Q Okay. And that's referring to Number 4?A Number 4, yes, ma'am.
3 5	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I —□ 	3 4 5	Exhibit 243, Is that the cut padlock?A Yes, ma'am, it is.Q Okay. And that's referring to Number 4?A Number 4, yes, ma'am.Q All right, So what would Number 6 be?
3	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — □ Q Would that refresh your recollection? 	3 4 5 6	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with
3 5 6 7	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I —□ Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, 	3 4 5 6 7	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood.
3 5 6 7 8	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I —□ Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? 	3 4 5 6 7 8	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the
3 5 7 8 9	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — □ Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, 	3 4 5 6 7 8 9	Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene?
3 5 6 7 8 9 10	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I —□ Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a 	3 4 5 6 7 8 9 10	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found
3 5 6 7 8 9 10 11	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I —□ Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, 	3 4 5 6 7 8 9 10 11	Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They
3 5 6 7 8 9 10 11 12	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — □ Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, A Yes, ma'am. 	3 4 5 6 7 8 9 10 11 12	Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They could have been. I just don't remember,
3 5 6 7 8 9 10 11 12 13	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, A Yes, ma'am. Q Does that go ahead and read it. Let me know 	3 4 5 6 7 8 9 10 11 12 13	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They could have been. I just don't remember, Q Do you recall if they were sitting side by side?
3 5 6 7 8 9 10 11 12 13 14	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, A Yes, ma'am. Q Does that go ahead and read it. Let me know when you're done. 	3 4 5 6 7 8 9 10 11 12 13 14	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They could have been. I just don't remember, Q Do you recall if they were sitting side by side? A That, I don't remember either, ma'am,
3 5 6 7 8 9 10 11 12 13 14 15	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, A Yes, ma'am. Q Does that go ahead and read it. Let me know when you're done. A In her report she states latent print processing was 	3 4 5 6 7 8 9 10 11 12 13 14 15	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They could have been. I just don't remember, Q Do you recall if they were sitting side by side? A That, I don't remember either, ma'am, Q Okay. I'm going to show you State's Exhibit 49. Are
3 5 6 7 8 9 10 11 12 13 14 15 16	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, A Yes, ma'am. Q Does that go ahead and read it. Let me know when you're done. A In her report she states latent print processing was conducted by CSAs Ford and Renhard at the scene, with a 	3 4 5 6 7 8 9 10 11 12 13 14 15 16	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They could have been. I just don't remember, Q Do you recall if they were sitting side by side? A That, I don't remember either, ma'am, Q Okay. I'm going to show you State's Exhibit 49. Are these the sandals that were found at the scene?
3 5 6 7 8 9 10 11 12 13 14 15 16 17	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, A Yes, ma'am. Q Does that go ahead and read it. Let me know when you're done. A In her report she states latent print processing was conducted by CSAs Ford and Renhard at the scene, with a latent print recovered from the north door of the enclosure. 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They could have been. I just don't remember, Q Do you recall if they were sitting side by side? A That, I don't remember either, ma'am, Q Okay. I'm going to show you State's Exhibit 49. Are these the sandals that were found at the scene?
3 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, A Yes, ma'am. Q Does that go ahead and read it. Let me know when you're done. A In her report she states latent print processing was conducted by CSAs Ford and Renhard at the scene, with a latent print recovered from the north door of the enclosure. 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They could have been. I just don't remember, Q Do you recall if they were sitting side by side? A That, I don't remember either, ma'am, Q Okay. I'm going to show you State's Exhibit 49. Are these the sandals that were found at the scene? A Yes, ma'am, they are. Q That's what you're referencing in 6?
3 5 6 7 8 9 10 11 12 13 14 15 16 17	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, A Yes, ma'am. Q Does that go ahead and read it. Let me know when you're done. A In her report she states latent print processing was conducted by CSAs Ford and Renhard at the scene, with a latent print processing was conducted by CSA Ford at the LVMPD Crime Lab on trash covering the body and evidence 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They could have been. I just don't remember, Q Do you recall if they were sitting side by side? A That, I don't remember either, ma'am, Q Okay. I'm going to show you State's Exhibit 49. Are these the sandals that were found at the scene? A Yes, ma'am, they are. Q That's what you're referencing in 6? A Yes, ma'am, that's correct,
3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, A Yes, ma'am. Q Does that go ahead and read it. Let me know when you're done. A In her report she states latent print processing was conducted by CSAs Ford and Renhard at the scene, with a latent print recovered from the north door of the enclosure. Latent print processing was conducted by CSA Ford at the LVMPD Crime Lab on trash covering the body and evidence with positive results on a box from the trash at the victim's 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They could have been. I just don't remember, Q Do you recall if they were sitting side by side? A That, I don't remember either, ma'am, Q Okay. I'm going to show you State's Exhibit 49. Are these the sandals that were found at the scene? A Yes, ma'am, they are. Q That's what you're referencing in 6? A Yes, ma'am, that's correct, Q What was 7?
3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, A Yes, ma'am. Q Does that go ahead and read it. Let me know when you're done. A In her report she states latent print processing was conducted by CSAs Ford and Renhard at the scene, with a latent print processing was conducted by CSA Ford at the LVMPD Crime Lab on trash covering the body and evidence 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They could have been. I just don't remember, Q Do you recall if they were sitting side by side? A That, I don't remember either, ma'am, Q Okay. I'm going to show you State's Exhibit 49. Are these the sandals that were found at the scene? A Yes, ma'am, they are. Q That's what you're referencing in 6? A Yes, ma'am, that's correct, Q What was 7? A 7 was an apparent blood sample and control taken
3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, A Yes, ma'am. Q Does that go ahead and read it. Let me know when you're done. A In her report she states latent print processing was conducted by CSAs Ford and Renhard at the scene, with a latent print recovered from the north door of the enclosure. Latent print processing was conducted by CSA Ford at the LVMPD Crime Lab on trash covering the body and evidence with positive results on a box from the trash at the victim's feet, a surge suppressor box from the trash on the victim and 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They could have been. I just don't remember, Q Do you recall if they were sitting side by side? A That, I don't remember either, ma'am, Q Okay. I'm going to show you State's Exhibit 49. Are these the sandals that were found at the scene? A Yes, ma'am, they are. Q That's what you're referencing in 6? A Yes, ma'am, that's correct, Q What was 7?
3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 A No, ma'am, not at all. Q Did you actually help process the scene there for latents? Aside from the stuff taken back to the lab. Q I don't remember if I did any processing. I'd have to look at Louise's report. To tell you the truth, I — Q Would that refresh your recollection? A Yes, ma'am, it would, I have a copy if you don't, Q Oh, you do? A Yes, ma'am, Q Is that the report that's dated July 8, 2001? It's a three-page document, A Yes, ma'am. Q Does that go ahead and read it. Let me know when you're done. A In her report she states latent print processing was conducted by CSAs Ford and Renhard at the scene, with a latent print recovered from the north door of the enclosure. Latent print processing was conducted by CSA Ford at the LVMPD Crime Lab on trash covering the body and evidence with positive results on a box from the trash on the victim and the beer can on the sign at the north end of the enclosure, 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Exhibit 243, Is that the cut padlock? A Yes, ma'am, it is. Q Okay. And that's referring to Number 4? A Number 4, yes, ma'am. Q All right, So what would Number 6 be? A Number 6 was one pair of brown sandals with apparent blood. And do you recall how these were found at the scene? A I don't remember if we removed trash and found them. I don't think they were in plain view at the time. They could have been. I just don't remember, Q Do you recall if they were sitting side by side? A That, I don't remember either, ma'am, Q Okay. I'm going to show you State's Exhibit 49. Are these the sandals that were found at the scene? A Yes, ma'am, they are. Q That's what you're referencing in 6? A Yes, ma'am, that's correct, Q What was 7? A 7 was an apparent blood sample and control taken from below the right sandal, 8 and 9 are also blood samples

X-25

Vv, LOBATO

	<u>, LOBATO</u>		9/22/06
	FORD - DIRECT		FORD - DIRECT
1	does that mean?	1	wrapper?
2	A At the time, we were taking a swab of apparent	2	A 13 was another gum wrapper that was with Number
3	blood from the scene, and then you had to take a second swab	3	12.
4	with just distilled water on it, that you swabbed an area	4	Q So both taken in this area?
	surrounding close to proximity of that item but did not	5	A Yes, ma'am.
6	contain any blood, so that the chemist would be able to	6	Q Okay. Number 14?
7	analyze whether it was on a cement floor, a linoleum floor, a	7	A Number 14 was an ATM receipt dated 07-06-01,
8	piece of carpet, a painted wall, a piece of glass, so that they	8	22:59 hours. Just before 11:00 o'clock,
9	would have some markers in the examination to see what was	9	Q Okay, And you actually impounded that, right?
10	there besides the blood.	0	A Yes, ma'am,
11	Q Okay, And where is 7, 8 and 9 located on your		Q Okay, Now, Number 15 —
12	diagram? If you can circle it's kind of small.	12	MS. DIGIACOMO: May I approach the Clerk, Your
13	A Right in there.	13	Honor?
14	Q All right. So right right from where the sandals	14	THE COURT: You may.
15	were?	15	MS. DiGIACOMO: May I approach, Your Honor?
16	A Yes, ma'am,	16	THE COURT: You may.
17	Q Now, what about Number 10?	17	BY MS. DiGIACOMO:
18	A Number 10 was a torn condom pack with Kleenex.	18	Q What was before I approach actually, what was
19	Q And that was found where?	19	Number 15?
20	A It was found outside the enclosure. To the south of	20	A 15 was an empty Milwaukee's Best beer can,
21	the enclosure.	20	Q And do you recall where that was found?
22	Showing you State's Exhibit 235, What's depicted	22	A Yes, ma'am, Approximately 6' 7" east of the west
23	there?	23	wall, and adjacent to the north wall on the leg of a sign that
24	A The torn condom pack and Kleenex, back over here	23	wan, and adjacent to the north wan on the leg of a sign that was there in the enclosure.
27	A the torn condom pack and Nieenex, back over here	24	was mere in me enclosure.
	X-26		X-28
	FORD - DIRECT		FORD - DIRECT
1	against the curb,	1	Q So it was found within the enclosure?
2	Q Okay, So this wasn't found within the trash?	2	A Yes, ma'am.
3	A No, ma'am.	3	Q Okay. And I'm going to go back since I actually
4	Q Inside the enclosure. Okay, And now what was	4	found the photograph Number 11, the chewing gum pack.
5	Number 11?	5	I'm going to show you State's Exhibit 232, Do you recognize
6	A 11 was an empty pack of Wrigley's Extra chewing	6	that?
7	gum_	7	A Yes, ma'am,
8	There was a photograph of that taken as well,	8	Is that the chewing gum pack you found out in a
9	-	-	is that the chewing guin pack you found out in a
	correct?	9	parking area outside the enclosure?
10	correct? A Yes, ma'am, Should have been.		
10 11		9	parking area outside the enclosure?
	A Yes, ma'am, Should have been.	9 10	parking area outside the enclosure? A Yes, ma'am, it is.
11	A Yes, ma'am, Should have been.I'll move on since I can't find it. Number 12, what	9 10 11	parking area outside the enclosure? A Yes, ma'am, it is. Q Okay.
11 12	A Yes, ma'am, Should have been. I'll move on since I can't find it. Number 12, what was that?	9 10 11 12	parking area outside the enclosure? A Yes, ma'am, it is. Q Okay. MS. DiGIACOMO: May I approach, Your Honor?
11 12 13	 A Yes, ma'am, Should have been. I'll move on since I can't find it. Number 12, what was that? A 12 was two foil gum wrappers. 	9 10 11 12 13	parking area outside the enclosure? A Yes, ma'am, it is. Q Okay. MS. DiGIACOMO: May I approach, Your Honor? THE COURT: Yes. BY MS. DiGIACOMO:
11 12 13 14	 A Yes, ma'am, Should have been. I'll move on since I can't find it. Number 12, what was that? A 12 was two foil gum wrappers. A And where was that found? 	9 10 11 12 13 14	 parking area outside the enclosure? A Yes, ma'am, it is. Q Okay. MS. DiGIACOMO: May I approach, Your Honor? THE COURT: Yes.
11 12 13 14 15	 A Yes, ma'am, Should have been. I'll move on since I can't find it. Number 12, what was that? A 12 was two foil gum wrappers. A And where was that found? A That was, again, outside of the enclosure. Twenty- 	9 10 11 12 13 14 15	 parking area outside the enclosure? A Yes, ma'am, it is. Q Okay. MS. DiGIACOMO: May I approach, Your Honor? THE COURT: Yes. BY MS. DiGIACOMO: Q I'm going to show you what's been marked as State's Proposed Exhibit 254 which I'm currently showing to
11 12 13 14 15 16	 A Yes, ma'am, Should have been. I'll move on since I can't find it. Number 12, what was that? A 12 was two foil gum wrappers. A And where was that found? A That was, again, outside of the enclosure. Twenty-four feet approximately 24' 9" north of the north exterior 	9 10 11 12 13 14 15 16	 parking area outside the enclosure? A Yes, ma'am, it is. Q Okay. MS. DiGIACOMO: May I approach, Your Honor? THE COURT: Yes. BY MS. DiGIACOMO: Q I'm going to show you what's been marked as
11 12 13 14 15 16 17	 A Yes, ma'am, Should have been. I'll move on since I can't find it. Number 12, what was that? A 12 was two foil gum wrappers. A And where was that found? A That was, again, outside of the enclosure. Twenty-four feet approximately 24' 9" north of the north exterior wall and 9" west of the west wall of the parking area, 	9 10 11 12 13 14 15 16 17	 parking area outside the enclosure? A Yes, ma'am, it is. Q Okay. MS. DiGIACOMO: May I approach, Your Honor? THE COURT: Yes. BY MS. DiGIACOMO: Q I'm going to show you what's been marked as State's Proposed Exhibit 254 which I'm currently showing to defense counsel. Do you recognize this?
11 12 13 14 15 16 17 18	 A Yes, ma'am, Should have been. I'll move on since I can't find it. Number 12, what was that? A 12 was two foil gum wrappers. A And where was that found? A That was, again, outside of the enclosure. Twenty-four feet approximately 24' 9" north of the north exterior wall and 9" west of the west wall of the parking area, Q Okay, And is it by kind of like a storm drain gate? A Yes, ma'am, 	9 10 11 12 13 14 15 16 17 18	 parking area outside the enclosure? A Yes, ma'am, it is. Q Okay. MS. DiGIACOMO: May I approach, Your Honor? THE COURT: Yes. BY MS. DiGIACOMO: Q I'm going to show you what's been marked as State's Proposed Exhibit 254 which I'm currently showing to defense counsel. Do you recognize this? A That's the Milwaukee's Best beer can that was there in the enclosure.
11 12 13 14 15 16 17 18 19	 A Yes, ma'am, Should have been. I'll move on since I can't find it. Number 12, what was that? A 12 was two foil gum wrappers. A And where was that found? A That was, again, outside of the enclosure. Twentyfour feet approximately 24' 9" north of the north exterior wall and 9" west of the west wall of the parking area, Q Okay, And is it by kind of like a storm drain gate? A Yes, ma'am, Q Okay, And I'm going to show you State's Exhibit 	9 10 11 12 13 14 15 16 17 18 19 20	 parking area outside the enclosure? A Yes, ma'am, it is. Q Okay. MS. DiGIACOMO: May I approach, Your Honor? THE COURT: Yes. BY MS. DiGIACOMO: Q I'm going to show you what's been marked as State's Proposed Exhibit 254 which I'm currently showing to defense counsel. Do you recognize this? A That's the Milwaukee's Best beer can that was there in the enclosure. MS. DIGIACOMO: Your Honor, at this time I'd move
11 12 13 14 15 16 17 18 19 20 21	 A Yes, ma'am, Should have been. I'll move on since I can't find it. Number 12, what was that? A 12 was two foil gum wrappers. A And where was that found? A That was, again, outside of the enclosure. Twenty-four feet approximately 24' 9" north of the north exterior wall and 9" west of the west wall of the parking area, Q Okay, And is it by kind of like a storm drain gate? A Yes, ma'am, Q Okay, And I'm going to show you State's Exhibit 241 Do you recognize this? 	9 10 11 12 13 14 15 16 17 18 19 20 21	 parking area outside the enclosure? A Yes, ma'am, it is. Q Okay. MS. DiGIACOMO: May I approach, Your Honor? THE COURT: Yes. BY MS. DiGIACOMO: Q I'm going to show you what's been marked as State's Proposed Exhibit 254 which I'm currently showing to defense counsel. Do you recognize this? A That's the Milwaukee's Best beer can that was there in the enclosure. MS. DIGIACOMO: Your Honor, at this time I'd move for admission of State's Proposed Exhibit 254,
11 12 13 14 15 16 17 18 19 20 21 22	 A Yes, ma'am, Should have been. I'll move on since I can't find it. Number 12, what was that? A 12 was two foil gum wrappers. A And where was that found? A That was, again, outside of the enclosure. Twenty-four feet approximately 24' 9" north of the north exterior wall and 9" west of the west wall of the parking area, Q Okay, And is it by kind of like a storm drain gate? A Yes, ma'am, Q Okay, And I'm going to show you State's Exhibit 241 Do you recognize this? A That's pictures of that area with the wrappers. Up in 	9 10 11 12 13 14 15 16 17 18 19 20 21 22	 parking area outside the enclosure? A Yes, ma'am, it is. Q Okay. MS. DiGIACOMO: May I approach, Your Honor? THE COURT: Yes. BY MS. DiGIACOMO: Q I'm going to show you what's been marked as State's Proposed Exhibit 254 which I'm currently showing to defense counsel. Do you recognize this? A That's the Milwaukee's Best beer can that was there in the enclosure. MS. DIGIACOMO: Your Honor, at this time I'd move for admission of State's Proposed Exhibit 254, MR. SCHIECK: No objection, Your Honor.
11 12 13 14 15 16 17 18 19 20 21 22 23	 A Yes, ma'am, Should have been. I'll move on since I can't find it. Number 12, what was that? A 12 was two foil gum wrappers. A And where was that found? A That was, again, outside of the enclosure. Twenty- four feet approximately 24' 9" north of the north exterior wall and 9" west of the west wall of the parking area, Q Okay, And is it by kind of like a storm drain gate? A Yes, ma'am, Q Okay, And I'm going to show you State's Exhibit 241 Do you recognize this? A That's pictures of that area with the wrappers. Up in the storm area, 	9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 parking area outside the enclosure? A Yes, ma'am, it is. Q Okay. MS. DiGIACOMO: May I approach, Your Honor? THE COURT: Yes. BY MS. DiGIACOMO: Q I'm going to show you what's been marked as State's Proposed Exhibit 254 which I'm currently showing to defense counsel. Do you recognize this? A That's the Milwaukee's Best beer can that was there in the enclosure. MS. DIGIACOMO: Your Honor, at this time I'd move for admission of State's Proposed Exhibit 254, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted.
11 12 13 14 15 16 17 18 19 20 21 22	 A Yes, ma'am, Should have been. I'll move on since I can't find it. Number 12, what was that? A 12 was two foil gum wrappers. A And where was that found? A That was, again, outside of the enclosure. Twenty-four feet approximately 24' 9" north of the north exterior wall and 9" west of the west wall of the parking area, Q Okay, And is it by kind of like a storm drain gate? A Yes, ma'am, Q Okay, And I'm going to show you State's Exhibit 241 Do you recognize this? A That's pictures of that area with the wrappers. Up in 	9 10 11 12 13 14 15 16 17 18 19 20 21 22	 parking area outside the enclosure? A Yes, ma'am, it is. Q Okay. MS. DiGIACOMO: May I approach, Your Honor? THE COURT: Yes. BY MS. DiGIACOMO: Q I'm going to show you what's been marked as State's Proposed Exhibit 254 which I'm currently showing to defense counsel. Do you recognize this? A That's the Milwaukee's Best beer can that was there in the enclosure. MS. DIGIACOMO: Your Honor, at this time I'd move for admission of State's Proposed Exhibit 254, MR. SCHIECK: No objection, Your Honor.

|--|

<u>4v \</u>	7. LUBATU		9/22/0
	FORD - DIRECT		FORD - DIRECT
1	BY MS, DIGIACOMO:		colored metal link chain. Those were removed at the lab and
2	Q This is after this photograph was taken after you'd	2	placed into evidence.
3	taken it back from the crime scene?	3	Q Okay. And now what is 23?
4	A Yes, ma'am. It would have been taken at the lab,	4	A It was one pair of grey socks with maroon and red
5	Q Okay. And this is one of the items you stated you	5	stripes.
6	had gotten a fingerprint off of earlier? A latent?	6	Q And that was found in the back southwest corner?
7	A Yes, ma'am. There were positive results with Item	7	A Yes, ma'am, that's correct.
8	Number 15.	8	Q What about Number 24?
9	Q Now, what's Number 16?	9	A 24 was an August 2000 issue of Gallery Magazine.
10	A 16 was a wad of chewing gum on a cardboard piece	10	Q I'm going to show you State's Exhibit 237, Do you
11	with apparent blood	11	recognize that?
12	Q Was that the cardboard that we see in 231? Is that	12	A Yes, ma'am, That I believe that was the Gallery
13	the cardboard it was from? If you recall.	13	Magazine, yes, ma'am.
14	A Possibly.	14	And then 25, what was that?
15	Q Number 16 on the diagram is towards the west wall	15	Triple X Adult Entertainment Magazine with apparent
16	in the back?	16	blood.
17	A Yes, ma'am, and more towards the center of the	17	Q Where was that found?
18	enclosure.	18	A Approximately 7" east of the west wall and 3'11"
19	Q Okay. Do you recall if there was another piece of	19	south of the north wall of the enclosure.
20	cardboard other than the one that was in the southwest corner	20	Q So it was found more towards the back west wall?
21	shown in 231?	21	A Yes, ma'am.
22	A No, ma'am, I don't remember,	22	Q And 26, what was that?
23	Q Did you impound the chewing board and the piece	23	A An empty flip-top box of Marlboro Light cigarettes,
24	of cardboard?	24	Q Where was that found?
	X-30		X-32
	FORD - DIRECT		FORD - DIRECT
	A Yes, ma'am, I did,	1	A Approximately 9'7" east of the west wall and
2	Q Okay. And now, what was Number 17?	2	adjacent to the south wall of the enclosure,
3	A 17 was a small rock with apparent blood that was	3	Q So it was on the side where the dumpster had been
	stuck to the victim's left buttocks when we rolled him over,		• • • • • • • • • • • • • • • • • • •
		4	removed from?
5	Q What about Number 18?		
5 6	Q What about Number 18?	4 5 6	A Yes, ma'am,
	Q What about Number 18? A 18 were two black buttons with torn thread and	5	
6	Q What about Number 18?	5	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one?
6 7	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood.	5	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one?
6 7 8	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19?	5 6 7	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure.
6 7 8 9	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood,	5 6 7 9	 A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet
6 7 8 9	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area?	5 6 7 9 10	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that
6 7 8 9 10	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct.	5 6 7 9 10 11	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there?
6 7 8 9 10 12	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct. Q Was that in the trash itself around the victim?	5 6 7 9 10 11 12	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there? A I don't believe so,, It was probably taken back to the
6 7 8 9 10 12 13	 Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct. Q Was that in the trash itself around the victim? A Around the victim, yes, ma'am. 	5 6 7 9 10 11 12 13	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there? A I don't believe so,, It was probably taken back to the lab for processing. It didn't have any prints on it and had no —
6 7 8 9 10 12 13	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct. Q Was that in the trash itself around the victim? A Around the victim, yes, ma'am. Q Okay, What was 20?	5 6 7 9 10 11 12 13 14	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there? A I don't believe so,, It was probably taken back to the lab for processing. It didn't have any prints on it and had no — determined to have no evidentiary value so we tossed it.
6 7 8 9 10 12 13 14	 Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct. Q Was that in the trash itself around the victim? A Around the victim, yes, ma'am. Q Okay, What was 20? A 20 was a gold-colored metal link chain 	5 6 7 9 10 11 12 13 14 15	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there? A I don't believe so,, It was probably taken back to the lab for processing. It didn't have any prints on it and had no — determined to have no evidentiary value so we tossed it. Q Okay,, And then Number 27, what is that?
6 7 8 9 10 12 13 14	 Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct. Q Was that in the trash itself around the victim? A Around the victim, yes, ma'am. Q Okay, What was 20? A 20 was a gold-colored metal link chain approximately 17 ¹/2" long and 3/4" wide with apparent blood, 	5 6 7 9 10 11 12 13 14 15 16	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there? A I don't believe so,, It was probably taken back to the lab for processing. It didn't have any prints on it and had no — determined to have no evidentiary value so we tossed it. Q Okay,, And then Number 27, what is that? A A piece of cardboard with bloody footwear.
6 7 8 9 10 12 13 14 16 17	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct. Q Was that in the trash itself around the victim? A Around the victim, yes, ma'am. Q Okay, What was 20? A 20 was a gold-colored metal link chain approximately 17 ¹ /2" long and 3/4" wide with apparent blood, Q And that's the one that's found close to the victim's	5 6 7 9 10 11 12 13 14 15 16 17	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there? A I don't believe so,, It was probably taken back to the lab for processing. It didn't have any prints on it and had no — determined to have no evidentiary value so we tossed it. Q Okay,, And then Number 27, what is that? A A piece of cardboard with bloody footwear. Q And where was that located?
6 7 8 9 10 12 13 14 16 17 18	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct. Q Was that in the trash itself around the victim? A Around the victim, yes, ma'am. Q Okay, What was 20? A 20 was a gold-colored metal link chain approximately 17 ¹ /2" long and 3/4" wide with apparent blood, Q And that's the one that's found close to the victim's left foot?	5 6 7 9 10 11 12 13 14 15 16 17 18	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there? A I don't believe so,, It was probably taken back to the lab for processing. It didn't have any prints on it and had no — determined to have no evidentiary value so we tossed it. Q Okay,, And then Number 27, what is that? A A piece of cardboard with bloody footwear. Q And where was that located? A It was there was a piece of cardboard covering
6 7 8 9 10 12 13 14 16 17 18 19	 Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct. Q Was that in the trash itself around the victim? A Around the victim, yes, ma'am. Q Okay, What was 20? A 20 was a gold-colored metal link chain approximately 17 ¹/2" long and 3/4" wide with apparent blood, Q And that's the one that's found close to the victim's left foot? A Yes, ma'am, that's correct. 	5 6 7 9 10 11 12 13 14 15 16 17 18 19	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there? A I don't believe so,, It was probably taken back to the lab for processing. It didn't have any prints on it and had no — determined to have no evidentiary value so we tossed it. Q Okay,, And then Number 27, what is that? A A piece of cardboard with bloody footwear. Q And where was that located? A It was there was a piece of cardboard covering the victim and this Item 27 was cut from that larger piece of
6 7 8 9 10 12 13 14 16 17 18 19 20	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct. Q Was that in the trash itself around the victim? A Around the victim, yes, ma'am. Q Okay, What was 20? A 20 was a gold-colored metal link chain approximately 17 ¹ /2" long and 3/4" wide with apparent blood, Q And that's the one that's found close to the victim's left foot? A Yes, ma'am, that's correct. Q And what about 21 and 22 are not on your	5 6 7 9 10 11 12 13 14 15 16 17 18 19 20	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there? A I don't believe so,, It was probably taken back to the lab for processing. It didn't have any prints on it and had no — determined to have no evidentiary value so we tossed it. Q Okay,, And then Number 27, what is that? A A piece of cardboard with bloody footwear. Q And where was that located? A It was there was a piece of cardboard covering the victim and this Item 27 was cut from that larger piece of cardboard,
6 7 8 9 10 12 13 14 16 17 18 19 20 21	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct. Q Was that in the trash itself around the victim? A Around the victim, yes, ma'am. Q Okay, What was 20? A 20 was a gold-colored metal link chain approximately 17 ¹ /2" long and 3/4" wide with apparent blood, Q And that's the one that's found close to the victim's left foot? A Yes, ma'am, that's correct. Q And what about 21 and 22 are not on your legend. What were they?	5 6 7 9 10 11 12 13 14 15 16 17 18 19 20 21	A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there? A I don't believe so,, It was probably taken back to the lab for processing. It didn't have any prints on it and had no — determined to have no evidentiary value so we tossed it. Q Okay,, And then Number 27, what is that? A A piece of cardboard with bloody footwear. Q And where was that located? A It was there was a piece of cardboard covering the victim and this Item 27 was cut from that larger piece of cardboard, Q Now I'm showing you State's Exhibit 6. Do you see
6 7 8 9 10 12 13 14 16 17 18 19 20 21 22	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct. Q Was that in the trash itself around the victim? A Around the victim, yes, ma'am. Q Okay, What was 20? A 20 was a gold-colored metal link chain approximately 17 ¹ /2" long and 3/4" wide with apparent blood, Q And that's the one that's found close to the victim's left foot? A Yes, ma'am, that's correct. Q And what about 21 and 22 are not on your legend. What were they? A They were flake blood that I took off from Item	5 6 7 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there? A I don't believe so,, It was probably taken back to the lab for processing. It didn't have any prints on it and had no — determined to have no evidentiary value so we tossed it. Q Okay,, And then Number 27, what is that? A A piece of cardboard with bloody footwear. Q And where was that located? A It was there was a piece of cardboard covering the victim and this Item 27 was cut from that larger piece of cardboard, Q Now I'm showing you State's Exhibit 6. Do you see the cardboard where you cut the footwear from?
6 7 8 9 10 12 13 14 16 17 18 19 20 21 22 23	Q What about Number 18? A 18 were two black buttons with torn thread and apparent blood. Q Okay, And what about Number 19? A 19 was a pink hair pick with apparent blood, Q Those are all found inside the dumpster area? A Yes, ma'am, that's correct. Q Was that in the trash itself around the victim? A Around the victim, yes, ma'am. Q Okay, What was 20? A 20 was a gold-colored metal link chain approximately 17 ¹ /2" long and 3/4" wide with apparent blood, Q And that's the one that's found close to the victim's left foot? A Yes, ma'am, that's correct. Q And what about 21 and 22 are not on your legend. What were they? A They were flake blood that I took off from Item Number 19. 21 was removed from Number 19, the pink hair	5 6 7 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 A Yes, ma'am, Q I'm showing you State's Exhibit 238. Is that that same one or is this a different one? A No, ma'am, the it was a different one. This pallet was on the north wall of the enclosure. Q Okay. Did you impound this cigarette pack that we're looking at there? A I don't believe so,, It was probably taken back to the lab for processing. It didn't have any prints on it and had no — determined to have no evidentiary value so we tossed it. Q Okay,, And then Number 27, what is that? A A piece of cardboard with bloody footwear. Q And where was that located? A It was there was a piece of cardboard covering the victim and this Item 27 was cut from that larger piece of cardboard, Q Now I'm showing you State's Exhibit 6. Do you see the cardboard where you cut the footwear from? A We have blood on the this corner, but I believe

<u>V v LOBATO</u>

CORD-DRECT FORD-DRECT 0 Of thethen we turned the actedback over. 0 Okay, So it wasn't what we can see in Slate's 1 Dokay, So it wasn't what we can see in Slate's 1 Dokay, But his is the cardboard you cut it from? 4 A Yes, ma'am. 1 Okay, But his is the cardboard you cut it from? 4 A Yes, ma'am. 1 Out had you fit have been on the other side 1 You had you ff age prints on a suge sugpressor box? 4 A Yes, ma'am. 1 A Yes, ma'am. 1 Op - travas in the trash pile on top of the victim. 1 Op - travas in the trash pile on top of the victim. 1 A Yes, ma'am. 2 A Yes, ma'am. 3 A Yes, ma'am. 4 You had you for for Sitz by 11 paper that was again in the trash pile on top of the victim. 1 O What about the orton papers, whe cut bit was for dia carrhoard bor with apparent blod, at the upper torse of the victim. 2 A Yes, ma'am. 3 Q What about the orton papers. 4 A Yes, ma'am. 3 Q What about the orton papers. 4 A Yes, ma'am. 4 Yes, ma'am. 4 Yes, ma'am. 5 A	<u>IV v</u>	LOBATO		9/22/06
1Cokey, So it weart what we can see in State's1Exhibit Number 0, it would have been on the other side1Exhibit Number 0, it would have been on the other side2Cokey, Dath is is the carboard you cut if from?3A Yes, ma'am, it is.4Yes, ma'am, it is.4A Yes, ma'am, it is.5A Yes, ma'am, it is.6A Yes, ma'am, it is.7A Yes, ma'am, it is.7A Yes, ma'am, it is.8A Yes, ma'am, it is.9A Yes, ma'am, it is. <td></td> <td>FORD - DIRECT</td> <td></td> <td>FORD - DIRECT</td>		FORD - DIRECT		FORD - DIRECT
1Cokey, So it weart what we can see in State's1Exhibit Number 0, it would have been on the other side1Exhibit Number 0, it would have been on the other side2Cokey, Dath is is the carboard you cut if from?3A Yes, ma'am, it is.4Yes, ma'am, it is.4A Yes, ma'am, it is.5A Yes, ma'am, it is.6A Yes, ma'am, it is.7A Yes, ma'am, it is.7A Yes, ma'am, it is.8A Yes, ma'am, it is.9A Yes, ma'am, it is. <td>1</td> <td>of the when we turned the cardboard over.</td> <td>1</td> <td>processed those for fingerprints. They had a shiny surface to</td>	1	of the when we turned the cardboard over.	1	processed those for fingerprints. They had a shiny surface to
 ducking the velotify body? A Yes, mariam. Okay, But this is the cardboard you cut it from? A Yes, mariam. Okay, But this is the cardboard you cut it from? A Yes, mariam. A Yes, mariam.	2	Q Okay, So it wasn't what we can see in State's	2	
A Yes, ma*m. 1 Okey. But this is the cardboard you cuit from? A Yes, ma*m. It is. A Yes, ma*m., It is. A dot hen you stated — Number 29 — you stated that you had found fingerprints on a surge suppressor box? A A fes. ma*m., It wass. Q Okay. Sea this is the cardboard you cuit from? A Yes. ma*m., It wass. Q Okay. And what was 30? A A fes. ma*m., It wass is in the trash pile, at the victim's feet. Produced fingerprint. A Yes, ma*m., It wass 6 folded cardboard box with apparent blood, at the upper torso of the victim. A 31 was 6 folded cardboard box with apparent blood, at the upper torso of the victim. Q OWhat about Item 31? A 31 was 6 folded cardboard box with apparent blood, at the upper torso of the victim. Q OWhat about Item 31? A 1 don't - I think it did, I just don't remember how mow. x44 X26 FORO - DIECT scere? A 1 don't - I think it did, I just don't remember how mut. Q And do you recail whether on not there were cocknoarbes in t? A 1 don't - I think it did, I just don't remember how mut. Q And do you recail whether on there were cocknoarbes in t? A 1 don't - I think it did, I just don't remember how mut. Q And do you recail whether on there were cocknoarbes in t? A 1 don't - I think it did, I just don't remember how mut. Q And do you recail whether on on there were c	3	Exhibit Number 6, It would have been on the other side	3	and those were tossed,
 Ckay, But this is the cardboard you out it from? 	4	touching the victim's body?	4	Q What about the torn condom pack which was
A Yes, maram, it was. A Yes, maram, it was. Q Okay. Negative results? A Yes, maram, it was. Q Okay. Negative results? A Yes, maram, it was. Q Okay. Negative results? A A res, maram, it was. Q Okay. And what was 307 A A was in the trash pile of the victim. Q Okay. And what was 307 A A was in the trash pile, at the victim's feet. Produced fingerprints. Q Q Okay. The bear can where you found the - the Yes, maram, it was the US. Airways Oaky. The bear can where you found the - the Yes, maram, it was. Q Q Okay. The bear can where you found the - the Yes, maram, it was. A Q Okay. The bear can where you found the - the Yes, maram, it was. A Q Okay. The bear can where you found it at the Yes, maram, it was. A A 14 Yes, maram, it was. A Yes, maram, it was. A Yes, maram, it was.	5	A Yes, ma'am.	5	Number 10 on your diagram? Did you process that? And if
And then you stated — Number 23 — you stated that Image: State in the state in	6	Okay. But this is the cardboard you cut it from?	6	you need to refresh your recollection with your report —
 you had found fingerprints on a surge suppressor box? A Yes, ma'am, it was on toto – it was in the trash pile on top of the victm, Q And that's Number 29? A Yes, ma'am, Q Okay, And what was 30? A Sumaer 11 wasn't, Icem Number 13 was, which was a paper wrap – or 10 through 13, I'm sorry. The empty chewing gun pack, the three gun wrappers were processed. Q All regit. You the two magazines, the Gallery A Yes, ma'am, Q What about the most pile, at the victim's feet. Produed fingerprints. Q Mat about the trash pile, at the victim's feet. Produed fingerprint, was that impounded as well? A Yes, ma'am, was 6 folded cardboard box with apparent blood, A Wes, The beer can where you found the – the fingerprint, was that impounded as well? Q Okay. Why The beer can where you found the – the fingerprint, was that impounded as well? A I don't – I think k did, i just don't remember how much. Yes ma'am, Q Was that discarded? A I don't – I think k did, i just don't remember how much. Q Okay. Why was that donc?? A I bolen't = 0, Kay, May was that donc?? A I bolen't = 0, Kay, May was that donc?? A I bolen't = 0, Kay, May was that donc?? A I don't – I think k did, i just don't remember how much. Q Okay. Why was that donc?? A I bolen't = 0, Kay, May was that donc?? A I bolen't = 0, Kay, May was that donc?? A I bolen't = 0, Kay, May was that donc?? A I bolen't = 0, Kay, May was that donc?? A I bolen't = 0, Was about there on the were surge suppressor box, the beer can, and the surge suppressor box, the beer can, and the surge suppressor box, the beer can, and the surge suppressor box, the beer and the surge suppressor box, the beer can, and the surge suppressor box, the beer an	7	A Yes, ma'am, it is.	7	A Yes, ma'am, it was.
A Yes, ma'am, It was one of the items that was on 10 Q What about the compty pack of Wrigley's Extra 11 top – it was in the trash pile on top of the victim, A Yes, ma'am, 11 Q Okay, And what was 307 A Yes, ma'am, 11 A Yes, ma'am, 12 A Number 11 wasn't, Item Number 13 was, which again in the trash pile at the victim's feet. Produced 14 14 fmgerprints. Q What about the worth for 81/2 by 11 paper that was 16 g Q What about the worth for 81/2 by 11 paper that was 20 A Number 14 wasn't, Item Number 13 was, which g Q What about the worth for 81/2 by 11 paper that was 20 A Number 14 wasn't, Item Number	8	And then you stated — Number 29 — you stated that	8	- • •
it top it was in the trash pile on top of the victim, it it Q And that's Number 29? A Yes, ma'am, it A Yes, ma'am, Q Okay, And what was 30? it A Winher 11, was in the trash pile, at the victim's feet. Produced Number 11, wasn't, Item Number 13, was, which it A Was a box bothor for 81/2 by 11 paper that was again in the trash pile, at the victim's feet. Produced it G What about item 31? A 31 was 6 folded cardboard box with apparent blood, A Yes, ma'am, it G Okay. The beer can where you found the the Was ma'am, Q What about item sand items 24 and 25? it G Okay. The beer can where you found it at the Yes, ma'am, Q Was that discarded? it FORD - DIRECT Yes Yes seene? A 1 don't I think it did, 1 just don't remember how Much. Yait it O Was that discarded? Sait artic? A Yes, ma'am, was poured out. it O Okay. Why was that done? A Yes, hat we - now, som of the scients that still were kept, hat we fill were pertinent to the scienc. Items that it O Cokay. Why was that done? A Yes - that we - now, som of the scients that still were kept, hat we fill you vere knew of whasosed, ys, ma'am,	9		9	
Q And that's Number 29? 1 A Yes, ma'am, Q Okay, And what was 30? A 30 was a box bottom for 81/2 by 11 paper that was apaper warp - or 10 through 13, Im sorry. The empty chewing gum pack, the three gum wrappers were processed. Imagerities. Q What about term 31? A 31 was 6 folde cardboard box with apparent blood, at the upper torso of the victim, was that impounded as well? A 31 was 6 folde cardboard box with apparent blood, at the upper torso of the victim, was that impounded as well? Q Ckay. The beer can where you found the - the fingerprint, was that impounded as well? A Yes, ma'am, it was. Q Did it have any liquid in it when you found it at the X-34 FORD-DIRECT scene? A 1 don't - 1 think it did, 1 just don't remember how much. Q Okay. Why was that done? A 1 don't - 1 think it did, 1 just don't remember how much. A 1 don't - 1 think it did, 1 just don't remember how much. Q Okay. Why was that done? A 1 don't - 1 think it did, 1 just don't remember how much. Q Okay. Why was that done? A 1 believe so, yes, ma'am. Q And do you recall whether or not there were cockwards in it? A 1 believe so, yes, ma'am. Q ANd do you recall whether or not there were? A No, ma'am, Item 30.1 did not dust the - the beer se an and the surge suppressor box. Q Okay. Why do ther items did you actually process for item stima been reanowed in the surge	10		10	
A Yes, ma'am, A Yes, ma'am, A Yes, ma'am, A Winther 11 wasn't, Item Number 13 was, which Was a pack both for 61/2 by 11 paper that was again in the trash pile, at the victim's feet. Produced Ingerprints. Q What about them 31? A Yes, ma'am, Q What about them 31? A 3 Was 6 folded cardboard box with apparent blood, at the upper torso of the victim, Q Okay, The beer can where you found the the Q What about them omagazines, the Gallery M Yes, ma'am, Was, Q What about them suppressor, and the signe suppressor, and the signe suppressor, and the signe suppressor, and the supe suppressor box, Q Ual right. So the items that you discarded, as M A Yes, ma'am, was poured out. Stat FORD - DRECT Sener? A 1 don't1 think it did, 1 just don't remember how Was that discarded? A The liquid, yes, ma'am, was poured out. Q All right. So the items that you discarded, as A The liquid, yes, ma'am, was poured out. A Yes that we now, some of the scient: that we re port were just trash we tossed, yes, ma'am, B paper bag, it would have destroyed the bag and destroyed any: A Yes that we now, some of the scient: fins g ob the only two inters when you went back to the Head the super suppressor toot, the beer can, and the - ne dia you aven know how this person had dide? This ocok	11		11	
14 Q Okay, And what was 30? *** 15 A 30 was a box bottom for 81/2 by 11 paper that was *** 2 again in the trash pile, at the victim's feet. Produced fingerprints. Q All negative results? 17 fingerprints. Q What about Item 31? A 'sea sea where you found the - the 18 Q What about Item 31? A 'sea sea where you found the - the 19 A 'sea mam, it was. 2 20 D Id it have any liquid in it when you found it at the *** 21 A 'sea mam, it was. 2 22 A 'sea mam, it was. 2 23 A 'sea mam, it was. 2 24 D Id it have any liquid in it when you found it at the **** 24 FOR0 - DIRECT **** 25 Seene? **** **** 26 A 'l don't - 1 think it did, i just don't remember how **** ***** 36 A 'l don't - 0 there wire you result were your seased you did impound. However, the rest of the trash you discarded, as ************************************	12		12	
 A 30 was a box bottom for 81/2 by 11 paper that was gain in the trash pile, at the vichim's feet. Produced fingerprints. Q What about them 31? A 31 was 6 folded cardboard box with apparent bloch, at the upper torso of the victim, Q What about them 31? A 31 was 6 folded cardboard box with apparent bloch, at the upper torso of the victim, Q Okay. The beer can where you found the the fingerprint, was that impounded as well? A 1 don't 1 think it did, 1 just don't remember how much. Seene? A 1 don't 1 think it did, 1 just don't remember how much. Q Was that discarded? A 1 the liquid, yes, ma'am, was poured out. Q Okay. Why was that done? A 1 the liquid, yes, ma'am. Q A 1 the liquid, yes, ma'am. Q A 1 the liquid, yes, ma'am. Q A 1 the liquid have destroyed the bag and destroyed any: paper bag, it would have destroyed the bag and destroyed any: paper bag, it would have destroyed the bag and destroyed any: paper bag, it would have destroyed the bag and destroyed any: paper bag, it would have destroyed the bag and destroyed any: paper bag, it would have destroyed the bag and destroyed any: paper bag, it would have destroyed the bag and destroyed any: paper bag, it would have destroyed the bag and destroyed any: paper bag, it would have destroyed the bag and destroyed any: paper bag, it would have destroyed the bag and destroyed any: paper bag, it would have destroyed the bag and destroyed any: paper bag, it would have destroyed the bag and destroyed any: paper bag, it would have destroyed the bag and destroyed any: paper bag, it would have the surge appressor box. There was a papers that we picked up, items that had been any: paper bag, it would have the surge appressor box. The bag appressor box. Q Okay. What other therm sid you actually process for latent prints did the surge suppressor box. Q Okay. What other therms day ong ustress that we picked up	13		13	
is again in the trash pile, at the victim's feet. Produced if Imperfunction if G What about them 31? A 31 was 6 folded cardboard box with apparent blood, if G What about them 31? Q What about the troo magazines, the Gallery if Magazine and the Triple X Adult Magazine, which are items 24 and 25? if Q Okay. The beer can where you found the the fingerprint, was that impounded as well? A 2, 25 and 26 were processed with negative results? if Q What about them you found it at the xide X A 2, 25 and 26 were processed with negative results? if Q Okay. The beer can where you found it at the xide X X 2, 25 and 26 were processed with negative results? if Q Okay. The beer can where you found it at the xide X X X 3 if Q Okay. The beer superssor, and Item 32 was the U.S. Airways boarding pass bearing the name Cullum [phonencic], Robert, that was processed you did impound. However, the rest of the trash you discarded, as you said cartie? Y if A I don't - 1 think it did, I just don't remember how much. Y W as the beer can and the surge suppressor box. Q All right, So the items that you processed you did impound. However, the rest of the trash you discarded, as you said cartie? Y erro not stea tho score wh	14	-		
17 fingerprints 7 A Yes, ma'am, 18 Q What about Item 31? Q What about Item was main provide arrow of the victim, 21 Q Okay. The beer can where you found the the fingerprint, was hat impounded as well? A 24, 25 and 26 were processed with negative results, 23 A Yes, ma'am, it was, C Joint in the result, was hat impounded as well? 24 A Yes, ma'am, it was, C Joint in the result, was hat impounded as well? 24 A Yes, ma'am, it was, C Joint in the result, was processed, and the only items that produced latents Kene - Direct Ror - Direct Scene? A I don't I think it did, 1 just don't remember how much. A I don't I think it did, 1 just don't remember how much. A I don't I think it did, 1 just don't remember how much. A I don't I think it did, 1 just don't remember how much. A I don't I think it did, 1 just don't remember how much. A I don't I think it did, 1 just don't remember how much. A I don't I think it did, 1 just don't remember how much. A I don't I think it did, 1 just don't remember how much. A I don't I think the can with the in at paper bag, it wou				
Image: Image: Provide the strate s				-
 A 31 was 6 folded cardboard box with apparent blood, at the upper torso of the victim, Magazine and the Triple X Adult Magazine, which are items 24 and 25? A Yes, ma'am, it was, Q Did it have can when you found the – the fingerprint, was that impounded as well? A Yes, ma'am, it was, Q Did it have any liquid in it when you found it at the x34 FORD - DiFRECT scene? A 1 don't – 1 think it did, 1 just don't remember how much. Q Was that discarded? A The liquid, yes, ma'am, was poured out. Q Okay, Why was that done? A The liquid, yes, ma'am, was poured out. Q Okay, Why was that done? A The liquid, yes, ma'am, was poured out. Q Okay, Why was that done? A The liquid, yes, ma'am, was poured out. Q Cokay, Why was that done? A The liquid, yes, ma'am, was poured out. Q So the only two terms when you went back to the lab that you actually found prints on, were the surge suppressor box, the beer can, and then – did you also find it on the cardboard box or is that — A I believe so, yes, ma'am. Q Okay, What other items did you actually found prints on, were the surge suppressor box, the beer can, and then – did you also find it on the acreba box or is that — A No, ma'am, Item 30, I did not Just the — the beer can and the surge suppressor box, the beer can, and then – did you also find it on the cardboard box or is that — A No, ma'am, Item 30, I did not Just the — the beer can and the surge suppressor box, the beer can, and then – did you also find it on the surge suppressor box, the beer can, and then – did you also find it on the surge suppressor box, the beer can, and then – the beer can and the surge suppressor box, the peer shat wen joy cutally process for and the surge suppressor box, the beer can, and then – the beer can and the surge suppressor box, the beer can, and then – the beer can and the surge suppressor box, the beer can, and				
 at the upper torso of the victim, Q Ckay. The beer can where you found the the fingerprints off the side of that can Q Did it have any liquid in it when you found it at the x-34 FORD - DIRECT acme? A I don't I think it did, I just don't remember how much. Q Was that discarded? A The liquid, yee, ma'am, was poured out. Q Okay. Why was that done? A I we'd have impounded the can with the in all papere bag, it would have destroyed the bag and destroyed anyl possibility of getting latent fingerprints off the side of that can, Q And do you recall whether or not there were to cockroaches in it? A The beer can, and then did you also find it on the cardboard box or is that did you also find it on the cardboard box or is that did you also find it on the cardboard box or is that did you also find it on the cardboard box or is that did you also find it on the cardboard box or is that did you also find it on the cardboard box or is that did you also find it on the cardboard box or is that did you also find it on the cardboard box or is that did you also find it on the cardboard box or is that did you also find it on the cardboard box or is that did you also find it on the cardboard box or is that did you also find it on the cardboard box or is that did you also find it on the cardboard box or is that did you also find it on the surge suppressor box, the beer can, and then did you also find it on the surge suppressor box, the beer can, and then did you also find it on the surge suppressor box, the beer can, and then did you also find it then surge suppressor box, the beer can, and then did you also find it on the surge suppressor box, the beer can, and then did you also find it on the surge suppressor box, the beer can, and then did you also find it be were supports that we picked up, items that had been tress of yreen palm trees, or whatever, that had been pulled from				
21 Q Okay. The beer can where you found the the fingerprint, was that impounded as well? 2 22 A Yes, ma'am, it was, 20 23 A Yes, ma'am, it was, 20 24 Q Did it have any figuid in it when you found it at the 23 24 D di thave any figuid in it when you found it at the 23 24 FORD - DIRECT 24 25 A I don't I think it did, I just don't remember how much. 23 3 Q Was that discarded? 4 4 Q Okay. Why was that done? 34 4 Q Okay. Why was that done? 4 5 A The liquid, yes, ma'am, was poured out. 90 9 possibility of getting latent fingerprints off the side of that can. Q Okay. Why was that done? 6 Q Okay. Why was that done? 4 7 A I believe so, yes, ma'am. 90 9 possibility of getting latent fingerprints off the side of that can. 90 9 Q So the only two items when you were tast were concreased for that we foll were pertinent to the scene. Items that we hought were just rash we tossed, yes, ma'am. 16 Bo the only two items when you were tast the con and the surge suppressor box, the beer ca				
 22 fingerprint, was that impounded as well? A Yes, ma'am, it was, Q Did it have any liquid in it when you found it at the x-34 24 Did it have any liquid in it when you found it at the x-34 24 FORD - DIRECT 26 FORD - DIRECT 27 A I don't - 1 think it did, I just don't remember how much. Q Was that discarded? A The liquid, yes, ma'am, was poured out. Q Okay. Why was that done? A If we'd have impounded the can with the — in all paper bag, it would have destroyed the bag and destroyed any: 9 Q And do you recall whether or not there were cockroaches in it? A I believe so, yes, ma'am. Q So the only two items when you went back to the lab that you actually found prints on, were the surge suppressor box, Q Okay. What other items did you actually process for latent prints. 9 Q So the only two items when you went back to the lab that you actually found prints on, were the surge suppressor box, Q Okay. What other items did you actually process for latent prints. 9 Q New, What other items did you actually process for latent prints. 9 Q Now, When you actually found prints on, were the surge suppressor box, Q Okay. What other items did you actually process for latent prints. 9 Q New, What other items did you actually process for latent prints. 9 Q New, What other items did you actually process for latent prints. 9 Q New, What other items did you actually process for latent prints. 9 Q New, What other items did you actually process for latent prints. 9 A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bi and tossed on the victim, We 9 A There was papers that we picked up, items that had been victim. We 9 A There was papers that we picked up, i				
23 A Yes, ma'am, it was, Q 22 boarding pass bearing the name Cullum [phonetic], Robert, that was processed. And the only items that produced latents 24 Q Did it have any liquid in it when you found it at the X-34 24 FORD - DIRECT scene? A I don't 1 think it did, 1 just don't remember how much. Vast that discarded? 2 A The liquid, yes, ma'am, was poured out. Q 3 Q Was that discarded? A 4 Q Was that done? A 7 A ff we'd have impounded the can with the — in all paper bag, it would have destroyed the bag and destroyed any cokroaches in it? 3 9 possibility of getting latent fingerprints off the side of that can, Q Add do you recall whether or not there were cockroaches in it? 4 1 A I believe so, yes, ma'am. 2 2 A I believe so, yes, ma'am. 2 3 Q Okay. Why were them you went back to the lab that you actually found prints on, were the surge suppressor box, the beer can, and then did you also find it on the cardboard box or is that 4 4 Q Okay. What other items did you actually process for latent prints? 4 A Not ma'am, Q Okay. What other items did you actually process for latent prints? <td></td> <td></td> <td></td> <td></td>				
24 Q Did it have any liquid in it when you found it at the x-34 24 that was processed. And the only items that produced latents 2 X-34 X-36 FORD-DIRECT scene? A I don't I think it did, I just don't remember how much. Q Was that discarded? A The liquid, yes, ma'am, was poured out. Q Okay. Why was that done? A The liquid patent fingerprints off the side of that can, possibility of getting latent fingerprints off the side of that can, Q And to you recall whether or not there were 0 Q So the only two items when you went back to the lab that you actually found prints on, were the surge suppressor box, the beer can, and then did you also find it on the cardboard box or is that A No, ma'am, tem 30, I did not Just the the beer can and the surge suppressor box, Q Okay. What other items did you actually process for latent prints? A No, ma'am, tem 30, I did not Just the the beer can and the surge suppressor box, Q Okay. What other items did you actually process for latent prints? A A There was papers that we picked up, items that had been tossed over one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We 2 A There was sub bin and tossed on the victim, We				
K-34 X-34 FORD - DIRECT Seene? A I don't I think it did, I just don't remember how much. Q Was that discarded? A The liquid, yes, ma'am, was poured out. Q Okay. Why was that done? A The liquid, yes, ma'am, was poured out. Q Okay. Why was that done? A If we'd have impounded the can with the — in a paper bag, it would have destroyed the bag and destroyed any A fill we'd have impounded the can with the — in a paper bag, it would have destroyed the bag and destroyed any A fill believe so, yes, ma'am. Q And do you recall whether or not there were cockroaches in it? A T believe so, yes, ma'am. Q So the only two items when you went back to the lab that you actually found prints on, were the surge suppressor box, the beer can, and then - did you also find it on the cardboard box or is that — A No, ma'am, Item 30, I did not Just the — the beer can and the surge suppressor box, Q Okay. What other items did you actually process for latent prints? A There was papers that we picked up, items that had been torsed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from -, we assume from the trash bit and tossed on the victim, We				
FORD - DIRECT scene? A I don't – I think it did, I just don't remember how much. Q Was that discarded? 4 Q Was that discarded? 5 A The liquid, yes, ma'am, was poured out. 6 Q Okay. Why was that done? 7 A If we'd have impounded the can with the — in a □ 7 paper bag, it would have destroyed the bag and destroyed any □ 8 paper bag, it would have destroyed the bag and destroyed any □ 9 possibility of getting latent fingerprints off the side of that can, 0 Q And do you recall whether or not there were 10 Q So the only two items when you went back to the 11 I believe so, yes, ma'am. 12 A 13 Q So the only two items when you went back to the 14 lab that you actually found prints on, were the surge 15 suppressor box, the beer can, and then – the beer 16 on the cardboard box or is that — 17 A 18 do kay. What other items did you actually process for 18 do kay. What other items did you actually process for 18 a There was papers that we picked up, items that had	24		24	that was processed. And the only items that produced fatents
 scene? A I don't I think it did, I just don't remember how much. Q Was that discarded? A The liquid, yes, ma'am, was poured out. Q Okay. Why was that done? A If we'd have impounded the can with the — in a a paper bag, it would have destroyed the bag and destroyed ang possibility of getting latent fingerprints off the side of that can, Q And do you recall whether or not there were Cockroaches in it? A I believe so, yes, ma'am. Q So the only two items when you went back to the lab that you actually found prints on, were the surge suppressor box, the beer can, and then did you also find it on the cardboard box or is that A No, ma'am, ttem 30, I did not Just the — the beer can and the surge suppressor box, Q Okay. What atter items did you actually process for latent prints? A There was papers that we picked up, items that had been losed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we as assume from the trash bin and tossed on the victim, We the vert operation was assumed from the trash bin and tossed on the victim, We 		X-34		X-36
AI don't I think it did, I just don't remember how much.QAll right, So the items that you processed you did impound. However, the rest of the trash you discarded, as you said earlier?GWas that discarded?AGA The liquid, yes, ma'am, was poured out.A If we'd have impounded the can with the — in a paper bag, it would have destroyed the bag and destroyed any possibility of getting latent fingerprints off the side of that can, Q And do you recall whether or not there were cockroaches in it?Yes that we now, some of these items that were processed for latent prints didn't have latents but still were kept, that we foll were pertinent to the scene. Items that we thought were just trash we tossed, yes, ma'am, Q Now, when you were at the scene — when you first got here, did you even know how this person had did? This this body?AI believe so, yes, ma'am. Q So the only two items when you went back to the lab that you actually found prints on, were the surge suppressor box, the beer can, and then did you also find it on the cardboard box or is that —AANo, ma'am, Item 30, I did not Just the — the beer can and the surge suppressor box, Q Okay. What other items did you actually process for latent prints?AAThere was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We2AA There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We		FORD - DIRECT		FORD - DIRECT
 much. Q Was that discarded? A The liquid, yes, ma'am, was poured out. Q Okay. Why was that done? A If we'd have impounded the can with the — in a □ paper bag, it would have destroyed the bag and destroyed any □ possibility of getting latent fingerprints off the side of that can, Q And do you recall whether or not there were cockroaches in it? A I believe so, yes, ma'am. Q So the only two items when you went back to the lab that you actually found prints on, were the surge suppressor box, the beer can, and then did you also find it on the cardboard box or is that — A No, ma'am, Item 30, I did not Just the — the beer can and the surge suppressor box, Q Okay. What other items did you actually process for latent prints? A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We We assume from the trash bin and tossed on the victim, We 		scene?	1	was the beer can and the surge suppressor box,
4Q Was that discarded?45A The liquid, yes, ma'am, was poured out.Q Okay. Why was that done?6Q Okay. Why was that done?A If we'd have impounded the can with the — in a7A If we'd have impounded the can with the — in a78paper bag, it would have destroyed any opsisibilty of getting latent fingerprints off the side of that can,79possibilty of getting latent fingerprints off the side of that can,810Q And do you recall whether or not there were1012A I believe so, yes, ma'am.1113Q So the only two items when you went back to the1314lab that you actually found prints on, were the surge1415suppressor box, the beer can, and then did you also find it1516on the cardboard box or is that —1617A No, ma'am, Item 30, 1 did not Just the — the beer1718Q Okay. What other items did you actually process for1819A There was papers that we picked up, items that had1910A There was papers that we picked up, items that had2012A There was papers that we picked up, items that had2113been tossed over — one of the pictures had some pictures of2214this point, when you've uncovered the body, you're — you15a There was super of the pictures had some pictures of16green palm trees, or whatever, that had been pulled from17a There was papers that bo in and tossed on the victim, We22 <t< td=""><td>2</td><td>A I don't I think it did, I just don't remember how</td><td>2</td><td>Q All right, So the items that you processed you did</td></t<>	2	A I don't I think it did, I just don't remember how	2	Q All right, So the items that you processed you did
 A The liquid, yes, ma'am, was poured out. Q Okay. Why was that done? A If we'd have impounded the can with the — in a paper bag, it would have destroyed the bag and destroyed any paper bag, it would have destroyed the bag and destroyed any possibility of getting latent fingerprints off the side of that can, Q And do you recall whether or not there were cockroaches in it? A I believe so, yes, ma'am. Q So the only two items when you went back to the lab that you actually found prints on, were the surge suppressor box, the beer can, and then did you also find it on the cardboard box or is that — A No, ma'am, Item 30, 1 did not Just the — the beer can and the surge suppressor box, Q Okay. What other items did you actually process for latent prints? A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We 	3	much.	3	•
6Q Okay. Why was that done?67A If we'd have impounded the can with the — in a□78paper bag, it would have destroyed the bag and destroyed any□89possibility of getting latent fingerprints off the side of that can,89Q And do you recall whether or not there were1010Q And do you recall whether or not there were1011cockroaches in it?1112A I believe so, yes, ma'am.1213Q So the only two items when you went back to the1414lab that you actually found prints on, were the surge1415on the cardboard box or is that —1616Q Okay. What other items did you actually process for1718Q Okay. What other items did you actually process for1819A There was papers that we picked up, items that had1420been tossed over — one of the pictures had some pictures of2021A There was papers that we picked up, items that had2122we assume from the trash bin and tossed on the victim, We24	4	Q Was that discarded?	4	
 A If we'd have impounded the can with the — in a □ paper bag, it would have destroyed the bag and destroyed any □ sossibility of getting latent fingerprints off the side of that can, Q And do you recall whether or not there were cockroaches in it? A I believe so, yes, ma'am. Q So the only two items when you went back to the lab that you actually found prints on, were the surge suppressor box, the beer can, and then did you also find it on the cardboard box or is that — A No, ma'am, Item 30, I did not Just the — the beer can dat the surge suppressor box, What other items did you actually process for Q Okay. What other items did you actually process for latent prints? A There was papers that we picked up, items that had been nore the coroner investigator got there, we examined the body, did a cursory examination at the scene. Were kept, that we felt were pertinent to the scene. Items that we thought were just trash we tossed, yes, ma'am, Q Now, when you were at the scene — when you first got there, did you even know how this person had died? This this body? A No, ma'am, Item 30, I did not Just the — the beer for and the surge suppressor box, Q Okay. What other items did you actually process for Q okay. What other items did you actually process for green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We We assume from the trash bin and tossed on the victim, We 	5		5	
 paper bag, it would have destroyed the bag and destroyed any possibility of getting latent fingerprints off the side of that can, Q And do you recall whether or not there were Q And do you recall whether or not there were A I believe so, yes, ma'am. Q So the only two items when you went back to the lab that you actually found prints on, were the surge suppressor box, the beer can, and then did you also find it on the cardboard box or is that — A No, ma'am, Item 30, I did not Just the — the beer Q Okay. What other items did you actually process for latent prints? A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We a And the nonce the cord stab wound, and the penis is missing, 	6		6	
9possibility of getting latent fingerprints off the side of that can, Q And do you recall whether or not there were cockroaches in it?9Q Now, when you were at the scene — when you first got there, did you even know how this person had died? This this body?12AI believe so, yes, ma'am.12A No, ma'am, Q Okay. Were there any indications of what had happened whatsoever?13Q So the only two items when you were the surge suppressor box, the beer can, and then did you also find it on the cardboard box or is that —16Q Okay. Were there any indications of what had happened whatsoever?16on the cardboard box or is that —16Q Okay. And that's when you discovered what?17ANo, ma'am, Item 30, I did not Just the — the beer can and the surge suppressor box, Q Okay. What other items did you actually process for latent prints?1819Q Okay. What other items did you actually process of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We2124We assume from the trash bin and tossed on the victim, We21			7	
10Q And do you recall whether or not there were cockroaches in it?10got there, did you even know how this person had died? This11AI believe so, yes, ma'am.11				
11cockroaches in it?11 this body?12AI believe so, yes, ma'am.11 this body?13Q So the only two items when you went back to the13Q Okay, Were there any indications of what had14lab that you actually found prints on, were the surge14happened whatsoever?15suppressor box, the beer can, and then did you also find it16Q Okay. And that's when you discovered what?16on the cardboard box or is that —16Q Okay. And that's when you discovered what?17ANo, ma'am, Item 30, I did not Just the — the beer17A Numerous stab wounds, the penis had been18can and the surge suppressor box,18removed. There was a stab wound in the lower groin area19A There was papers that we picked up, items that had20kean the body, did a cursory examination at the scene.21A There was papers that we picked up, items that had21We noticed an additional stab wound to the rectum area,22green palm trees, or whatever, that had been pulled from23Q All right. And so, now, based upon what you have23green palm trees, or whatever, that had been pulled from242424we assume from the trash bin and tossed on the victim, We24				- •
12AI believe so, yes, ma'am.12A No, ma'am,13Q So the only two items when you went back to the lab that you actually found prints on, were the surge suppressor box, the beer can, and then did you also find it on the cardboard box or is that —12A No, ma'am, Q Okay, Were there any indications of what had happened whatsoever?16on the cardboard box or is that —16Q Okay. And that's when you discovered what?17ANo, ma'am, Item 30, I did not Just the — the beer can and the surge suppressor box,1718Q Okay. What other items did you actually process for latent prints?1821A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We1222A Il right. And so, now, based upon what you have at this point, when you've uncovered the body, you're — you believe it's some sort of stab wound, and the penis is missing,				
13Q So the only two items when you went back to the lab that you actually found prints on, were the surge suppressor box, the beer can, and then did you also find it on the cardboard box or is that —13Q Okay, Were there any indications of what had happened whatsoever?16on the cardboard box or is that —15ANot until we got to the body itself.17ANo, ma'am, Item 30, I did not Just the — the beer can and the surge suppressor box,16Q Okay. And that's when you discovered what?18Q Okay. What other items did you actually process for latent prints?18removed. There was a stab wound in the lower groin area20A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We21Q All right. And so, now, based upon what you have at this point, when you've uncovered the body, you're — you believe it's some sort of stab wound, and the penis is missing,				-
 lab that you actually found prints on, were the surge suppressor box, the beer can, and then did you also find it on the cardboard box or is that — A No, ma'am, Item 30, I did not Just the — the beer can and the surge suppressor box, Q Okay. What other items did you actually process for latent prints? A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We 				
 suppressor box, the beer can, and then did you also find it on the cardboard box or is that — A No, ma'am, Item 30, I did not Just the — the beer can and the surge suppressor box, Q Okay. What other items did you actually process for latent prints? A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We 				
16on the cardboard box or is that —16Q Okay. And that's when you discovered what?17ANo, ma'am, Item 30, I did not Just the — the beer17ANumerous stab wounds, the penis had been18can and the surge suppressor box,1718removed. There was a stab wound in the lower groin area19Q Okay. What other items did you actually process for18removed. There was a stab wound in the lower groin area20Iatent prints?2021A There was papers that we picked up, items that had2122been tossed over — one of the pictures had some pictures of2223green palm trees, or whatever, that had been pulled from2324we assume from the trash bin and tossed on the victim, We24				**
17ANo, ma'am, Item 30, I did not Just the — the beer can and the surge suppressor box, Q Okay. What other items did you actually process for latent prints?17ANumerous stab wounds, the penis had been removed. There was a stab wound in the lower groin area19Q Okay. What other items did you actually process for latent prints?1817A Numerous stab wounds, the penis had been removed. There was a stab wound in the lower groin area20A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We17A Numerous stab wounds, the penis had been removed. There was a stab wound in the lower groin area And then once the coroner investigator got there, we examined the body, did a cursory examination at the scene.21A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We2123A Numerous stab wound, and the penis is missing,				
18can and the surge suppressor box, Q Okay. What other items did you actually process for latent prints?18removed. There was a stab wound in the lower groin area And then once the coroner investigator got there, we examined the body, did a cursory examination at the scene.20A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We18removed. There was a stab wound in the lower groin area And then once the coroner investigator got there, we examined the body, did a cursory examination at the scene.21A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We18removed. There was a stab wound in the lower groin area And then once the coroner investigator got there, we examined the body, did a cursory examination at the scene.21We noticed an additional stab wound to the rectum area, Q All right. And so, now, based upon what you have at this point, when you've uncovered the body, you're — you believe it's some sort of stab wound, and the penis is missing,				
19Q Okay. What other items did you actually process for latent prints?19And then once the coroner investigator got there, we examined the body, did a cursory examination at the scene.21A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We19And then once the coroner investigator got there, we examined the body, did a cursory examination at the scene.21A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We19And then once the coroner investigator got there, we examined the body, did a cursory examination at the scene.23We noticed an additional stab wound to the rectum area, u at this point, when you've uncovered the body, you're — you believe it's some sort of stab wound, and the penis is missing,				-
 latent prints? A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We a sume from the trash bin and tossed on the victim, We batter prints? bean tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We bean tossed over — one of the pictures had some pictures of we assume from the trash bin and tossed on the victim, We bean tossed over — one of the pictures had some pictures of we assume from the trash bin and tossed on the victim, We bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tossed over — one of the pictures had some pictures of bean tos				-
A There was papers that we picked up, items that had been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We 24 We noticed an additional stab wound to the rectum area, 22 Q All right. And so, now, based upon what you have 23 at this point, when you've uncovered the body, you're — you 24 believe it's some sort of stab wound, and the penis is missing,				
 been tossed over — one of the pictures had some pictures of green palm trees, or whatever, that had been pulled from we assume from the trash bin and tossed on the victim, We 22 Q All right. And so, now, based upon what you have 23 at this point, when you've uncovered the body, you're — you 24 believe it's some sort of stab wound, and the penis is missing, 		-		
23green palm trees, or whatever, that had been pulled from23at this point, when you've uncovered the body, you're — you24we assume from the trash bin and tossed on the victim, We24believe it's some sort of stab wound, and the penis is missing,				
24 we assume from the trash bin and tossed on the victim, We 24 believe it's some sort of stab wound, and the penis is missing,				
X-35 X-37	<u> </u>			
			'	

IV v. LOBATO

	LUBATU		9/22/06
	FORD - DIRECT		FORD - DIRECT
1	what do you do?	1	identified as being from the body?
2	A We wanted to try and find see whether or not the	2	A No, ma'am.
3	weapon was still around The knife was still there. And we	3	Q Okay. You don't recall any teeth being found?
4	wanted to see if we could find the penis.	4	A No, ma'am.
5	Q Okay. And what did you do to try and do that?	5	Q Okay, Now, the items that you took back to the lab
6	A Put on a white bunny suit and went inside the	6	and processed for fingerprints, did you do anything else with
7	dumpster,	7	them? Did you process them to see if there was any blood?
8	Q Okay- Did you locate anything of evidentiary value	8	A If there was if it appeared to be — what appeared
9	inside the dumpster itself?	9	to be blood on the item, such as the sandals, they were tested
10	A No, ma'am, we did not.	10	for the presence of blood using phenolphthalein, and then
11	Q Okay, And eventually was the penis found?	11	items were collected from those. The bracelet, the hair pick,
12	A Yes, ma'am, It was in the beyond where the	12	those were all tested first before the blood the flake blood
13	victim was located, underneath some additional trash, and it	13	was removed.
14	was transported to the coroner's office.	14	Q Okay. So do you recall which items tested positive
15	Q Did you ever find any sort of sharp weapon at the	15	with the —
16	crime scene?	16	THE COURT: I'm going to ask for a clarification.
17	A No, ma'am, not at air	17	MS. DiGIACOMO: Okay.
18	Q All right, Do you recall approximately how long it	18	THE COURT: Did you say a bracelet?
19	take [sic] to take the layers of trash off the victim to get down	19	THE WITNESS: It was a gold metal link chain.
20	to the body?	20	may have said bracelet. I meant the chain that 17
21	A No, ma'am, I don't. I don't know if Louise put in her	21	approximately 17 1/2" long,
22	report what time the coroner arrived, If I could look at that to	22	THE COURT: Thank you_
23	see?	23	BY MS. DiGIACOMO:
24	Q That's fine	24	Q Now, do you recall what items tested positive that
	X-38		X-40
	FORD - DIRECT		FORD - DIRECT
1	A She wrote that the coroner's investigator arrived at	1	had the what you believed to be apparent blood?
2	A She wrote that the coroner's investigator arrived at 3:50 to take custody of the body. So that would have been	1 2	had the what you believed to be apparent blood? A The brown sandals. The wad of chewing gum that
2	-		
1 2 3 4	3:50 to take custody of the body. So that would have been	2	A The brown sandals. The wad of chewing gum that
1 2 3 4 5	3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the	2	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small
1 2 3 4 5 6	3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For —	2 3 4	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal
	3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_	2 3 4 5	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear,
6	 3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for 	2 3 4 5 6	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine?
6 7	3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body,	2 3 4 5 6 7	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the
6 7 8	3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go	2 3 4 5 6 7 8	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it
6 7 8 9	3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the	2 3 4 5 6 7 8 9	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive,
6 7 8 9 10	3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be — for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster?	2 3 4 5 6 7 8 9 10	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that
6 7 8 9 10 11	3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black	2 3 4 5 6 7 8 9 10 11	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located,
6 7 8 9 10 11 12	3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black and white photographs were done by Teresa Main, of the	2 3 4 5 6 7 8 9 10 11 12	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located, that you believe were apparent blood? Did those test positive
6 7 8 9 10 11 12 13	 3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black and white photographs were done by Teresa Main, of the bloody footwear, in the enclosure, and then I think we 	2 3 4 5 6 7 8 9 10 11 12 13	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located, that you believe were apparent blood? Did those test positive as well?
6 7 9 10 11 12 13 14	3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black and white photographs were done by Teresa Main, of the bloody footwear, in the enclosure, and then I think we removed the body after that.	2 3 4 5 6 7 8 9 10 11 12 13 14	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located, that you believe were apparent blood? Did those test positive as well? A Yes, ma'am, they did,
6 7 8 9 10 11 12 13 14 15	 3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black and white photographs were done by Teresa Main, of the bloody footwear, in the enclosure, and then I think we removed the body after that. Q All right. And then did you continue with the rest of 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located, that you believe were apparent blood? Did those test positive as well? A Yes, ma'am, they did, MS, DiGIACOMO: Your Honor, may I approach the
6 7 9 10 11 12 13 14 15 16	 3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black and white photographs were done by Teresa Main, of the bloody footwear, in the enclosure, and then I think we removed the body after that. Q All right. And then did you continue with the rest of the trash in the southwest corner? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located, that you believe were apparent blood? Did those test positive as well? A Yes, ma'am, they did, MS, DiGIACOMO: Your Honor, may I approach the Clerk?
6 7 8 9 10 11 12 13 14 15 16 17	 3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black and white photographs were done by Teresa Main, of the bloody footwear, in the enclosure, and then I think we removed the body after that. Q All right. And then did you continue with the rest of the trash in the southwest corner? A Yes, ma'am, 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located, that you believe were apparent blood? Did those test positive as well? A Yes, ma'am, they did, MS, DiGIACOMO: Your Honor, may I approach the Clerk? THE COURT: Yes.
6 7 8 9 10 11 12 13 14 15 16 17 18	 3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black and white photographs were done by Teresa Main, of the bloody footwear, in the enclosure, and then I think we removed the body after that. Q All right. And then did you continue with the rest of the trash in the southwest corner? A Yes, ma'am, Q How long did it take to find the penis, after the body 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 7 8	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located, that you believe were apparent blood? Did those test positive as well? A Yes, ma'am, they did, MS, DiGIACOMO: Your Honor, may I approach the Clerk? THE COURT: Yes. MS. DiGIACOMO: May I approach the witness?
6 7 8 9 10 11 12 13 14 15 16 17 18 19	 3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black and white photographs were done by Teresa Main, of the bloody footwear, in the enclosure, and then I think we removed the body after that. Q All right. And then did you continue with the rest of the trash in the southwest corner? A Yes, ma'am, Q How long did it take to find the penis, after the body was removed? If you recall. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located, that you believe were apparent blood? Did those test positive as well? A Yes, ma'am, they did, MS, DiGIACOMO: Your Honor, may I approach the Clerk? THE COURT: Yes. MS. DiGIACOMO: May I approach the witness? THE COURT: Yes
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black and white photographs were done by Teresa Main, of the bloody footwear, in the enclosure, and then I think we removed the body after that. Q All right. And then did you continue with the rest of the trash in the southwest corner? A Yes, ma'am, Q How long did it take to find the penis, after the body was removed? If you recall. A We were at the scene till about 6:30 that morning, 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located, that you believe were apparent blood? Did those test positive as well? A Yes, ma'am, they did, MS, DiGIACOMO: Your Honor, may I approach the Clerk? THE COURT: Yes. MS. DiGIACOMO: May I approach the witness? THE COURT: Yes BY MS_DIGIACOMO:
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black and white photographs were done by Teresa Main, of the bloody footwear, in the enclosure, and then I think we removed the body after that. Q All right. And then did you continue with the rest of the trash in the southwest corner? A Yes, ma'am, Q How long did it take to find the penis, after the body was removed? If you recall. A We were at the scene till about 6:30 that morning, and I will say it was somewhere around 6:00 o'clock in the 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located, that you believe were apparent blood? Did those test positive as well? A Yes, ma'am, they did, MS, DiGIACOMO: Your Honor, may I approach the Clerk? THE COURT: Yes. MS. DiGIACOMO: May I approach the witness? THE COURT: Yes BY MS_ DIGIACOMO: Q I'm going to show you what's been marked as
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay_ A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black and white photographs were done by Teresa Main, of the bloody footwear, in the enclosure, and then I think we removed the body after that. Q All right. And then did you continue with the rest of the trash in the southwest corner? A Yes, ma'am, Q How long did it take to find the penis, after the body was removed? If you recall. A We were at the scene till about 6:30 that morning, and I will say it was somewhere around 6:00 o'clock in the morning or so. Between 5:30 and 6:00 before we located the 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located, that you believe were apparent blood? Did those test positive as well? A Yes, ma'am, they did, MS, DiGIACOMO: Your Honor, may I approach the Clerk? THE COURT: Yes. MS. DiGIACOMO: May I approach the witness? THE COURT: Yes BY MS_DIGIACOMO: Q I'm going to show you what's been marked as State's Proposed Exhibit 156. Would you look at that? Let me
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 3:50 to take custody of the body. So that would have been roughly about three and a half hours of going through the trash pile before we — we got to the body itself For — Q Okay A For her to be for the investigator to be there, for the body, Q Was the body removed before you continued to go through the rest of the trash in the southwest area of the dumpster? A Photographs were done — 4x5 photographs black and white photographs were done by Teresa Main, of the bloody footwear, in the enclosure, and then I think we removed the body after that. Q All right. And then did you continue with the rest of the trash in the southwest corner? A Yes, ma'am, Q How long did it take to find the penis, after the body was removed? If you recall. A We were at the scene till about 6:30 that morning, and I will say it was somewhere around 6:00 o'clock in the morning or so. Between 5:30 and 6:00 before we located the penis in the trash. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A The brown sandals. The wad of chewing gum that was on the cardboard piece with apparent blood. The small rock. The two black buttons. The pink hair pick. metal link chain. The piece of cardboard with the bloody footwear, Q What about the Triple X Magazine? A The Triple X Magazine had apparent blood. If the impound stated "apparent blood" in the description, then it had tested positive, Q All right. And what about the three samples that you took, 7, 8 and 9, from where the sandals were located, that you believe were apparent blood? Did those test positive as well? A Yes, ma'am, they did, MS, DiGIACOMO: Your Honor, may I approach the Clerk? THE COURT: Yes. MS. DiGIACOMO: May I approach the witness? THE COURT: Yes BY MS_DIGIACOMO: Q I'm going to show you what's been marked as State's Proposed Exhibit 156. Would you look at that? Let me know if you recognize it.

IV <u>v. lobato</u> 9/22/06 FORD - DIRECT FORD - DIRECT i 1 copy paper. It contains the event number 010708-2410. Has 1 recognize that? my initials and P number and signature on it, 2 2 А It's Item 23, One pair of gray socks with maroon 3 Q Okay. Did you impound whatever's in this package 3 and red stripes. in evidence? 4 Q Where were those located at the scene? 5 А Yes, ma'am, I did. 5 А Near the southwest corner of the enclosure, 6 Q And what date would you have done that? 6 Q Okay, And when you mark on here -- on your piece The 9th of July, 2001. 7 А 7 of paper the item number, does that correspond with your 8 Q Do you know what's in -- located in this bag? diagram that you did? A box bottom for $^{81/2}$ X 11 copy paper. А 0 9 A Yes, ma'am, it does, Q Okay And this was the one that's found where? 10 Q Okay, So Item 23 on State's Proposed 160 11 А Item Number 30 was found near the victim's feet, correlates to the 23 on your diagram? 11 12 Q Okay. 12 А Yes, ma'am, it does. 13 MS, DiGIACOMO: Your Honor, at this time the State 13 Q Okay, Did you impound this also on July 9, 2001? 14 would move for admission of State's Proposed Exhibit 156 and 14 Yes, ma'am, I did. А 15 its contents. 15 MS, DiGIACOMO: Your Honor, at this time the State 16 MR. SCHIECK: No objection, Your Honor, 16 would move for admission of State's Proposed Exhibit 160. 17 THE COURT: Granted. 17 MR, SCHIECK: No objection, Your Honor, 18 (State's Exhibit 156, admitted) THE COURT: Granted. 18 19 BY MS. DiGIACOMO: 19 MS. DiGIACOMO: Thank you, 20 Now I'm going to show you what's been marked as 20 0 (State's Exhibit 160, admitted) 21 State's Proposed Exhibit 155. Do you recognize this? 21 BY MS. DIGIACOMO: 22 THE COURT: 155? 22 Q Showing you what's been marked for identification 23 MS. DiGIACOMO: Yes, Your Honor. 23 as State's ---THE WITNESS: It's a folded cardboard box with 24 MS. DiGIACOMO: And, Your Honor, I'm sorry, to X-42 X-44 FORD - DIRECT FORD - DIRECT 1 apparent blood, Item 31, that was from the trash pile at the 1 clarify, 160 is the bag and its contents. 2 upper torso of the victim. 2 THE COURT: Still no opposition? 3 BY MS, DiGIACOMO: 3 MR. SCHIECK: No objection. Okay, Is this what you — you stated that you had 0 4 THE COURT: Still admitted. 5 cut a piece out that had a bloody footwear impression on it. 5 MS. DIGIACOMO: Thank you, 6 А Yes, ma'am, that's correct. 6 BY MS. DIGIACOMO: 7 0 Okay, And there's actually biohazard stickers on 7 Q And now I'm showing you State's Proposed Exhibit 8 this, correct? 8 174, Do you recognize that? 9 А That's correct, 9 A Yes, ma'am. It's Item 26, the empty flip-top box of 10 Q What date did you impound this in evidence? 10 Marlboro Light cigarettes, 11 А Again, the 9th of July, 2001. 11 Q Okay, And also impounded on July 9th, 2001? 12 MS. DiGIACOMO: Your Honor, at this time the State 12 A Yes, ma'am, would move for admission of State's Proposed Exhibit 155 as 13 13 MS, DiGIACOMO: Your Honor, at this time the State 14 the bag and its contents, 14 would move for admission of State's Proposed Exhibit 174, the 15 MR. SCHIECK: No objection, Your Honor. 15 bag and its contents, 16 THE COURT: Granted. 16 MR, SCHIECK: No objection, Your Honor. 17 (State'S Exhibit 155, admitted) 17 THE COURT: Granted, 18 MS, DiGIACOMO: May I approach the Clerk again? (State's Exhibit 174, admitted) 18 THE COURT: Yes. 19 BY MS. DIGIACOMO: 19 20 MS. DiGIACOMO: May I approach, Your Honor? 20 Q Showing you State's Proposed Exhibit 173, Do you 21 THE COURT: Yes, 21 recognize that? 22 BY MS. DiGIACOMO: 22 A Yes, ma'am. It's Item 32 which was a U.S. Airways 23 0 I'm going to show you what's been marked for boarding pass bearing the name Cullum, Robert, dated 12 23 24 identification as State's Proposed Exhibit 160, Do you June, and it was impounded on July 9th, 2001, 24 X-43 X-45

<u>A/ v. LOBATO</u>

		_	9/22/00
	FORD - DIRECT		FORD - DIRECT
1	MS, DiGIACOMO: Your Honor, at this time the State	1	were impounded by yourself?
2	would move for admission of State's Proposed Exhibit 173, the	2	A Yes, ma'am, and they were all impounded on July
3	bag and its contents,	3	9th
	MR, SCHIECK: No objection, Your Honor,	4	Q And the biohazard sticker on this, is that because of
5	THE COURT: Granted.	5	the notation that there was apparent blood?
6	MS. DiGIACOMO: Thank you,	6	A Yes, ma'am,
7	(State's Exhibit 173, admitted)	7	MS. DiGIACOMO: Your Honor, at this time the State
8	BY MS, DIGIACOMO:	8	would move for admission of State's Proposed Exhibit 171 as
9	Q Showing you what's been marked for identification	9	the bag and its contents.
10	as State's Proposed Exhibit 172, Do you recognize that as	10	MR. SCHIECK: No objection, Your Honor,
11	well?	11	THE COURT: Granted,
12	A Yes, ma'am. It's Item 10, the torn condom pack	12	(State's Exhibit 171, admitted)
13	with Kleenex, impounded on the 9th of July,	13	BY MS. DIGIACOMO:
14	Q And this also has a biohazard sticker on it	14	Q Showing you what's been marked for identification
15	A That's correct,	15	as State's Proposed Exhibit 170. Do you recognize that?
16	Q Okay. Was there any apparent blood or anything	16	A Yes, ma'am, It's Number 17, the small rock with
17	found on the torn condom pack?	17	apparent blood, impounded on the 9 th of July.
18	A Not that I remember. It would have been annotated	18	Q And it's also got the biohazard sticker?
19	on the item. But because of what it was we identified it as a -	19	A Yes, ma'am,,
20	- and with the Kleenex with it, we identified it as a biohazard	20	MS, DIGIACOMO: Your Honor, at this time the State
21	possibility.	21	would move for admission of State's Proposed Exhibit 170 as
22	Q Okay,	22	the bag and its contents.
23	MS, DiGIACOMO: Your Honor, at this time the State	23	MR, SCHIECK: No objection, Your Honor,
24	would move for admission of State's Proposed Exhibit 172, the	24	THE COURT: Granted,
	X-46		X-48
	FORD - DIRECT	<u> </u>	
	TOND - DIRECT		FORD - DIRECT
		1	
2	bag and its contents,	1	MS. DiGIACOMO: Thank you,
2	bag and its contents, MR, SCHIECK: No objection, Your Honor,	1 2 3	
	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted,	1 2 3 4	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO:
	bag and its contents, MR, SCHIECK: No objection, Your Honor,	1 2 3 4 5	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification
3	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO:	1 2 3 4 5 6	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that?
3 5	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification	3 4 5	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification
3 5 6	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO:	3 4 5 6	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum
3 5 6 7	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that?	3 4 5 6	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on
3 5 7 8	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated	3 4 5 6 7 8	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001.
3 5 7 8 9	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9 th of July,	3 4 5 6 7 8 9	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you?
3 5 6 7 8 9 10	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9 th of July, MS. DiGIACOMO: Your Honor, at this time the State	3 4 5 6 7 8 9 10	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was
3 5 7 8 9 10 11	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9 th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as	3 4 5 7 8 9 10 11	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is
3 5 6 7 8 9 10 11 12	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9 th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as the bag and its contents,	3 4 5 6 7 8 9 10 11 12	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is from somebody in Metro, such as yourself, that seals it?
3 5 6 7 8 9 10 11 12 13	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9 th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as the bag and its contents, MR. SCHIECK: No objection, Your Honor.	3 4 5 6 7 8 9 10 11 12 13	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is from somebody in Metro, such as yourself, that seals it? A Yes, ma'am, that's correct.
3 5 6 7 8 9 10 11 12 13 14	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9 th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted,	3 4 5 6 7 8 9 10 11 12 13 14	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is from somebody in Metro, such as yourself, that seals it? A Yes, ma'am, that's correct. Q Okay. And whoever else opens this after you, signs
3 5 6 7 8 9 10 11 12 13 14 15	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9 th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted, (State's Exhibit 169, admitted)	3 4 5 6 7 8 9 10 11 12 13 14 15	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is from somebody in Metro, such as yourself, that seals it? A Yes, ma'am, that's correct. Q Okay. And whoever else opens this after you, signs a chain of custody at the bottom?
3 6 7 8 9 10 11 12 13 14 15 16	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9 th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted, (State's Exhibit 169, admitted) BY MS. DiGIACOMO:	3 4 5 6 7 8 9 10 11 12 13 14 15 16	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is from somebody in Metro, such as yourself, that seals it? A Yes, ma'am, that's correct. Q Okay. And whoever else opens this after you, signs a chain of custody at the bottom? A That's correct.
3 5 6 7 8 9 10 11 12 13 14 15 16 17	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9 th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted, (State's Exhibit 169, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 171, Do you	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is from somebody in Metro, such as yourself, that seals it? A Yes, ma'am, that's correct. Q Okay. And whoever else opens this after you, signs a chain of custody at the bottom? A That's correct. Q Okay, This also has a biohazard sticker as well,
3 5 6 7 8 9 10 11 12 13 14 15 16 17 18	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9 th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted, (State's Exhibit 169, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 171, Do you recognize that?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is from somebody in Metro, such as yourself, that seals it? A Yes, ma'am, that's correct. Q Okay. And whoever else opens this after you, signs a chain of custody at the bottom? A That's correct. Q Okay, This also has a biohazard sticker as well, A Yes, ma'am. Correct
3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9 th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted, (State's Exhibit 169, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 171, Do you recognize that? A It's Item 18, two black buttons with torn thread and	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is from somebody in Metro, such as yourself, that seals it? A Yes, ma'am, that's correct. Q Okay. And whoever else opens this after you, signs a chain of custody at the bottom? A That's correct. Q Okay, This also has a biohazard sticker as well, A Yes, ma'am. Correct Q And It's got a blue evidence sticker,
3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9 th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted, (State's Exhibit 169, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 171, Do you recognize that? A It's Item 18, two black buttons with torn thread and apparent blood	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is from somebody in Metro, such as yourself, that seals it? A Yes, ma'am, that's correct. Q Okay. And whoever else opens this after you, signs a chain of custody at the bottom? A That's correct. Q Okay, This also has a biohazard sticker as well, A Yes, ma'am. Correct Q And It's got a blue evidence sticker, A That's correct.
3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted, (State's Exhibit 169, admitted) BY MS. DiGIACOMO: BY MS. DiGIACOMO: A It's Item 18, two black buttons with torn thread and apparent blood Q And was that also impounded on July 9, 2001, by 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is from somebody in Metro, such as yourself, that seals it? A Yes, ma'am, that's correct. Q Okay. And whoever else opens this after you, signs a chain of custody at the bottom? A That's correct. Q Okay, This also has a biohazard sticker as well, A Yes, ma'am. Correct Q And It's got a blue evidence sticker, A That's correct. Q Which is indicative of somebody from the lab
3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted, (State's Exhibit 169, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 171, Do you recognize that? A It's Item 18, two black buttons with torn thread and apparent blood Q And was that also impounded on July 9, 2001, by yourself? 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is from somebody in Metro, such as yourself, that seals it? A Yes, ma'am, that's correct. Q Okay. And whoever else opens this after you, signs a chain of custody at the bottom? A That's correct. Q Okay, This also has a biohazard sticker as well, A Yes, ma'am. Correct Q And It's got a blue evidence sticker, A That's correct. Q Which is indicative of somebody from the lab opening it?
3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 bag and its contents, MR, SCHIECK: No objection, Your Honor, THE COURT: Granted, (State's Exhibit 172, admitted) BY MS, DiGIAC:OMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 169, Do you recognize that? A Yes, ma'am, It's Number 14, the ATM receipt dated 07-06-01, 22:59 hours, and impounded on the 9th of July, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 169, as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted, (State's Exhibit 169, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 171, Do you recognize that? A It's Item 18, two black buttons with torn thread and apparent blood Q And was that also impounded on July 9, 2001, by yourself? A Yes, ma'am, it was 	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MS. DiGIACOMO: Thank you, (State's Exhibit 170, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 168. Do you recognize that? A Yes, ma'am. It's Item 16, the wad of chewing gum on the cardboard piece with apparent blood, impounded on the 9 th of July, 2001. Q Okay. And this was impounded by you? A Yes, ma'am, it was Q And whenever there's a red evidence sticker, that is from somebody in Metro, such as yourself, that seals it? A Yes, ma'am, that's correct. Q Okay. And whoever else opens this after you, signs a chain of custody at the bottom? A That's correct. Q Okay, This also has a biohazard sticker as well, A Yes, ma'am. Correct Q And It's got a blue evidence sticker, A That's correct. Q Which is indicative of somebody from the lab opening it? A Yes, ma'am,

Vv. LOBATO

	LUDATU	-	
	FORD - DIRECT		ford - DIRECT
1	MS. DiGIACOMO: Your Honor, at this time the State	1	would move for admission of State's Proposed Exhibit 175 as
2	would move for admission of State's Proposed Exhibit 168, as	2	the bag and its contents.
3	the bag and its contents.	3	MR. SCHIECK: No objection, Your Honor.
	MR. SCHIECK: Can I ask just a couple questions,	4	THE COURT: Granted.
5	Your Honor, on voir	5	MS. DiGIACOMO: Thank you.
6	THE COURT: You wish to take the witness on voir	6	(State's Exhibit 175, admitted)
7	dire'?	7	BY MS. DIGIACOMO:
8	MR. SCHIECK: Yes, Your Honor.	8	Q Showing you what's been marked for identification -
9	THE COURT: You may.	9	as State's Proposed Exhibit 177. Do you recognize that?
10	VOIR-DIRE EXAMINATION	10	A Yes, ma'am. It's items 11, 12 and 13, 11 being the
11	BY MR. SCHIECK:	11	empty pack of Wrigleys Extra chewing gum. Item 12 are two
12	Q Who opened the bag?	12	foil gum wrappers. Item 13, one paper gum wrapper.
13	A Thomas A. Wahl, P number 5019, on August 3,	13	Impounded on July 9", 2001.
	2001,	14	Q Thank you,
15	Q And he's a DNA analyst?	IS	MS. DiGIACOMO: Your Honor, at this time the State
16	A He — yes, sir, he was,	16	would move for admission of State's Proposed Exhibit 177 as
17	Q Okay. Thank you.	17	the bag and its contents.
18	MR. SCHIECK: No objection, Your Honor	18	MR. SCHIECK: No objection, Your Honor.
19	THE COURT: Granted. 168 and its contents are	19	THE COURT: Granted.
20	admitted.	20	(State's Exhibit 177, admitted)
20	MS, DIGIACOMO: Thank you, Your Honor.	20	BY MS. DiGIACOMO:
21	(State's Exhibit 168, admitted)	21	Q Now, this one State's State 177, it says on it
22		22	"chemically processed fingerprint process." They're stamps,
23 24	/// ///	23	What does that mean?
24	111	24	
	X-50		X-52
-			
	FORD - DIRECT		FORD - DIRECT
1		1	
1	DIRECT EXAMINATION (Continued)	1	A It means that the items inside were processed for
1 2 3	DIRECT EXAMINATION (Continued) BY MS, DIGIACOMO:	1 2 3	
	DIRECT EXAMINATION (Continued)		A It means that the items inside were processed for latent fingerprints either with powder or with some chemical
3	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you		A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for
3 4	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that?	3 4	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you
3 4 5	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link	3 4 5	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that?
3 4 5 6	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent	3 4 5 6	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's
3 4 5 6 7	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July	3 4 5 6 7	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again,
3 4 5 6 7 8	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001	3 4 5 6 7 8	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed.
3 4 5 7 8 9	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001	3 4 5 6 7 8 9	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay,
3 4 5 6 7 8 9 10	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 A Q By yourself? A Yes, ma'am,	3 4 5 6 7 8 9 10	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State
3 4 5 7 8 9 10 11	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 A Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State	3 4 5 6 7 8 9 10 11	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's
3 4 5 6 7 8 9 10 11 12	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 A Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as	3 4 5 6 7 8 9 10 11 12	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents,
3 4 5 7 8 9 10 11 12 13 14	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 A Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as the bag and its contents,	3 4 5 7 8 9 10 11 12 13 14	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents, MR. SCHIECK: No objection, Your Honor,
3 6 7 8 9 10 11 12 13 14 15	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 & Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as the bag and its contents, MR. SCHIECK: No objection, Your Honor.	3 4 5 6 7 8 9 10 11 12 13	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents, MR. SCHIECK: No objection, Your Honor, THE COURT: Granted_
3 4 5 6 7 8 9 10 11 12 13 14 15 16	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 A Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted.	3 4 5 6 7 8 9 10 11 12 13 14 15 16	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents, MR. SCHIECK: No objection, Your Honor, THE COURT: Granted_ MS. DiGIACOMO: Thank you.
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 A Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 164, admitted)	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents, MR. SCHIECK: No objection, Your Honor, THE COURT: Granted_ MS. DiGIACOMO: Thank you. (State's Exhibit 157, admitted)
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 & Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 164, admitted) BY MS, DiGIACOMO:	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents, MR. SCHIECK: No objection, Your Honor, THE COURT: Granted_ MS. DiGIACOMO: Thank you. (State's Exhibit 157, admitted) BY MS. DiGIACOMO:
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 Å Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 164, admitted) BY MS, DiGIACOMO: Q Showing you what's been marked as State's	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents, MR. SCHIECK: No objection, Your Honor, THE COURT: Granted_ MS. DiGIACOMO: Thank you. (State's Exhibit 157, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 158. Do you
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 A Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 164, admitted) BY MS, DiGIACOMO: Q Showing you what's been marked as State's Proposed Exhibit 175, what's do you recognize this?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents, MR. SCHIECK: No objection, Your Honor, THE COURT: Granted_ MS. DiGIACOMO: Thank you. (State's Exhibit 157, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 158. Do you recognize that?
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 & Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 164, admitted) BY MS, DIGIACOMO: Q Showing you what's been marked as State's Proposed Exhibit 175, what's do you recognize this? A Yes, ma'am, I do. It's a package containing Items 1	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents, MR. SCHIECK: No objection, Your Honor, THE COURT: Granted_ MS. DiGIACOMO: Thank you. (State's Exhibit 157, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 158. Do you recognize that? A Yes, ma'am. It's Items 24 and 25, 24 being the
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 & Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 164, admitted) BY MS, DiGIACOMO: Q Showing you what's been marked as State's Proposed Exhibit 175, what's do you recognize this? A Yes, ma'am, I do. It's a package containing Items 1 through 5, the four cut chain links and the cut padlock hasp,	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents, MR. SCHIECK: No objection, Your Honor, THE COURT: Granted_ MS. DiGIACOMO: Thank you. (State's Exhibit 157, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 158. Do you recognize that? A Yes, ma'am. It's Items 24 and 25, 24 being the August 2000 issue of Gallery Magazine. Item 25, the Triple X
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 & Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 164, admitted) BY MS, DiGIACOMO: Q Showing you what's been marked as State's Proposed Exhibit 175, what's do you recognize this? A Yes, ma'am, I do. It's a package containing Items 1 through 5, the four cut chain links and the cut padlock hasp, impounded on July 9 th , 2001.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents, MR. SCHIECK: No objection, Your Honor, THE COURT: Granted_ MS. DiGIACOMO: Thank you. (State's Exhibit 157, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 158. Do you recognize that? A Yes, ma'am. It's Items 24 and 25, 24 being the August 2000 issue of Gallery Magazine. Item 25, the Triple X Adult Entertainment Magazine, with apparent blood, the
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 & Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 164, admitted) BY MS, DiGIACOMO: Q Showing you what's been marked as State's Proposed Exhibit 175, what's do you recognize this? A Yes, ma'am, I do. It's a package containing Items 1 through 5, the four cut chain links and the cut padlock hasp,	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents, MR. SCHIECK: No objection, Your Honor, THE COURT: Granted_ MS. DiGIACOMO: Thank you. (State's Exhibit 157, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 158. Do you recognize that? A Yes, ma'am. It's Items 24 and 25, 24 being the August 2000 issue of Gallery Magazine. Item 25, the Triple X
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	DIRECT EXAMINATION (Continued) BY MS, DiGIACOMO: Q Now I'm showing you what's been marked for identification as State's Proposed Exhibit 164, Do you recognize that? A Yes, ma'am, It's Item 20, gold-colored metal link chain, approximately 171/2" long and 3/4" wide with apparent blood I has a biohazard sticker, and was impounded on July 9', 2001 & Q By yourself? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 164 as the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 164, admitted) BY MS, DiGIACOMO: Q Showing you what's been marked as State's Proposed Exhibit 175, what's do you recognize this? A Yes, ma'am, I do. It's a package containing Items 1 through 5, the four cut chain links and the cut padlock hasp, impounded on July 9 th , 2001.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A It means that the items inside were processed for latent fingerprints either with powder or with some chemical means. Q Okay, Showing you what's been marked for identification as State's Proposed Exhibit 157. Do you recognize that? A Yes, ma'am. It's Number 15, the empty Milwaukee's Best beer can that was impounded on July 9, 2001, Again, was chemically and fingerprint processed. Q Okay, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 157. It's the bag and its contents, MR. SCHIECK: No objection, Your Honor, THE COURT: Granted_ MS. DiGIACOMO: Thank you. (State's Exhibit 157, admitted) BY MS. DiGIACOMO: Q Showing you State's Proposed Exhibit 158. Do you recognize that? A Yes, ma'am. It's Items 24 and 25, 24 being the August 2000 issue of Gallery Magazine. Item 25, the Triple X Adult Entertainment Magazine, with apparent blood, the

<u>0/ v._</u>LOBATO_____

	FORD - DIRECT		FORD - DIRECT
1	processing, and impounded on July 9 th , 2001,	1	with bloody footwear, impounded on July 9 th . It has a
	MS, DiGIACOMO: Your Honor, at this time the State	2	biohazard sticker and has been has two chains of custody.
3	would move for admission of State's Proposed Exhibit 158 as	3	Here, Joel Geller, 5892, on October 2 nd , 2001, and Paula P
4	the bag and its contents,	4	Number 5883 I can't read the last name on December
	MR. SCHIECK: No objection, Your Honor.	5	11 th , 2001.
6	THE COURT: Granted.	6	Q Thank you.
7	(State's Exhibit 158, admitted)	7	MS, DiGIACOMO: Your Honor, at this time the State
8	BY MS. DiGIACOMO:	8	would move for admission of State's Proposed Exhibit 163 as -
9	Q Showing you what's been marked for identification	9	the bag and its contents.
10	as State's Proposed Exhibit 159. Do you recognize those?	10	MR. SCHIECK: I'm sorry for this, Your Honor, but
11	A Yes, ma'am It's Number 6, one pair of brown	11	what exhibit number or what impound number was that item?
12	sandals with apparent blood, size 10, impounded on July 9th,	12	THE WITNESS: Item Number 27, sir.
13	2001.	13	MR. SCHIECK: Thank you. I have no objection,
14	Q And this also has the blue laboratory seal?	14	Your Honor,
15	A Yes, ma'am, that's correct.	15	THE COURT: Granted.
16	Q And a biohazard sticker?	16	(State's Exhibit 163, admitted)
17	A And a biohazard sticker, that's correct,,	17	BY MS, DIGIACOMO:
18	Q And the pgrson at the lab who opened it up? Can	18	Q Just going back to State's Exhibit 163, the fact that
19	you tell from the chain of custody?	19	you said Paula and you can't read the name. The additional
20	A Is Joel Geller, P Number 5892, on September 28th,	20	red seal, does that indicate it was somebody at Metro and not
21	2001,	21	the lab, that opened it?
22	MS. DIGIACOMO: Your Honor, at this time the State	22	A That's what it appears, yes, ma'am.
23	would move for admission of State's Proposed Exhibit 159 as	23	Q Possibly someone at the vault?
24	the bag and its contents.	24	A Right.
	V 54		X-56
	X-54		A-30
	FORD - DIRECT		FORD - DIRECT
	MR, SCHIECK: No objection,	1	Q Okay. Showing you what's been marked for
	MR, SCHIECK: No objection, THE COURT: Granted.	1	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you
3	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you.	1 2 3	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that?
3 4	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted)	1 2 3 4	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box
4 5	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO:	1 2 3 4 5	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint
4 5 6	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification	1 2 3 4 5 6	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it.
4 5 6 7	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that?	7	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay.
4 5 6 7 a	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent	7	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State
4 5 6 7 a 9	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has	7 8 9	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the
4 5 6 7 a 9 10	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September	7 8 9 10	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents.
4 5 6 7 a 9 10 11	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001.	7 8 9 10 11	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor.
4 5 6 7 a 9 10 11 12	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr.	7 8 9 10 11 12	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted.
4 5 6 7 a 9 10 11 12 13	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr. Geller opened it?	7 8 9 10 11 12 13	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 161, admitted)
4 5 6 7 a 9 10 11 12 13 14	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr. Geller opened it? A Yes, ma'am,	7 8 9 10 11 12 13 14	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 161, admitted) BY MS, DiGIACOMO:
4 5 6 7 a 9 10 11 12 13 14 15	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr. Geller opened it? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State	7 8 9 10 11 12 13 14 15	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 161, admitted) BY MS, DiGIACOMO: Q Now, when you were processing this scene, did you
4 5 6 7 a 9 10 11 12 13 14 15 16	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr. Geller opened it? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 162, the	7 8 9 10 11 12 13 14 15 16	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 161, admitted) BY MS, DiGIACOMO: Q Now, when you were processing this scene, did you ever find items that might have indicated that somebody was
4 5 6 7 a 9 10 11 12 13 14 15 16 17	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr. Geller opened it? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 162, the bag and its contents,	7 8 9 10 11 12 13 14 15 16 17	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 161, admitted) BY MS, DiGIACOMO: Q Now, when you were processing this scene, did you ever find items that might have indicated that somebody was possibly living in the back of the dumpster? Maybe a bag of
4 5 6 7 a 9 10 11 12 13 14 15 16 17 18	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr. Geller opened it? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 162, the bag and its contents,, MR. SCHIECK: No objection, Your Honor.	7 8 9 10 11 12 13 14 15 16 17 18	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 161, admitted) BY MS, DiGIACOMO: Q Now, when you were processing this scene, did you ever find items that might have indicated that somebody was possibly living in the back of the dumpster? Maybe a bag of clothes, any other shoes, anything of that nature?
4 5 6 7 a 9 10 11 12 13 14 15 16 17 18 19	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr. Geller opened it? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 162, the bag and its contents,, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted.	7 8 9 10 11 12 13 14 15 16 17 18 19	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 161, admitted) BY MS, DiGIACOMO: Q Now, when you were processing this scene, did you ever find items that might have indicated that somebody was possibly living in the back of the dumpster? Maybe a bag of clothes, any other shoes, anything of that nature? A No, ma'am, we didn't. If we had, those would have
4 5 6 7 a 9 10 11 12 13 14 15 16 17 18 19 20	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr. Geller opened it? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 162, the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 162, admitted)	7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 161, admitted) BY MS, DiGIACOMO: Q Now, when you were processing this scene, did you ever find items that might have indicated that somebody was possibly living in the back of the dumpster? Maybe a bag of clothes, any other shoes, anything of that nature? A No, ma'am, we didn't. If we had, those would have been impounded as well.
4 5 6 7 a 9 10 11 12 13 14 15 16 17 18 19 20 21	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr. Geller opened it? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 162, the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 162, admitted) BY MS. DiGIACOMO:	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 161, admitted) BY MS, DiGIACOMO: Q Now, when you were processing this scene, did you ever find items that might have indicated that somebody was possibly living in the back of the dumpster? Maybe a bag of clothes, any other shoes, anything of that nature? A No, ma'am, we didn't. If we had, those would have been impounded as well. MS. DiGIACOMO: Court's indulgence,
4 5 6 7 a 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr. Geller opened it? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 162, the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 162, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 161, admitted) BY MS, DiGIACOMO: Q Now, when you were processing this scene, did you ever find items that might have indicated that somebody was possibly living in the back of the dumpster? Maybe a bag of clothes, any other shoes, anything of that nature? A No, ma'am, we didn't. If we had, those would have been impounded as well. MS. DiGIACOMO:
4 5 6 7 a 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr. Geller opened it? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 162, the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 162, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 163. Do you recognize that?	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 161, admitted) BY MS, DiGIACOMO: Q Now, when you were processing this scene, did you ever find items that might have indicated that somebody was possibly living in the back of the dumpster? Maybe a bag of clothes, any other shoes, anything of that nature? A No, ma'am, we didn't. If we had, those would have been impounded as well. MS. DiGIACOMO: Q The surge suppressor box that I believe we just
4 5 6 7 a 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR, SCHIECK: No objection, THE COURT: Granted. MS. DiGIACOMO: Thank you. (State's Exhibit 159, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification as State's Proposed Exhibit 162. Do you recognize that? A It's Item 19, It's a pink hair pick with apparent blood, a biohazard sticker, impounded on July 9 th , 2001, Has been chain of custody signed by Joel Geller on September 28 th , it appears, on 2001. Q And there's the blue evidence seal that shows Mr. Geller opened it? A Yes, ma'am, MS. DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 162, the bag and its contents, MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 162, admitted) BY MS. DiGIACOMO: Q Showing you what's been marked for identification	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q Okay. Showing you what's been marked for identification as State's Proposed Exhibit 161. Do you recognize that? A Yes, ma'am. It's Item 29, the surge suppressor box that was impounded on July 9 th , 2001, It has the fingerprint processing and chemical processing stamps on it. Q Okay. MS, DiGIACOMO: Your Honor, at this time the State would move for admission of State's Proposed Exhibit 161, the bag and its contents. MR. SCHIECK: No objection, Your Honor. THE COURT: Granted. (State's Exhibit 161, admitted) BY MS, DiGIACOMO: Q Now, when you were processing this scene, did you ever find items that might have indicated that somebody was possibly living in the back of the dumpster? Maybe a bag of clothes, any other shoes, anything of that nature? A No, ma'am, we didn't. If we had, those would have been impounded as well. MS. DiGIACOMO:

V v. LOBATO

	FORD - DIRECT		FORD - CROSS
1	that was found actually on the body?	1	Q Okay. Did you note on — when you impounded
2	A It was from the trash pile on top of the victim, yes,	2	these items, whether those were men's size 10 or women's
3	Q Okay,	3	size 10?
4	A Yes, ma'am.	4	A No, sir, I did not, Just size 10,
5	Q Okay, Let me see if I can find a photograph,□	5	Q Do you know where that information came from? Is
6	MS. DiGIACOMO: Court's indulgence?	6	it on the
Ť	THE COURT: Yes.	Ŭ	A I think it was on the bottom of the sandals, yes, sir.
8	BY MS, DIGIACOMO:	8	Q So there's a 10 stamped on the bottom of those
9	Q I'm going to show you State's Exhibit 7, Do you	9	sandals?
10	recognize what's depicted here?	10	A Yes, sir.
10	A Part of the trash pile that was slowly uncovered as	11	Q And State's Exhibit 161 so I don't have to walk up
12	we were going through and removing items there.	12	there is the surge suppressor box?
13	Q Okay, Now, the and I'm going to show you —	13	A Yes, sir, that's correct.
13	maybe this one helps too State's Exhibit Number 10. Do you	13	Q When you say "surge suppressor box," I'm not real
15	see the surge suppressor box in any of these photos or was it	15	certain what we're talking about.
15	underneath the cardboard that was across the top of the	15	MR, SCHIECK: May I approach again, Your Honor?
10	victim? Do you recall?		THE COURT: Yes.
17	A I don't repll. I don't see it in this photograph, no,	17 18	BY MR. SCHIECK:
19 20	ma'am, Q Okay But you do recall that it was on top of the	19 20	It feels kind of light to me. Would you agree with that?
	body of the victim?		
21	-	21	A Yes, sir. It's just the box that the surge suppressor
22	A Yes, ma'am,	22	came in. The multi-receptacle unit that you plug your
23	Q Do you recall specifically what part of the victim?	23	computer and your printer and laptops and all into so that it,
24	A Mid torso,	24	again, tries to protect it against electrical surge of power. It
	X-58		X-60
	FORD - CROSS		FORD - CROSS
1	FORD - CROSS Q Mid torso. Okay.	1	FORD - CROSS was just the box, not the item itself,
1		1 2	
1 2 3	Q Mid torso. Okay.	1 2 3	was just the box, not the item itself,
1 2 3 4	Q Mid torso. Okay.MS. DiGIACOMO: Your Honor, at this time pass		was just the box, not the item itself, Q It's like a little plastic box or cardboard box?
1 2 3 4 5	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness		was just the box, not the item itself,Q It's like a little plastic box or cardboard box?A Cardboard box, yes, sir,
1 2 3 4 5 6	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross.		 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon?
1 2 3 4 5 6	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly?	3 4 5	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir.
1 2 3 4 5 6 8	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes.	3 4 5	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light?
-	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something.	3 4 5 6	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir.
8	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid.	3 4 5 6 8	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was
8	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is Mid torso.	3 4 5 6 8 9	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything?
8 9 10	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is the sandals. I don't believe it would have broken the sandals	3 4 5 6 8 9 10	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir,
8 9 10 11	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is the sandals. I don't believe it would have broken the sandals	3 4 5 6 8 9 10 11	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any
8 9 10 11 12	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is the sandals. I don't believe it would have broken the sandals though, THE COURT: Thank you, Mr. Schieck,	3 4 5 6 8 9 10 11 12	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any indication of someone living back in that dumpster area, a bag
8 9 10 11 12 13	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is The sandals. I don't believe it would have broken the sandals though, THE COURT: Thank you, Mr. Schieck, CROSS-EXAMINATION	3 4 5 6 8 9 10 11 12 13	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any indication of someone living back in that dumpster area, a bag of clothes and things like that, correct?
8 9 10 11 12 13 14	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is MR SCHIECK: That would have broken the sandals the sandals. I don't believe it would have broken the sandals THE COURT: Thank you, Mr. Schieck, CROSS-EXAMINATION BY MR. SCHIECK: Schieck:	3 4 5 6 8 9 10 11 12 13 14	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any indication of someone living back in that dumpster area, a bag of clothes and things like that, correct? A That's correct.
8 9 10 11 12 13 14 15	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is MR SCHIECK: That would have broken the sandals the sandals. I don't believe it would have broken the sandals THE COURT: Thank you, Mr. Schieck, CROSS-EXAMINATION BY MR. SCHIECK: Q While we're talking about the sandals, you indicated	3 4 5 6 8 9 10 11 12 13 14 15	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any indication of someone living back in that dumpster area, a bag of clothes and things like that, correct? A That's correct. Q Do you have any knowledge of homeless people and
8 9 10 11 12 13 14 15 16	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is MR SCHIECK: That would have broken the sandals the sandals. I don't believe it would have broken the sandals THE COURT: Thank you, Mr. Schieck, CROSS-EXAMINATION BY MR. SCHIECK: Q While we're talking about the sandals, you indicated that there was a size noted for the sandals?	3 4 5 6 8 9 10 11 12 13 14 15 16	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any indication of someone living back in that dumpster area, a bag of clothes and things like that, correct? A That's correct. Q Do you have any knowledge of homeless people and their habits and their — where they keep their items at?
8 9 10 11 12 13 14 15 16 17	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is the sandals. I don't believe it would have broken the sandals though, THE COURT: Thank you, Mr. Schieck, CROSS-EXAMINATION BY MR. SCHIECK: Q While we're talking about the sandals, you indicated that there was a size noted for the sandals? A Yes, sir.	3 4 5 6 8 9 10 11 12 13 14 15 16 17	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any indication of someone living back in that dumpster area, a bag of clothes and things like that, correct? A That's correct. Q Do you have any knowledge of homeless people and their habits and their — where they keep their items at? A Normally it is in a washer. Not in a dumpster area.
8 9 10 11 12 13 14 15 16 17 18	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is the sandals. I don't believe it would have broken the sandals though, THE COURT: Thank you, Mr. Schieck, CROSS-EXAMINATION BY MR. SCHIECK: Q While we're talking about the sandals, you indicated that there was a size noted for the sandals? A Yes, sir. Q And this Is State's Proposed or State's Exhibit 159?	3 4 5 6 8 9 10 11 12 13 14 15 16 17 18 19	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any indication of someone living back in that dumpster area, a bag of clothes and things like that, correct? A That's correct. Q Do you have any knowledge of homeless people and their habits and their — where they keep their items at? A Normally it is in a washer. Not in a dumpster area. Especially with the amount of activity that was going on at Nevada State Bank at that time, with the banking procedures
8 9 10 11 12 13 14 15 16 17 18 19 20	Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is the sandals. I don't believe it would have broken the sandals though, THE COURT: Thank you, Mr. Schieck, CROSS-EXAMINATION BY MR. SCHIECK: Q While we're talking about the sandals, you indicated that there was a size noted for the sandals? A Yes, sir. Q And this Is State's Proposed or State's Exhibit 159? MR, SCHIECK: If I may approach the witness, Your Honor?	3 4 5 6 8 9 10 11 12 13 14 15 16 17 18 19 20	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any indication of someone living back in that dumpster area, a bag of clothes and things like that, correct? A That's correct. Q Do you have any knowledge of homeless people and their habits and their — where they keep their items at? A Normally it is in a washer. Not in a dumpster area. Especially with the amount of activity that was going on at Nevada State Bank at that time, with the banking procedures and also the hiring for the Palms Casino,
8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is the sandals. I don't believe it would have broken the sandals though, THE COURT: Thank you, Mr. Schieck, CROSS-EXAMINATION BY MR. SCHIECK: Q While we're talking about the sandals, you indicated that there was a size noted for the sandals? A Yes, sir. Q And this Is State's Proposed or State's Exhibit 159? MR, SCHIECK: If I may approach the witness, Your Honor? THE COURT: You may. 	3 4 5 6 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any indication of someone living back in that dumpster area, a bag of clothes and things like that, correct? A That's correct. Q Do you have any knowledge of homeless people and their habits and their — where they keep their items at? A Normally it is in a washer. Not in a dumpster area. Especially with the amount of activity that was going on at Nevada State Bank at that time, with the banking procedures and also the hiring for the Palms Casino, Q So there was to your knowledge, at that time,
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is the sandals. I don't believe it would have broken the sandals though, THE COURT: Thank you, Mr. Schieck, CROSS-EXAMINATION BY MR. SCHIECK: Q While we're talking about the sandals, you indicated that there was a size noted for the sandals? A Yes, sir. Q And this Is State's Proposed or State's Exhibit 159? MR, SCHIECK: If I may approach the witness, Your Honor? THE COURT: You may. BY MR. SCHIECK: 	3 4 5 6 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any indication of someone living back in that dumpster area, a bag of clothes and things like that, correct? A That's correct. Q Do you have any knowledge of homeless people and their habits and their — where they keep their items at? A Normally it is in a washer. Not in a dumpster area. Especially with the amount of activity that was going on at Nevada State Bank at that time, with the banking procedures and also the hiring for the Palms Casino, Q So there was to your knowledge, at that time, during business hours, there would have been a lot of traffic in
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is the sandals. I don't believe it would have broken the sandals though, THE COURT: Thank you, Mr. Schieck, CROSS-EXAMINATION BY MR. SCHIECK: Q While we're talking about the sandals, you indicated that there was a size noted for the sandals? A Yes, sir. Q And this Is State's Proposed or State's Exhibit 159? MR, SCHIECK: If I may approach the witness, Your Honor? THE COURT: You may. BY MR. SCHIECK: Q And what size were the sandals? 	3 4 5 6 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any indication of someone living back in that dumpster area, a bag of clothes and things like that, correct? A That's correct. Q Do you have any knowledge of homeless people and their habits and their — where they keep their items at? A Normally it is in a washer. Not in a dumpster area. Especially with the amount of activity that was going on at Nevada State Bank at that time, with the banking procedures and also the hiring for the Palms Casino, Q So there was to your knowledge, at that time, during business hours, there would have been a lot of traffic in and out of that particular parking lot?
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q Mid torso. Okay. MS. DiGIACOMO: Your Honor, at this time pass the witness THE COURT: Mr, Schieck may cross. MR. SCHIECK: May I approach the Clerk briefly? THE COURT: Yes. MR, SCHIECK: For the record, I dropped something. THE COURT: Or something slid. MR SCHIECK: That would be Exhibit 159 which is the sandals. I don't believe it would have broken the sandals the sandals. I don't believe it would have broken the sandals the cOURT: Thank you, Mr. Schieck, CROSS-EXAMINATION BY MR. SCHIECK: Q While we're talking about the sandals, you indicated that there was a size noted for the sandals? A Yes, sir. Q And this Is State's Proposed or State's Exhibit 159? MR, SCHIECK: If I may approach the witness, Your Honor? THE COURT: You may. BY MR. SCHIECK: Q And what size were the sandals? 	3 4 5 6 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 was just the box, not the item itself, Q It's like a little plastic box or cardboard box? A Cardboard box, yes, sir, Q Okay, So it's not a weapon? A No, sir. Q And it's fairly light? A Yes, sir. Q It wouldn't leave much of an impression if it was resting on anything? A No, sir, Q You were asked whether or not there was any indication of someone living back in that dumpster area, a bag of clothes and things like that, correct? A That's correct. Q Do you have any knowledge of homeless people and their habits and their — where they keep their items at? A Normally it is in a washer. Not in a dumpster area. Especially with the amount of activity that was going on at Nevada State Bank at that time, with the banking procedures and also the hiring for the Palms Casino, Q So there was to your knowledge, at that time, during business hours, there would have been a lot of traffic in and out of that particular parking lot?

1/v. LOBATO

·	LOBATO		9/22/06
	FORD - CROSS		FORD CROSS
	Q Probably not so much on Saturday or Sunday?	1	A Until I actually jumped in. And I took it off as soon
2	A Not during and not during the evening hours, no,	2	as I could.
3	sir	3	MR. SCHIECK: I need to get a chart from the back.
4	Q And would it be fair to say a homeless person isn't	4	May I go behind your Court Clerk, Your Honor?
5	going to keep their belongings someplace that might get	5	THE COURT: Do you know the number?
6	cleaned out and their belongings get thrown away?	6	MR. SCHIECK: Not off the top of my head. It's the
7	A Exactly	7	aerial photograph,
	Q Such that if there was a security officer that worked		MS. DiGIACOMO: 121.
9	at the Palms in that area, that he might clean out the	9	MR, SCHIECK: Thank you very much, counsel.
10	dumpster area and throw away all the garbage that's back	10	BY MR, SCHIECK:
11	there?	11	Q I'm going to set 121 up here just for a second. You
12	A That's correct. Yes, sir,	12	indicated there was an apartment complex directly to the north
13	Q So if the homeless person's not occupying the area,	13	of the scene, is that correct?
14	he might lose his belongings if he keeps it stored in an area	14	A That's correct, Yes, sir,
15	where other people that have legitimate business there would	15	Q Would that be excuse me for pointing, but this —
16	have access to?	16	this area —
17	A Correct,	17	A That whole complex area, yes, sir, Q Okay, That is an apartment complex area?
18	Q Okay. He yery well or a person a homeless	18	
19 20	person very well could keep his belongings someplace that it's not going to be cleaned up and thrown away? Correct?	19 20	A Yes, sir. Q Do you know the name of that apartment complex?
20	A And a little more hidden probably from the public	20	A No, sir, I don't.
21	eye as well.	21	Q Did you have any contact that morning before you
22	Q However, at night, and when the bank is closed, it's	22	left the scene, with an individual that lived in that apartment
24	more likely someone may use that location to sleep perhaps on	23	complex by the name of Diane Parker?
21		21	complex by the nume of Drane Furker.
	X-62		X-64
	FORD - CROSS		FORD - CROSS
1	the cardboard that's been laid out there?		A I wouldn't have, no, sir. If someone had come up,
2	A That's correct,	2	we would have referred them to the detectives. Because
		1 1	
3	Q Are you familiar with whether or not there's an \square	3	unlike the TV show, we don't interview witnesses and we don't
3 4	apartment complex directly to the north of that parking lot?	3 4	interview suspects.
3 4 5	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment	3 4 5	interview suspects. Q Do you recall a person coming up to you and
4	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot,	4	interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about
4 5	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think.	4 5	interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective
4 5	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1	4 5 6 7 a	interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information?
4 5 6 7 9	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001?	4 5 6 7 a 9	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened
4 5 6 7 9 10	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the	4 5 6 7 a 9 10	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point.
4 5 6 7 9 10 11	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning.	4 5 6 7 a 9 10 11	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective
4 5 6 7 9 10 11 12	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then?	4 5 6 7 a 9 10 11 12	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle?
4 5 6 7 9 10 11 12 13	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir.	4 5 6 7 a 9 10 11 12 13	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir.
4 5 6 7 9 10 11 12 13 14	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir. Starting to get warm already?	4 5 6 7 a 9 10 11 12 13 14	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir. Q If their reports indicated that you had contacted
4 5 6 7 9 10 11 12 13 14 15	 apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir. A Yes, sir, 	4 5 6 7 a 9 10 11 12 13 14 15	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir. Q If their reports indicated that you had contacted them about 6:00 a.m. that morning indicating that you'd been
4 5 6 7 9 10 11 12 13 14 15 16	 apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir. Starting to get warm already? A Yes, sir, It was fairly warm that evening while you were 	4 5 6 7 a 9 10 11 12 13 14 15 16	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir. Q If their reports indicated that you had contacted them about 6:00 a.m. that morning indicating that you'd been contacted by a Diane Parker, would that be accurate?
4 5 6 7 9 10 11 12 13 14 15 16 17	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir. Starting to get warm already? A Yes, sir, It was fairly warm that evening while you were working in the area?□	4 5 6 7 a 9 10 11 12 13 14 15 16 17	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir. Q If their reports indicated that you had contacted them about 6:00 a.m. that morning indicating that you'd been contacted by a Diane Parker, would that be accurate? A Then it would be if it was in their report, yes, sir.
4 5 6 7 9 10 11 12 13 14 15 16 17 18	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir. Starting to get warm already? A Yes, sir, It was fairly warm that evening while you were working in the area?□ A Correct.	4 5 6 7 a 9 10 11 12 13 14 15 16 17 18	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir. Q If their reports indicated that you had contacted them about 6:00 a.m. that morning indicating that you'd been contacted by a Diane Parker, would that be accurate? A Then it would be if it was in their report, yes, sir. Q It's not that I mean, you've processed a lot of
4 5 6 7 9 10 11 12 13 14 15 16 17 18 19	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir. Starting to get warm already? A Yes, sir, It was fairly warm that evening while you were working in the area?□ A Correct. Q And you were working in a confined space with	4 5 6 7 a 9 9 10 11 12 13 14 15 16 17 18 19	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir. Q If their reports indicated that you had contacted them about 6:00 a.m. that morning indicating that you'd been contacted by a Diane Parker, would that be accurate? A Then it would be if it was in their report, yes, sir. Q It's not that I mean, you've processed a lot of crime scenes since then_Is that —
4 5 6 7 9 10 11 12 13 14 15 16 17 18 19 20	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir. Starting to get warm already? A Yes, sir, It was fairly warm that evening while you were working in the area?□ A Correct. Q And you were working in a confined space with those three brick walls that were 6' or so tall, surrounding you?	4 5 6 7 a 9 10 11 12 13 14 15 16 17 18 19 20	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir. Q If their reports indicated that you had contacted them about 6:00 a.m. that morning indicating that you'd been contacted by a Diane Parker, would that be accurate? A Then it would be if it was in their report, yes, sir. Q It's not that I mean, you've processed a lot of crime scenes since then_Is that — A Yes, sir.
4 5 6 7 9 10 11 12 13 14 15 16 17 18 19 20 21	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir. Starting to get warm already? A Yes, sir, It was fairly warm that evening while you were working in the area?□ A Correct. Q And you were working in a confined space with those three brick walls that were 6' or so tall, surrounding you? A Yes, sir. And then add to the the bunny suit that I	4 5 6 7 a 9 10 11 12 13 14 15 16 17 18 19 20 21	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir. Q If their reports indicated that you had contacted them about 6:00 a.m. that morning indicating that you'd been contacted by a Diane Parker, would that be accurate? A Then it would be if it was in their report, yes, sir. Q It's not that I mean, you've processed a lot of crime scenes since then_ Is that —- A Yes, sir. Q Okay. It's hard to remember every detail that
4 5 6 7 9 10 11 12 13 14 15 16 17 18 19 20 21 22	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir. Starting to get warm already? A Yes, sir, It was fairly warm that evening while you were working in the area?□ A Correct. Q And you were working in a confined space with those three brick walls that were 6' or so tall, surrounding you? A Yes, sir. And then add to the the bunny suit that I put on for the dumpster dive as well,	4 5 6 7 a 9 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir. Q If their reports indicated that you had contacted them about 6:00 a.m. that morning indicating that you'd been contacted by a Diane Parker, would that be accurate? A Then it would be if it was in their report, yes, sir. Q It's not that I mean, you've processed a lot of crime scenes since then_ Is that —- A Yes, sir. Q Okay. It's hard to remember every detail that happens.
4 5 6 7 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir. Starting to get warm already? A Yes, sir, It was fairly warm that evening while you were working in the area?□ A Correct. Q And you were working in a confined space with those three brick walls that were 6' or so tall, surrounding you? A Yes, sir. And then add to the the bunny suit that I put on for the dumpster dive as well, Q You didn't put that on until you actually jumped in	4 5 6 7 a 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir. Q If their reports indicated that you had contacted them about 6:00 a.m. that morning indicating that you'd been contacted by a Diane Parker, would that be accurate? A Then it would be if it was in their report, yes, sir. Q It's not that I mean, you've processed a lot of crime scenes since then_ Is that — A Yes, sir. Q Okay. It's hard to remember every detail that happens. A Yes, sir, that's correct,
4 5 6 7 9 10 11 12 13 14 15 16 17 18 19 20 21 22	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir. Starting to get warm already? A Yes, sir, It was fairly warm that evening while you were working in the area?□ A Correct. Q And you were working in a confined space with those three brick walls that were 6' or so tall, surrounding you? A Yes, sir. And then add to the the bunny suit that I put on for the dumpster dive as well,	4 5 6 7 a 9 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir. Q If their reports indicated that you had contacted them about 6:00 a.m. that morning indicating that you'd been contacted by a Diane Parker, would that be accurate? A Then it would be if it was in their report, yes, sir. Q It's not that I mean, you've processed a lot of crime scenes since then_ Is that —- A Yes, sir. Q Okay. It's hard to remember every detail that happens.
4 5 6 7 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	apartment complex directly to the north of that parking lot? A Yes, sir. North of the compound was an apartment complex, I believe, and west of the complex was a dirt lot, until we get over to a Chevron station a gas station, I think. Q How late did you stay at that scene on July 9th1 2001? A We left at approximately 6:30 6:34 in the morning. Sun was already up in July, then? A Yes, sir. Starting to get warm already? A Yes, sir, It was fairly warm that evening while you were working in the area?□ A Correct. Q And you were working in a confined space with those three brick walls that were 6' or so tall, surrounding you? A Yes, sir. And then add to the the bunny suit that I put on for the dumpster dive as well, Q You didn't put that on until you actually jumped in	4 5 6 7 a 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 interview suspects. Q Do you recall a person coming up to you and indicating something that she had some knowledge about the individual, and then you then contacting Detective Thowsen with that information? A No, sir, I don't remember. It could have happened but I don't recall at this point. Q If Detective Thowsen and is there also a Detective involved in this case, LaRochelle? A Yes, sir. Q If their reports indicated that you had contacted them about 6:00 a.m. that morning indicating that you'd been contacted by a Diane Parker, would that be accurate? A Then it would be if it was in their report, yes, sir. Q It's not that I mean, you've processed a lot of crime scenes since then_ Is that — A Yes, sir. Q Okay. It's hard to remember every detail that happens. A Yes, sir, that's correct,

<u>41/_</u> v	LOBATO		9/22/06
	FORD - CROSS		FORD - CROSS
1	information from Ms. Parker as opposed to just passing her on	1	enclosure?
2	to the investigating officers?	2	A Yes, sir, near the northwest corner,
3	A No, sir. It's like the telephone game, she tells me	3	Q Did you attempt to lift fingerprints off of the XXX
4	something and I tell the detectives something, by the time it	4	Magazine?
5	gets to from LaRochelle to Thowsen, it's changed already,	5	A Yes, sir, I did, and again with negative results.
6	and I didn't want to play that game.	6	Q And again, that's a type of surface that you would
7	Q So you put her in contact with	7	expect fingerprints could be found on?
8	A Yes, sir.	8	A Yes, sir.
9	Q Normally you would have normal procedure is you	9	Q Does that necessarily mean someone went along
10	put her in contact with Thowsen?	0	and wiped all the fingerprints off of those two magazines?
11	A With the detectives right away,	1	A No, sir. It just means that at the time that the
12	Q Now, on — you indicated your Items Number 24 and	12	person touched it, their hands could have been extremely dry
13	25 are two what we would probably refer to as adult type	13	They wouldn't have left fingerprints. We're led to believe that
14	magazines, is that correct?	14	every time we touch an object we leave fingerprints. It
15	A Yes, sir, that's correct.	15	depends on the amount of pressure that we use at the time,
16	Q One of them is a Gallery Magazine from the year	16	how much oil or debris are on our hands when we touch an
17	2000?	17	object, whether or not our hands slide our fingers slide
18	A Correct,,,,	18	across an object, whether they're stationary.
19 20	Q That is an adult type magazine with photographs of	19	Q What about if we touch an item and we leave a
20	women in it, I —	20	print, does that print stay there forever?
21	A Yes, sir	21	A No, sir, if you're in Las Vegas with the heat and all.
22	Q Okay. And you checked that for fingerprints?	22	Latent fingerprints are made up of about $98^{1/2}$ percent water,
23	A Yes, sir, it was.	23	$11/_2$ percent oil. So the evaporation of latent fingerprints is
24	Q Okay, And did you get any fingerprints off of the	24	almost immediate in the heat here in the valley. The oils will
	X-66		X-68
	FORD - CROSS		FORD - CROSS
1	magazine?	1	stay, and it takes some chemical processing along with powder
2	A No, sir, I did not	2	processing to develop that,, And we weren't — didn't have any
3	Q And that's I guess what you call a glossy type of	3	luck in this procedure,
4	surface?	4	Q Okay. And so the fact that it's Las Vegas, in July, in
5	A Yes, sir, it is	5	an enclosed area, could have caused fingerprints to dry up
6	Q Okay. Where fingerprints would be easily left if —	6	very quickly?
7	A Should be Yes, sir.	7	A Yes, sir,
8	Q But you found no fingerprints there?	8	Q It doesn't necessarily mean someone went along
9	A Non;	9	and wiped any fingerprints up, is that correct?
10	And there was a second magazine which would be	0	A No, sir.
11	your Exhibit —		Q Now, you did find a fingerprint on the beer can
12 13	A 25. Q or your Impound Number 25. which you've got	12	though?
15		13	A Yes, sir, that's correct.
15	marked as XXX Adult Entertainment Magazine. Is that the	14	Q And you did that back at the lab?
15	same type of magazine as Gallery Magazine? A A little more on the porn side, Yes, sir.	15	A Correct.
10	Q So a little bit more explicit type?	16 17	Q Did you use just regular processing or did you have to use the chemical processing?
17	A Yes, sir,	17 18	
10	Q And that was also found within the dumpster area?	10	A They would have been both the chemical and powder processing procedures for that.
20	A Yes, sir, that's correct.	20	Q I'm a little confused and perhaps you can clear it up
20	Q 24 was the Gallery Magazine, and that was over next	20	for me. You said the beer can was found, according to your
22	to where the pallet was at, is that correct?	22	report, on the north wall, on leg, L-E-G, of sign. Can you tell
23	A Yes, sir, that's correct,	22	me what that is? What sign there was in there on the inside?
24	Q Okay And 25 was over toward the west wall of the	23	I just haven't been able to see one,
	X-67		X-69

3Q Sure Anything that would help you answer that question for me.3than one impression there? They're sort of over the top of each other?5ANo, sir. In her report she identifies the beer can partially filled with a cockroach-infested yellow brown liquid, but she doesn't say what — what it was on.5AYes, sir. Here it appears that — you have an impression here and then you have one that's partially over i there You have two impressions here. Two more down here in this area. Something below the scale here.8QOkay. And I'm going to try here Exhibit 43, which has been admitted and the tripod has been set up, I assume, by Teresa Main to take photographs of that footprint, correct?8QAnd that's the piece of cardboard that you talked about earlier that was over the top of the body; is that correct A Correct?1112AThat's correct. Yes, sir, Q If we look over in the right upper section of — against the wall, is there something else besides the pallet that is sitting there?12Q14AIt may have been just on the other side of the15Q Okay. So they're not seen when we look at the photographs taken of the body with the cardboard on it?	<u>V v</u>	. LOBATO		9/22/00
1 Course's report? 2 Q Okay, And would it be fair to say that there's more impression forme. 3 A No, sir. In her report she identifies the beer can parality filled with a coctochar-linfested yellow brown liquid, bus the doesn't say what — what it was on. 1 4 Parality filled with a coctochar-linfested yellow brown liquid, bus the doesn't say what — what it was on. 5 5 A No, sir. In her report she identifies the beer can paraly filled with a coctochar-linfested yellow brown liquid, bus the doesn't say what — what it was on. 6 6 Correct? Correct? 7 10 A That's correct, Yes, sir. Q And that's that's correct, 11 A That's correct, Yes, sir. 2 12 A That's correct, Yes, sir. 2 13 A That's correct, Yes, sir. 2 14 A Yes, sir. That's correct, 1 15 is stilling there? 1 16 A That's correct, Yes, sir. 2 17 pallet, beyond this edge of the pallet, back in here somewhere, sinc, Yes, sir. 1 18 a the toold be the - that you see here. In that area. 2 19 Q Okay, Si that while item that looks like it's leaning against the wall, was may have been suting on the - like against the wall, shere somewhere, so sinc, 2 19 A Yes, sir. A Yes, sir. 10 </th <th></th> <th>FORD - CROSS</th> <th></th> <th>FORD - CROSS</th>		FORD - CROSS		FORD - CROSS
3 Q. Sure Anything that would help you answer that question for me. 1 than one impression here? They're sort of over the top of each other? 3 A. No, sir. In her report she identifies the beer can be partially filled with a cockroach-infested yellow brown liquid, but she doesn't say with what it was on. 1 I than one impression here? They're sort of over the top of each other? 4 A. Yes, sir. Here it appears that you have an impression here? They're sort of over the top of the body, is that correct. 2 5 A. That's correct Yes, sir. Q. And thus's the piece of camboard that you talked a saume, by: is there something else besides the pallet is is sitting there? 3 6 A. That's correct, Yes, sir. Q. And those footprint impressions or were face down toward the hody, is that correct. 7 A. That's correct, the sign may have been, is where that sign may have been. 4 8 Q. Three the acidoard over? When you turned the pallet, beyond this edge of the pallet, back in here somewhere, is where that sign may have been. 4 9 Q. Would that have been where the beer can perhaps was located? 4 7 A. Yes, sir. 9 Q. Would that have been sitting on the - it says the "leg" of the sign, and that's what really as any to. 9 Q. Would you like to see the photograph as opposed on the ELMO? Would that help at all? 9 Q. No, sir. That's correct, 9 Q. And you collected and preserved that fi	1	A I I don't remember what the if I may refer to	1	the bloody footwear on it,
question for me. 4 A No, sir. In her report she identifies the beer can partially filled with a cockroach-infested yellow brown liquid, but she doesn't say what — what it was on. A Yes, sir. Here it appears that — you have an instruction of the tripod has been set up, I 1 0 Okay. And I'm going to try here Exhibit 43, which has been admited and the tripod has been set up, I 3 10 assume, by Teresa Main to take photographs of that footprint, against the wall, is there something else besides the pallet bey not work whet we wall is there something else besides the pallet pallet. beyond this edge of the pallet, back in here somewhere, is sisting there? Q And that's the piece of cardbaard that you talked about earlier that was over the top of the body, is that correct? 12 A That's correct, Yes, sir, 13 Q And that's the piece of ardbaard that you talked about earlier that was over the top of the body, is that correct? 14 A Trea's correct, Yes, sir, 14 A Trea's correct? Q And that's the piece of ardbaard over? 15 is sitting there? No, sir, sou can's ce them until we turned the cardbaard over then you could see the footprints? I's that correct? 16 A It could be the that you see here. In that area. Yes, sir. 17 A res, sir. HE COURT: The sorry, Mr, Schieck, I missed the number on that particular photo. 18 asystem fieleg' of the sign, and that's wat really has me confused is what aleg of a sign is. I HE COURT	2	Louise's report?	2	Q Okay, And would it be fair to say that there's more
A No, sir. In her report she identifies the beer can impression here: Now one that's partially verifies i Dott She doesn't say what – what it was one what is partially over i impression here: Now one that's partially over i i Dott She doesn't say what – what it was one what is partially filled with a cockroach-indexted yellow brown liquid, i Dott She doesn't say what – what it was one what is partially filled with a cockroach-indexted yellow brown liquid, i Dott She doesn't say what – what it was one what is partially filled with a cockroach-indexted yellow brown liquid, i Dott She doesn't say what – what it was one what is partially filled with a cockroach-indexted yellow brown liquid, i Dott She doesn't say what – what it was one what wellow she the ipport shat so orrect. i A That's correct. i A That's correct. is sitting there? A Yes, sir. That's correct. is where that sign may have been. A No, sir, on any set the mould have been sitting on the -it say sin. i A It could be the –- that you see here. In that area. Yes, sir. FORD - CROS i A Yes, sir. i A Yes, sir. i A Yes, sir. <	3	Q Sure Anything that would help you answer that	3	than one impression there? They're sort of over the top of
is partially filled with a cockroach-infested yellow brown liquid, impression here and then you have one that's partially over i is Deckay. And I'm oging to try here — Exhibit 43, which has been admitted — and the tryoot hase been set up, I impression here and the tryoot where allow the scale here. is Deckay. And I'm oging to try here — Exhibit 43, which is area. Something below the scale here. Q And that's the piece of cardboard that you talked about earlier that was over the top of the body; is that correct? is A That's correct. Yes, sir, Q And those footprint impressions or were face id own toward the body, is that correct? is against the wall, is there something else besides the pallet that is where that sign may have been. G New, Is that white item that looks like it's leaning against the wall was that a sign? Do you recail? is A Yes, sir. The CourR1' I'm sorry. Mr. Schieck, I missed the number on that particular photo. is asyst the leg' of the sign, And that's what really has me confused is what leg of a sign is. FORD - CROSS is A Yes, sir. THE COURT: Thank you. is on the ELMOOY Would that have been sitting on the - it G And you collected and preserved that fingerprint and the rows as fingerprint on it? is on the ELMOOY Would that have been sitting on the - it G And you collected and preserved that fingerprint and it? is on thee Elde of visit is in that ar		question for me.	4	each other?
1 but she doesn't say what — what it was on. 7 there You have two impressions here. Two more down here is in this area. Something below the scale here. 2 O Kay. And I'm going to try here - Exhibit 43, which has been admitted - and the tripod has been set up. 1 4 10 orred? Q And that's the piece of cardboard that you talked about earlier that was over the top of the body; is that corred? 11 orred? Q And that's the piece of cardboard that you talked about earlier that was over the top of the body; is that corred? 12 A That's correct. Yes, sir, 10 13 against the wall, is there something else besides the pallet that is sign may have been. 10 14 against the wall, was the a sign? Do you real?? Q Okay. So they'ro not seen when we look at the is photographs taken of the body with the cardboard on it? 12 A It could be the - that you see here. In that area. 10 13 against the wall — was that a sign? Do you real?? A Yes, sir. 14 A Yes, sir. A Yes, sir. 15 A Yes, sir. A Yes, sir. 14 A Yes, sir. A Yes, sir. 15 a Yes, sir. A Yes, sir. 16 Cardboard over then you could see the footprints? Is Was. 15	5	A No, sir. In her report she identifies the beer can	5	A Yes, sir. Here it appears that — you have an
i Q Okay. And I'm going to try here - Exhibit 43, which has been admitted - and the tripod has been set up, 1 Q Q Admit the piece of cardboard that you talked assume, by Freesa Main to take photographs of that footprint. Q Q Q Admit take photographs of that footprint. ii correct? A That's correct. Yes, sir, Q Admit hose footprint impressions or were face ii A That's correct. Q Admit hose footprint impressions or were face ii A It may have been just on the other side of the pailet, back in here somewhere, is where that sign may have been. Q Okay. So they're not seen when we look at the photographs taken of the body with the cardboard on it? iis where that sign may have been. Q That's correct. Q Out would the cardboard over? When you turned the cardboard over? When you turned the cardboard over then you could see the footprints? Is that iis where that sign may have been where the beer can perhaps A Yes, sir. A Yes, sir. ii A Yes, sir. THE COURT: Thank you. BY MR. SCHIECK: A Yes, sir. ii Q Would what have been sitting on the - it say the 'g' of the sign, And that's what really has me THE COURT: Thank you. Q <td< td=""><td>6</td><td>partially filled with a cockroach-infested yellow brown liquid,</td><td>6</td><td>impression here and then you have one that's partially over it,</td></td<>	6	partially filled with a cockroach-infested yellow brown liquid,	6	impression here and then you have one that's partially over it,
3 has been admitted – and the tripod has been set up, 1 3 0 assume, by Teresa Main to take photographs of that footprint, correct? about earlier that was over the top of the body; is that correct, 11 A That's correct, Yes, sir, Q And that's the piece of cardboard that you talked about earlier that was over the top of the body; is that correct, 12 A That's correct, Yes, sir, Q And those footprint impressions or were face down toward the body, is that correct, 13 against the wall, is there something else besides the pallet that is stilling there? 14 A It may have been just on the other side of the pallet, back in here somewhere, is is where that sign may have been. A Yes, sir, That's correct, 13 against the wall — was that a sign? Do you recail? A Yes, sir, Cardboard over? When you turned the cardboard over? 14 G Would that have been where the beer can perhaps Was located? A Yes, sir, 15 G Okay_ So that would have been sitting on the – it say so that sign is on onthe grant sign is on onthe ello? THE COURT: Thank you. BYMR. SCHECK: 14 O Okay_ So that would have been singerprint on i? A Yes, sir, That's correct. Q And that would be -	7	but she doesn't say what — what it was on.	7	there You have two impressions here. Two more down here
10 assume, by Teresa Main to take photographs of that footprint. 10 about cartier that was over the top of the body; is that correct. 11 correct? A That's correct. Yes, sir, 11 A Yes, sir, Lat's correct. 12 A That's correct. Yes, sir, 11 A Yes, sir, Lat's correct. 13 G (f we look over in the right upper section of — 11 A Yes, sir, Lat's correct. 14 against the wall, is there something else besides the pallet that 18 A Yes, sir, Cart's correct. 15 is where that sign may have been. 18 A No, sir, you cant's see them until we turned it over. 18 Q Okay. Is that white item that looks like it's leaning against the wall — was that a sign? Do you recal? 10 A No, sir, you cant's see them until we turned it over. 19 A It could be the that you see here. In that area. 19 A Ne, sir, Schieck, I missed the 24 Was located? Yes, sir. THE COURT: Than you. 10 NR. SCHIECK: That's Defendant's E, Your Honor, 24 X-70 X-72 Yes. Yes. Yes. Yes. Yes. Yes. Yes.	8	Q Okay. And I'm going to try here Exhibit 43, which	8	in this area. Something below the scale here.
11 correct? 1 A Yes, sir, that's correct, Q And those footprint impressions or - were face 12 Q If two look over in the right upper section of — against the wall, is there something else besides the pallet that 1 Q And those footprint impressions or - were face 13 against the wall, is there something else besides the pallet that 1 Q Okay. So they're to seen when we look at the 14 pallet, beyond this edge of the pallet, back in here somewhere, is where that sign may have been. 1 15 Q Okay. Is that while them that looks like it's leaning a No, sir, you can't see them until we turned it over. 16 Q Okay. Is that while them that looks like it's leaning against the wall — was that a sign? Do you recail? 12 A It could be the – that you see here. In that area. 1 A Yes, sir. 17 A Yes, sir. THE COURT: I'm sorry, Mr, Schieck, I missed the 18 was located? X-70 X-72 19 O Okay_D So that would have been sitting on the – it 3 Stormet Yes, sir. 12 A Yes, sir. That's correct. BYMR.SCHIECK: BYMR.SCHIECK: 19 O Okay_D Sut its in that rea that that beer can, I'I A Yes, sir. That's correct. Q And that would be - correspon	9	has been admitted and the tripod has been set up, I	9	Q And that's the piece of cardboard that you talked
1 A That's correct. Yes, sir, 12 Q And those footprint impressions or were face 1 against the wall, is there something else besides the pallet that 15 16 A It may have been just on the other side of the 16 A It may have been just on the other side of the 16 Pollocity application of the body with the cardboard on it? 17 pallet, beyond this edge of the pallet, back in here somewhere, 17 A No, sir, you can't see them until we turned it over. 18 Q Okay. Is that while item that looks like it's leaning against the wall — was that a sign? Do you recal? 1 A It could be the - that you see here. In that area. 17 19 Q Would that have been where the beer can perhaps 20 A Yes, sir. 11 A Yes, Sir. 11 NR. SCHIECK: That's Defendant's E, Your Honor, 20 Now of the sign, And that's what really has me 30 11 A Yes, sir. 11	10	assume, by Teresa Main to take photographs of that footprint,	10	about earlier that was over the top of the body; is that correct?
IB Q if we look over in the right upper section of — 13 down toward the body, is that correct? IB against the wall, is there something else besides the pallet that 14 A Yes, sir. That's correct, IB A It may have been just on the other side of the pallet, beyond this edge of the pallet, back in here somewhere, 15 Q Okay. So they're not seen when we look at the IB where that sign may have been. 16 A No, sir, you can't see them until we turned it over. IB against the wall — was that a sign? Do you recall? 20 Catulate the cardboard over? When you turned the ID O O kay. Is that white item that looks like it's leaning 20 Cardboard over then you could see the footprints? Is that ID Q Neal, is that white item that looks like it's leaning 21 A Yes, sir, ID Q Would that have been where the beer can perhaps 21 A Yes, sir, ID Q No kay. So that would have been sitting on theit Says the "leg" of the sign, And that's what really has me 21 A Yes, sir, That's correct. ID Q Nokay. So that would have been spotograph as opposed 3 A A (Yes, sir, T	11	correct?	11	A Yes, sir, that's correct,
H against the wall, is there something else besides the pallet that 14 IS is sitting there? Q Ckay. So they're not seen when we look at the Pallet, beyond this edge of the pallet, back in here somewhere, is is IS is where that sign may have been. 14 IS is where that sign may have been. 17 IS is where that sign may have been. 18 IS is where that sign may have been. 18 IS against the wall — was that a sign? Do you recall? 20 IS A It could be the that you see here. In that area. 11 IS Q Would that have been where the beer can perhaps 21 Ves, sir. 21 A Yes, sir. IS Q Would that have been sitting on the it 21 Ves, sir. A Yes, sir. 14 IS Says the "leg" of the sign, And that's what really has me 14 14 Confused is what a leg of a sign is. 14 14 14 IS A Yes, sir., That's correct. 14 IS O Would you like to see the photograph as opposed —	12	A That's correct. Yes, sir,	12	Q And those footprint impressions or were face
15 is sitting there? 15 16 A th may have been just on the other side of the pallet, beyond this edge of the pallet, back in here somewhere, is where that sign may have been. 15 17 pallet, beyond this edge of the pallet, back in here somewhere, is where that sign may have been. 17 18 Q Okay. Is that while item that looks like it's leaning against the wall — was that a sign? Do you recal? 20 18 A th could be the that you see here. In that area. 18 19 A It could be the that you see here. In that area. 14 20 Would that have been where the beer can perhaps 21 A Yes, sir. 21 A Yes, sir. 21 A Yes, sir. 22 Ves, sir. 22 X-70 X-72 FORD - CROSS 1 A Yes, sir. THE COURT: Thank you. 2 Q Okay So that would have been sitting on the it says the "leg" of the sign into the ground or — is my best recollection of that. 21 3 A Yes, sir. THE COURT: Thank you. 4 O Okay Sut it's in that area that that beer can, □ paritally filled, was found and there was a f	13	Q If we look over in the right upper section of —	13	down toward the body, is that correct?
16 A It may have been just on the other side of the pallet, beyond this edge of the pallet, back in here somewhere, is where that sign may have been. 15 Photographs taken of the body with the cardboard over? When you turned the vardboard over? When you turned the cardboard over? 2 A It could be the that you see here. In that area. 21 A Yes, sir. THE COURT: Thank you. BY MR. SCHIECK: 2 Q OkayS that would have been sitting on the it says sit may file or the sign into the ground or	14	against the wall, is there something else besides the pallet that	14	A Yes, sir. That's correct,
17 pallet, beyond this edge of the pallet, back in here somewhere, is where that sign may have been. 17 A No, sir, you can't see them until we turned it over. Q Q 18 is where that sign may have been. 17 Q Time due cardboard over? When you turned the cardboard over? When you turned the cardboard over? When you could see the footprints? Is that cardboard over then you could see the footprints? Is that cardboard over then you could see the footprints? Is that cardboard over then you could see the footprints? Is that cardboard over? When you turned the cardboard over? When you could see the footprints? Is that cardboard over then you could see the footprints? Is that cardboard over? When you could see the footprints? Is that cardboard over? When you could see the footprints? Is that cardboard over? When you could see the footprints? Is that cardboard over? When you could see the footprints? Is that cardboard over? When you could see the footprints? Is that prints was located? 24 Would that have been where the beer can perhaps was located? 2 35 A Yes, sir. 1 4 Yes, sir. 1 1 5 A Yes, sir. 1 1 6 PORD - CROSS 1 1 1 Q Okay_So that would have been sitting on the - it says the "leg" of the sign into the ground or — is my best recollection of that. 2 3	15	is sitting there?	15	Q Okay. So they're not seen when we look at the
18 is where that sign may have been. 13 Q Turned the cardboard over? When you turned the cardboard over then you could see the footprints? Is that could be the that you see here. In that area. 13 Q Turned the cardboard over? When you turned the cardboard over then you could see the footprints? Is that courded. 20 A It could be the that you see here. In that area. 21 A Yes, sir. 21 A It could be the that you see here. In that area. 21 A Yes, sir. 22 Q Would that have been where the beer can perhaps 21 A Yes, sir. 22 Q Would that have been where the beer can perhaps 22 24 Was located? 24 25 A Yes, sir. 27 26 PORD - CROSS 1 27 X-70 X-72 28 FORD - CROSS 1 4 Confused is what a leg of a sign is, 1 5 A Yes, sir. That's correct. Q And that would be correspond to Item Number 2 6 best recollection of that. 6 7 Q Would you like to see the photograph as opposed 7 8 A No, that's - that's fine, 9 9 A Mot, that's - that's fine,	16		16	
19 Q Okay. Is that white item that looks like it's learning against the wall — was that a sign? Do you recall? 19 cardboard over then you could see the footprints? Is that correct? 21 A It could be the that you see here. In that area. 21 A It could be the that you see here. In that area. 22 Yes, sir. Q Would that have been where the beer can perhaps was located? 21 A Yes, sir. 24 Would that have been where the beer can perhaps was located? X-70 THE COURT: I'm sorry, Mr, Schicek, I missed the number on that particular photo. 24 FORD - CROSS FORD - CROSS 1 A Yes, sir. I 2 Q Okay_ So that would have been sitting on theit says the "leg" of the sign, And that's what really has me confused is what a leg of a sign is, 1 3 says the "leg" of the sign into the ground or — is my best recollection of that. 5 4 confused is what a leg of a sign is, 4 A 5 A No, that's - that's fine, 9 9 A No, that's - that's fine, 10 9 Q Okay, But it's in that area that that beer can, □ 10 9 A Submi	17	pallet, beyond this edge of the pallet, back in here somewhere,	17	
20 against the wall — was that a sign? Do you recall? 20 correct? 21 A It could be the that you see here. In that area. 21 A Yes, sir. 21 Q Would that have been where the beer can perhaps 21 A Yes, sir. 22 24 was located? 24 THE COURT: I'm sorry, Mr, Schieck, I missed the number on that particular photo. 24 was located? 24 MR. SCHIECK: That's Defendant's E, Your Honor, 24 x-70 X-72 FORD - CROSS 4 Okay_So that would have been sitting on theit 2 3 ays the "leg" of the sign, And that's what really has me 3 confused is what a leg of a sign is, 4 A 4 confused is what a leg of a sign is, 4 5 A The support for the sign into the ground or — is my 5 6 Q Would you like to see the photograph as opposed — 7 7 Q Would that hare a that that beer can, □ 9 9 A No, that's – that's fine, 9 Q And the only items that you were able to lift latent prints were from Items 15 and 29 which were in fact the bee can and the surge supp	18	is where that sign may have been.	18	-
2 A It could be the that you see here. In that area. 21 A Yes, sir, 2 Yes, sir. 22 THE COURT: I'm sorry, Mr, Schieck, I missed the number on that particular photo. 24 was located? 24 X-70 X-70X-70 <td>19</td> <td>Q Okay. Is that white item that looks like it's leaning</td> <td>19</td> <td>cardboard over then you could see the footprints? Is that</td>	19	Q Okay. Is that white item that looks like it's leaning	19	cardboard over then you could see the footprints? Is that
22 Yes, sir. 22 THE COURT: I'm sorry, Mr, Schieck, I missed the number on that particular photo. 24 was located? 24 24 x-70 X-72 FORD - CROSS 1 A Yes, sir. 1 2 Go Kay_So that would have been sitting on the it 23 3 says the "leg" of the sign, And that's what really has me 3 4 confused is what a leg of a sign is, 4 6 confused is what a leg of a sign is, 4 7 Q Would you like to see the photograph as opposed— 7 7 Q Would you like to see the photograph as opposed— 7 8 A Yes, sir. That's correct. Q And the only items that you were able to lift latent 9 A No, that's that's fine, 9 9 A Yes, sir. That's correct. 10 10 Q Okay, But it's in that area that that beer can, □ 10 11 partially filled, was found and there was a fingerprint on it? 11 12 A Yes, sir. That's correct. 10 13 Q And you collected and preserved that fingerprint and 13 14 submi	20	against the wall — was that a sign? Do you recall?	20	correct?
23 Q Would that have been where the beer can perhaps 23 number on that particular photo. 24 X-70 X-72 FORD - CROSS 1 A Yes, sir. 1 2 Q Okay_S that would have been sitting on the it 23 FORD - CROSS 1 A Yes, sir. 1 2 Q Okay_S that would have been sitting on the it 2 3 says the "leg" of the sign, And that's what really has me 3 THE COURT: Thank you. 4 confused is what a leg of a sign is, 4 A Yes, sir. That's correct. 5 A The support for the sign into the ground or — is my 5 A Yes, sir. That's correct. 6 best recollection of that. 6 Q Which is shown on your chart, 27, showing — 7 Q Would you like to see the photograph as opposed — 7 A No, that's - that's fine, 9 9 A No, that's - that's fine, 9 Q And you collected and preserved that fingerprint and 10 10 partially filled, was found and there was a fingerprint on it? <	21	A It could be the that you see here. In that area.	21	A Yes, sir,
24 was located? 24 MR. SCHIECK: That's Defendant's E, Your Honor, X-70 X-72 FORD - CROSS 1 A Yes, sir. 2 Q Okay_So that would have been sitting on the it BY MR. SCHIECK: 3 says the "leg" of the sign, And that's what really has me 1 4 confused is what a leg of a sign is, 4 5 A The support for the sign into the ground or — is my 5 6 best recollection of that. 6 7 Q Would you like to see the photograph as opposed — 7 7 A No, that's that's fine, 9 9 A No, that's that's fine, 9 9 A No, that's that's fine, 9 10 Q Okay, But it's in that area that that beer can, □ 10 11 partially filled, was found and there was a fingerprint on it? 12 12 A Yes, sir. That's correct. 12 13 Q And you collected and preserved that fingerprint and 13 14 submitted it for further processing? 14 15 A Submitted it for to the latent print section for 15 <	22	Yes, sir.	22	THE COURT: I'm sorry, Mr, Schieck, I missed the
X-70 X-72 FORD - CROSS FORD - CROSS 1 A Yes, sir. 1 2 Q Okay_ So that would have been sitting on the - it 3 3 says the "leg" of the sign, And that's what really has me 1 4 confused is what a leg of a sign is, 4 5 A The support for the sign into the ground or — is my 6 6 best recollection of that. 6 7 Q Would you like to see the photograph as opposed — 7 8 on the ELMO? Would that help at all? 8 9 A No, that's - that's fine, 9 10 Q Okay, But it's in that area that that beer can, □ 10 11 partially filled, was found and there was a fingerprint on it? 11 12 A Yes, sir. That's correct. 12 13 Q And you collected and preserved that fingerprint and submitted it for further processing? 14 14 submitted it for - to the latent print section for 15 15 A Submitted it for - to the latent print section for 15 16 examination later on, yes, sir, 16 17 MR. SCHIECK: Can I approach the C	23	Q Would that have been where the beer can perhaps	23	number on that particular photo.
FORD - CROSS FORD - CROSS 1 A Yes, sir. 1 2 Q Okay_ So that would have been sitting on the – it 2 3 says the "leg" of the sign, And that's what really has me 3 4 confused is what a leg of a sign is, 4 5 A The support for the sign into the ground or — is my 5 6 best recollection of that. 6 7 Q Would you like to see the photograph as opposed — 7 8 on the ELMO? Would that help at all? 8 9 A No, tha's – tha's fine, 9 10 Q Okay, But it's in that area that that beer can, □ 10 11 partially filled, was found and there was a fingerprint on it? 11 12 A Yes, sir. That's correct. 12 13 Q And you collected and preserved that fingerprint and 13 14 submitted it for further processing? 14 15 A Submitted it for – to the latent print section for 15 16 examination later on, yes, sir, 16 Q Were there fingerprints there but they weren't of 16 examination later on, yes, sir, 16 A No, sir. I	24	was located?	24	MR. SCHIECK: That's Defendant's E, Your Honor,
1 A Yes, sir. 1 THE COURT: Thank you. 2 Q Okay_So that would have been sitting on the it 2 3 says the "leg" of the sign, And that's what really has me 3 4 confused is what a leg of a sign is, 4 5 A The support for the sign into the ground or — is my 5 6 best recollection of that. 6 7 Q Would you like to see the photograph as opposed — 7 8 on the ELMO? Would that help at all? 8 9 A No, that's that's fine, 9 Q Okay, But it's in that area that that beer can, □ 10 11 partially filled, was found and there was a fingerprint on it? 11 12 A Yes, sir. That's correct. 12 13 Q And you collected and preserved that fingerprint and 11 14 submitted it for urber processing? 14 15 A Submitted it for to the latent print section for 15 16 examination later on, yes, sir, 16 17 MR. SCHIECK: Can I approach the Clerk again, Your 17 18 Honor? 1 A No, sir. In a homicide, even if the p		X-70		X-72
2 Q Okay_ So that would have been sitting on the it 2 BY MR. SCHIECK: 3 says the "leg" of the sign, And that's what really has me 3 Q And that would be correspond to Item Number 2 4 confused is what a leg of a sign is, 4 on your impound? 5 A The support for the sign into the ground or — is my 5 A Yes, sir, That's correct. 6 Dest recollection of that. 6 Q Which is shown on your chart, 27, showing — 7 Q Would you like to see the photograph as opposed — 7 A The upper chest area of where it was located on the victim, yes, sir, 9 A No, that's that's fine, 9 Q And the only items that you were able to lift latent prints were from Items 15 and 29 which were in fact the beer can, □ 10 10 Q Okay, But it's in that area that that beer can, □ 10 11 partially filled, was found and there was a fingerprint on it? 11 11 partially filled, was found and there was a fingerprint and its correct. 12 A Yes, sir. That's correct. 12 13 Q And you collected and preserved that fingerprint and its submitted it for further processing? 14 14 Were there fingerprints there but they wer		FORD - CROSS		FORD - CROSS
2 Q Okay_ So that would have been sitting on the it 2 BY MR. SCHIECK: 3 says the "leg" of the sign, And that's what really has me 3 Q And that would be correspond to Item Number 2 4 confused is what a leg of a sign is, 4 on your impound? 5 A The support for the sign into the ground or — is my 5 A Yes, sir, That's correct. 6 Dest recollection of that. 6 Q Which is shown on your chart, 27, showing — 7 Q Would you like to see the photograph as opposed — 7 A The upper chest area of where it was located on the victim, yes, sir, 9 A No, that's that's fine, 9 Q And the only items that you were able to lift latent prints were from Items 15 and 29 which were in fact the beer can, □ 10 11 partially filled, was found and there was a fingerprint on it? 11 11 11 12 A Yes, sir. That's correct. 12 A That's correct, 12 13 Q And you collected and preserved that fingerprint and 13 No fingerprint at all were lifted from the other 14 submitted it for further processing? 14 items? 1 14 submit	1	A Yes sir	1	THE COURT: Thank you.
3 says the "leg" of the sign, And that's what really has me 3 Q And that would be correspond to Item Number 2 4 confused is what a leg of a sign is, 4 on your impound? 5 A The support for the sign into the ground or — is my 5 A Yes, sir, That's correct. 6 best recollection of that. 6 Q Which is shown on your chart, 27, showing — 7 Q Would you like to see the photograph as opposed — 7 A The upper chest area of where it was located on the victim, yes, sir, 9 A No, that's that's fine, 9 Q And the only items that you were able to lift latent prints were from Items 15 and 29 which were in fact the bee can and the surge suppressor box? 10 Q And you collected and preserved that fingerprint and submitted it for further processing? 14 14 Submitted it for to the latent print section for 15 A No, sir. 16 examination later on, yes, sir, 16 Q Were there fingerprints there but they weren't of sufficient quality that you could lift them and do a comparison on them? 18 Honor? 18 A No, sir. In a homicide, even if the prints that we lift are of questionable value, I still submit them because an	2			-
4confused is what a leg of a sign is,4on your impound?5A The support for the sign into the ground or — is my5A Yes, sir, That's correct.6best recollection of that.6Q Which is shown on your chart, 27, showing —7Q Would you like to see the photograph as opposed —7A The upper chest area of where it was located on the on the ELMO? Would that help at all?8on the ELMO? Would that help at all?89A No, that's that's fine,910Q Okay, But it's in that area that that beer can, □1011partially filled, was found and there was a fingerprint on it?1112A Yes, sir. That's correct.1213Q And you collected and preserved that fingerprint and1314submitted it for further processing?1415A Submitted it for to the latent print section for1516examination later on, yes, sir,1617MR. SCHIECK: Can I approach the Clerk again, Your1718Honor?1919THE COURT: Yes,1920BY MR, SCHIECK:2021BY MR, SCHIECK:20			-	
5A The support for the sign into the ground or — is my5AYes, sir, That's correct.6best recollection of that.6Q Which is shown on your chart, 27, showing —7QWould you like to see the photograph as opposed —7A The upper chest area of where it was located on the victim, yes, sir,9ANo, that's that's fine,9Q And the only items that you were able to lift latent or Q10QOkay, But it's in that area that that beer can, □10prints were from Items 15 and 29 which were in fact the beer can and the surge suppressor box?11partially filled, was found and there was a fingerprint on it?11AThat's correct.12AYes, sir. That's correct.12AThat's correct,13Q And you collected and preserved that fingerprint and13No fingerprint at all were lifted from the other14submitted it for further processing?14items?15ASubmitted it for to the latent print section for15A16examination later on, yes, sir,16Q Were there fingerprints there but they weren't of18Honor?18ANo, sir. In a homicide, even if the prints that we life19THE COURT: Yes,19ANo, sir. In a homicide, even if the prints that we life20BY MR, SCHIECK:20are of questionable value, I still submit them because an	4		4	
6best recollection of that.6Q Which is shown on your chart, 27, showing —7QWould you like to see the photograph as opposed —7A The upper chest area of where it was located on the victim, yes, sir,9ANo, that's that's fine,9Q And the only items that you were able to lift latent prints were from Items 15 and 29 which were in fact the beer can and the surge suppressor box?11partially filled, was found and there was a fingerprint on it?1112AYes, sir. That's correct.1213Q And you collected and preserved that fingerprint and submitted it for further processing?1414submitted it for to the latent print section for15A15ASubmitted it for to the latent print section for1516examination later on, yes, sir,16Q Were there fingerprints there but they weren't of sufficient quality that you could lift them and do a comparison on them?18Honor?19THE COURT: Yes,1920BY MR, SCHIECK:20are of questionable value, I still submit them because an	5			• •
7QWould you like to see the photograph as opposed —7A The upper chest area of where it was located on the victim, yes, sir,9ANo, that's that's fine,9Q And the only items that you were able to lift latent10QOkay, But it's in that area that that beer can, □10prints were from Items 15 and 29 which were in fact the beer11partially filled, was found and there was a fingerprint on it?11can and the surge suppressor box?12AYes, sir. That's correct.12A13Q And you collected and preserved that fingerprint and13No fingerprint at all were lifted from the other14submitted it for further processing?14items?15ASubmitted it for to the latent print section for15A16examination later on, yes, sir,16Q Were there fingerprints there but they weren't of18Honor?18on them?19THE COURT: Yes,19A20BY MR, SCHIECK:20are of questionable value, I still submit them because an	6			
8 on the ELMO? Would that help at all? 8 victim, yes, sir, 9 A No, that's that's fine, 9 10 Q Okay, But it's in that area that that beer can, □ 10 11 partially filled, was found and there was a fingerprint on it? 11 12 A Yes, sir. That's correct. 12 13 Q And you collected and preserved that fingerprint and 13 No fingerprint at all were lifted from the other 14 submitted it for further processing? 14 items? 15 A Submitted it for to the latent print section for 15 A No, sir. 16 examination later on, yes, sir, 16 Q Were there fingerprints there but they weren't of 18 Honor? 18 A No, sir. In a homicide, even if the prints that we li 19 THE COURT: Yes, 19 A No, sir. In a homicide, even if the prints that we li 20 BY MR, SCHIECK: 20 are of questionable value, I still submit them because an	7		7	
9ANo, that's that's fine, Q9QAnd the only items that you were able to lift latent prints were from Items 15 and 29 which were in fact the bee can and the surge suppressor box?11partially filled, was found and there was a fingerprint on it?1012AYes, sir. That's correct.1113Q And you collected and preserved that fingerprint and submitted it for further processing?1214Submitted it for to the latent print section for examination later on, yes, sir,1516MR. SCHIECK: Can I approach the Clerk again, Your1718Honor?1819THE COURT: Yes,1920BY MR, SCHIECK:20	8		8	
10QOkay, But it's in that area that that beer can, □10prints were from Items 15 and 29 which were in fact the beer can and the surge suppressor box?11partially filled, was found and there was a fingerprint on it?111112AYes, sir. That's correct.12A13Q And you collected and preserved that fingerprint and submitted it for further processing?13No fingerprint at all were lifted from the other14submitted it for to the latent print section for examination later on, yes, sir,15ANo, sir.16examination later on, yes, sir,16Q Were there fingerprints there but they weren't of sufficient quality that you could lift them and do a comparison on them?18Honor?19ANo, sir. In a homicide, even if the prints that we li are of questionable value, I still submit them because an	9	-		-
11partially filled, was found and there was a fingerprint on it?11can and the surge suppressor box?12AYes, sir. That's correct.12AThat's correct,13Q And you collected and preserved that fingerprint and13No fingerprint at all were lifted from the other14submitted it for further processing?14items?15ASubmitted it for to the latent print section for15ANo, sir.16examination later on, yes, sir,16Q Were there fingerprints there but they weren't of17MR. SCHIECK: Can I approach the Clerk again, Your17sufficient quality that you could lift them and do a comparison18Honor?19ANo, sir. In a homicide, even if the prints that we life20BY MR, SCHIECK:20are of questionable value, I still submit them because an	10		10	
12AYes, sir. That's correct.12AThat's correct,13Q And you collected and preserved that fingerprint and13No fingerprint at all were lifted from the other14submitted it for further processing?141415ASubmitted it for to the latent print section for15A16examination later on, yes, sir,16Q Were there fingerprints there but they weren't of17MR. SCHIECK: Can I approach the Clerk again, Your17sufficient quality that you could lift them and do a comparison18Honor?19ANo, sir. In a homicide, even if the prints that we life20BY MR, SCHIECK:20are of questionable value, I still submit them because an	11		11	-
13Q And you collected and preserved that fingerprint and submitted it for further processing?13No fingerprint at all were lifted from the other items?15ASubmitted it for to the latent print section for141416examination later on, yes, sir,16Q Were there fingerprints there but they weren't of sufficient quality that you could lift them and do a comparison18Honor?18on them?19THE COURT: Yes,19ANo, sir. In a homicide, even if the prints that we lift20BY MR, SCHIECK:20are of questionable value, I still submit them because an				• • • •
14submitted it for further processing?14items?15ASubmitted it for to the latent print section for15ANo, sir.16examination later on, yes, sir,16QWere there fingerprints there but they weren't of17MR. SCHIECK: Can I approach the Clerk again, Your17sufficient quality that you could lift them and do a comparison18Honor?18on them?19THE COURT: Yes,19ANo, sir. In a homicide, even if the prints that we li20BY MR, SCHIECK:20are of questionable value, I still submit them because an				
15ASubmitted it for to the latent print section for15ANo, sir.16examination later on, yes, sir,16QWere there fingerprints there but they weren't of17MR. SCHIECK: Can I approach the Clerk again, Your17sufficient quality that you could lift them and do a comparison18Honor?18on them?19THE COURT: Yes,19ANo, sir. In a homicide, even if the prints that we life20BY MR, SCHIECK:20are of questionable value, I still submit them because an				
16examination later on, yes, sir,16Q Were there fingerprints there but they weren't of17MR. SCHIECK: Can I approach the Clerk again, Your17sufficient quality that you could lift them and do a comparison18Honor?18on them?19THE COURT: Yes,19ANo, sir. In a homicide, even if the prints that we lift20BY MR, SCHIECK:20are of questionable value, I still submit them because an				
17MR. SCHIECK: Can I approach the Clerk again, Your17sufficient quality that you could lift them and do a comparison18Honor?18on them?19THE COURT: Yes,19ANo, sir. In a homicide, even if the prints that we lift20BY MR, SCHIECK:20are of questionable value, I still submit them because an				
18Honor?18on them?19THE COURT: Yes,19ANo, sir. In a homicide, even if the prints that we li20BY MR, SCHIECK:20are of questionable value, I still submit them because an		-		
19THE COURT: Yes,19ANo, sir. In a homicide, even if the prints that we li20BY MR, SCHIECK:20are of questionable value, I still submit them because an				
20BY MR, SCHIECK:20are of questionable value, I still submit them because an				
				-
22 admitted as Defendant's Exhibit E. Tell us if you recognize 22 was just nothing there,				
 23 what that is. 23 What that is. 23 Q You were asked a question about whether or not 				
A It's the piece of cardboard that we cut out that had 24 there were any bloody fingerprints found, and your answer				_
	- ·			
X-71 X-73 ROUGH DRAFT JURY TRIAL - DAY 10	I			

4y <u>v. lobato</u>

4y <u>∨</u>	<u>/. LOBATO</u>		9/22/0	-
	FORD - CROSS		FORD - CROSS	
1	was, no, there were not any bloody fingerprints.	1	autopsy.	
2	A Not that I recall, no, sir	2	Q When you say the plastic that was around the body,	
3	Q A bloody fingerprint would be what we call a patent	3	can you describe what you mean by around the body?	
4	fingerprint?	4	A We saw some clear plastic that appeared to be	
5	A Yes.	5	wrapped around the lower extremities the legs of the victim.	
6	Q One that you can see without	6	When we got the trash off and saw that, the homicide	
7	A Any development required, yes, sir.	7	detectives at that time elected to stop the removal of any	
8	Q There were none of those present?	8	more, and the victim was going to be transported with those	
9	A No, sir.	9	items attached to the victim for processing either at the	
10	Q Did you at any point in time attempt to lift	10	morgue or back at the lab by whoever assisted at the autopsy,	
11	fingerprints from any of the plastic items that were in the	11	Q But they definitely appeared to be wrapped around	
12	area?	12	the legs of the victim?	
13	A We processed a lot of the the plastic bags and all,	13	A I want to say wrapped around or at least they	
14	there, at the scene and, again, nothing was developed and	14	appeared to be, That they were didn't appear to be laying	
15	nothing was kept because of that,	15	there.	
16	Q You processed all the plastic at the scene as	16	Q Once the detectives at the scene saw the plastic that	
17	opposed to collecting it, transporting it to the lab and	17	was your word — wrapped on the legs of the victim, they	
18	attempting to test i the lab?	18	said, stop, we're going to take this with the body to the	
19	A The bags that contained trash still in them, the	19	morgue for collection?	
20	one picture that was up earlier a photograph showed	20	A Yes, sir, that's correct.	
21	some green palm trees or whatever those were all taken	21	Q And at the crime scene are those homicide	
22	back to the lab. Items like that, that were taken back and	22	detectives sort of in charge? If they say, stop, we're going to	
23	processed at the lab begin with no prints, and those were	23	do it this way, you guys —	
24	tossed back there	24	A We stop.	
	X-74		X-76	
	FORD - CROSS		FORD - CROSS	
1	Q Was there any record kept of the items that were	1	Q You might have some input, there may be some	
2	collected and transported back to the lab and then discarded?	2	discussion, but —	
3	A No, sir, not that I'm aware of,	3	A Yes, sir.	
4	Q They weren't logged in or itemized at all when they	4	Q final word is theirs?	
5	were collected at the scene? They were just bagged, taken	5	A Yes, sir. Even if we even if we recommend that	
6	and then tested?	6	we do it otherwise, normally it's it's their final decision as to	
7	A Yes, sir,	7	how it goes. And being a civilian, I don't argue with a	
8	Q And if negative, discarded?	8	commissioned officer.	
9	A Yes, ir, that's correct,	9	Q So they have veto power. Even if you say one thing,	
10	Q Not preserved for any future attempts at testing?	10	they can veto that and say, no, we're going to	
11	A No, sir.	11	A Yes, sir.	
12	Q And we know that that includes the green palm	12	Q Okay, But they have training in crime scene	
13	decoration type things?	13	collection also?	
14	A Right.	14	A Oh, yes, sir. Yes, sir. They're not ignorant in that	
15	Q Anything else you recall that was taken, transported,	15	area at all.	
16	examined and then discarded and there's no record of it?	16	Q Were you any further involved in testing or	
17	A No, sir, I don't. I don't remember.	17	examining the plastic that was taken with the body to the	
17 18	Q All you remember is the palm —	17 18	morgue?	
18 19	Q All you remember is the palm — A Yes, sir.	18 19	morgue? A No, sir. Not at all.	
18 19 20	Q All you remember is the palm — A Yes, sir. Q You don't recall any of the paper towels or plastic	18	morgue? A No, sir. Not at all. Q That would have been someone else's responsibility?	
18 19 20 21	Q All you remember is the palm — A Yes, sir. Q You don't recall any of the paper towels or plastic being transported, tested, then discarded?	18 19 20 21	morgue? A No, sir. Not at all. Q That would have been someone else's responsibility? A Yes, sir.	
18 19 20 21 22	Q All you remember is the palm — A Yes, sir. Q You don't recall any of the paper towels or plastic being transported, tested, then discarded? A The plastic that was around the victim would have	18 19 20 21 22	 morgue? A No, sir. Not at all. Q That would have been someone else's responsibility? A Yes, sir. Q When you finally got down to that layer where you 	
18 19 20 21 22 23	Q All you remember is the palm — A Yes, sir. Q You don't recall any of the paper towels or plastic being transported, tested, then discarded? A The plastic that was around the victim would have been removed at the morgue during the autopsy. And that	18 19 20 21 22 23	 morgue? A No, sir. Not at all. Q That would have been someone else's responsibility? A Yes, sir. Q When you finally got down to that layer where you saw the body and had it mostly uncovered my 	
18 19 20 21 22	Q All you remember is the palm — A Yes, sir. Q You don't recall any of the paper towels or plastic being transported, tested, then discarded? A The plastic that was around the victim would have	18 19 20 21 22	 morgue? A No, sir. Not at all. Q That would have been someone else's responsibility? A Yes, sir. Q When you finally got down to that layer where you 	
18 19 20 21 22 23	Q All you remember is the palm — A Yes, sir. Q You don't recall any of the paper towels or plastic being transported, tested, then discarded? A The plastic that was around the victim would have been removed at the morgue during the autopsy. And that	18 19 20 21 22 23	 morgue? A No, sir. Not at all. Q That would have been someone else's responsibility? A Yes, sir. Q When you finally got down to that layer where you saw the body and had it mostly uncovered my 	

\11/ <u>v</u>	LOBATO		9/22/06
	FORD - CROSS		FORD - CROSS
1	a dismemberment of the penis until some final point when it's	1	A With luminal you need to have almost entirely dark
2	revealed. Is that a fair statement?	2	or near-dark environment for the blue light to show. So the
3	A I think when the final pieces of material were	3	garage was probably almost pitch black for us there would
4	removed from the victim, I think that's when we saw that	4	have been some light because you need the light to expose
5	there had been a dismemberment to the victim, and of course	5	the film, otherwise you don't get any results with the luminal
6	that got our attention again as well.	6	photography at all. The photograph will be just totally black
7	Q And, obviously, you would have been able to see the	7	and you won't see anything, even the blue. As long as you
8	dismemberment if all that was in the way was the clear	8	have some ambient light in the room you will have the
9	plastic?	9	development of the image on the film showing a blue glow
10	A Yes, sir.	10	that's that is a luminol reaction to the presence of blood on
11	Q What else was in the way — was the last thing that	11	whatever that item is.
12	was in the way that had to be removed before you could see	12	Q Do you use a time-lapse type of photography in
13	the dismembered area where the penis was supposed to be	13	order to do that or you just use the slowest shutter speed you
14	at?	14	can set it at?
15	A I want to say once we removed that piece of	15	A We set it at a bulb setting and then I I start at 30
16	cardboard, I don't think that there was anything else that was	16	second exposures and then go 30 seconds to a minute to a
17	in the way,	17	minute and a half, 2 minutes and on up, depending on how
18	Q Do you recall any white paper towel type items	18	much light we have and how much of a glow we have and
19	being over the body at that point in time?	19	how long it lasts.
20	A Not over the groin area, no, sir.	20	Q And do you recall what the setting was that you
21	Q After you left the crime scene what was your next	21	used when you were taking the luminal photographs of the red
22	involvement, if any, with this case?	22	Fiero in this case?
23	A Took the evidence back to the lab, started to \square	23	A No, sir, I don't.
24	process it there, and package it, and then write my impound	24	Q But your normal starting point would have been at
	X-78		X-80
	FORD - CROSS		FORD - CROSS
	report. Provided it to Louise Renhard for her finish up her	1	30 seconds?
2	crime scene report. And that was my involvement at that	2	A Thirty seconds, yes, sir,
3	time. And then work on the diagram,	3	Q Which means the shutter is open for 30 seconds in
	Q Were you involved in the processing of a car at a	4	order to gather that light?
5	later point in time?	5	A Yes, sir,
6	A Assisted her with some photography that she did on	6	Q And it's obviously on a tripod 'cause you couldn't
7	the interior of the car, yes, sir,	7	hold the camera still for 30 seconds?
8	Q And that would be on a red Fiero?	8	A Correct.
9	A Yes, sir.	9	MR. SCHIECK: Can I approach the Court Clerk one
10	Q Did you take any measurements on that red Fiero?	10	last time, Your Honor?
11	A No, sir, I did not. Louise would have. She was the	11	THE COURT: Yes.
12	primary person processing that car.	12	BY MR. SCHIECK:
13	Q So she would have prepared the report of the results	13	Q I'm going to show you some photographs that were
14	of the processing?	14	admitted yesterday, and these are Defendant's KK, LL and MM,
15	A Yes, sir.	15	and ask —
16	Q And were you present when any of the luminol or	16	MR, SCHIECK: Can I approach the witness, Your
17	phenolphthalein testing was done?	17	Honor?
18	A When the luminol was done, yes, sir. It's a two —	18	THE COURT: You may,
19	it's normally a two-person project. One person to do the	19	BY MR. SCHIECK:
20	spraying and another person to operate the shutter on the	20	Q if you could identify these as photographs taken at
21	camera to expose the film the film at that time	21	the scene there on July V^h , 2001?
22	Q Do you use any — were you using any special type	22	A Yes, sir, they were,
23	of lighting at the time that you were taking the photographs of	23	Q And they accurately depict the scene as you were
24	the lumina' reactions?	24	removing the various layers of trash?
.	X-79		X-81

<u>Vv. LOBATO</u>		<u>9122106</u>
FORD - CROSS		
1 A Yes, sir, that's correct.	1	During this recess you're admonished not to
2 Q And the question I wanted to ask you concerning	2	converse among yourselves or with anyone else on any subject
3 these items gets back to the paper towel question I was	3	connected with this trial. You're not to read, watch or listen to
4 asking, whether you recalled any paper towels being over	4	any reporter or commentary on the trial or any person
5 over the area where the lower abdomen or the — where the	5	connected with the trial by any medium of information,
6 penis removal was at. Does this refresh your recollection that	6	including, without limitation, newspaper, television, radio and
there were paper towels over that area?	7	Internet. You're not to form or express any opinion on any
8 A Yes, sir, it does,	8	subject connected with the trial until the case is finally
9 Q Do you recall whether there were any paper towels	9	submitted to you.
10 under the plastic wrap that was the plastic that was	10	Everyone have a good weekend and we'll be back in
11 wrapped around the leg area?	11	session 10:30 Monday, Court's in recess till that time.
12 A This area here appears that there's something	12	* * * * * *
13 shiny over what appears to be a white paper of some salt	13	COURT ADJOURNED AT 11:45 A,M, UNTIL
14 But I can't make it out any closer than any better than that.	14	SEPTEMBER 25, 2006
15 Q And those would be the white paper towels that are	15	* * * * * *
16 over his general mid body area, correct?	16	
17 A Yes, sir. Lower abdomen and the groin area,	17	
18 Q Okay Aric1the cardboard has at this point been	18	
19 removed, correct?	19	
20 A That's correct,	20	
21 Q So once the cardboard was removed there was still	21	
22 other items that had to be removed before you could see the	22	
23 amputation?	23	
A Yes, sir, that's correct.	24	
X-82		X-84
FORD - CROSS		
Q And putting up KK on the overheard display, does		
2 that also seem to indicate that there's a shiny plastic substance		
3 over some of the towels?		
4 A Yes, sir. Here,		
⁵ Q So that there was a layer of plastic over some of the		
towels on the body as you were removing the layers?		
7 A Yes, sir, Correct		AFFIRMATION Pursuant to NRS 2398,030
8 Q Thank you, That's all the questions I have. Thank		I disuant to INKS 2596,050
9 you very much, Mr Ford.		The undersigned does hereby affirm that the
10 A You're very welcome, sir.		preceding Transcript filed in District Court, Case No. C177394
11 THE COURT: Would counsel approach?		does not contain the social security number of any person.
12 (Off-record Bench Conference)		
13 THE COURT: Upon conferring with counsel, we will		Lori Lutz Transcriber
14 be doing the redirect examination of Mr Ford on Monday at		
15 10:30, as long as he's available to return at that time,		<u>4/29/07</u> Date
16 THE WITNESS: Yes, ma'am, I am, It's a day off.		Date * * * *
17 be here.		
18 THE COURT: Very good, Thank you		
19 THE WITNESS: You're very welcome.		
20 THE COURT: Ladies and gentlemen, we'll be taking		
21 our weekend recess at this time, resuming on Monday at		
22 10:30. Please be in the hallway at 10:30 Monday morning,		
23 The bailiff will meet you there to return you to your seats in		
24 the courtroom.		
X-83		X-85

ROUGH DRAFT JURY TRIAL - DAY 10

	1
	<u>CERTIFICATION</u>
	I (WE) CERTIFY THAT THE FOREGOING IS A "ROUGH DRAFT" TRANSCRIPT FROM THE ELECTRONIC SOUND RECORDING OF THE PROCEEDINGS IN THE ABOVE-EN <u>iii</u> LED MATTER.
	NW TRANSCRIPTS, LLC NEVADA DIVISION 1027S. RAINBOW BLVD., #148 LAS VEGAS, NEVADA 89145-6232 (712) 373-7457 wwtr - • a- it snucom
	FEDERALLY CERTIFIED MANAGER/OWNER
	Lori Lutz <u>4/29/07</u> TRANSCRIBER <u>DATE</u>
	* * * *
Ĩ	COPY
	. Х-86

~