

COPY

EIGHTH JUDICIAL DISTRICT COURT
CIVIL/CRIMINAL DIVISION
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

VS.

KIRSTIN BLAISE LOBATO,

Defendant.

CASE NO. C177394

DEPT. NO. II

Transcripts of
Proceedings

BEFORE THE HONORABLE VALORIE J. VEGA, DISTRICT COURT JUDGE

"ROUGH DRAFT"

JURY TRIAL - DAY 9
VOLUME IX

THURSDAY, SEPTEMBER 21, 2006

COURT RECORDER:

LISA LIZOTTE
District Court

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EXHIBITS

DESCRIPTION: ADM111ED

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1 LAS VEGAS, NEVADA THURSDAY, SEPTEMBER 21, 2006

PROCEEDINGS

3 PROCEEDINGS BEGAN AT 1:24:24 P.M.

4 (Jurors are present)

5 THE BAILIFF: . Vega presiding. Please be
 6 seated,

7 THE COURT: The record shall reflect that we're
 8 proceeding forward in the trial in the case of State versus
 10 Kirstin Blaise Lobato under C177394, in the presence of the
 11 defendant, together with her three counsel, the two
 12 prosecuting attorneys, and the ladies and gentlemen of the
 13 jury.

14 Ladies and gentlemen, since we recessed yesterday
 15 evening an issue developed with Juror Robert Graham, who
 16 had been in chair number 8. That has put him in a position
 17 where he cannot be attentive and fair with this trial, so he has
 18 been excused from jury service, and the attorneys have
 19 stipulated to proceed forward one juror short

20 We are proceeding with the State's case in chief,
 21 and the State may call its next witness.

22 MS, DiGIACOMO: Louise Renhard.

23 Your Honor, may I approach the clerk?

24 THE COURT: Yes.

THE CLERK: Please come all the way forward,

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RENHARD - DIRECT

1 Remain standing and raise your right hand,
2 **LOUISE REN HARD, STATE'S WITNESS, SWORN**
3 THE CLERK: Thank you. Please be seated.
4 State your name and spell it for the record, please.
5 THE WITNESS: Louise Renhard, L-O-U-I-S-E
6 R-E-N-H-A-R-D,
7 THE COURT: State may proceed.
8 MS, DiGIACOMO: Thank you, Your Honor.□

DIRECT EXAMINATION

10 BY MS. DiGIACOMO:

11 Q Would you please state your occupation?

12 A I'm a senior crime scene analyst with the Las Vegas
13 Metropolitan Police Department.

14 How long have you been a crime scene analyst with
15 Metro?

16 A Just over 10 years,
17 Do you have any experience prior to coming to
18 Metro?

19 A Not as a crime scene analyst, no.
20 And what is your training and experience that allows
21 you to be a crime scene analyst?

22 A When they hire us we're required to have a□
23 university agree, preferably in a science or police science of□
24 police criminal justice field. Mine's in police administration.

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RENHARD - DIRECT

1 scene analyst 1. We then do an intensive practical exam of 8
2 hours where we process a scene, a mock scene for sexual
3 assault homicide. We have 8 hours to process it, recover our
4 prints, do our reports, recover our evidence, do our
5 photography and do a diagram. If we pass that we continue
6 on to be a crime scene analyst 2.

7 As a crime scene analyst 2 we spend 2 years where
8 we do lesser persons crimes, robberies, some sexual assaults, -
9 and we will go out with a senior on a homicide and maybe do
10 a diagram,, We'll get some exposure to the homicides. After 2
11 years as a level 2 we test, it's a competitive testing, into senior
12 crime scene analysts.

13 At each level we have 1 year probation that we have
14 to go through. If we pass the senior level test, which is your
15 basic written, oral board, practical exam, we continue on to be
16 a senior crime scene analyst with 1 year probation.

17 And during all this time, in our first year we also
18 have to complete the American Institute of Applied Science
19 Forensic Science correspondence course. And in -- at my
20 second level I had to test for in the International Association
21 for Identification as a crime scene analyst, which is a level 2,
22 and their certifications, and I had to be certified for that.

23 And then during the entire time every year we're
24 going to more training, in-service training, training that comes

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RENHARD - DIRECT

1 When we first start we go through an academy, not
2 like a police officer does, but specifically for crime scene
3 analysis. And that academy is geared towards the
4 photography, the documentation, diagraming, collection of
5 evidence, processing for fingerprints of crime scenes. That's
6 the sole point of that academy. It's specifically towards the
7 crime scene investigation.

8 After we finish the academy we go through 10
9 weeks of what's called field training. During that time we start
10 out with — we train with senior crime scene analysts that have
11 been in the field and are already beyond their probationary
12 period as a senior, So we start out with them and we ride
13 with them. At the beginning of the training we just — we go,
14 we observe, we take notes. And then one week at a time we
15 advance to where we're taking notes and doing photography,
16 taking notes and processing for fingerprints, taking notes,
17 processing for fingerprints, collecting evidence. And then we
18 continue on through the entire 10 weeks until we're not riding
19 with them, where they come out and follow us to a scene, and
20 we're only doing property calls at this time, basically your
21 burglaries, your larcenies. And then as the weeks progress
22 we're finally at a point where they no longer have to follow us
23 on a property crime.

24 We spend 2 years doing property crimes as a crime

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RENHARD - DIRECT

1 into town. I've done training in practice homicide
2 investigation, latent print recover, latent print processing,
3 latent print identification, buried body recovery, forensic
4 anthropology, blood stain pattern analysis 1 and 2 workshops,
5 shooting reconstruction workshops 1 and 2, and it just
6 continues.

7 Next month I'm going to a photography conference
8 and seminar and training. And so we continue on throughout
9 our entire career every year, picking up more training to keep
10 us updated. The field is changing phenomenally.

11 Q Now you're continuing each year to update. Is that
12 required by Metro or is that required for your -- to be a crime
13 scene analyst?

14 A Metro requires, I believe it's 24 hours of training
15 each year. I don't know that Metro breaks it down as to what
16 that training is, The training -- we have a training coordinator
17 who constantly brings training to us, and if we haven't had it
18 they require us to take it.

19 Q But you can also pick and choose any training you
20 want to do in your field?

21 A Yes, we can to a degree. And if we want to go on
22 our own, for instance, the photography one I'm going to next
23 month -- it could be November actually, I'm not sure. But that
24 was one I requested to be sent to.

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RENHARD - DIRECT

1 Q And you said you're a senior crime scene analyst?
 2 A Yes.
 3 Q How long have you been a senior crime scene
 4 analyst?
 5 A 11 -- no, I'm sorry. 6 years.
 6 Q Now I want to direct your --
 7 A Or 5 or 7 years,
 8 Q 6 or 7 years?
 9 A Yeah, I'm not --
 10 Q Okay. I want --
 11 A I'm not sure right off the top of my head.
 12 Q Okay I want to direct your attention to July 8,
 13 2001, Were you working on that date?
 14 A Yes, I was
 15 Q And what shift would you work?
 16 A I work grave shift and I was working grave shift at
 17 that time.
 18 Q Okay. And so on that date, on July 8th, when would
 19 -- 2001, when would you have gone into work?
 20 A Our shifts have changed. We now work 10 hour
 21 shifts, and I don't know if at that time we were working -- at
 22 one time when I started we worked 8 hour shifts and started
 23 at midnight. We then went to 9 hour shifts and started at
 24 11:00. And I don't recall which shifts -- or how the -- how it

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AENHARD - DIRECT

1 heavy duty dumpsters, commercial dumpsters are kept, and
 2 that was where the scene was located.,
 3 Q Is this in Clark County, Nevada?
 4 A Yes,
 5 Q Who else responded from your department?
 6 A From my section?
 7 Q Yes,
 8 A From my section Dan Ford, senior crime scene
 9 analyst Dan Ford, and crime scene analyst supervisor, Al
 10 Cabrales,
 11 Were there any other crime scene analysts out
 12 there?
 13 A Yes, there was. Senior crime analyst Teresa Main.
 14 Q At the time that you received this call and went
 15 there, did you know what you were responding to?
 16 A I knew I was responding to a dead body call.
 17 Q All right. And is that why only senior crime scene
 18 analysts arrived?
 19 A Not necessarily. When I was sent out there we
 20 knew we -- it was a dead body call, and it was my turn in the
 21 rotation to go, and that's why I was sent specifically.
 22 Q Now is it normal with a homicide or a dead body call
 23 for more than one crime scene analyst to respond?
 24 A It's normal with a homicide for more than one to

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RENHARD - DIRECT

1 was organized at that time,
 2 Q Okay, Well, with regard to this incident we're gonna
 3 talk about, do you recall what time you got to the scene?
 4 A Yes, I got to the scene at 11:42 --
 5 Q All right,
 6 A -- p. m.
 7 Q So if you got to the scene at 11:42, and that's p.m.?
 8 A Yes.
 9 Q You would've gone to work that night at
 10 approximately, anywhere between 10:00 and 11:00?
 11 A Yes,
 12 Q Okay And when would you shift have ended?
 13 A 8:00 a.m.
 14 Q On July 9th?
 15 A Yes.
 16 Q So did you on July 8, 2001, respond to 4240 W.
 17 Flamingo Road?
 18 A Yes, ma'am,
 19 Q And what is that?
 20 A That's a -- it's a bank, the address for a Nevada
 21 State Bank, and a parking lot that surrounds the bank,
 22 Q And specifically where were you called to?
 23 A In the northwest corner of the parking area there's a
 24 dumpster surround. The big concrete block surrounds the

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RENHARD - DIRECT

1 respond, but with a dead body, a suicide, a fatal accident,
 2 natural cause, possibly a overdose or accidental, it's more
 3 common for just one to respond. But for homicide cases a
 4 team of us will respond.
 5 Q And in this case were you the first to arrive?
 6 A Yes, ma'am,
 7 Q And when you arrived what was it that you
 8 discovered, or what was the scene you saw?
 9 A When I arrived there was a police officer, Officer
 10 Testa, who was already at the scene. And he had it roped off
 11 already with yellow crime scene tape, and he was back at the
 12 beginning of the parking lot, or at the south end of the parking
 13 lot, and he met me there and explained what the -- you know,
 14 what he had.
 15 Q Now was it your call to ask for more crime scene
 16 analysts to come out, or how did that come about?
 17 A Yes, In this case the person who had discovered the
 18 body called the police officer, the police officer came, He
 19 looked at the scene, it determined that it was a dead body, but
 20 at that point he did not know the cause of death or whether it
 21 might be a homicide or it might be a natural or what the
 22 circumstances might be. So he called for -- he roped off the
 23 scene, he called for us. And I came out and the general
 24 assignment detectives Morgan and Hutchinson also arrived,

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RENHARD - DIRECT

1 and between the three of us we made some decisions to try to
2 attempt to discern whether or not it was a homicide or it was a
3 natural,

4 Q And how did you make that decision?

5 A Eventually it came to me to try to -- the body was
6 covered with a lot of debris, and to try to lift a corner of it,
7 trying to disturb as little as possible of what was there to try to
8 determine whether or not there was any kind of trauma to the
9 body that would indicate a homicide, And I lifted the -- some
10 of it up as gently as possible, I determined that there was
11 trauma to the face, and at that time it was considered a
12 homicide. We all backed out of the scene. I called for a
13 supervisor and other crime scene analysts and the general
14 assignment detectives contacted the homicide.

15 Q How long did it take for homicide detectives and the
16 other crime scene analysts to arrive, if you recall?

17 A I could look in my report real quick, but I don't
18 remember exactly how long. The homicide detectives
19 would've been on-call, they would've been at home in bed, so
20 however long it takes them to get up and get dressed and
21 drive from their home to the location. The other crime scene
22 analysts weren't that far away, they were at the lab, and they
23 would've immediately loaded up -- they would've actually
24 already been loaded up, They would've just got their

IX-14

IENHARD - DIRECT

1 there division and duties?

2 A Yes. When everybody gets to the scene after the
3 general assignment detectives responding -- the initial
4 responding officers give us a briefing, the supervisor will assign
5 duties. Homicide scenes require quite a bit of work, and so we
6 split the duties between us.

7 Q And what were your duties at the scene?

8 A Myself, I was responsible for the photography and -
9 writing this report that I just referred to.

10 Q What about Dan Ford?

11 A Dan Ford's responsibility was to collect the evidence
12 and to prepare a crime scene diagram.

13 Q And what about your supervisor, Al Cabrales?

14 A He supervised us.

15 Q Okay. And what about Teresa Main when she came
16 out later?

17 A Teresa Main brought out what's called a 4x5 camera,
18 and at that time we used the 4x5 camera, which is a camera
19 that takes a photograph on a negative that's actually 4x5
20 inches. It's a large format camera. And she brought that out
21 to do some photography of the -- of some time impressions
22 that we noted and some footwear impressions that we noted,

23 Q All right. Now can you describe the enclosure of the
24 dumpster area?

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RENHARD - DIRECT

1 notebooks and stuff and come straight out to the scene. The
2 crime scene analyst supervisor was on-call because our
3 supervisor was, I believe, on vacation. And so he also had to
4 be called at home, woken up, and get up, get dressed, and
5 drive to the scene,

6 Q So would looking at your report refresh your
7 recollection?

8 A Yes, it would,

9 Q If yap do you have a copy or did you need --

10 A I do have a copy.

11 Q If you want to pull that out. And are you looking at
12 your crime scene report dated July 8, 2001?

13 A Yes, ma'am.

14 MR. SCHIECK: Could I verify number of pages,
15 please?

16 THE WITNESS: This is three pages.

17 MR. SCHIECK: Thank you.

18 THE WITNESS: CSA Dan Ford arrived at 20 minutes
19 after midnight, along with detective Sergeant Manning,
20 LaRochelle and Thowsen. crime scene analyst supervisor
21 Cabrales arrived shortly after that, and crime scene analyst
22 Main arrived at about 1:40.

23 BY MS. DiGIACOMO:

24 Q Okay, Now when everyone gets to the scene, were

RENHARD - DIRECT

1 A As I stated before, it was located at the northwest
2 corner of the parking lot, and it was on the west side of the
3 property. There's a block wall that runs along the property
4 line, along the west property line and the north property of the
5 parking lot. The bank, say, is in the center, and there's
6 parking on the west side, there's parking on the north side,
7 and a block wall along the perimeter of the property. In the
8 northwest corner, or near the northwest corner was where the
9 dumpster surround was. It was backed up to the west wall, I
10 believe there was a foot or two -- two to -- maybe two to three
11 feet between the back of the -- the back wall of the enclosure
12 the west property wall. And it was about 51 feet from the
13 north wall.

14 So it was near the northwest corner but it was just a
15 little bit south. It had a concrete block wall surrounding it. It
16 was -- had one dumpster in it. The dumpster was open. The
17 dumpster was near the south wall of the enclosure. There
18 were two big double metal doors that open outwards on the
19 enclosure. And the enclosure was covered. It had like a
20 cyclone fence cover on it.

21 Q Now what about the inside of the dumpster, what
22 did it look like? Not the actual dumpster itself, the enclosure?

23 A The inside of the enclosure, like I said, the dumpster
24 was up against the south wall towards the east end, towards

IX-17

RENHARD - DIRECT

1 the doors, and the two -- the double lids were open. And
2 inside to the west of the dumpster was piled with debris, trash
3 basically. The trash appeared to have come like from the
4 dumpster. Most of it was paper debris,

5 Q Now did you ever notice whether or not there was
6 any curbing or bumpers inside the enclosure?

7 A Yes, The enclosure had curbs that ran around all
8 three of the concrete block sides, and then on the south side
9 and the north side there were little bumpers set just inside the
10 curbs, And the north side -- or the west side, the back, did
11 not have any of those bumpers.

12 Q And the bumpers, what were they made of?

13 A Concrete,

14 MS DiGIACOMO: Your Honor, may I approach?

15 THE COURT: Yes.

16 MS DIGIAC.OMO: Thank you,

17 BY MS. DiGIACOMO:

18 Q I'm gonna show you what's previously been marked
19 and shown to defense counsel as State's Proposed Exhibits 38
20 and 40. If you could just look at those and let me know if you
21 recognize them,

22 A Yes, ma'am.

23 Q Are these photographs you took at the scene on July
24 8, 2001, into July 9, 2001?

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1ENHARD - DIRECT

1 BY MS. DiGIACOMO:

2 Q State is now gonna show you State's Proposed
3 Exhibits 138, 140, 141, and 145, if you could look at those.

4 Do you recognize all four of these?

5 A Yes, ma'am.

6 Q And are these also photographs you took that night
7 in July 2001 of the scene?

8 A Yes, ma'am.

9 Q And they fairly and accurately depict what you saw?

10 A Yes, ma'am.

11 MS. DiGIACOMO: Your Honor, the State would
12 move for admission of State's Proposed Exhibits 138, 140, 141,
13 and 145.

14 MR, SCHIECK: No objection, Your Honor,

15 THE COURT: Granted.

16 (State's Exhibit Nos, 138, 140, 141, and 145, admitted)

17 BY MS, DiGIACOMO:

18 Q Now the State is gonna show you State's Proposed'
19 Exhibits 227 through 246, if you would please look at all of
20 those,

21 A I'm sorry?

22 Q 227 through 246. After reviewing these
23 photographs, do you recognize what's depicted in these
24 photographs?

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RENHARD - DIRECT

1 A Yes, ma'am.

2 MS. DIGIACOMO: Your Honor, at this time the State
3 would move for admission of State's Proposed Exhibits 38 and
4 40,

5 MR. SCHIECK: No objection, Your Honor.

6 THE COURT: Granted.

7 MS. DiGIACOMO: Thank you.

8 (State's Exhibit Nos. 38 and 40, admitted)

9 BY MS, DiGIACOMO:

10 Q Okay, Now I'm gonna show you State's Proposed
11 Exhibits 149, 150, and 151, if you could look at those, and
12 153. Do you recognize all of these?

13 A Yes, I do.

14 Q Are these also photographs you took that night in
15 2001 at the scene?

16 A Yes, ma'am,

17 Q And do they fairly and accurately depict what you
18 saw that night?

19 A Yes, ma'am.

20 MS. DiGIACOMO: Your Honor, the State would
21 move for admission of 149, 150, 151, and 153.

22 MR, SCHIECK: No objection, Your Honor,

23 THE COURT: Granted,

24 (State's Exhibit Nos, 149, 150, 151, and 153, admitted)

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RENHARD - DIRECT

1 A Yes, ma'am,

2 Q And are they all taken at the crime scene or items
3 found at the crime scene?

4 A Yes, ma'am,,

5 Q And they're and accurate depiction of the items that
6 you saw on July 8th into the night 2001?

7 A Yes, ma'am,

8 MS. DiGIACOMO: Your Honor, at this time the State
9 would move for admission of State's Proposed Exhibits 227
10 through 246,

11 MR, SCHIECK: No objection, Your Honor,

12 THE COURT: Granted,

13 (State's Exhibit Nos, 227 thru 246, admitted)

14 BY MS. DiGIACOMO:

15 Q Now showing you State's Proposed Exhibit 115 and
16 183. If you could look at those two photographs. Do you
17 recognize what's depicted in these photographs?

18 A Yes, ma'am.

19 Q Okay. And are these actually photographs of a car
20 you processed in relation to this case?

21 A Yes, ma'am.

22 Q And that was on July 22, 2001?

23 A Yes, ma'am.

24 Q And this fairly and accurately depicts what you found

IX-21

RENHARD - DIRECT

1 in the car?
 2 A Yes, ma'am,
 3 Q Both of these?
 4 A Yes,
 5 MS, DiGIACOMO: Your Honor, at this time the State
 6 would move for admission of State's Proposed Exhibit 115 and
 7 183.
 8 MR. SCHIECK: No objection, Your Honor.
 9 THE COURT: Granted.
 10 (State's Exhibit Nos. 115 and 183, admitted)
 11 BY MS. DiGIACOMO:
 12 Q Okay. At this time the State's gonna show you
 13 State's Proposed Exhibits 184 through 193. If you could look
 14 at those and let me know when you're done. Do you
 15 recognize what's depicted in State's proposed Exhibits 184
 16 through 193?
 17 A Yes, ma'am.
 18 Q Are these all fair and accurate depictions of the car
 19 that you processed in relation to this case on July 22, 2001?
 20 A Yes, ma'am.
 21 MS, DiGIACOMO: Your Honor, at this time the State
 22 would move for admission of State's Proposed Exhibits 184
 23 through 193.
 24 MR, SCHIECK: No objection, Your Honor.

IX-22

RENHARD - DIRECT

1 Exhibit Number 2, Do you recognize what's depicted here?
 2 A Yes, ma'am.
 3 Q What's depicted in this photograph?
 4 A This is a dumpster enclosure, and this photograph
 5 was taken in the parking lot from the south -- south of the
 6 dumpster enclosure,
 7 Q And that -- does this show the dumpster that you
 8 processed that night of July 8th into July 9th, 2001?
 9 A The enclosure with the doors open.
 10 Q Okay, I'm showing you what's been marked and
 11 admitted as State's Exhibit Number 4. What's depicted here?
 12 A This is looking into the dumpster enclosure. You see
 13 the dumpster there on the south side. And looking down
 14 along the north side you can see some of the debris and trash
 15 that was piled up. There was also a wood pallet standing on
 16 its side on one of the bumpers here next to the curb on the
 17 north side as well,
 18 Q And if you actually touch the screen in front of you,
 19 you can mark on the photograph.
 20 A Oh, okay. And you can also —
 21 Q Okay.
 22 A Sorry. You can see part of the -- if you slide it down
 23 just a tiny tad, you can see part of that cyclone fence cover
 24 that was over the top.

IX-24

RENHARD - DIRECT

1 THE COURT: Granted.
 2 (State's Exhibit Nos. 184 thru 193, admitted)
 3 MS. DiGIACOMO: Thank you,
 4 BY MS. DiGIACOMO:
 5 Q And lastly, showing you State's Proposed Exhibits
 6 247 to 250. If you could look at those, please. After
 7 reviewing State's Proposed Exhibit 247 through 250, do you
 8 recognize these photographs?
 9 A Yes, ma'am,
 10 Q And are these fair and accurate depictions of items
 11 found in the car that you processed on July 22, 2001?
 12 A Yes, ma'am,
 13 MS. DiGIACOMO: Your Honor, at this time the State
 14 would move for admission of State's Proposed Exhibits 247
 15 through 250.
 16 MR. SCHIECK: No objection, Your Honor,
 17 THE COURT: Granted.
 18 (State's Exhibit Nos. 247, 248, 249, and 250, admitted)
 19 MS, DIGIACOMO: May I approach the clerk?
 20 THE COURT: You may.
 21 MS, DiGIACOMO: Thank you,
 22 I'm dropping photos,
 23 BY MS. DiGIACOMO:
 24 Q Now showing you what's been admitted as State's

IX-23

RENHARD - DIRECT

1 Q Can you actually touch the screen so the jury can
 2 see what you're talking about?
 3 A Right -- it's not marking,
 4 Q I can't tell it's working.
 5 THE COURT: She may not be pressing hard
 6 enough. No, it's not working,
 7 MR. SCHIECK: For the record, Your Honor, ours
 8 doesn't work either, so it's -- it looks like system wide,
 9 MS. DiGIACOMO: Does ours do it?
 10 MR. KEPHART: Yeah, ours are supposed to work
 11 too, but they don't.
 12 (Off-record colloquy)
 13 THE COURT: Well —
 14 MS, DiGIACOMO: Do we have a pointer?
 15 THE COURT: — maybe we're back to the old
 16 fashioned method with the pointer, yeah,
 17 MS, DiGIACOMO: I didn't bring a pointer,
 18 MR, KEPHART: She's got one
 19 THE COURT: The recorder has one.
 20 MS, DiGIACOMO: Okay.
 21 Sorry, Louise, if you could step down.
 22 THE COURT: You may.
 23 MS. DiGIACOMO: Thank you, Your Honor,
 24 THE WITNESS: Way up here was that fence --

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RENHARD - DIRECT

1 cyclone style fence top. Down in here on the north side is
2 some of the debris, a wood pallet here, and of course the
3 dumpster with the open lid on the south side therer

4 BY MS., DiGIACOMO:

5 Q And is this exactly the way you found it when you
6 got there, or did you have to move the dumpster more to take
7 photographs?

8 A No, this is how it was. The officer indicated to me
9 that he had moved it to go in and verify there was a body
10 there. He had slid it aside. But this was how it was as I found
11 it.

12 Q And you say cyclone fencing across the roof of it. Is
13 that like a chainlink fence?

14 A It's kinda like a chainlink fence with some kind of,
15 like a corrugated metal type of pieces of slats on it I got that
16 term from Dan Ford, he's from Texas, He called it cyclone
17 fencing, [unintelligible] cyclone fencing.

18 Q But you could see through it?

19 A You couldn't really see through it. You could -- it
20 had some slats and some chain link, but it did have a cover so
21 that the sun didn't beat down into this dumpster enclosure,

22 Q Okay, So it was somewhat see through, but at night
23 while you were there you couldn't see through it?

24 A We wouldn't have been able like to see the clouds,

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RENHARD - DIRECT

1 Q Showing you State's Exhibit Number 7, Does this
2 show some of the debris that was on there?

3 A Yes, that shows some of the debris. These are
4 those palm tree things that you saw. This is some of the
5 cardboard that covered him.

6 Q And with State's Exhibit Number 6, was the
7 dumpster actually moved out so that this photograph could be
8 taken?

9 A I believe by that time it had been moved out
10 somewhat so that we could take that photograph.

11 Q Okay. I'm gonna show you State's Exhibit Number
12 8. Can you see what's depicted here?

13 A This is more of the debris covering the body. And
14 you'll see down here are the legs and the feet and socks,
15 stocking feet here. And they were pointing in kind of a north,
16 northwest direction,

17 Q How was it that you went about trying to uncover
18 the body?

19 A What we did was we did it basically layer by layer,
20 lifting off the top layers. We were -- it was explained to us by
21 the detectives who interviewed the gentleman who found the
22 body that he had been at the dumpster and he had taken
23 some stuff out and thrown it down on the pile. So we lifted
24 some items, we examined each item. If we found anything

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RENHARD - DIRECT

1 but sun would've made its way through to a degree when the
2 sun came out in the day.

3 Q Okay, And now showing you State's Exhibit Number
4 6. What's depicted here?

5 A Can we change the brightness, or is that too late to
6 do?

7 I can. Is that better?

8 A That's a little too dark, I think. That's a little dark,
9 Is that good?

10  Yeah.

11 Okayr

12 A This is -- this is the area that you look at initially
13 where the -- from the south -- or the west -- east end down
14 here looking in towards the north side. And then this is what
15 the dumpster actually was blocking from view in that other
16 one. And then the victim was lying -- this is his head and this
17 is part of the area that I had to lift up to see,

18 Q So that cardboard over the head of the victim, is
19 that what you lifted up?

20 A Yes. At this point that this picture was taken, some
21 of the debris had been lifted off the cardboard. There was a
22 little bit more debris on here. These green palm tree like
23 decorations had been slid up a little bit. This blood wasn't
24 actually visible from the paper that was lying on it.

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RENHARD - DIRECT

1 that indicated blood we set it aside to be processed later. So
2 basically we just sifted through item by item. When we got
3 closer to the body we started setting aside more and more
4 items that might be of evidentiary value,

5 Q Okay. Now showing you State's Exhibit Number 17.
6 Can you see that? Is it too bright?

7 A Yes, I can see that.

8 Q What's depicted here?

9 A I believe these are gonna be Dan Ford's hands, And
10 this was a hair pick type comb with a long tail that had blood
11 on it that was recovered from within the debris next to the
12 body.

13 Q And is — what is Dan Ford holding, if you can see
14 that in the photograph, in his other hand?

15 A His flashlight.

16 Q Okay. Showing you State's Exhibit Number 14. Can
17 you see what's depicted there?

18 A Can I take a quick look at this one? Oh, yes. This
19 photograph was probably taken at a slightly different angle.

20 Q Okay.

21 A It's sideways, I think. If you turn — yeah, turn it
22 that way.

23 Q Turn it this way?

24 A Yes.

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RENHARD - DIRECT

1 Q And what's the purpose of this photograph?
 2 A This is the body of the victim after he had been
 3 pretty much uncovered by most of the debris that had been
 4 covering him. The cardboard had been removed. He was
 5 partially visible. We took — or I took some photographs at
 6 different stages of uncovering,
 7 Q If you could step down —
 8 THE COURT: Can you identify this one by number?
 9 MS. DiGIACOMO: Oh, I'm sorry, Your Honor.
 10 THE COURT: I may have missed it, but --
 11 MS. DIGIACOMO: 14,
 12 THE COURT: Thank you,
 13 MS. DiGIACOMO: State's Exhibit 14.
 14 BY MS. DiGIACOMO:
 15 Q If you could step down and just kinda point out --
 16 it's a dark photo up there. If you can point out to the jury
 17 where the body is in relation to some of the trash?
 18 A These are the legs. There's one leg. It's hard to
 19 tell, but I think this is gonna be the other leg. Here's one
 20 hand. It's -- I'm standing near the feet of the victim and
 21 shooting towards his head, so his head is up here. One
 22 shoulder is still -- and arm is still partially covered with debris.
 23 One shoulder and hand here is laying out to the side. Part of
 24 his torso has been uncovered, and then these are -- this looks

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ZENHARD - DIRECT

1 A This is similar to the over photograph, but I've
 2 stepped a little bit to the side. And where the other photo —
 3 the photograph was shot more this direction, I'm standing to
 4 the side and you're seeing -- this is about mid-chest and he's
 5 lying here down, and these are his feet that you had seen in a
 6 previous photograph, and so this is his legs as he was -- at
 7 about the same level of being uncovered, I believe.
 8 Q All right. And that's just showing the lower half of -
 9 the body?
 10 A Yes.
 11 Q Okay. Now I'm gonna show you a closeup of State's
 12 Exhibit Number 11. And this is a closeup by his feet. Does
 13 that sound right?
 14 A Yes,
 15 Q All right. And I'm gonna point to something right
 16 here. Do you know what that is?
 17 A That was a gold chain.
 18 Q And that was found by his foot?
 19 A Yes, It would've been his left foot right here, and
 20 see the stocking foot right there and his pants coming up right
 21 in here.
 22 Q Okay, Now showing you State's Exhibit Number 15_
 23 What's depicted here?
 24 A This is the upper torso. We had removed a little bit

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RENHARD - DIRECT

1 like it's gonna be his -- at about knee or -- knee level or thigh
 2 level up is where the lense -- was within view of the lense,
 3 Q How long did it take, going layer by layer of the
 4 trash, to get to where the body was exposed this much with
 5 partial legs and the upper torso?
 6 A I don't recall. I know we worked well into overtime
 7 that day, I'm assuming, but I don't know how long we'd been
 8 there at this point,
 9 Q Okay. Do you know how long it took total to
 10 uncover the body?
 11 A No, I was thinking about that earlier, and I'm not
 12 sure what time we cleared that scene.
 13 Q Okay. But it was after you would've gotten off at
 14 800 a.m.?
 15 A I don't remember if we cleared the scene at around
 16 8:00 a.m. or if we cleared the scene afterwards. I just don't
 17 remember.
 18 Q All right. But you know you were there until at least
 19 your shift ended?
 20 A Yes,
 21 Q Okay. And showing you State's Exhibit Number 9.
 22 Can you see what's depicted there?
 23 A Yes.
 24 Q Okay. What's depicted here?

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RENHARD - DIRECT

1 more of the debris at this point. And this is his head, his feet
 2 are down here. This is the debris that was still left on this side
 3 of him. We moved the debris that was over on this side so
 4 that we could move around. And we had set that out to the
 5 side, taking it out of the enclosure, put it aside to examine or
 6 to collect later. And right here is an apparent footwear
 7 impression that was in what appeared to be blood on the
 8 enclosure floor.
 9 Q Okay. So is it fair to say that when you were
 10 uncovering the trash that you started around the body and
 11 then slowly worked to uncover the body?
 12 A Yes,, We moved what was out here away that didn't
 13 -- if you remember those -- some of those first pictures as we
 14 look down past the dumpster, there was some in the corner
 15 back in there.
 16 Q And showing you State's Exhibit Number 6. Is that
 17 what you're referring to?
 18 A Yes. Even -- yeah, This stuff here, we got and we
 19 moved that out. And then we started here moving out until
 20 we had uncovered the body.
 21 Q Okay, And at the time you uncovered the body —
 22 and now we're back to State's Exhibit Number 15 -- there's still
 23 a whole lot of trash back in the corner. Is that the southwest
 24 corner?

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RENHARD - DIRECT

1 A Yes, ma'am, that's what it would be —
 2 Q Okay,
 3 A -- the southwest corner.
 4 Q So at the time that you uncovered the body you still
 5 had not processed that trash in the back southwest corner?
 6 A No The body was actually in the way, so we just
 7 moved him one step at a time. And then when we got to a
 8 point where the coroner could move around the body, then we
 9 called for the coroner to come.
 10 Q Okay. Now in State's Exhibit Number 13, do you
 11 recognize what's depicted here?
 12 A Yes.
 13 Q What's depicted?
 14 A There was a plastic bag over the body at the level of
 15 the hips impressed, you know, or adhering around the
 16 exposed portion of the body, the hips and the lower abdomen
 17 and thighs- And as I moved that back it was discovered that
 18 the genitals of the victim had been severed or cut off.
 19 Q And is this Dan Ford's hand down here holding back
 20 the plastic so you could take a photograph?
 21 A Yes,
 22 Q Okay.
 23 A That would probably be Dan Ford. I'm not positive
 24 actually,

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R.ENHARD - DIRECT

1 Q What's depicted here?
 2 A This is the southwest corner of the dumpster
 3 surround and the debris that's in it_ You see here a pair of
 4 socks, gray -- I think probably they were -- I don't know if they
 5 were gray or white, but they were dirty socks with like a red or
 6 maroon band on them.
 7 Q Now a lot of what was found around the body or on
 8 top of the body, did it look like these separate items here that -
 9 looked like plastic trash bags full of items?
 10 A Yes. Most of the debris looked like it -- we were
 11 talking Sunday night, early Monday morning, looked like it had
 12 come — we were in a parking lot of a bank, looked like it had
 13 come from office style trash, Most of it was paper, There
 14 wasn't a lot of the organic, like you would find in an apartment
 15 complex or residential area. There was a lot of paper debris,
 16 But there were, you know, items that would come from say a
 17 kitchenette in an office building where there was a coffee
 18 maker or —
 19 Q And in fact, showing you State's Exhibit Number
 20 228, you can see items in there, such as coffee cups, soda
 21 cans —
 22 A Yes,
 23 Q -- looks like some sort of bag down here. Those all
 24 kinda consistent with food items?

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RENHARD - DIRECT

1 Q Well, somebody held back the plastic so you could
 2 get that photograph?
 3 A Yes.
 4 Q And this plastic that we're seeing here that's pulled
 5 back, was that wrapped all the way around the body or just
 6 across the top of the body?
 7 A No, it wasn't wrapped all the way around, it was
 8 wrapped around the exposed top and around the sides of the
 9 hips, both sides —
 10 Q Okay,
 11 A -- and was sticking to him. As you can see it was
 12 kinda damp, it was sticking to him.
 13 Q Was the blood that we see here and on the plastic,
 14 was it still wet or was it dried?
 15 A Some of it was starting to dry by this point, but it
 16 was still wet where it had been covered by debris. Some of
 17 the exposed areas of blood at this time, like that footwear in
 18 the previous photograph, that had already dried,
 19 Q Okay, But the things that you were uncovering
 20 under the debris still were wet?
 21 A They were still damp.
 22 Q Okay, Okay. Now I'm gonna show you State's
 23 Exhibit Number 18, Do you recognize what's depicted here?
 24 A Yes.

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RENHARD - DIRECT

1 A There was some consistent with drink and food
 2 items. Some of the bags still had, that were closed, some of
 3 the bags that were closed still had like the brown coffee cups,
 4 specifically, in 'em. They were still tied in a knot and they
 5 were filled with different kinds of coffee cups and such.
 6 Q Okay, Now showing you State's Exhibit Number
 7 231. What's depicted here?
 8 A At this point we've uncovered a good deal of the
 9 southwest corner_ And I'm not sure who's arm that is. It
 10 might be Teresa's arm_ And she's pointing to -- there were
 11 some teeth found down there in the corner and -- of the
 12 enclosure.
 13 Q Okay, I'm showing you State's Exhibit Number 230.
 14 Is that just a closer up photograph of State's Exhibit Number
 15 231?
 16 A May I see that first one again real quick? And take -
 17 - put it back. I think what this is is not a closer photograph
 18 but a photograph with a little bit more of the debris moved,
 19 Q Okay. And what's this dark area here?
 20 A That's blood,
 21 Q Okay. Now was this dried or was it still damp?
 22 A It was still damp. As we worked it began -- and
 23 after we uncovered it, it began to flake. And it's on a piece of
 24 cardboard that's been flattened.

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RENHARD - DIRECT

1 Q Arid State's Exhibit Number 229, what's depicted
 2 here?
 3 A This is at a different time during the uncovering,
 4 This is -- this is also the cardboard. orientation is a little off
 5 right now. I think this is more towards -- this curb here -- oh,
 6 that curb -- can you push it down just a little bit? Okay. That
 7 curb there is gonna be the west curb, the back of the
 8 enclosure. This is now the back of the enclosure. The
 9 previous photograph was taken more up this way towards the
 10 southwest corner, up this way is gonna be the northeast -- or
 11 northwest corner. And that piece of cardboard would -- the
 12 photograph was -- that previous photograph was taken more
 13 in this area. This is the same cardboard, but this is down
 14 towards the north edge of it.
 15 Q Okay, And now I'm gonna show you State's Exhibit
 16 Number 28, What's depicted here?
 17 A That's -- right here is the severed penis.
 18 Q And do you know where specifically this was found?
 19 A This was found -- the best of my recollection --
 20 under the trash, At this point the body had already been
 21 removed by the coroner, There was -- under the trash to the
 22 left or to the south of the -- where the body was 'cause we
 23 had already uncovered the other side of him already, so this
 24 was on the other side,

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ZENHARD - DIRECT

1 BY MS. DIGIACOMO:
 2 Q Okay. I'm showing you again State's Exhibit
 3 Number 29. Did I have it upside down?
 4 A No, it just --
 5 Q Does it go like this?
 6 A Yeah, that's fine.
 7 Q Do you recall what that marker here was doing,
 8 what that was for?
 9 A To the best of my recollection, that's gonna be a
 10 tooth,
 11 Q Okay, That it's marking?
 12 A Yes,
 13 Q And then showing you State's Exhibit Number 35.
 14 A Okay.
 15 Q Do you recall what this is?
 16 A Yeah, these are three of the teeth, and one button.
 17 Q Okay. You can show us.
 18 A Okay, This is a tooth here, this is a tooth here, and
 19 this one here, a complete tooth with the root, and here is a
 20 button.
 21 Q Do you recall how many teeth you found at the
 22 scene?
 23 A Six.
 24 Q Okay, Were they all found in the same location?

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RENHARD - DIRECT

1 Q And it looks like from the photograph, it's on
 2 something brown?
 3 A A piece of cardboard,
 4 Q Okay, Is this the same cardboard that we saw in
 5 the earlier photos, such as State's Exhibit Number 231?
 6 A Yes, But I believe we're looking at -- down here,
 7 more towards this area in here.
 8 Q Okay. So at the time State's Exhibit 231 was taken
 9 you hadn't found the penis yet?
 10 A We may have found the penis by then,
 11 Q Okay, Do you know if it came from the same piece
 12 of cardboard that we're looking at that was in the southwest
 13 corner?
 14 A Yes.
 15 Q It did?
 16 A But further this way.
 17 Q Okay. And now showing you State's Exhibit Number
 18 29 What's depicted here?
 19 A Okay, I'm sorry, can you --
 20 Q Do you need to see it up close?
 21 A Yeah, that would actually help.
 22 MS. DIGIACOMO: May I approach, Your Honor?
 23 THE COURT: Yes, you may.
 24

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RENHARD - DIRECT

1 A No.
 2 Q Okay. These three that you just showed us, where
 3 were these found?
 4 A These were found towards the southwest corner
 5 near the edge of the cardboard.
 6 Q All right. And where were the other three found?
 7 A They were found more towards the north end of the
 8 cardboard.
 9 Q And actually I'm gonna show you State's Exhibit
 0 Number 30, Is this more helpful to point it out? What are we
 1 looking at here?
 2 A This is -- you can see right here, much of the debris
 3 has been moved over to this side of the enclosure, and this
 4 appears to be the area where the incident occurred, with most
 5 of the other debris moved away from it, and the body, of
 6 course, is gone at that time. This here was where the victim's
 7 head was, and then his feet were going this direction. This is
 8 the piece of cardboard we were looking at right here. That's
 9 the southwest corner of the enclosure. And so this is basically
 0 the blood from the homicide right there.
 1 Q And where were the three teeth we just saw in
 2 State's Exhibit 35 found?
 3 A Those were found over in this area over here.
 4 Q And you said there were three other teeth found?

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RENHARD - DIRECT

1 A Yes, And I -- and I could actually be somewhat off
 2 on this, Dan Ford might remember better -- that they were
 3 more in this area down here,
 4 Q And where would the penis have been located?
 5 A Over in this area here.
 6 Q And showing you State's Exhibit Number 31.
 7 MR. SCHIECK: I'm sorry, counsel, what was the last
 8 number? I missed it,
 9 MS, DIGIACOMO: That was 30.
 10 MR, SCHIECK: Thank you very much.
 11 BY MS, DiGIACOMO:
 12 Q And here's State's Exhibit Number 31. What's
 13 depicted here?
 14 A That's a little too bright.
 15 Q Okay. Would it be helpful to see it up dose?
 16 A Right,
 17 MS. DIGIACOMO: May I approach, Your Honor?
 18 THE COURT: Yes,
 19 MS, DidrAOMO: I'm showing the witness State's
 20 Exhibit 31.
 21 THE WITNESS: Okay, I did a series of photographs
 22 just showing that blood area, and some of the spatter along
 23 the curb.
 24 MS, DiGIACOMO: Okay,

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IENHARD DIRECT

1 oh, yes. This one here. And in fact, this was that earlier
 2 photograph you showed me, I believe. And I think what that -
 3 - I thought maybe it was a tooth, but I was incorrect. I
 4 believe what that was was just some of the spatter here.
 5 Q Okay.
 6 A So this is actually trying to document some of the
 7 spatter. This is so an expert can go and take a look at the
 8 distance and the sizes, and then he can actually get another -
 9 scale in here. And they can -- this was an overall of where
 10 they all were, where many of them were. It looks like there's
 11 another one in here,
 12 Q Okay. Now showing you State's Exhibit Number 21,
 13 and specifically this blood right here on the curb, is that what
 14 you're calling spatter?
 15 A Yes.
 16 Q Okay. Now showing you State's Exhibit Number 19,
 17 and there's some blood here on the curb?
 18 A Yes.
 19 Q What is that? Is that spatter?
 20 A No, that would be called -- you know, I probably
 21 shouldn't say, I'm not an actual expert in this terminology, but
 22 it would be a white birth [phonetic] or a swipe or a
 23 combination of the two,
 24 Q Okay.

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RENHARD DIRECT

1 THE WITNESS: And the --
 2 BY MS, DIGIACOMO:
 3 Q So do you see any of the spatter you're talking
 4 about on the curb?
 5 A Yes, Here, here, up along here, this is spatter --
 6 Q And when -- when you say spatter, what do you
 7 mean?
 8 A Droplets of blood that have been projected out. We
 9 have several different terms in referring to blood stain
 10 patterns, Some are called wipes, some are called swipes.
 11 There's different kinds of spatter. Depending on -- different
 12 experts will call it high velocity, medium velocity. We're
 13 trained in the recognition of patterns and how to document
 14 them so that an expert can look at them later and possibly
 15 determine sequences of events and what might've caused it.
 16 And so sometimes we have a tendency to use the word spatter
 17 as a generic for all different kinds of droplets, whether they be
 18 a round one or oblong.
 19 Q Here, I'm gonna show you, probably better, State's
 20 Exhibit Number 36, Can you see what's depicted here?
 21 A At this point we have -- this is really light up in
 22 through here, But you can see a scale across and down this
 23 way, and you can see a small scale in the scene here. And
 24 there might be more that I can't really see right there. But --

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RENHARD - DIRECT

1 A And then you have a scale here.
 2 Q And then showing you State's Exhibit Number 24.
 3 A This would be the -- a similar photograph showing
 4 the different type of movement with the blood and a scale to
 5 show a comparative size for somebody to be able to look at,
 6 Q Okay. Now -- you can go ahead and have a seat
 7 I'm gonna show you State's Exhibit Number 3. What's
 8 depicted here?
 9 A This is the northwest corner of the parking lot.
 10 Q And where is that in relation to the enclosed
 11 dumpster?
 12 A The dumpster enclosure is approximately 51 feet
 13 south of this. So it actually goes out this way from there.
 14 Q Okay,
 15 A That's gonna be the -- the back wall there's gonna
 16 be your west wall.
 17 Q This wall right here?
 18 A And that's gonna be your north wall,
 19 Q Okay. Showing you State's Exhibit Number 135.
 20 I'm not sure if you can see this. What is this depicting?
 21 A There's a bag there with some of those brown cups
 22 in it.
 23 Q Is this the southwest corner that we were earlier
 24 talking about uncovered?

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RENHARD - DIRECT

1 A Yeah, this is gonna be more towards the west wall.
 2 Q Okay, Now can you see this right here and this over
 3 here, what that is, do you recall?
 4 A I can see it here. This may have been —
 5 Q Well, if you could step down —
 6 A I'm sorry,
 7 Q I'm sorry, and show the jury?
 8 A If what you're speaking about is this debris on here,
 9 on this bag, is that what you're —
 10 Q Is that debris?
 11 A Yeah, I don't know exactly what it is from this
 12 photograph.
 13 Q If I was to show it to you closer, would that be
 14 easier?
 15 A I don't know.
 16 Q I'll show it to you, 153, specifically this here and
 17 this here,
 18 A Yeah, There --
 19 Q I'm showing you again 153,
 20 A This here may be spatter on the wall, and right now
 21 I don't know for sure that it is,
 22 Q Okay
 23 A And this debris that's on this bag, from looking at
 24 the photo I'm not sure what it is on it.

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ENHARD - DIRECT

1 Q Okay, Other than these diminishing footwear
 2 impressions here depicted in State's Exhibit 114, was there any
 3 other that went outside the dumpster or did you notate
 4 whether or not there were any other footwear impressions in
 5 blood?
 6 A Yes, there were. When we got some of this debris
 7 moved we did find another on the concrete under some of this
 8 debris, And Dan Ford found another one on that cardboard
 9 that was covering the victim's body,
 10 Q Okay, But as you're walking out of the enclosure,
 11 other than what we're looking at in State's 144, were there
 12 any other footwear impressions in blood found further east?
 13 A Oh, further east?
 14 Q Sorry.
 15 A No.
 16 Q All right, Now I'm gonna show you State's Exhibit
 17 139. Do you recognize what's depicted here?
 18 A Oh, yes, Yes.
 19 Q Okay. What's depicted here?
 20 A That is -- let me see, how am I gonna explain this?
 21 Q Do you need the aerial? Would that be helpful?
 22 A An aerial or the diagram would help a great deal.
 23 MR. KEPHART: Its 122.
 24 MS. DiGIACOMO: Thank you.

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RENHARD - DIRECT

1 Q Okay, Showing you State's Exhibit 150. What's
 2 depicted here?
 3 A That's one of the footwear impressions, appeared to
 4 be made in blood.
 5 Q And that was found inside the dumpster area?
 6 A It was within the enclosure. There was several of
 7 them that went from the trash area, diminishing as they went
 8 towards the east out the enclosure.
 9 Q And in fact, showing you State's —
 10 A This has been marked 2-F, so that's probably
 11 footwear pattern 2,
 12 Q Okay. So that indicates that somebody took a
 13 footwear impression?
 14 A Or photographed it, Teresa Main photographed it,
 15 Q Okay, And showing you 1¹⁴, Okay. Do you
 16 recognize what's depicted here?
 17 A Yes, Do you remember one of the very first
 18 photographs that we looked at, there was that dumpster
 19 sitting over here and this is a wood pallet, that's a west wall.
 20 The victim's body is back under this debris over here, there's a
 21 bag sitting here, and then these are the diminishing footwear
 22 impressions --
 23 Q And --
 24 A -- going east,

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RENHARD - DIRECT

1 May I approach, Your Honor?
 2 THE COURT: You may,,
 3 BY MS. DiGIACOMO:
 4 Q Okay. I'm showing you what's been previously
 5 marked and admitted as Exhibit 221,, Do you recognize this?
 6 A Yes,
 7 Q Okay. Would this help you explain what is depicted
 8 in this photograph?
 9 MR. KEPHART: Sandy, put it over at the end of
 10 the--
 11 MS. DiGIACOMO: Right here?
 12 MR. KEPHART: The easel's over there too.
 13 May I help, Your Honor, just to set up the easel?
 14 THE COURT: Yes, you may.
 15 MS. DiGIACOMO: We don't need the easel, she's
 16 just using it for this,
 17 MR. KEPHART: I'll just leave it there and then she
 18 can go back and forth.
 19 MS. DIGIACOMO: Oh, okay,
 20 MR. KEPHART: Excuse me. There. Does that help?
 21 THE WITNESS: Yes, Can everybody see that?
 22 This is the bank, this area right here, crime scene,
 23 that's the actual crime scene. And you'll see that along here
 24 there's parking all along the -- around the bank. There's also

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RENHARD - DIRECT

1 parking under this covered parking here as well. And right
2 here, the dumpster is here, and right here, this is the drive
3 lane of the parking lot. Right across the drive lane where this
4 white car is, just to the north of that there's like -- it's a planter
5 median that separates this line of cars from that east-west
6 drive lane that's to the north. So that's what we're looking at
7 here is that planter median, and right here there's a you'll
8 see a tire impression that went up over the planter median.

9 BY MS, DIGIACOMO:

10 Q Okay. And I'm gonna show you now State's Exhibit
11 138. What's depicted here?

12 A This is another —

13 Q Well, it's kinda dark. There you go, is that better?

14 A Yeah, This is another angle. You see a tire
15 impression coming up here, one coming up here. Another
16 angle, the same planter median and some tire impressions that
17 went up over it

18 Q And showing you State's Exhibit 137,

19 A Now you can see — may I look at that original just
20 real quick?

21 Q Sure, I know it's dark_

22 MS_ DiGIACOMO: May I approach, Your Honor?

23 THE COURT: Yes.

24 ///

RENHARD - DIRECT

1 started to uncover the victim's body. There's some trash out
2 over here, here's the footwear. And this is that big 4x5
3 camera that I mentioned earlier, and Teresa Main had that set
4 up to document the footwear impressions that were on the
5 concrete there,

6 Q Okay. Now on State's Exhibit Number 139, do you
7 see that?

8 A Yes,

9 Q Okay. And here's the footwear that we Were looking
10 at in State's 140 —

11 A The tire impression.

12 Q or under footwear, the tire impression right here?

13 A Yes,

14 Q Now can you see what's depicted down here? Are
15 those multiple tire impressions as well?

16 A Yes.

17 Q Okay. Were any of these tire impressions lifted or
18 taken for further processing?

19 A No, this was a public access area. None of them
20 stood out as being placed on top of the other ones. There was
21 -- it was a bank, multiple use public access drive area.

22 Q Okay. So at the time -- and I'm showing you now
23 137 -- that an impression was taken of this tire mark, did you
24 have any notion whether or not it was involved with the crime?

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RENHARD - DIRECT

1 BY MS. DIGIACOMO:

2 Q Showing you State's Exhibit 137.

3 A Okay. Yeah,

4 Q Okay, There you go, State's Exhibit 137_

5 A I know it's a little difficult to tell here, but the
6 dumpster enclosure is out over here. Do you see this faint line
7 here? That's the dumpster enclosure. So this is the end of the
8 planter median right here, and this is the north side of it. So
9 basically this photograph is looking this way, towards the
10 dumpster area. You see the edge of the dumpster area and
11 you see the end of that median there- So that's the direction
12 we're looking at there. And once again, you'll see these -- this
13 curb of this tire impression that went up over that.

14 Q Okay. And State's Exhibit 141 is a different angle of
15 that tire impression?

16 A This is walking in on that tire impression. You can
17 actually see the dark part of the tire impression as it got on
18 top of the curb there.

19 Q Okay. And showing you State's Exhibit Number 137
20 again. This line across the middle, is that the police tape?

21 A Yes.

22 Q And now showing you State's Exhibit 143. What's
23 depicted here?

24 A This is the dumpster surround, this is before we had

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RENHARD - DIRECT

1 A No, we didn't. It just that -- it stood out from the
2 others as being on top of some of them. It was, as you can
3 tell, was quite dark comparatively and had gone over the
4 median,

5 Q Right, But you can't say when that happened?

6 A We have no idea when that happened or what
7 caused it, but it may have been related.

8 Q Okay, And how far away — you can have a seat
9 now. How far away was the median from the actual enclosed
10 dumpster area, do you recall?

11 A I don't know for -- how many feet it was.

12 Q Okay, If you were to look at your report, would that
13 refresh your recollection?

14 A It might. I'm not sure if I actually wrote it in my
15 report, Dan Ford would've taken those measurements.

16 Q Okay,

17 A And I may have written it down, I may not have.

18 Q Okay, If you want to look at your report from July
19 8, 2001, the three page report you looked at earlier? And
20 specifically within the body of your report, you can look and
21 see if you noted how far that median is from the dumpster
22 area,

23 A Yes, I did write it down, 25 feet, 6 inches east of
24 the northeast corner of the enclosure's concrete pad,

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RENHARD - DIRECT

1 Q Okay, And that would've been Dan Ford that
 2 would've measured it, though?
 3 A Yes.
 4 Q And you did include that in your report?
 5 A Yes, I did,
 6 Q Okay,
 7 MS_ DiGIACOMO: Court's indulgence. I just lost the
 8 photograph
 9 THE COURT: Certainly.
 10 BY MS, DiGIACOMO:
 11 Q Okay. I'm gonna show you what's been marked as
 12 State's Proposed Exhibit -- or excuse me, what's been marked
 13 and previously admitted as State's Exhibit 50. Do you
 14 recognize what's depicted there?
 15 A Yes,
 16 Q What's depicted in this photograph?
 17 A That's some -- there's some blood in here,
 18 THE COURT: The clerk is indicating she's not
 19 showing 50 admitted.
 20 MS, DiGIACOMO: She is correct. May I approach,
 21 Your Honor?
 22 THE COURT: Yes.
 23 BY MS. DiGIACOMO:
 24 Q Let me show what has been marked —

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ZENHARD - DIRECT

1 BY MS. DiGIACOMO:
 2 Q Showing you State's Exhibit Number 50, now
 3 admitted as State's Exhibit 50. Go ahead and — what's
 4 depicted on that photograph?
 5 A This is a sandal we found. This is some blood that's
 6 on the inside, and on the toe. And it looks like there was a
 7 little bit of blood right there on the [unintelligible] sole part of
 8 the sandal,
 9 Q And do you know where this sandal was found?
 10 A There was a pair of sandals, and they were found
 11 sitting next to each other near the right side of the body
 12 towards the center of the enclosure after everything had been
 13 removed.
 14 MS_ DIGIACOMO: Okay. Your Honor, may I
 15 approach again?
 16 THE COURT: You may.
 17 BY MS, DiGIACOMO:
 18 Q Okay, I'm gonna show you what's been marked as
 19 State's Exhibit 49, 54. Are those admitted, or not?
 20 THE CLERK: 49 is not.
 21 MS. DiGIACOMO: 54?
 22 THE CLERK: 54 is not.
 23 MS. DiGIACOMO: But 226 is or is not?
 24 MR, KEPHART: Not,

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RENHARD - DIRECT

1 THE COURT: I've got 150 admitted.
 2 MS. DiGIACOMO: This is the actual 50.
 3 BY MS. DiGIACOMO:
 4 Q I'm gonna show you what's been marked as State's
 5 Proposed Exhibit 50. Do you recognize that?
 6 A Yes,
 7 Q And what's depicted there?
 8 A That's a sandal with some blood on it.
 9 Q Okay. And is that a photograph you took on July 8'
 0 or 9th, 2001?
 1 A Yes.
 2 Q Does it fairly and accurately depict something you
 13 found at the scene that night?
 14 A Yes.
 15 MS, DiGIACOMO: Your Honor, at this time the State
 16 would move for admission of State's Proposed Exhibit 50,
 17 MR. SCHIECK: No objection, Your Honor,
 18 THE COURT: Granted,
 19 (State's Exhibit No_ 50, admitted)
 20 MS. DiGIACOMO: Thank you.
 21 (Off-record colloquy)
 22 MS, DiGIACOMO: May I publish, Your Honor?
 23 THE COURT: You may.

///

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RENHARD - DIRECT

1 THE CLERK: 226 is not.
 2 MS_ DIGIACOMO: Okay,,
 3 BY MS. DiGIACOMO:
 4 Q I'm gonna show you State's Proposed Exhibits 49,
 5 54, and 226. If you could look at those. Let me know if you
 6 recognize them?
 7 A Yes.
 8 Q And how do you recognize those?
 9 A How do I recognize them?
 0 Q Yes. Did you take those photographs?
 1 A Yes, And these are the sandals.
 2 Q That were found at the scene?
 3 A Yes.
 4 MS. DiGIACOMO: Okay. Your Honor, at this time
 5 the State would move —
 6 BY MS, DiGIACOMO:
 7 Q And these fairly and accurately depict the sandals
 8 you found that night in July 2001?
 9 A Yes.
 10 MS, DIGIACOMO: Your Honor, the State would
 11 move for admission of State's Exhibits 49, 54, and 226,
 12 MR. SCHIECK: No objection, Your Honor.
 13 THE COURT: Granted.
 14 (State's Exhibit Nos. 49, 54, and 226, admitted)

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RENHARD - DIRECT

1 BY MS. DIGIACOMO:
 2 Q Okay. I'm gonna show you State's Exhibit Number
 3 49 Do you recognize this?
 4 A Yes,
 5 Q Okay. What's depicted here?
 6 A This is the pair of sandals.
 7 Q And these were found at the scene?
 8 A Yes,
 9 Q Where specifically were they found?
 10 A They were found towards the middle of the
 11 enclosure sitting next to each other, somewhat the way you
 12 see them there, to the right or north of the body of the victim. □
 13 Q I'm showing you State's Exhibit 4. Would you be
 14 able to see where those sandals were found there?
 15 A No, but they were like in this area back under the--
 16 Were they actually under -- found under trash?
 17 A Yes.
 18 Okay. And how were they found underneath the
 19 trash?
 20 A Sitting next to each other.
 21 Q Kind of like the way they're depicted in State's
 22 Exhibit 49?
 23 A Yes, with the toe facing towards the southwest.
 24 Q All right. Do you recall if anything was found

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ZENHARD - DIRECT

1 Number 16, Can you see what's depicted here or do you want
 2 to see it up close first?
 3 A No. That's the upper torso and head and right arm
 4 of the victim,
 5 Q Okay. And there's something white here along the
 6 right side of the photograph, what is that?
 7 A That's some of the debris. Right there there was
 8 paper towels, like you know, the restroom right out here,
 9 When you go to the restroom they have the paper towel
 10 dispensers, have those square paper towels for when you
 11 wash your hands. It was very similar to those.
 12 Q Okay. And so what you're pointing out here that's
 13 white in the photo on the right side, those are like crumpled up
 14 bathroom towels, or paper towels?
 15 A That style of paper towel, yes.
 16 Q Were any of these white towels found underneath
 17 the plastic that was wrapped around the torso area above the
 18 — where the genital should've been on this victim?
 19 A No, ma'am.
 20 Q Okay. So it was just on top?
 21 A It was on top of the plastic.
 22 Q Okay, Now the southwest corner, the cardboard box
 23 that you described that was found flat in that corner, do you
 24 recall approximately how big that was?

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RENHARD - DIRECT

1 underneath either of those sandals?
 2 A There was a drop of blood found underneath the
 3 sandals.
 4 Q Do you recall which one?
 5 A I don't recall,
 6 Q Okay. But there was a drop of blood under one of
 7 the sandals?
 8 A One of the sandals.
 9 Q You can go ahead and have a seat. Now you had
 10 described earlier that there was a piece of plastic that was
 11 found wrapped around the torso area of the victim. Do you
 12 recall that?
 13 A Yes,
 14 Q Okay. Was there anything underneath that plastic
 15 when it was pulled back to take a picture of the victim? There
 16 was a photograph that another GSA was pulling back the
 17 plastic, and a photograph was taken of the missing genitalia,
 18 do you recall that?
 19 A Yes,
 20 Q Okay, Was there anything after that plastic had
 21 been lifted up that was there that had to be removed to take a
 22 picture?
 23 A Oh, no.
 24 Q Okay. Now I'm gonna show you State's Exhibit

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RENHARD - DIRECT

1 A I believe it was approximately 3 by 4 feet, but I
 2 don't remember exactly. I think I did note it in my report.
 3 Q If you looked at your report would that refresh your
 4 recollection?
 5 A That would help.
 6 Q Okay. Let me know when you're done looking at
 7 your report.
 8 A Okay.
 9 Q Does that refresh your recollection?
 10 A Yes, it does.
 11 Q Okay. And how big was it?
 12 A 3 by 4 feet.
 13 Q Now we saw the photograph with the blood pooled
 14 on the cardboard box. Was there any blood on the concrete
 15 ground of the enclosure?
 16 A There was. There was some around the edges of
 17 the cardboard, especially towards the north and towards the
 18 east, There was a stream almost of drying blood near where
 19 the victim's head had been, and there was also some spatter
 20 on the edge of the concrete, you know, bits and pieces of
 21 spatter along the west edge where the cardboard didn't go
 22 quite up to the wall there at the west edge.
 23 Q Okay. I'm gonna show you State's Exhibit Number
 24 16 again. And that shows the upper body of the victim after

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RENHARD - DIRECT

1 the trash had been uncovered?
 2 A Yes.
 3 Q Okay. And looking specifically at his right arm, can
 4 you describe how it is?
 5 A He had his elbow flexed and it was basically laying
 6 out to the side, palm up. The elbow didn't go straight out
 7 from the shoulder, it was dropped slightly down lower level
 8 than the shoulder at about chest level with the hand above,
 9 more level with the lower portion of the victim's head.
 10 Q And is this the way that you found him when the
 11 trash was uncovered?
 12 A Yes, ma'am,
 13 Q Do you recall where his left arm was?
 14 A I don't.
 15 Q Okay. If you were to look at your report, would that
 16 refresh your recollection?
 17 A Yes, it would.
 18 Q I don't believe I have a picture to show you,
 19 A The left arm was lying more straight down and —
 20 not next to the body but slightly out along. Instead of being
 21 flexed up it was just lying along the edge of the — slightly
 22 away from the torso and down,
 23 Q And the shirt that he's wearing here, do you recall if
 24 it was opened or closed?

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RENHARD - DIRECT

1 left the crime -- that we're finding at the crime scene. They
 2 can be paramedics, fire department personnel, police
 3 personnel, or in this case the gentleman who discovered the
 4 scene. And so what I did was did a adhesive lift of the
 5 bottoms of his shoes.
 6 Q Okay. And then you later booked those into
 7 evidence?
 8 A I think Dan took those --
 9 Q Okay,
 10 A -- and put them into evidence.
 11 Q Was the scene processed at all for latent prints?
 12 A Yes, it was, Dan Ford and I both did some latent
 13 print processing of the scene.
 14 Q Do you know if any latent prints were -- well, first of
 15 all, what do you mean by latent print?
 16 A Okay. A latent print. A latent print -- latent basically
 17 means hidden. And we use it as a generic term for almost any
 18 -- or for any fingerprint left at a scene, Although often times
 19 say on glass, a drink glass, you can, especially like if a little kid
 20 is drinking some juice, you see those prints right on that glass.
 21 And though those are properly called patent prints, meaning
 22 visible, we often call 'ern — we generically call all those type of
 23 prints latent. So a latent print is any print left at a scene or
 24 left behind on an object.

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RENHARD - DIRECT

1 A It was open,
 2 Q Okay. And do you recall what else he was wearing?
 3 A He was wearing a pair of socks and a pair of pants.
 4 Q And where were the pants located?
 5 A The pants had been pulled down and were around
 6 the lower thigh/knee area. But the cuffs of the pants were still
 7 above the ankles,
 8 Q Okay, Now other than photographing the scene and
 9 helping to remove the trash, did you do anything else while
 10 you were there?
 11 A For the most part, my responsibility was the
 12 photographing the scene. If Dan needed some assistance with
 13 measurements I might hold the end of the tape.
 14 Q Okay. Do you recall if you came into contact with
 15 the person who reported the dead body?
 16 A I did
 17 Q Okay. And what was your role in that?
 18 A He -- excuse me, I'm sorry. I took a set of
 19 elimination footwear impressions from him,
 20 Q And what do you mean by elimination footwear
 21 impressions?
 22 A What happens is when somebody's entered a crime
 23 scene and we find footwear at the crime scene, we need to
 24 make sure that the shoes they're wearing aren't the shoes that

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RENHARD - DIRECT

1 Q Okay.
 2 THE COURT: I'm gonna ask that counsel approach.
 3 (Off-record bench conference from 2:49:40-2:51:42 p.m)
 4 THE COURT: Ladies and gentlemen, we're gonna
 5 take a 10 minute stretch recess and see if we can't get the
 6 touch screens operational.
 7 During the recess you're admonished not to talk or
 8 converse among yourselves nor with anyone else on any
 9 subject connected with the trial. And you're not to read,
 10 watch, or listen to any report of or commentary on the trial or
 11 any person connected with the trial by any medium of
 12 information, including without limitation, newspaper, television,
 13 radio, and Internet. And you're not to form or express any
 14 opinion on any subject connected with the trial until the case is
 15 finally submitted to you.
 16 Please be out in the hallway in 10 minutes and the
 17 bailiff will return you to your seats. The jury may exit.
 18 (Jurors are not present)
 19 THE COURT: The record shall reflect that the jury
 20 has exited.
 21 The phone message note that had come in from
 22 Robert Graham's call into chambers, which the Court and
 23 counsel reviewed telephonically just before the -- it was about
 24 11:30, 11:40 this morning, I guess, shall be marked as the

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RENHARD - DIRECT r

1 Court's next in number_
 2 THE CLERK: Number 45,
 3 THE COURT: There had been some discussion at
 4 sidebar previously about a stipulation with regard to the gold
 5 chain. Is that gonna come in through this witness?
 6 MS, DiGIACOMO: Yes.
 7 THE COURT: Are you gonna advise the Court at
 8 which time you wish the stipulation to be given to the jury?
 9 MS. DiGIACOMO: I was gonna do it at the end of
 10 this witness' testimony or we could do it when we come back
 11 in from the break.
 12 THE COURT: Okay, I'm gonna take us off the
 13 record so -- we're gonna have to take the system down and
 14 reboot it apparently to try and get th touch screens
 15 operational, and we can have a little bit of a stretch break
 16 while all that's occurring. So we'll go off the record at this
 17 time,
 18 (Court recessed at 2:54:03 p.m, until 3:12:25 p.m.)
 19 (Jurors are not present)
 20 THE BAILIFF: Department 2 is back in session.
 21 THECOURT: The record shall reflect that we're
 22 reconvened outside the presence of the jury — you may all be
 23 seated -- in the case of State versus Lobate under C177394.
 24 The defendant is present, together with her three counsel, and

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1ENHARD - DIRECT

1 Tuesday, And that's the date that's starting to concern me for
 2 those experts because —
 3 THE COURT: I think the State had indicated if they
 4 had to be called out of order that they would permit that.
 5 MS. DiGIACOMO: That's fine, And also I hopefully
 6 -- I believe well be done with our case in chief on Monday,
 7 so --
 8 MR. KEPHART: We start Monday, what at 10:00 or -
 9 10:30, Judge?
 10 MS. DIGIACOMO: 10:30, yeah.
 11 THE COURT: 10:30.
 12 MR. KEPHART: Yeah, we'll be done,
 13 MS, DiGIACOMO: I would think we'll be done with
 14 our case in chief Monday.
 15 MR. SCHIECK: Should I have witnesses available on
 16 Monday?
 17 MS. DiGIACOMO: I wouldn't.
 18 MR. KEPHART: No.
 19 MR, SCHIECK: Well, with the Court's permission
 20 then I won't have anybody come in from out of town for
 21 Monday.
 22 MS. DiGIACOMO: Not — yeah, not unless you had
 23 someone quick.
 24 MR. SCHIECK: We do have the reading of Diane

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RENHARD - DIRECT

1 Ms, DiGiacomo is present for the State,
 2 Mr, Schieck wish to make a record, I believe?
 3 MR. SCHIECK: Yes, Your Honor, I'd ask you to just
 4 have a brief meeting outside the presence here.
 5 We've got -- in addition to our experts we've got a
 6 number of witnesses that have to take off of work and travel
 7 from various locations to be here to testify here in our case in
 8 chief. I was just trying to get a time frame of Court's schedule
 9 when we'll be starting tomorrow and then next week, and an
 10 estimate of when the State thinks they're gonna finish their
 11 case. I mean we've got —
 12 THE COURT: Tomorrow well be in session from
 13 10:00 to 11:30, The Court --
 14 MS. DiGIACOMO: 11:45,
 15 THE COURT: The Court had noted that earlier in the
 16 week,
 17 MR, SCHIECK: That was my recollection. I wanted
 18 to be sure,
 19 THE COURT: And Monday we'll resume at 10:30,
 20 and the State's bringing back —
 21 MS, DiGIACOMO: Ms. Maria Thomas,
 22 THE COURT: -- Maria Thomas at that time
 23 MR, SCHIECK: And we have two experts that are
 24 books to fly in Monday night in anticipation of testifying

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RENHARD - DIRECT

Parker and we could do that --
 2 MS. DiGIACOMO: We could probably do that, Youi
 3 Honor.
 4 THE COURT: That if we had a little time at the end
 5 of the day on Monday we could start the defense's case with
 6 the reading of Diane Parker's testimony_
 7 MR. SCHIECK: That would be fine with us, Your
 8 Honor, then we can schedule the other people that need to
 9 take off of work,
 10 MS, DiGIACOMO: Now do we know next Tuesday if
 11 well start at 1:00?
 12 THE COURT: I have not looked at the calendar for
 13 Tuesday yet,
 14 (Off-record colloquy between the Court and clerk)
 15 MS, DIGIACOMO: Make sure you don't set anything
 16 over from Thursday too -- oh no, we've already passed
 17 Thursday. Today was Thursday. Never mind,
 18 (Off-record colloquy)
 19 THE COURT: That's still 12 pages. That's a small
 20 calendar, so I would -- I would say 10:30 on Tuesday then,
 21 MS. DiGIACOMO: Okay.
 22 THE COURT: It'd be 10:30 on Wednesday too, so
 23 10:30 Monday, Tuesday and Wednesday,
 24 MS. DiGIACOMO: And Your Honor —

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RENHARD - DIRECT

(Off-record colloquy between the Court and clerk)

THE COURT: The bailiff may return the jury to the courtroom.

MS. DiGIACOMO: And Your Honor, just for the record, the defense had requested Kristina Paulette's note. She had come to court today and brought a copy for the defense, so I'm turning it over right now.

THE COURT: Okay.

MS. DiGIACOMO: Thank you.

THE COURT: The record shall reflect that Ms. Greenberger has received it. You're welcome.

MS, DIGIACOMO: Yeah. And Your Honor, just for the record, they were just requested, and they weren't subpoenaed, so she just brought them with her to court.

MR, SCHIECK: Well, Your Honor, when we received them on September 5^w, the calendar call, we asked for those things. It's on the record. We asked and they had indicated they would contact her so we could get those.

THE COURT: And so this is the followup to that?

MS. DiGIACOMO: Right. Well, I guess it's a followup to their phone call too. They did call a request in.

THE COURT: Okay.

The record shall reflect that the —

THE BAILIFF: Jury is now present.

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IENHARD - DIRECT

Q Were you able to lift any latent?

A I recovered one latent print at the scene.

Q Did you recall where?

A It was on the edge of the north door of the enclosure.

Q Do you know if Dan Ford had recovered any latents?

A He did recover latents, but I don't believe he recovered them at the scene. He recovered them on items he took back to the lab.

Q All right. So were there items taken from the scene back to the lap?

A Yes, ma'am,

Q And that was done by Dan Ford?

A Yes, ma'am.

Q Now how do you go about trying to lift a latent fingerprint?

A To begin with, you give the item that you're gonna process a visual inspection, see if you can see anything that's actually visible to your eye. And then you choose a powder or chemical that's conducive to getting any latent prints on that specific item. When we work in the field we primarily use powders. And the two types -- the two basic types are magnetic powders and regular powders. And in this case I probably would've chosen a magnetic powder because it was a

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RENHARD - DIRECT

(Jurors are present)

THE COURT: — witness, Louise Renhard, remains on the witness stand under oath, and the bailiff is now returning the jury to the courtroom.

Ladies and gentlemen, as you return to your seats in the jury box are, you may be seated, The jury has now returned to their seats.

Ladies and gentlemen, as I told you earlier in the week, we're gonna be in short session just tomorrow morning resuming at 10:00. We will not be in session tomorrow afternoon, and we will resume on Monday at 10:30. We will start on Tuesday at 11:00 a.m. and on Wednesday at 10:30. So next week 10:30, 11:00 and 10:30 for Monday, Tuesday, Wednesday. And that's as far as I know right now, but I will let you know when I figure out the end of next week.

We're proceeding forward with the direct examination.

Ms. DiGiacomo, you may resume.

MS. DiGIACOMO: Thank you, Your Honor.

BY MS. DiGIACOMO:

Q Now we left of talking about processing the scene for latents. Do you recall who did that?

A Dan Ford and I both did some latent print processing at the scene.

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RENHARD - DIRECT

metal door. And I know that sounds a little bit odd, but actually the magnetic powder, even though it clings a little bit to it -- to the surface item, it also develops up fairly nice latent prints,

Q Now you showed us photographs where the amputated penis was found as well as six other teeth. Were those impounded into evidence?

A The penis and the teeth were recovered by Senior Crime Scene Analyst Teresa Main, and she took those. The body had already been removed by the coroner to the coroner's office, and so she took those prior to us leaving the scene, and she took them to the coroner's office and gave them to the coroner's investigator who we had out at the scene. At that time they, to the best of my understanding, they opened the body bag, put the teeth and the penis in, and then resealed the body bag in the presence of Teresa Main.

Q And so those items are something that would go with the body, not be impounded into evidence?

A No, they would not have been impounded into evidence,

Q All right. Now I want to direct your attention to July 22, 2001. Were you employed and working on that date?

A Yes, ma'am.

Q With Metro?

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RENHARD - DIRECT I

1 A Yes, ma'am,
 2 Q And what were you asked to do on that date?
 3 A When we got to work Dan Ford and I were informed
 4 that we had a vehicle to process in connection with this
 5 homicide. And the vehicle had been towed to our lab and was
 6 in the garage, and we were asked to process it. And at the
 7 direction of the detectives we were asked to look for certain
 8 items.
 9 Q Now do you recall what those items were you were
 10 looking for?
 11 A We were requested to look for latent prints for blood
 12 evidence, for shoes, and for anything that might be considered
 13 a weapon.
 14 Q When you got the car was it in a sealed condition?
 15 A Yes, ma'am, it was,
 16 Q And I'm gonna show you State's Exhibit 108, Does
 17 that look familiar?
 18 A Yes, ma'am.
 19 Q Okay, What's depicted here?
 20 A This is a 1984 red Pontiac Fiero -- I believe that's
 21 how it's pronounced -- in the garage of the police department
 22 crime lab. And you'll see here on the back of the vehicle,
 23 that's a seal that was placed on it. There's also another one
 24 you'll see right down here on this door, that's another sealed,

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ZENHARD - DIRECT

1 A This is a photograph of the interior of the vehicle
 2 after we broke the seals, looking from the driver's side across
 3 to the passenger side,
 4 Q And showing you State's Exhibit 190, What's
 5 depicted here?
 6 A This would be the glove box,
 7 Q State's Exhibit 187?
 8 A This would also be the same vehicle, looking from
 9 the passenger side across to the driver's side,
 10 Q Okay. And there's some floral print in this
 11 photograph_ What is that?
 12 A Both of the seats, the front seats of this vehicle had
 13 after market removable seat covers placed on them,
 14 Q Okay. Showing you State's 185. What's depicted
 15 there?
 16 A This is the same view -- the same view as
 17 previously, but pulled back a little bit so that you could see
 18 both seats a little bit more.
 19 Q And the previous view is 187, just for the record.
 20 And now showing you State's Exhibit 109, What's depicted
 21 here?
 22 A This is the center console. This is looking from the
 23 driver's side across towards the passenger side, and it —
 24 there's some stains on the driver's side of the center console

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RENHARD - DIRECT

1 placed on it by a crime scene analyst who went out to recover
 2 the vehicle and have it towed to the lab.
 3 Q All right. And you showed us the seal on the driver's
 4 door and on the trunk. Would there have also been a seal
 5 anywhere else?
 6 A There would've been one on the passenger door,
 7 and more than likely there should've been one on the hood,
 8 Q And what about if there was a sunroof, would there
 9 be one placed there?
 10 A I don't know that there was one placed on the
 11 sunroof. I don't recall.
 12 Q All right, So the seal is placed there basically to
 13 keep anything that could be opened from being opened?
 14 A From the outside, yes,
 15 Q And so when you and Dan Ford processed this car,
 16 did you break those seals?
 17 A Yes, ma'am, We did.
 18 Q And I'm gonna show you State's Exhibit Number
 19 188.
 20 MS, DiGIACOMO: And that has been admitted?
 21 THE CLERK: Yes,
 22 MS. DiGIACOMO: Okay, Thank you,
 23 BY MS. DiGIACOMO:
 24 Q What's depicted here?

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RENHARD - DIRECT

1 right here.
 2 Q Okay. State's Exhibit 186, What's depicted here?
 3 A This is also the interior of the vehicle pulled back a
 4 little bit to show both seat covers, the center console, the front
 5 floor of the driver's side looking across into the passenger's
 6 side in the passenger seat.
 7 Q And State's 184?
 8 A It's gonna be the -- it was the brake release and the
 9 front floor,
 10 Q And can you point what you're referring to as the
 11 break release? That's for the --
 12 A Or the brake. I guess that's a brake, not the brake
 13 I guess it's both.
 14 Q Okay,
 15 A I think in those little cars you push the button to
 16 release it and pull it up and it sets it.
 17 Q And that's the emergency brake you're referring to?
 18 A Is that an emergency brake or -- I guess that's —
 19 Q Okay, So it's a brake?
 20 A Right.
 21 Q All right. Now showing you State's Exhibit 189.
 22 What's depicted here?
 23 A This is the front floor of the vehicle. I believe that's
 24 gonna be the driver's floor —

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RENHARD - DIRECT

1 Q Okay,
 2 A -- the left side.
 3 THE COURT: Can I get that number again?
 4 MS, DiGIACOMO: That was 189,
 5 THE COURT: Thank you.
 6 BY MS. DIGIACOMO:
 7 Q Okay. Now showing you State's Exhibit 183, What's
 8 depicted in this photograph?
 9 A This is also the floor. This is a seat edge here. And
 10 right in here there was some dried vomit under the seat.
 11 Q Now did you take a sample of that dried vomit?
 12 A No,
 13 Q Why not?
 14 A The current thinking at the time with vomit from our
 15 DNA lab, Birch Henry [phonetic], was not to collect vomit,
 16 Stomach acids in the vomit pretty much destroy anything for
 17 the purposes of DNA. If we have reason to believe we need to
 18 look for heavy metals, mercury and lead, then vomit would be
 19 something to collect,, But for the purposes of DNA, they did
 20 not want us to collect it,
 21 Q Okay, Now showing you State's Exhibit 115. What's
 22 depicted there?
 23 A This is behind the driver or left side seat, and there's
 24 an aluminum baseball bat right here,

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RENHARD - DIRECT

1 neat little package that folds up,
 2 Q Okay. Now showing you State's Exhibit 250, what's
 3 depicted there?
 4 A These are -- these are the shoes that were in the
 5 trunk.
 6 Q And that we previously saw in State's 247?
 7 A Yes.
 8 Q Okay. Now when the car came into the lab, what
 9 was the first thing you would've done to process it?
 10 A The first thing would've been to photograph it in the
 11 sealed condition that we had it, The next thing would've been
 12 to document anything on the exterior of the vehicle that we
 13 noted, and then process -- fingerprint process the exterior of
 14 the vehicle.
 15 Q Now did you notice anything on the exterior of the
 16 vehicle worth documenting?
 17 A There was nothing notable as far as what we were
 18 being asked to look for in reference to the detective's request.
 19 Q Now were you -- did you -- and then you said you
 20 actually processed the outside of the car for latents?
 21 A Yes, ma'am,
 22 Q Were you able to find any?
 23 A Yes, ma'am, we did. Dan Ford and I both did some
 24 processing and we did recover latent prints on the exterior of

IX-80

RENHARD - DIRECT

1 Q Okay,
 2 MS. GREENBERGER: What number is that?
 3 MS, DiGIACOMO: That was 115.
 4 MS. GREENBERGER: Thank you.
 5 BY MS. DiGIACOMO:
 6 Q State's Exhibit 247, I'm not sure if that's upside
 7 down or not What's depicted here?
 8 A I believe that's gonna be the trunk --
 9 Q Okay,
 10 A -- interior of the trunk,
 11 Q And is there anything of significance in the trunk?
 12 A There was a pair of shoes right here.
 13 Q Okay, And State's Exhibit Number 248, What's
 14 depicted here?
 15 A These were items from the glove box, including a
 16 multi-tool.
 17 Q And showing you State's Exhibit 249. What's
 18 depicted there?
 19 A This is the same items with the multi-tool opened.
 20 Q Okay. When you say multi-tool, what do you mean?
 21 A You know, it has a pair of pliers, this looks like a
 22 little bottle opener, a screwdriver, a blade, this looks like
 23 another type of bottle opener here. I'm not sure what that
 24 other little tool was, but basically it has multiple tools all in one

IX-79

RENHARD - DIRECT

1 the vehicle.
 2 Q Do you recall where?
 3 A Not without looking at my report. I'm sorry,
 4 Q If you looked at your report would that refresh your
 5 recollection?
 6 A I think that would help,
 7 Q Okay. And now you're gonna refer to a report that's
 8 dated July 22, 2001, and I believe it's a two page report with
 9 an evidence impound attached, is that correct?
 0 A Yes, ma'am.
 1 Q Okay. Okay, Does that refresh your recollection
 12 after reviewing your report?
 13 A Yes.
 14 Q Okay. Where did you find fingerprints?
 15 A On the exterior of the left door window, on the
 16 hood, and on the trunk.
 17 Q Now after you processed the outside for prints, what
 18 did you do then?
 19 A We would open the vehicle, do a photography, a roll
 20 of photography interior of the vehicle. At times we might
 21 actually open the vehicle, do the photography interior and
 22 exterior and everything first, and then close the doors and
 23 process the exterior, open it up, and then we would search for
 24 any trace evidence,

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RENHARD - DIRECT

1 Q Okay. And did you find any trace evidence inside
2 the vehicle?

3 A We did find some stains that we thought might be
4 trace,

5 Do you recall where that was?

6 A On the center console, those stains that I pointed
7 out previously.

8 Q And that's on State's Exhibit 109?

9 A Yes.

10 Q Okay. And when you found those stains, what did
11 you do?

12 A We have what's called a phenolphthalein test, and a
13 phenolphthalein is a very specific and fairly sensitive test for
14 the presence of human blood -- or for blood, I'm sorry, not
15 necessarily human, but blood, What we would do is dampen a
16 swab, kinda like a Q-tip, it looks like a Q-tip, dampen it with
17 de-ionized or distilled water, and take a small portion of that
18 stain on the Q-tip. And then we have the phenolphthalein,
19 which is a two part test, You drop one drop of part A, wait
20 about 30 seconds, drop one part of part B -- or one drop of
21 part B. And if within 30 seconds the swab turns a bright pink,
22 that's a positive indicator that it may be blood.,

23 Q Okay. When you did the swab of the stain on the
24 center console, what happened?

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ENHARD - DIRECT

1 the vehicle with an alternative light source to see if there was
2 anything that was requested by the detectives in the way of
3 the blood evidence specifically, that we could see using the
4 alternative light.

5 Q Okay. So you were pretty much swabbing the items
6 with phenolphthalein that you could see --

7 A The stains --

8 Q if there was a stain?

9 A -- that we could see.

10 Q Okay, Were there any other items that you had
11 stains you could see that you swabbed with phenolphthalein?

12 A I don't recall items that with visible stains.

13 Q All right. Were there any other items you'd just
14 swab with the phenolphthalein?

15 A There were -- we -- or I did a swab of the aluminum
16 baseball bat and the multi-tool, and I tested the swab with
17 phenolphthalein on both of those items,

18 Q And what were the results?

19 A The results were negative on those as well,

20 Q What about the shoes that we've -- that you found
21 in the trunk?

22 A The shoes I did not attempt any kind of swab. I
23 impounded those. And then later the detectives could request
24 that the -- that the forensic lab could examine those.

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RENHARD - DIRECT

1 A We got a negative -- I got a negative response on
2 the phenolphthalein test.

3 Q Now when you're looking for trace evidence or stains
4 to use the phenolphthalein on, do you only visually do it?

5 A First we'll visually do it with a good white light to
6 really be able to see. We have what's called Omnichrome or
7 an alternative light source that has an extremely bright white
8 light, and we'll examine the areas with that to see if we can --
9 if there's anything that, you know, that just lighten it up helps
10 for us to see things. Then well also use the same piece of
11 equipment, which when it's called an alternative light source,
12 they have several different frequencies of light or colored
13 filters. And if you look at something through different colored
14 filters wearing different colored goggles, different things will
15 show up.

16 Probably the one you would be most familiar with is
17 a black light. You can see every piece of lint on your clothing
18 with a black light, and I think we've all experienced that, This
19 is similar. By using different frequencies and different colors of
20 light, we can see different things. Some items fluoresce and
21 some items absorb the light.

22 So some, for instance, blood may look extremely
23 dark or black, while others will be like a bright glowing green,
24 depending on what it is, And so we examined the interior of

IX-83

RENHARD - DIRECT

1 Q Okay. And what about the car keys?

2 A I don't recall the car keys,

3 Q Okay. Would it refresh your recollection to look at
4 your report on the second page?

5 A Yes.

6 Q And referring to the report dated July 22, 2001.

7 A And I need to -- after looking at the report I do need
8 to correct myself on that previous question.

9 Q Okay. What previous question?

10 A About the shoes.

11 Q Okay. What about the shoes that were found?

12 A Apparently I did do a swab of the shoes with the
13 phenolphthalein, and the keys as well, and I had negative
14 results on both of those.

15 Q Okay, And after reviewing your report that
16 refreshed your recollection with regard to those two items?

17 A Yes,

18 Q Okay. Now after you had gone through the car
19 looking at -- photographed it, looking for trace evidence,
20 what's your next step in processing the car?

21 A We would recover any evidence. The detectives
22 asked specifically for weapons and for shoes, so we recovered
23 those that we found that could be used as weapons and the
24 shoes, which were the baseball bat, the multi-tool, and the

IX-85

RENHARD - DIRECT

1 shoes in the trunk. So we recovered those, took them out of
2 the vehicle together.

3 The next step would've been to choose specific
4 areas of the vehicle to do some latent print processing because
5 at this point we were going to be looking for blood that was
6 hidden that we couldn't see that might've been cleaned up.
7 But at the same time we needed to look for latent prints. And
8 so we chose the areas that we could look for latent prints as —
9 like the interior of the windows of the vehicle that we knew
10 were fairly conducive to finding latent prints with basic powder
11 processing. But we didn't want to go into a lot of chemical
12 processing on the interior of the vehicle before we did a final
13 search for apparent blood.

14 Q All right. So were you able to find any other
15 fingerprints in the car?

16 A I did recover latent fingerprints from the -- I believe
17 it was the interior -- the interior of the windows. I'm not sure
18 if it was both windows or just one,

19 Q Would looking at your report refresh your
20 recollection?

21 A Yes, it would.

22 Q And that's the report dated July 22, 2001?

23 A Yes. Okay,

24 Q Does that refresh your recollection?

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1ENHARD - DIRECT

1 done?

2 A Okay, Luminol is a three part solution. We get it
3 from the chemist, it's prepackaged. It has — you use de-
4 ionized or distilled water of 250 milliliters, and there's two vials
5 packaged, A and B. We had A to the water, let that dissolve,
6 add part B to the water, let that dissolve. We put it in a
7 sprayer, a standard household plastic sprayer. Luminol is a --
8 is — does what's called luminescence. It -- and it's a chemical -
9 luminescence. It glows basically in the presence of what it's —
10 what it reacts with. It's a very, very, very sensitive test, but it
11 is not very specific. In other words, it will react with blood, it
12 reacts with the iron in the blood or the heme in the red blood
13 cells, the iron, which also means it reacts to other irons. It
14 also reacts to coppers and some household cleaning agents
15 like bleach.

16 Q Now is this something that you do by yourself?

17 A No, this is pretty much a two person job. One
18 person applies the Luminol. The glowing or the luminescence
19 of the Luminol is fleeting, it doesn't last a long time. So as one
20 person applies the Luminol the other person has a camera on
21 a tripod and does timed exposures of the — of the -- any
22 reaction that's recovered.

23 Q Now do you have to be trained to use the Luminol?

24 A Yes,

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RENHARD - DIRECT

1 A Yes, it does,

2 Q All right. Where did you find any latent prints on the
3 interior of the car?

4 A The -- there were latent prints recovered from the
5 left — the threshold of the left door and the interior of both
6 door windows.

7 Q And that's the right and left door window?

8 A Yes, right and left,

9 Q Now the left door threshold where you found a
10 latent, what is that?

11 A Like near the — you know the threshold of a door
12 as you go through it, it'd be like the foot area, so it was the
13 lower --

14 Q I'm showing you State's Exhibit 184. Can you see
15 the left door threshold there?

16 A Yes, this area in here,

17 Q All right, So now after you look for the fingerprints,
18 what do you do?

19 A The next step in this instance was to look for blood
20 that may have been cleaned up and was no longer visible to —
21 with the alternative light source or with our eyes, naked eyes,

22 Q And how do you do that?

23 A We chose to use a chemical called Luminol.

24 Q All right, Can you explain to the jury how that's

IX-87

RENHARD - DIRECT

1 Q How are you trained?

2 A We are trained in our -- in -- during different types
3 of training courses we have. We also have seniors that are
4 experienced and trained who teach classes, as well as our
5 supervisors, So I've been to classes where I've been taught
6 the reaction of Luminol and how to photograph it, and I've
7 also had individual training, in-service, you know, on squad
8 nights where we've had demonstrations and practice with it.

9 Q Now do you recall what items you actually tested
10 with the Luminol?

11 A Basically the interior of the vehicle, and the
12 passenger and the driver's front passenger compartment and
13 door panels in the front -- the entire front of the vehicle.
14 Because it is a spray, it sprays out, and you can cover large
15 areas with it.

16 Q Okay, Do you recall which items you actually got a
17 reaction with the Luminol?

18 A I do, We had a glowing reaction on the left front
19 seat cover,

20 Q And when you say seat cover, are you referring to
21 what -- the floral prints that were over on top of the seat, or
22 are you actually talking about the seat itself?

23 A We had a positive reaction on the floral seat cover.
24 We took it off at that time and we applied -- or I applied the

IX-89

RENHARD - DIRECT

1 Luminol, Dan did the photography, on the actual factory
2 installed seat covers, and we had a positive reaction on that as
3 well.

4 Q On the — which seat cover?

5 A The left front seat cover,

6 Q Okay. I'm gonna show you State's Exhibit 111, and
7 also 110, State's Exhibits 111 and 110. Do you recognize
8 these?

9 A Yes.

10 Q What are these photographs of?

11 A These are the seat covers, the after market seat
12 covers after they were taken off the vehicle. If you see right
13 here, this was the right seat cover, this one down here was the
14 left seat cover,

15 Q Okay, And these feet here that you can see, what
16 are — what's that?

17 A That would be the tripod that Dan was using.

18 Q Okay, And then showing you State's Exhibit Number
19 112, What are we looking at here?

20 A This is the left seat cover with the Luminol reaction,
21 You'll see this bright blue in here in certain spots. That's a
22 reaction.

23 Q Okay. A positive reaction with the --

24 A A positive reaction with the Luminol.

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ENHARD - DIRECT

1 successful in circling every area of reaction?

2 A It is possible. If — we can continue to put Luminol
3 on it to bring the reaction back, we can continue to do that.
4 But with every time we do that we're adding water to a
5 reaction for something that's already not visible to us. So we
6 continue to just add water to it, So I'm — what I'm gonna try
7 to do is we're gonna try to photograph it and mark it as quickly
8 as possible, but if I can't get 'em all in the time before I lose -
9 the reaction, we'll -- Ill spray it again and try to get a — you
10 know, try to get the rest of the areas. Some of the smaller
11 ones I may have chose not to go for again in order not to put
12 more fluid on that item,

13 Q Okay, But you did try and circle some of these
14 areas?

15 A Yes, I did.

16 Q And what else did you get a positive reaction on?

17 A As I mentioned previously on the factory installed
18 seat covers, we also had a positive reaction.

19 Q And I'm showing you State's Exhibit -- upside down,
20 excuse me -- 113. Okay. Do you recognize what's depicted
21 here?

22 A Yes, That's the left seat or the driver's seat back.
23 Up here is the headrest -- oh.

24 Q Uh-oh.

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RENHARD - DIRECT

1 Q All right, Now when you get the positive reaction, is
2 there anything you do with it after you're done?

3 A Once we have a positive reaction, that indicates to
4 us that there's a possibility that there may be blood. It is not a
5 confirmatory for blood, but it's a possibility. So at that time I
6 would package the item, note it in my report, advise the
7 detectives, It would go -- be -- I would impound it as
8 evidence, it would go to the evidence vault, and then it would
9 be kept there until it was called up by the forensic lab, or
10 anybody else that needed to do further testing on that

11 Q Now after the Luminal reacts, you said it quickly
12 goes away?

13 A Yeah, it doesn't — yeah, it doesn't glow for a long
14 time, it's fairly fleeting.

15 Q So would you circle any of the areas where you got
16 a positive reaction so that anyone later could test?

17 A I would attempt to do that, One of the problems I
18 did find during this case specifically with circling them is that
19 the sharpie I used didn't always want to write real well on the
20 wet surface.

21 Q All right,

22 A But I did make an attempt to circle the areas of
23 reaction,

24 Q Okay. But you're — it's possible you weren't

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RENHARD - DIRECT

1 A Up here --

2 THE CLERK: [unintelligible] a little bit too high,

3 THE WITNESS: Oh, is that it?

4 THE COURT: Yeah.

5 THE WITNESS: Okay. Up here is the headrest, here
6 is the exterior or left side of the seat right in this area in here.
7 Over here is the passenger side of the seat right there. And
8 then the seat bottom would be down here at the bottom. And
9 this is a positive reaction, this is the forward facing side of the
10 seat, and this is a positive reaction on that seat.

11 Q All right. What's glowing is the positive reaction?

12 A Yes, That blue you see there is the luminol reaction

13 Q Okay. And now what else did you get a positive
14 reaction to?

15 A On the left door panel, interior door panel.

16 Q Showing you State's Exhibit 114. Does this look
17 familiar?

18 A Yes, That is the interior of the left door panel.

19 Q And can you show us here where you got a positive
20 reaction with the luminol?

21 A Right down here at the bottom, this blue right here
22 was a positive as well as up in this area here was a positive.

23 Q Was there anywhere else that you got a positive
24 reaction with the luminol?

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REWARD - DIRECT

1 A I did get a very faint fleeting reaction on the left
 2 front floorboard,
 3 Q And showing you State's Exhibit 191. What's this
 4 picture depicting?
 5 A Actually it's depicting the floor, It was an attempt to
 6 catch that reaction before it dissipated, and obviously the
 7 attempt was not successful,
 8 Q Okay, So this is where you attempted to show the
 9 luminescent reaction, but you weren't able to get it?
 10 A Correct And at that time we -- I re-sprayed the
 11 luminol and was not able to get a second reaction.
 12 Q Okay, Is that common, not getting the second
 13 reaction?
 14 A In this case, because it was so faint to begin with,
 15 we weren't able to, and that does happen at times,
 16 Q Now with regard to the floral seat covers that we
 17 saw in State's 110 and 111, was there -- did you notice
 113 anything about these seat covers when you were processing
 19 the car?
 20 A The car itself was -- is an older vehicle, 1984, I
 21 believe, As you saw on the floor, there was some gravel and
 22 bits and pieces. It wasn't -- it was an older vehicle and it
 23 wasn't really clean except for the seat covers were very clean.
 24 The after market floral seat covers were quite clean.

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ENHARD - DIRECT

1 again. And this is with the positive luminol reaction on the
 2 door, the door panel. Do you recall what kind of material the
 3 top part of the door panel was made of?
 4 A That's what you often find in most vehicles, kind of
 5 like a vinyl, plastic, slightly bumpy type of textured. You'll find
 6 that often on dashes and on door panels.
 7 Q And what about the bottom portion where you
 8 actually had the positive reaction?
 9 A That was like a carpeted type fabric cover.
 10 Q Now is the fabric carpet more absorbent then the
 11 vinyl or plastic on the top?
 12 A Yes, much more absorbent.
 13 Q Now when you were viewing this in the lab, did you
 14 have any impression as to what these three marks were, what
 15 they looked like to you?
 16 A That looked similar to like a hand swipe.
 17 Q Now with regard to all the latent prints that you
 113 found at the actual crime scene on July ⁸1 or 9th of 2001 as
 19 well as in this car that you processed on July 22, 2001, what
 20 would you have done with all of those?
 21 A After we recovered the latent prints, we put 'ern on
 22 — we actually — well, once we process for them we'll put tape
 23 over them or microsell [phonetic] or a lifting medium, and then
 24 that'll be placed on a white card. A label will be affixed as to

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RENHARD - DIRECT

1 Q And how do you know that they were clean?
 2 A How do I know they were clean?
 3 Q Okay. Well, do you recall whether or not they had
 4 been laundered?
 5 A My impression was that they were not brand new.
 6 They weren't that stiff, you know, feeling of brand new or with
 7 the creases in them. There was some very slight fading, but
 8 the colors were basically very bright, still, and in good
 9 condition, I didn't notice any fraying. But they had that kind
 10 of real clean an'd slightly stiff. You know when you first get
 11 clean laundry, it almost reminded me of laundry my mom used
 12 to hang when it doesn't -- it actually has a more stiff feel to it
 13 than Downey gives it. But it gave me that kind of impression
 14 of being clean but not brand spanking new,
 15 Q Okay. And you said you didn't think that they were -
 16 - you said a few minutes ago that they were probably fairly
 17 new, What gives you that impression?
 18 A They weren't frayed and they didn't have warn out
 19 areas where the body sits on the edges where the leg goes
 20 over, they weren't worn down through where the seat is or
 21 when -- as people sometimes get into their vehicles, on the
 22 edges of the seat they sometimes rub. The colors were bright,
 23 the print was bright.
 24 Q Okay. And now showing you State's Exhibit 114

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RENHARD - DIRECT

1 where it is, what the case is, who the victim is, and then I'll
 2 put 'em in an envelope. My -- log 'em into a log and my
 3 supervisor drops them in a locked box in our temporary
 4 evidence hold. The latent print detail people from the forensic
 5 lab will come over and they'll unlock the box, take out all the
 6 latent packages that have been locked in there over the last
 7 day or the weekend, whatever. They'll sign on that same log
 8 that they collected them and they take them back to latent
 9 print detail where they're then kept as evidence in their locked
 10 file area there.
 11 Q And now did you take any tire impressions from the
 12 Fiero when you processed it on July 22, 2001?
 13 A Yes, ma'am, I did.
 14 Q Okay. What was the purpose of that?
 15 A As you recall the previous photos of the scene, there
 16 were those dark tire impressions going up over the median
 17 that -- or not median, but the planter area median across the
 18 drive area of the parking lot. And because of that, this being a
 19 possible suspect vehicle, we took tire impressions of the tires
 20 that were on the vehicle and made a list of what kind of tire it
 21 was and where that particular tire was located on the vehicle,
 22 and the impressions were impounded as evidence.
 23 Q Okay, And were there other items you impounded
 24 as well? I believe you said the baseball bat you impounded, is

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RENHARD - DIRECT

1 that correct?
 2 A Yeah, the baseball -- I impounded the baseball bat,
 3 the shoes, the multi-tool, the left floral seat cover, the left
 4 interior door panel, and the left seat cover, factory installed
 seat cover,
 6 Q Now that's the gray one --
 7 A Yes.
 8 Q -- the gray color? How did you actually impound
 9 that? Did you impound the whole seat?
 10 A No, I cut the seat cover off.
 11 Q Okay,
 12 MS. DIGIACOMO: Court's indulgence,
 13 Your Honor, may I approach the witness?
 14 THE COURT: Yes,
 15 BY MS. DiGIACOMO:
 16 Q I'm gonna show you what's been marked as State's
 17 Proposed Exhibit 128. Can you look at that and let me know if
 18 you recognize it?
 19 A Yes, ma'am, I do.
 20 Q How do you recognize this?
 21 A This has my personnel number, my signature, and
 22 my personnel number with my initials.
 23 Q Okay. Is this -- and is this one of the items that you
 24 impounded and sealed before you placed it in your locked box?

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.ENHARD - DIRECT

1 Q Okay. And is there also a chain of custody on the
 2 front part of this form that you filled out?
 3 A Yes, there is.
 4 Q Does it tell you who actually put that blue seal?
 A Yes, it does,
 6 Q And who is that?
 7 A I believe it says Mr. Wall, P number 5019.
 8 Q All right. And it also has a orange sticker called bio
 9 hazard?
 10 A Yes.
 11 Q What's that for?
 12 A At any time that we suspect that there might be a
 13 bodily fluid, semen, blood, or anything that could be hazard to
 14 somebody handling the item, we'll put a sticker on saying bio
 15 hazard as a warning to anybody that may be handling it later
 16 on.
 17 Q And so somebody who handles it should use gloves?
 18 A Yes.
 19 Q Okay, Do you know what is inside State's Proposed
 20 Exhibit 128?
 21 A Yes, ma'am.
 22 Q What's inside this?
 23 A Inside this bag is the floral left seat cover from the
 24 Fiero, and also the factory installed seat cover from the left

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RENHARD - DIRECT

1 A Oh, this one actually would've gone to the
 2 temporary -- been locked into temporary evidence hold to be
 3 picked up by the evidence vault.
 4 Q Okay, But this is an item that you did want
 5 impounded?
 6 A Yes, I impounded this
 7 Q Okay. And there's a red seal back here. Do you
 8 recognize what this red seal is?
 9 A Yes. That's -- we put a red seal when we seal an
 10 item, and then we initial and put the date on it, and that's
 11 what this is here,
 12 Q And does that have your initial and date?
 13 A Yes, it does.
 14 Q All right. And what's the date on there that you
 15 impounded this?
 16 A 7/22 of 01.
 17 Q And there's a blue seal at the bottom. Do you know
 18 how that blue seal got there?
 19 A This one -- this blue seal is from the forensic
 20 laboratory. When a detective or somebody asks the forensic
 21 lab to examine a specific item, they call it up from the
 22 evidence vault, and when they open it, they open it someplace
 23 different than where my sea, is, and then they will place their
 24 seal on it. And this blue seal is the forensic lab seal.

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RENHARD - DIRECT

1 driver's seat of that same vehicle.
 2 Q The gray one?
 3 A Yes.
 4 MS. DiGIACOMO: Okay. Your Honor, at this time
 5 the State would move for admission of State's Proposed Exhibit
 6 128 as the bag and its contents.
 7 MR. SCHIECK: No objection, Your Honor.
 8 THE COURT: 128 and it's contents are admitted.
 9 (State's Exhibit No. 128, admitted)
 10 MS, DiGIACOMO: Thank you. May I approach the
 11 clerk, Your Honor?
 12 THE COURT: Yes,
 13 MS. DiGIACOMO: May I approach, Your Honor?
 14 THE COURT: Yes.
 15 BY MS, DiGIACOMO:
 16 Q Okay. Now I'm going to show you what's been
 17 marked for identification of State's Proposed Exhibit 131, Do
 18 you recognize what's here?
 19 A Yes, I do.
 20 Q And how do you recognize this?
 21 A It has my personnel number, my personnel number
 22 and initials, as well as my signature.
 23 Q Okay. And what is inside State's Proposed Exhibit
 24 131?

RENHARD - DIRECT

1 A This is the interior left door panel of the red Fiero.
 2 Q Okay. And does it also have your -- on the red
 3 stickers your date and initials?
 4 A Yes, ma'am, it does.
 5 Q Okay. And what was the date that this was
 6 impounded?
 7 A July 22" of 2001.
 8 And this is also from the ref Fiero?
 9 A Yes, ma'am.
 10 Q Okay. Is this the door panel that had the positive
 11 reaction to luminol?
 12 A Yes, ma'am.
 13 MS. DiGIACOMO: Your Honor, at this time the State
 14 would move for admission of State's Proposed Exhibit 131 as
 15 the box and its contents,
 16 MR. SCHIECK: No objection, Your Honor.
 17 THE COURT: 131 and it's contents are admitted.
 18 (State's Exhibit No. 131, admitted)
 19 MS, DiGIAtOMO: Thank you, Court's indulgence.
 20 THE COURT: Yes,,
 21 BY MS, DIGIACOMO:
 22 Q I'm gonna show you what has been marked as
 23 State's Proposed Exhibit 127. Do you recognize what this is?
 24 A Yes, I do.

IX-102

RENHARD - DIRECT

1 Q Okay, How do you recognize that?
 2 A It has my personnel number, my personnel number
 3 and initials, and my signature.
 4 Q Okay. And what date was this impounded by you?
 5 A This was impounded on July 22" of 2001.
 6 Q Okay. And is it fair to say that anytime we see a
 7 blue seal, that's from the forensic lab?
 8 A Yes, ma'am.
 9 Okay. And what's inside State's Proposed Exhibit
 10 127?
 11 A This is the aluminum baseball bat that was behind
 12 the driver's seat of the red Fiero,
 13 Q All right,
 14 MS. DiGIACOMO: At this time, Your Honor —
 15 BY MS. DiGIACOMO:
 16 Q This doesn't have a bio hazard sticker on it, does it?
 17 A No, it doesn't.
 18 MS. DiGIACOMO: Okay. Your Honor, at this time
 19 we'd move for admission of State's Proposed Exhibit 127 as
 20 the wrapping and contents.
 21 MR. SCHIECK: No objection,,
 22 THE COURT: 127 wrapping and contents admitted.
 23 (State's Exhibit No. 127, admitted)
 24 MS. DiGIACOMO: Thank you. Court's indulgence.

IX-103

ENHARD - DIRECT

1 THE COURT: Yes,
 2 (Pause in the proceedings)
 3 BY MS, DiGIACOMO:
 4 Q Okay, With regard to the luminol and the
 5 phenolphthalein test that you conducted, how long have you
 6 been doing phenolphthalein?
 7 A As long as I've been with the department —
 8 Q Okay.
 9 A -- so just over 10 years.
 10 Q Okay. And is it something that you do on a regular.
 11 basis?
 12 A Yes, ma'am, it is.
 13 Q What about the luminol?
 14 A The luminol -- I've also applied luminol probably
 15 since my first or second year on the department. It's not
 16 something we do very often. It is an unusual one to use on
 17 the average crime scene.
 18 Q Okay. Now with regard to luminol, you're trying to
 19 get positive results for -- or you're trying to find if there's any
 20 blood, possibly, that could've been cleaned or removed?
 21 A Exactly. It's like used for a search,
 22 Q Okay. Does it make a difference when you're doing
 23 the luminol whether or not you're trying to do it on a surface
 24 that's very porous or a surface that's very hard?

IX-104

RENHARD - DIRECT

1 A In my experience I've used it on concrete, on carpet,
 2 in this instance on the vehicle interior. And I -- I don't recall
 3 that it made that much of a difference,
 4 Q Okay. So it doesn't matter if it's something that's
 5 very absorbent, like cloth versus something, like the upper
 6 portion of the door panel that's plastic?
 7 A If there is trace on it then it will react, whether it's
 8 on something that's harder or something that's very porous,
 9 like a cloth.
 10 Q Now is it easier to clean something off a porous
 11 surface or a nonporous surface?
 12 A Off a nonporous surface is easier to clean.
 13 Q Okay. What would be a nonporous surface, with
 14 regard to the car?
 15 A The glass. The plastic is more of a nonporous
 16 surface than the cloth, but not quite as nonporous as glass,
 17 Q Now what about, for instance the foot pedals?
 18 Would that be considered porous or nonporous?
 19 A The foot pedals and I don't recollect right off the
 20 top of my head, but most foot pedals have like a rubber on
 21 'em, and they're not necessarily -- they're actually -- they're
 22 not considered nonporous, but they don't absorb that well.
 23 Q Okay, What about the -- a steering wheel or the
 24 steering wheel in the car?

IX-105

RENHARD - DIRECT 2

1 A Once again, I don't recall off the top of my head
 2 whether it had a cover or what its —
 3 Q Okay.
 4 A — material was.
 5 Q Okay. Well, showing you State's Exhibit 188. Can
 6 you see that?
 7 A It does look like it has a kind of a -- a cover on it.
 8 And you can see the — you can see the stitching down here.
 9 And it looks like it's a factory installed type of cover, but this
 10 area in here looks like it might be kind of a rubbery type of
 11 fabric or a type of fabric rather than the hard bake-a-light
 12 [phonetic] type steering wheels —
 13 Q Okay.
 14 A -- that you sometimes see on older vehicles.
 15 Q So would that be considered porous or nonporous?
 16 A I would consider that porous.
 17 Q All right, And what about the brake handle that we
 18 saw that you described, right here in State's Exhibit 184?
 19 A My recollection of that is that it was metal and that
 20 would be a nonporous,
 21 Q Okay, What about the baseball bat found in the
 22 car? Would that be porous or nonporous?
 23 A That would be nonporous,
 24 Q And what about a review -- rearview mirror? Would

IX-106

1ENHARD - CROSS

1 A Okay.
 2 Q For the record, you're cutting so it's not to destroy
 3 any of the seals on the item, is that correct?
 4 A Yes, that's what I'm attempting to do,
 5 THE COURT: The record shall reflect that in order to
 6 remove the wrapping she's had to cut it into two pieces_ A
 7 piece around the bottom handle and a larger piece from
 8 around the head of the bat.
 9 MS. DiGIACOMO: Your Honor, maybe for
 10 identification purposes that should be marked as 127-A
 11 because I don't think we're gonna get it back into that
 12 packaging,
 13 THE COURT: The second piece?
 14 MS. DiGIACOMO: The bat itself,
 15 THE COURT: What's been marked —
 16 MS, DiGIACOMO: Oh, the second piece?
 17 THE COURT: What has been marked as 127 has the
 18 sticker on one side, but it's now in two pieces.
 19 MS. DiGIACOMO: That's correct, and plus the bat
 20 won't be able to go back inside the packaging.
 21 THE COURT: So can you hand me the two pieces of
 22 the packaging, please? What came off around the head of the
 23 bat? What has the 127 on it? The —
 24 (Off-record colloquy)

IX-108

RENHARD - CROSS

1 that be porous or nonporous?
 2 A That would be nonporous.
 3 MS. DiGIACOMO: Your Honor, I'll pass the witness,
 4 THE COURT: Mr. Schieck may cross.
 5 MR. SCHIECK: Thank you, Your Honor.□
 6 **CROSS-EXAMINATION**
 7 BY MR. SCHIECK:
 8 Q Good afternoon, Mrs. Renhard, How are you?
 9 A Good. Thanks.
 10 Q I'm gonna hand you what's been admitted into
 11 evidence —
 12 MR. SCHIECK: May I approach, Your Honor?
 13 THE COURT: Yes,
 14 MS. DiGIACOMO: I believe it's 127.
 15 BY MR. SCHIECK:
 16 Q I'll have you identify that exhibit.
 17 A Yes, it says 127.
 18 Q Okay. And that should be the baseball bat?
 19 A Yes, sir,
 20 MR. SCHIECK: Could we have this opened Your
 21 Honor? May I have a pair of scissors to open It?
 22 THE COURT: You may retrieve those from the clerk,
 23 BY MR SCHIECK:
 24 Q Handing you a pair of scissors.

IX-107

REWARD - CROSS

1 THE COURT: I was gonna have you mark this as
 2 127-A, the small piece from the handle,
 3 THE CLERK: Okay.
 4 THE COURT: And then the bat itself can be marked
 5 as 127-B.
 6 MS. DiGIACOMO: Thank you, Your Honor,
 7 MR. SCHIECK: Can I go ahead and question and
 8 then we'll mark it after I question, Your Honor?
 9 THE COURT: Yes, you may.
 10 MR. SCHIECK: Thank you very much, Your Honor,
 11 BY MR, SCHIECK:
 12 Q Now the baseball bat, which will be 127-B appears
 13 to have some type of handle grip around it, is that correct?
 14 A Yes, sir.
 15 Q Okay. And that's a rubber type surface?
 16 A Yes, that is,
 17 Q And that has, in fact, would it be fair to say a
 18 number of knicks or cuts or whatever you want —
 19 A Abrasions, yes, scuffs.
 20 Q It's quite rough in some areas, correct?
 21 A Yes, it is,
 22 Q In fact, some areas go clear down to the metal
 23 underneath the rubber?
 24 A Yes, sir, they do_

IX-109

RENHARD - CROSS

1 Q Okay And you tested this entire bat?
 2 A I took swabs from the end of the bat, the head end
 3 of the bat, or —
 4 Q The head end would be --
 5 A The thick end, yes,
 6 Q Okay,
 7 A I did some swabs there, and also at the handle end,
 8 Q Okay. The handle end being down here on the —
 9 A Yes, the grip or handle end,
 10 Q And I'm showing you on the Elmo at this point in
 11 time, there's like knicks in there where --
 12 A Yes,
 13 Q -- it actually goes down to the metal?
 14 A Yes.
 15 Q Where if there was -- a liquid would flow under
 16 there? Perhaps if there was blood it would be trapped under
 17 there, correct?
 18 A Yes.
 19 Q Okay, And then further down there's a number of
 20 other knicks and rough spots and abrasions on the bat?
 21 A Yes, sir,
 22 Q Okay, And how much of the bat down here did you
 23 test with your phenolphthalein?
 24 A When I did the swabs for the bat, as the gentleman

IX-110

RENHARD - CROSS

1 A Just the phenolphthalein.
 2 Q And did the bat — you weren't there when the car
 3 was impounded, correct?
 4 A No, sir, I was not.
 5 Q Okay, So the first time you saw the car would've
 6 been in the crime lab?
 7 A Yes, sir,
 8 Q Okay, And that's where the bat was located at the -
 9 crime lab?
 10 A Yes, sir,
 11 Q And when you opened -- or when you got to the car
 12 the car was sealed, all the doors?
 13 A Yes, sir, it was.
 14 Q Okay. And that would've been sealed when the car
 15 was impounded?
 16 A Yes, sir,
 17 Q So no one could've gotten into the car and moved
 18 that bat?
 19 A No,
 20 Q Is it a fair assumption that's where the bat was
 21 located when the car was sealed?
 22 A Yes, sir, it is,
 23 Q Okay. How does the crime lab transport a vehicle
 24 that's been impounded?

IX-112

RENHARD - CROSS

1 implies or states, there are a lot of rough areas. And in the
 2 other end of the bat there are a lot of dents and scratches.
 3 And so I made an attempt to get into some of those areas
 4 where blood might get stuck and not be easily wiped off. And
 5 I didn't like run a swab over the entire bat, you know, every
 6 inch, but I did do the end where -- that you would -- either
 7 end where you would expect either the person using a bat to
 8 be holding it, or the end where a bat might've been used on
 9 something, the end that would've struck something. And so I
 10 made an attempt to get into some of those areas and around
 11 the -- where the rubber end on the handle end where the
 12 rubber meets that aluminum end of the handle end as well,
 13 Q And those were all negative?
 14 A Those were negative,
 15 Q And phenolphthalein is a fairly sensitive test?
 16 A It's a fairly sensitive and very specific test,
 17 Q Very specific for?
 18 A Blood.
 19 Q For the hemoglobin component of blood?
 20 A I'm not sure if it's hemoglobin that phenolphthalein
 21 tests for or not I don't recall right off the top of my head.
 22 Q Did you use the luminol for the bat?
 23 A No, I did not.
 24 Q Okay, Just the phenolphthalein?

IX-111

RENHARD - CROSS

1 A What happens is the person that does the
 2 impounding will go out to the location that the vehicle's at.
 3 They'll photograph the vehicle, do all around photographs,
 4 photograph the condition of the vehicle. They may or may not
 5 do interior photographs, depending on the instructions of the
 6 detective involved. They'll then place those seals that we
 7 pointed to earlier on the vehicle at the trunk, the hood, and
 8 the doors that would commonly be used to open a vehicle.
 9 The tow company, whichever tow company is being used to
 10 tow the vehicle will come out. They'll give them instructions,
 11 make — you know, be careful of what you touch, be — make
 12 sure you wear gloves when you do handle the vehicle. And
 13 then that crime scene analyst will follow the tow truck and the
 14 vehicle back to the crime lab, and they will sign off for it when
 15 they get it actually in the garage,
 16 Q And the car — do you know in this case whether the
 17 car was placed on one of those tow trucks were you lift the
 18 entire car up and put it on the back of the tow truck, or
 19 whether it was lifted or sort of drug back?
 20 A I don't know that, sir.
 21 Q Okay. And the reason I ask that is would
 22 transporting the vehicle from Panaca, Nevada to the crime lab
 23 have effected the tests you did on the tread wear impressions
 24 of the tires?

IX-113

RENHARD - CROSS

1 A I don't know. The tread -- like footwear, tread wear
 2 is something that changes every day you use it, every time
 3 you step out. If the vehicle was being towed with its wheels
 4 rolling from the time it was recovered, which I believe was on
 5 the 21', from the time it was recovered to the time it was
 6 brought back, if the wheels were rolling, that would effect the
 7 tread wear during that time period, If it was put on a flatbed -
 8 - if it was hauled up and put on a flatbed, that shouldn't effect
 9 it to a great degree, other than just the movement of the
 10 vehicle going onto the flatbed and the movement of the
 11 vehicle going off the flatbed,

12 Q And you indicated that you did collect tire
 13 impressions from all four tires on the Fiero?

14 A Yes, sir, I did.

15 Q Okay, So that would be the front and the rear tires?
 16 So if it was towed there was at least two of the tires that
 17 wouldn't have been impacted by the towing distance?

18 A Correct, sir,

19 Q And yotice not involved at all in the process of
 20 comparing those tire impressions to the ones that were
 21 collected at the crime scene?

22 A Correct, sir.

23 Q That would be someone else?

24 A That would be somebody in the forensic lab, yes,

IX-114

RENHARD - CROSS

1 Q And that wasn't any intent on your part to deceive
 2 anyone, you just didn't remember?

3 A I did not recall doing the phenolphthalein on the
 4 shoes,

5 Q Okay. Now you had talked about the door panel
 6 and that you had seen on the door panel what you described
 7 has a hand swipe or something of that nature, correct?

8 A That's what it reminded me of.

9 Q Okay, And again, that appears up in this area?

10 A Yes, sir.

11 Q What you're talking about looks like three fingers or
 12 something of that nature?

13 A Yes, sir —

14 Q Okay,

15 A -- something of that nature.

16 Q Okay, You don't see any in your testing with the
 17 luminol, you didn't see any other impressions from a hand in
 18 any other portion of the car?

19 A Nothing else had gave me that -- that led me to
 20 have that kind of thought or impression, no.

21 Q So if someone had had a substance on their hand
 22 and had touched that area and touched the steering wheel,
 23 you didn't see any evidence of that?

24 A No, sir,

IX-116

RENHARD - CROSS

1 Q Do you know who did that in this case?

2 A I'm sorry, sir, I do not.

3 Q Okay. Do you even know if it was done in this case?

4 A I don't know whether it was done.

5 Q Okay, Now earlier in your testimony you were asked
 6 some questions on things that you tested with the
 7 phenolphthalein, and you had indicated that -- or didn't recall
 8 that you had originally tested the shoes in the trunk, is that
 9 correct?

10 A Yes, Asir.

11 Q And then you saw your report and you refreshed
 12 your recollection?

13 A Yes, sir.

14 Q Okay, And you're trained to document and record
 15 information so that you can come to court and testify
 16 concerning it?

17 A Yes, sir.

18 Q Okay. And even someone with your training
 19 occasionally will make a mistake or not remember exactly what
 20 happened some years ago?

21 A Yes, sir, that's quite common.

22 Q It would be common for a lay witness also not to
 23 remember exactly what happened five years ago?

24 A Yes, sir.

IX-115

RENHARD CROSS

1 Q Okay. There are other things that will give you a
 2 positive reaction with luminol, correct?

3 A Yes, sir,

4 Q Okay. What are some of those things?

5 A As I've stated before, luminal is a very sensitive but
 6 not a very specific test, and it will -- and it reacts to the iron in
 7 the blood, the heme in the red blood cells, the iron. And so it
 8 does react to iron, it reacts to copper, it reacts to some
 9 vegetative matters, and it also reacts to many cleaning
 10 supplies, especially bleach,

11 Q What are some of the vegetative matters that it
 12 reacts with?

13 A I'm not really sure what all vegetative matters it
 14 reacts to,

15 Q Dandelion?

16 A I don't know.

17 Q Thistle?

18 A I really don't know. I just know that it's vegetative
 19 matters that it does react to, but I'm not sure exactly which
 20 ones,

21 Q Okay. And you had talked about iron and copper,
 22 correct?

23 A Yes.

24 Q Any other metals that you can think of?

IX-117

RENHARD CROSS

1 A Not that I can think of. Probably one of the
 2 chemists would be able to better answer that question for you.
 3 Q So I mean your responsibility is basically to prepare
 4 the luminol testing, do the testing, and document whatever the
 5 results are?
 6 A That's basically my responsibility.
 7 Q Okay. Are you familiar at all with the Panaca area of
 8 Nevada?
 9 A I've been through there once and I'm not really
 10 familiar with it.
 11 Q Okay. Are you familiar with Pioche, Nevada?
 12 A Once again, I've been through there once and -- but
 13 I didn't stay a long time.
 14 Q Do you know what iron pyrite is?
 15 A I believe it's a -- I believe it's a metal -- or a -- it's
 16 like little flakes in the soil or ground. Is it the one that's
 17 sometimes called false gold?
 18 Q It could be, yes, So you're familiar with that
 19 generally?
 20 A Very generally.
 21 Q Okay. And you're familiar that there's gold and
 22 silver mines in Pioche and in that area of Lincoln County?
 23 A All through Nevada, I believe.
 24 Q And that the milling process results in what's known

1X-118

IENHARD - CROSS

1 interior of the car, you've shown us all of the results that you
 2 received?
 3 A All the results except for the very fleeting one on the
 4 floor board that we weren't able to recreate,
 5 Q Can we even say that was a positive reaction
 6 because you couldn't recreate it?
 7 A I can't show it to you, but I don't see that I can -
 8 and that's why I added it in my report I can't say that it
 9 didn't occur just because I wasn't able to document it with
 10 photography.
 11 Q And what is a confirmatory test?
 12 A The confirmatory test would be what the people in
 13 the forensic lab would do to confirm that something is, in fact,
 14 blood. I'm not a chemist or a serologist, but that actually
 15 would be a test to confirm positively that it is blood that the
 16 presumptives had reacted to.
 17 Q Okay, Are you aware of any confirmatory tests in
 18 this case?
 19 A I do believe they were requested. I have not seen
 20 any reports on them.
 21 Q You did do the -- now the phenolphthalein is not
 22 quite as sensitive as the luminol, is that correct?
 23 A The phenolphthalein is not quite as sensitive as the
 24 luminol, but it's much more specific to blood.

IX-120

RENHARD - CROSS

1 as tailings or the leftovers from once the gold is removed?
 2 A Yes, sir.
 3 Q And the iron would be left behind and the gold
 4 removed?
 5 A Yes, sir.
 6 Q And so a substance like that could give a false
 7 positive?
 8 A I believe it probably could. I'm not positive. I've
 9 never tried the luminol on that myself, but —
 10 Q Have you done any testing for false positives?
 11 A I did. I have done some testing for false positives
 12 using cleaning agent, different bleach type cleaning agents.
 13 Q And what did you find?
 14 A I did find that lumina does give false positives with
 15 cleaning agents.
 16 Q And when luminol -- I mean that is a test that'll find
 17 one drop of blood in one million drops of water, is that
 18 correct?
 19 A That's what I've read.
 20 Q Okay. You don't have any reason to dispute that?
 21 A I have no reason to dispute that.
 22 Q Which is a pretty fine test?
 23 A Very, very sensitive, very sensitive,
 24 Q Okay. And of all the luminol you sprayed on the

1X-119

RENHARD - CROSS

1 Q Okay, And the phenolphthalein was not only
 2 negative on the bat but was negative on the shoes in the
 3 trunk?
 4 A And the multi-tool.
 5 Q Okay. And the keys in the ignition?
 6 A Yes, and the stain on the --
 7 Q On the console?
 8 A -- center console. Yes.
 9 Q Okay,, And the stain on the console was actually a
 10 stain you could see, correct?
 11 A Yes, sir, it was.
 12 Q And that alerted you, due to the nature of the stain,
 13 that it could possibly be blood?
 14 A Yes, It had sort of a brownish, reddish, brown,
 15 more of a brown kind of color,
 16 Q And clearly that was visible to the naked eye?
 17 A Yes, sir, it was.
 18 Q Okay,, And when it got to the lab it was clearly
 19 visible because you took a photograph of it?
 20 A Dan Ford took a photograph of it.
 21 Q Okay. And there's no reason to believe that stain
 22 would've been there after the car was sealed?
 23 A Oh, no, sir.
 24 Q So it must've been there before it was sealed?

1X-121

RENHARD - CROSS

1 A Yes, sir,
 2 Q And anyone cleaning the car would've seen that
 3 stain and cleaned it?
 4 A Yes, sir.
 5 Q But it wasn't -- but it came back negative as on the
 6 phenolphthalein test?
 7 A Yes, sir, it did.
 8 Q Now in the front driver's side of the car there is
 9 that would be where you rest your feet as you're driving,
 10 operating the pedals, correct?
 11 A Yes, sir,
 12 Q Okay. And it appears to be a number of loose items
 13 of debris laying there in that area?
 14 A Yes, a lot of gravelly soil.
 15 Q Items easily vacuumed up?
 16 A If you had a good vacuum, probably.
 17 Q At least items that could've been brushed out?
 18 A Yes, possibly, yes.
 19 Q And again over here, this would be more in the area
 20 where your left foot would rest, correct?
 21 A Yes, sir.
 22 Q And there's a number of debris and stains and things
 23 of that nature there?
 24 A Yes, sir,

IX-122

ZENHARD - CROSS

1 Q Okay.
 2 A But it just did not —
 3 Q Again, that's an area with appears to be dirt and
 4 dust and --
 5 A Yeah. And —
 6 Q -- little rocks?
 7 A -- rocks, yes.
 8 Q All sorts of things in there?
 9 A Yes.
 10 Q And that was just a fleeting reaction?
 11 A Very fleeting,
 12 Q Now if someone had stepped in blood and then had
 13 gotten into this car, you would expect a transfer of the blood
 14 onto that surface of the vehicle, if you were the driver,
 15 correct?
 16 A I would expect that that would happen.
 17 Q At least to -- at least if it was within one millionth of
 18 a degree there would be a reaction with the luminol?
 19 A I would expect that to occur, yes, sir,
 20 Q And the fleeting reaction you got, was it a large size
 21 or just a little speck?
 22 A It was more than a little speck, but it was actually
 23 quite small. Probably not much more than a very -- just a
 24 faint glow over a couple inch section.

IX-124

RENHARD - CROSS

1 Q And those were there when the car was impounded,
 2 correct?
 3 A Yes, sir,
 4 Q And those all tested -- or did you test those areas?
 5 A No, sir, I didn't. They didn't appear to be blood.
 6 Q So they weren't tested at all?
 7 A No, sir,
 8 Q Not even with the lumina?
 9 A Oh, yes, the luminol. I'm sorry, I thought we were
 10 talking about the phenolphthalein. The luminol was sprayed in
 11 this area.
 12 Q Okay. And with negative results?
 13 A Negative except for that quick flash of a reaction
 14 that was very fleeting and not able to be recreated.
 15 Q And that fleeting reaction was more toward where
 16 the right foot would sit, is that —
 17 A It was actually, to my recollection, was — may I —
 18 Q I think I have a better photograph. Let me —
 19 A Yeah,,
 20 Q This is 189. The one I've just been showing you, for
 21 the record, is 184. I can show you 189.
 22 A Yeah. It was actually where the left foot more
 23 would've been. And I believe, to the best of my recollection, it
 24 was down in this area, down in here,

IX-123

RENHARD - CROSS

1 Q And certainly if -- showing you State's Exhibit 143, if
 2 we sprayed luminol on that we'd get a reaction, I would guess,
 3 huh?
 4 A Yes, sir.
 5 Q And once you've got blood like that on the bottom of
 6 your foot, or on the bottom of your shoes, wet blood like that,
 7 it tends to say in the little nooks and crannies of your foot 'till
 8 you step somewhere else?
 9 A Even after you step somewhere else, if it -- as much
 10 as is on here would get up inside the tread somewhat,
 11 Q So if you sat in a car with that pair of shoes on you'd
 12 expect some transfer of blood?
 13 A I would expect that there would have been
 14 Q Now luminol testing doesn't tell us the date of when
 15 a stain is deposited, correct?
 16 A It does not,
 17 Q And in fact, does a blood stain become stronger with
 18 the passage of time?
 19 A From my training and reading, from what I
 20 understand, with the passage of time the iron and the heme
 21 oxidizes. And in fact, the luminol can become — or can
 22 actually create a more intense reaction as time passes due to
 23 the oxidation of the blood.
 24 Q What type of time frame are we talking about that

IX-125

REWARD - CROSS

1 blood would oxidize and remain there to be seen by a luminol
2 testing?

3 A I don't know that, sir.

4 Q Years?

5 A I -- that I don't know,

6 Q Okay, You've never done any testing on that or do
7 arty reading on that?

8 A I've probably done some reading, but I don't recall.

9 I have not done any testing on it and I haven't done any
10 scenes that were -- this was the longest period or time
11 between a scene and the use of luminol that I've done.

12 Q Okay, Which was from the time you were out on
13 July 8th and 9th until July 22nd2

14 A July 22, exactly,

15 Q So the longest you've gone on testing for blood
16 using lumina' would've been this case, which would've been —
17 what is that, 13 days?

18 A Yes, I believe Dan Ford has had experience in doing
19 longer periods of time. He might be able to speak a little bit
20 more to that.

21 Q And you're familiar with Mr. Wall, correct?

22 A I know him in passing,

23 Q You know that he does the NDA testing for the —

24 A He did, yes, sir.

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RENHARD CROSS

1 over here the edge on the passenger side or the right side, but
2 this is pretty much a good visual of the front portion of the
3 driver's seat back. It doesn't really show the actual cushion or
4 the seat part of it very well in this picture,

5 BY MR. SCHIECK:

6 Q Okay. The part where you actually rest your back
7 side isn't shown very well, but the backrest is shown?

8 A Yes, sir. And headrest.

9 Q Okay, And the upper —

10 THE COURT: Oh, what do you mean by backside?

11 MR. SCHIECK: Let me be a little bit more accurate,
12 come over here. I'm gonna block something one way or
13 the other,

14 BY MR. SCHIECK:

15 Q You would actually be seated here with your legs
16 that direction and your back up here, is that correct?

17 A Yes, sir.

18 Q And your head would be resting up here?

19 A Yes, sir,

20 Q And so you actually had a reaction from luminol
21 where a person's head would normally be resting in this car?

22 A Yes, sir.

23 Q And it's quite a broad area of luminol reaction on the
24 headrest?

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RENHARD - CROSS

1 Q And he would be better trained in luminol and things
2 of that nature?

3 A He would have -- he would have more -- I believe
4 he would have more experience and the reactions and the
5 times than I have.

6 Q Now you had shown us the photograph of the
7 luminol reacting with the car seat, after the removal of the
8 floral car seat? And this is Exhibit 113,

9 A Yes, sir.

10 Q And so is that pretty much a picture of the entire car
11 seat as it sits in the passenger side of the vehicle?

12 A Yes.

13 MS. DiGIACOMO: Objection, Your Honor, That
14 misstates the testimony,

15 MR. SCHIECK: Excuse me, the driver's side of the
16 vehicle,

17 THE WITNESS: Oh, I'm sorry. Yes, sir, Except for
18 the actual —

19 THE COURT: The question's withdrawn, so it'll be —
20 with it being rephrased the objection's now moot.

21 You may answer.

22 THE WITNESS: I'm sorry, The seat down here
23 doesn't really show up or the — where would be the bottom
24 edge of the seat part here. So this is — you can faintly see

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RENHARD - CROSS

1 A Yes, sir.

2 Q From both sides? I mean is it from side to side of
3 that headrest?

4 A Yes, sir, pretty much it was,

5 Q How wide is that headrest? Do you have any -- how
6 wide it would be?

7 A How wide?

8 Q Yeah.

9 A Oh, I'm sorry, I didn't understand, No, I did not
10 measure that.

11 Q But it appeared to be a normal sized headrest?

12 A Yes, sir.

13 Q And that's all part of one -- the seat, it's one solid
14 seat?

15 A I believe it was but I'm not positive it if was -- if that
16 was a separate headrest or not. It almost looks like it here.

17 But to the best of my recollection, it was one solid piece,

18 Q Did the luminol react all the way up to the top of the
19 headrest portion of that seat?

20 A Yes, sir, slightly over right here,

21 Q Yes.

22 A It's just slightly over the top but not across the
23 actual flat area, the top, but just slightly on this edge here,
24 slightly curving over towards the top,

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RENHARD - CROSS

1 Q Almost as if something had been poured down the
 2 seat, starting at the headrest and going down?
 3 A I hadn't thought of that, because the side isn't really
 4 reacting. I guess that's a possibility, but I hadn't really
 5 considered that,
 6 Q Okay. And there's a sunroof on this vehicle?
 7 A Yes, sir,
 8 Q Okay..
 A Or a moon roof, I'm not sure which it is.
 10 Q Okay. There's a roof that opens up so you can see
 11 whatever --
 12 A Yeah, No, I don't know if it opens,
 13 Q Okay, There's some type of glass there, though?
 14 A There was a glass there. I'm not sure if it was an
 15 opening one or not.
 16 Q And do you recall whether or not there was a seal
 17 put on it?
 18 A No, I don't recall,
 19 Q And y06 tested the multi-tool that was found in the
 20 glove box, and that was negative, correct?
 21 A That was negative,
 22 Q Okay. And while we're talking about the tool box,
 23 you had taken a photograph of that side of the vehicle on the
 24 interior, correct?

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RENHARD - CROSS

1 Department or the crime lab that the acid that is in the human
 2 stomach would destroy any DNA that was contained in that
 3 vomit?
 4 A That was the prevailing thought at that time,
 5 according to our lab. And it didn't react -- it also didn't react
 6 when we did the lumina
 7 Q Okay. So you just left it there, is that --
 8 A Just left it, yes,
 Q Okay, But there was, in your opinion, no doubt that
 10 that was, in fact, vomit?
 11 A Yes, sir, I was sure that that's exactly what it was,
 12 Q Now was that under the front seat or did you have
 13 to slide the seat back in order --
 14 A It was actually more under the front seat. And what
 15 was visible, it looked like somebody had moved the seat
 16 forward since that occurred,, And there was just an edge of it
 17 that was visible to see as the seat was when we received the
 18 vehicle.
 19 Q This is one of those seats that you slide -- you can
 20 slide forward if you need to to make it comfortable for you to
 21 drive?
 22 A I don't recall that you could, but that was my --
 23 that's my impression now thinking back on it that it's a seat
 24 that moves --

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RENHARD - CROSS

1 A Oh, the glove box?
 2 Q Yes.
 3 A Yes, sir.
 4 Q Showing you what's been admitted as 190. What
 5 are those items that appear to be hanging from underneath
 6 the glove box there?
 7 A Those were the air fresheners,
 8 Q Okay, Did you count how many air fresheners are
 9 hanging there?
 10 A No, ;ir, I didn't.
 11 Q Is it fair to say there's multiple air fresheners
 12 hanging on the passenger side of that vehicle?
 13 A Looks like at least two.
 14 Q Okay. You indicated that you'd recovered -- or
 15 photographed some vomit inside the vehicle, correct?
 16 A Yes, sir.
 17 Q And that was under the driver's seat?
 18 A Yes.
 19 Q Same seat where you had the reaction from the
 20 lumina?
 21 A Yes, sir,
 22 Q Okay And you did not collect that vomit?
 23 A Did not,
 24 Q Because it's the policy of the Metropolitan Police

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RENHARD - CROSS

1 Q And by moving it back --
 2 A -- would be standard for most vehicles, I think.
 3 Q By moving that back, did that expose the vomit to
 4 the naked eye?
 5 A No, that actually -- the photograph we have there is
 6 the way it was exposed when we got it, More of it was under
 7 the edge of that seat.
 8 Q 'Cause I'm looking at 186 here, and the vomit's --
 you can't see the vomit from that angle, is that --
 10 A Not from that angle at all. It would've been back up
 11 here a little bit, and you had to get in over the seat a bit more
 12 to be able to actually see that little bit of edge that you could
 13 see in the one photograph.
 14 But if you did that you were able to see it and
 15 then --
 16 A Yeah,. And then if the seat slid back you could see a
 17 lot more of it.
 18 Q Okay, Now I'm gonna show you 183. Is that the
 19 edge of the --
 20 A Yeah, the edge of the vomit.,
 21 Q Okay. Has the seat been slid back at that point?
 22 A I don't know if it had or not.
 23 Q If you were trying to clean the car out you certainly
 24 would've been able to see that vomit?

IX-133

RENHARD CROSS

1 A If you were trying to dean the car out, I believe you
 2 probably would have
 3 Q Now let's go back to the crime scene,, This would've
 4 been on July 8th, You arrived just before midnight and then
 5 stayed until the end of your shift, is that correct?
 6 A I'm not sure exactly what time we left, but it was in
 7 the morning hours of July Th.
 8 Q And the body was still there when you left or it had
 9 been removed?
 10 A No, the body had been removed by the coroner's
 11 office prior to completing the investigation at the crime scene,
 12 Q So you were still there taking pictures after the body
 13 was removed?
 14 A Yes, sir.
 15 Q Okay, I'm showing you State's Exhibit 144 again,
 16 And that's got a number of the footprints in it, is that correct?
 17 A Yes, sir.
 18 Q Okay. Now one of the footprints you had indicated
 19 -- I'm showing you 150. There's actually some writing next to
 20 the footprint that was put there by the crime scene analyst, is
 21 that correct?
 22 A Yes, sir.
 23 Q Okay. And it's labeled 2-F and we can see it as we
 24 zoom in?

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RENHARD - CROSS

1 A Yes, sir,
 2 Q And you indicated those footprints appeared to have
 3 been leaving the — were headed out of the area?
 4 A Yes, sir, that's -- that is exactly what it appeared,
 5 that they were in a easterly direction.
 6 Q Okay, And besides — when you got there they were
 7 -- they weren't still wet, were they, or were they?
 8 A I don't believe they were,
 9 Q They'd already dried?
 10 A I believe they had. I didn't test them, or I mean I
 11 didn't touch 'err' or anything like that when I first got there,
 12 And so whether or not positively they were totally dry, I don't
 13 know. But it is my recollection that by the time we started
 14 paying attention to them they were dry.
 15 Q Okay, And Dan Ford would've been the one that
 16 collected the blood samples from those?
 17 A Yes, sir.
 18 Q Okay. And so he would know better whether they
 19 were dry or wet when he collected his samples?
 20 A Yes, sir.
 21 Q Okay. In addition — excuse me. In addition to
 22 seeing those footprint impressions as they're headed eastward
 23 out of the garbage bin, there appears to be droplets of blood,
 24 is that correct, around those footprints?

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RENHARD - CROSS

1 A Yes, sir.
 2 Q Okay. And that's for purposes of when you put the
 3 tripod over it and photograph that for comparison purposes
 4 you know which one you're talking about?
 5 A Yes,
 6 Q Okay, Being as it says 2-F, I assume there's a 1-F?
 7 A Yes, sir.
 8 Q Do you know where 1-F would've been located?
 9 A I don't recollect off the top of my head where that
 10 would've been They would've been in the black and white
 11 photos that Teresa Main took,
 12 Q Okay, Would she have been the one that marked
 13 those?
 14 A Yes, sir,
 15 Q Before she took her photographs?
 16 A Yes, sir, And she would've put a scale in for her
 17 photography.
 18 Okay. I'm gonna turn this -- and again, this is 144.
 19 A Oh, that looks like that might've been 1-F right over
 20 here.
 21 Q Okay, And if we zoom back out, then 2-F would be
 22 up there at the top?
 23 A Yes, sir.
 24 Q And then 1-F's down there at the bottom?

IX-135

RENHARD - CROSS

1 A I'm not sure if that's what that is or not,, I don't
 2 recollect -- I don't recall off the top of my head if that's what
 3 that is or not.
 4 Q Okay,,
 5 A But I might -- I don't know if I mentioned that in my
 6 report.
 7 Q Would referring to your report help you to recollect
 8 that or --
 9 A Yes, sir, it would,
 10 Q If you could do that.
 11 A I don't have in my report that those were drops of
 12 blood. Dan -- if they were, Dan Ford may have taken samples,
 13 I'm not sure whether he did or not.
 14 Q Okay. So we should ask Mr. Ford?
 15 A He may have a better recollection of that
 16 Q Okay. Was there — you said there was another area
 17 of footprint impressions that were collected also?
 18 A There was one more that was west of F-2, which
 19 was actually not visible at the time this photograph was taken
 20 because we hadn't started moving any of the debris off of that
 21 area yet. There was one that was under some of the debris,
 22 Q Did you actually take photographs then of the other
 23 footprints that were over by -- or under the debris?
 24 A I believe Teresa Main did those -- that photography.

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RENHARD - CROSS

1 Q You didn't make any comparison of those footprints
2 to anything?

3 A No. I don't -- I'm not a comparative analysis expert,
4 and so I don't do any comparative analysis. That would've
5 been done by somebody in the forensic lab.

6 Q And the only shoes that were found at the scene
7 were the pair of sandals, is that correct?

8 A Yes, sir, that's correct.

9 Q And you photographed the bottom of those sandals?

10 A Yes, sir, I did.

11 Q And showing you State's Exhibit 54, Did the bottom
12 of those sandals match the footprints that you found at the
13 scene?

14 A They don't resemble that footwear pattern at all,
15 I mean they're pretty distinctive?

16 A Yes, sir.

17 They don't look like the footprints that are at the
18 scene?

19 A No, sir, they didn't,

20 Q And you had contact with Mr. Shott, who had
21 discovered the body?

22 A Yes, sir, I did.

23 Q And you took impressions of his feet -- of his
24 footwear?

1X-138

RENHARD - CROSS

1 A Yes, sir,

2 Q Process of elimination, they weren't his?

3 A Yes, sir.

4 Q Okay. You were shown the aerial photograph -- and
5 we're just about done here -- of where the crime scene was
6 located, where the dumpster was at, and you gave a
7 description that there was block walls that go all the way
8 around?

9 A Yes, sir, on the -- the block walls of the enclosure or
10 the property?

11 Q The property,

12 A Yes, sir. The perimeter walls on the north and west
13 sides.

14 MR. SCHIECK: Can I approach the chart, Your
15 Honor?

16 THE COURT: Yes,

17 BY MR. SCHIECK:

18 Q If I might, just make it easier for you if I hold this
19 up. There was a wall that went along the west side of the
20 property and then the north side of the property?

21 A Yes, sir.

22 Q Okay. And what is this area over here to the north -
23 - direct north of that parking lot --

24 A Off the top of my head I'm not sure, but I think that

1X-140

RENHARD - CROSS

1 A Yes, sir, I did,

2 Q Did you make any comparison of those to the
3 footprints at the scene?

4 A I did not

5 Q As a crime scene analyst I assume that you're taught
6 that one of your responsibilities is not to disturb the crime
7 scene and create any evidence that isn't already there, is that
8 correct?

9 A Yes, sir,

10 Q Okay. Is it fair to say that those footprints wouldn't
11 have been left by any of the crime scene analysts that were
12 removing the debris and photographing the body?

13 A Yes, sir, Those footprints were there -- I was the
14 first one from the crime lab to respond, and those foot prints --
15 those footwear impressions were there when I arrived. And
16 the officer pointed them out to me, in fact, to make sure that I
17 didn't accidentally disturb them when I arrived.

18 Q And did he inform you that they were there when he
19 arrived?

20 A Yes, sir, he did.

21 Q Okay. Did he inform you that he hadn't left them?

22 A I don't recall that he said that.

23 Q Other than the fact that they were already there
24 before he got there?

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RENHARD - CROSS

1 looks like it's probably gonna be apartment complex.

2 Q Okay. And with maybe parking structures, parking
3 lot there for the apartment complex?

4 A These here look like they might possibly be a
5 covered parking structure, yes,

6 Q Did you ever go over to that apartment complex or
7 find a name of it or anything of that nature?

8 A No, sir, I did not,

9 Q You were just focused here at the dumpster --

10 A At the scene.

11 Q -- and the tire tracks?

12 A Yes, sir.

13 Q What was on the other side, the west side of the
14 wall?

15 A I don't recall. This also looks like parking lot area in
16 here,

17 But you don't recall specifically what was there?

18 A No, sir, I don't.

19 While you were still -- thank you very much.

20 MR. SCHIECK: And for the record, Your Honor, I
21 was referring to Exhibit 121.

22 THE COURT: Thank you.

23 BY MR. SCHIECK:

24 Q While you were there at the scene doing your

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RENHARD - CROSS

1 processing, did anyone approach you and indicate that they
2 might know the name of the decedent or who the decedent
3 was?

A Nobody approached me. While we're at the scene,
5 nobody from the outside is allowed to come in,, And so if
6 somebody has something to say they'll approach the officers
7 on the perimeter of the crime scene tape and speak to them,
8 and then the officers will contact one of the detectives, not
9 one of us,

Q Okay. So no one approached you or attempted to
11 approach you while you were there?

A Not that I recall.

Q Did you see anyone approach Dan Ford while he
14 was there?

A I didn't, I don't recall seeing anybody. If somebody
16 did I was not aware of it.

Q Okay. It'll be easier to ask Mr. Ford that question
18 probably,

A Yeah.

Q The — you talked about the cardboard that was
21 underneath where the body was located?

A Yes, sir,

Q When you got down to that cardboard, was it still
24 wet?

1X-142

RENHARD - CROSS

1 Q Okay. Do you recall anything in the dumpster being
2 impounded or processed for fingerprints?

A I do not,, We didn't find any items in the dumpster
4 that had blood on 'em or showed any indication that they were
5 more than having been items disposed of in a normal course
6 of disposing of the trash from the bank or other businesses
7 that would've used that dumpster,

Q You did recover one fingerprint from the outside of
9 the dumpster, however?

A I believe the latent that I recovered was actually on
11 the north door of the dumpster enclosure.

Q Okay, So on the swinging door?

A On the swinging doors.

Q Okay. And you just collected that latent and
15 deposited it, as you've described?

A Yes, sir, I did.

Q Okay,, Did you take any photographs with the
18 dumpster put back into place?

A Where it might have been prior to the discovery of
20 the body?

Q Yes,

A No, sir, I didn't,

Q Okay. So the only photographs you took would've
24 shown the dumpster swung into a position that the officer

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RENHARD - CROSS

A Yes, sir, it was,

Q Were areas of it starting to dry, or was it still
3 completely wet?

A Some of the outer areas off the cardboard were
5 starting to get dry and starting to flake when we got down to
6 that area. Some of the areas where the apparent blood wasn't
7 quite as thick.

Q And we've seen photographs, numerous
9 photographs of the garbage and debris that was back where
10 the body was at, but I haven't seen any photographs of what
11 was inside of the dumpster,, Do you recall either taking
12 photographs of what was in the dumpster or whether or not
13 you looked in to see what was in there?

A We did look in to see what was in the dumpster, and
15 I -- I don't recall taking photographs. I would've thought I
16 should have taken a photograph of what was in. I do know
17 that Dan Ford got in a bio hazard suit and got in the dumpster
18 and we searched through the items that were in the dumpster,
19 looking for possible weapons that might've been used,,

Q Okay, With negative results, I assume?

A Negative results on that.

Q Okay. But he actually was in the dumpster?

A He physically got in the dumpster and went through
24 what was still in the dumpster.

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RENHARD - CROSS

1 moved it to gain access?

A Yes, sir,

Q And then after it was moved out of the way so you
4 could process the scene?

A Yes, sir.

Q Okay, Okay. Now you had talked about as you
7 removed the layers of debris that was on the body, you came
8 to a point where you were able to determine that there was
9 some type of plastic around the -- around the leg, or upper leg
10 area of the deceased, is that correct?

A Yes, The upper thighs and hip, lower abdomen,

Q Okay, Was there anything underneath those layers
13 of -- underneath the plastic?

A Other than the victim?

Q Yes.

A There were not, There — we -- actually at that point
17 when we — when the plastic was lifted up and it was
18 discovered that the victim had been mutilated the way he had,
19 the plastic was left as it was, At that time the homicide
20 detectives instructed us not to move anything else, not to
21 remove anything else, and that they would -- everything else
22 would be taken, anything else stuck to the body or anything
23 else associated with the plastic would be taken to the morgue
24 and would be recovered by the crime scene analyst that does

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RENHARD - CROSS

1 the autopsy_
 2 MR. SCHIECK: May I approach the clerk, Your
 3 Honor?
 4 THE COURT: Yes.
 5 THE COURT: Would counsel approach?
 6 (Off-record bench conference from 4:59:04-4:59:36 p.m.)
 7 THE COURT: Ladies and gentlemen, is there anyone
 8 who can't remain for another 15 minutes to finish up with this
 9 witness? If so, please raise your hand. The record shall
 10 reflect no response,
 11 MR. CICILIANO: The only thing I have to say is that
 12 I do have a couple of questions also that have not been
 13 answered, so it may be beyond 15 minutes.
 14 THE COURT: Okay.
 15 Is there anyone who cannot remain 'till 5:30? The
 16 record shall reflect no response. Thank you.
 17 You may proceed, Mr, Schieck,
 18 MR. SCHIECK: May I approach the witness, Your
 19 Honor?
 20 THE COURT: You may.
 21 BY MR SCHIECK:
 22 Q I'm gonna show you what's been marked as LL, KK,
 23 and MM, and ask you if you recognize those as photographs
 24 you have taken at the scene?

1X-146

RENHARD - CROSS

1 to you directly and ask you the question because of the size of
 2 the photograph.
 3 MR. SCHIECK: May I approach, Your Honor?
 4 THE COURT: Yes.
 5 BY MR. SCHIECK:
 6 Q And what I'm looking at is the plastic that is around
 7 the leg area?
 8 A Yes, sir.
 9 Q And it appears that the plastic is actually Over the
 10 top of some of the paper that's next to the body in that
 11 photograph?
 12 A I see what you mean. I'm not really sure that it
 13 was, though, if this is a separate type Of plastic there, It
 14 doesn't look like it's the same sheet.
 15 Q So there could've been a second sheet of plastic
 16 there?
 17 A Or a piece. It's really hard for me to tell from this.
 18 To the best of my recollection, there was nothing under that
 19 plastic that was against the body.
 20 Q I'm gonna show you KK and LL, which are offered
 21 for the same purposes, to show the plastic wrap over the top
 22 of the paper that was in the area that had been mutilated?
 23 A Once again, I'm seeing this crease that goes under
 24 that paper there, but there definitely looks like there is some

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RENHARD - CROSS

1 THE COURT: The record should reflect that the —
 2 that the question came from Thomas Ciciliano in chair number
 3
 4 THE WITNESS: Yes, sir, they are,
 5 MR SCHIECK: I move for the admission of LL, KK,
 6 and MM, Your Honor,
 7 MS. DiGIACOMO: No objection.
 8 THE COURT: Admitted,,
 9 (Defendant's Exhibit Nos, LL, KK, and MM, admitted)
 10 BY MR SCHIECK:
 11 Q start with showing you what's been marked as
 12 MM. Again, this is as you're progressing on, removing layers
 13 of items, correct?
 14 A Yes, This is at a point where we had a fairly good □
 15 view of the body, but he wasn't totally uncovered yet,
 16 Q And unfortunately I don't think this is gonna show
 17 up,
 18 THE COURT: The juror, Ms. Moir, who's in chair
 19 number 7, has just indicated that she's not seeing the screen
 20 because of the aerial photo, so if we could drop that down,
 21 MR. SCHIECK: I'll just return this to the clerk.
 22 THE COURT: Thank you, Mr. Schieck.
 23 BY MR, SCHIECK:
 24 Q I think is probably gonna be easier if I just show it

1X-147

RENHARD - CROSS

1 plastic on the paper, but I'm not sure that paper was -- I do
 2 see the plastic you're speaking of, but to the best of my
 3 recollection there was no paper under the piece of plastic that
 4 was against the body. And I'm not sure that that's what I'm
 5 seeing here either.
 6 Q Okay, Do you recall whether any paper was
 7 impounded by Mr. Ford?
 8 A He took — what we did is we got down to those
 9 layers. We picked up and examined each and every piece in
 10 an attempt to determine whether or not it may have been
 11 handled by the perpetrator of the homicide. If it had blood on
 12 it or it appeared that it may have had some evidence on it
 13 where it was actually a piece that was handled, actually picked
 14 up and handled and not just dumped, he took it back to the
 15 lab to do processing on it,
 16 Q Would he have impounded the plastic wrap then and
 17 processed it?
 18 A No, sir, As I mentioned a moment ago, when we
 19 got to the point where we pulled the plastic back and saw the
 20 mutilation, the homicide detectives advised us to stop and
 21 anything else that was with the body right then, including the
 22 plastic wrap, went with the victim to the coroner's office.
 23 Q Okay. Do you know whether it would've been
 24 impounded at the coroner's office?

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RENHARD - CROSS I

1 A Yes, it would have been impounded.
 2 And then it could've been processed after that for
 3 fingerprints or other --
 4 A It probably would've been impounded and then at
 5 the request of detectives, the forensic lab would've done any
 6 processing of that evidence,
 7 Q Okay. And you can get fingerprints off of plastic
 8 wrap, correct?
 9 A You can.
 10 Q And in this case do you know whether that was
 11 attempted --
 12 A I --
 13 Q -- either at the scene or later?
 14 A We did not do any processing of the plastic at the
 15 scene at all. Somebody else attended the autopsy and
 16 recovered that evidence, and I cannot speak to whether she
 17 processed the plastic or whether it was submitted and whether
 18 or not any detectives requested processing. That's not
 19 something I'm aware of.
 20 Q And I'm going to put Exhibit 14 up here, see if we
 21 can get a better -- and are you able to determine -- see the
 22 legs of the individual --
 23 A Yes, sir.
 24 Q -- and the saran wrap?

IX-150

ENHARD - REDIRECT

Q What's --
 2 A If you slide it down just a little bit further. Okay.
 3 Let me see, There's another one that has it better, the one
 4 that he actually was asking me about,
 5 Q Okay, Well, well show you MM. Is this the one he
 6 was showing you?
 7 A Over -- right here. This piece right here. I believe
 8 that's correct, sir [sic],
 9 Q Okay. That's the piece of plastic that was wrapped
 10 around the legs and groin area of the victim?
 11 A Yes, sir -- or ma'am. It appears here to be a piece
 12 of paper.
 13 Q Okay, Now --
 14 A And he felt that it looked like the plastic was actually
 15 over that piece of paper,
 16 Q And that's down over the thigh area?
 17 A Yes, the upper thigh area.
 18 Q Okay, Now at -- I'm gonna show you State's Exhibit
 19 12. Okay. That's a picture of the plastic pulled back with the
 20 exposure of the genital area, correct?
 21 A Yes, sir -- I mean ma'am. I'm getting tired.
 22 Q Okay. That's fine, And State's Exhibit 13, that's
 23 another picture of it where you can actually see the hand of
 24 the person pulling it back?

IX-152

RENHARD - REDIRECT

A Yes, sir.
 2 Q And --
 3 A Oh, I don't think it was saran wrap.
 4 Q Or plastic wrap, I'm sorry, That's my mistake. Did
 5 you determine whether it was from a garbage bag or what it
 6 was from?
 7 A I did not because like I said, at the point we pulled it
 8 back the homicide detective said stop, and that was the last
 9 time I had any affiliation with it
 10 Q Okay, Do you recall whether any cigarette butts or
 11 matches or things of that nature were collected by Mr. Ford
 12 and/or tested at the scene?
 13 A I don't recall that they were collected by Mr. Ford.
 14 would have to look at his impound to know that.
 15 MR. SCHIECK: Thank you, Your Honor. That's all
 16 the questions I have.
 17 THE COURT: Redirect,
 18 MS. DIGIACOMO: Thank you, Your Honor, □
REDIRECT EXAMINATION
 20 BY MS, DIGIACOMO:
 21 Q I'm gonna put up defense exhibit LL. Okay, Now
 22 when Mr. Schieck was talking to you, was he questioning you
 23 about these?
 24 A No, sir -- or no, ma'am.

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RENHARD - REDIRECT

1 A Yes.
 2 Q Okay, The piece of paper that Mr. Schieck was
 3 referring to, is it possible it's one of these around the body?
 4 A It is possible.
 5 Q Okay. Do you --
 6 A I don't think it would be on this side of the body yet
 7 because we weren't taking stuff off and putting it over to that
 8 side. We had not actually got into that side.
 9 Q Okay.
 10 A So we were moving stuff over to this side and
 11 moving it over to the -- where we were -- to the wall area or
 12 where we were gonna -- stuff we were gonna collect to do
 13 further -- take back to the lab for further processing,
 14 Q Okay. Do any of these pieces of the white paper
 15 towel you've described earlier have any blood or anything on
 16 it?
 17 A We went through those. We didn't find any that had
 18 any apparent blood that -- on 'em, any -- they didn't seem to
 19 have like a bloody hand print or any wipes or that were used
 20 or held by somebody who had a bloody hand, They did not.
 21 Q Okay. Now other than this plastic that's pulled down
 22 here that you stated before was over the groin area of the
 23 victim, when you pulled that back was there anything else over
 24 the groin area, that you recall?

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RENHARD REDIRECT

1 A No, ma'am.
 2 Q Okay, So this picture, State's Exhibit 13, was taken
 3 when that plastic was pulled back?
 4 A When the plastic was pulled back, at that point and
 5 we saw that happened, the homicide detective said stop, we're
 6 not gonna remove anymore, we're not gonna finish removing
 7 the plastic, And I took a picture of it as it was and we left it
 8 basically as it was for the coroner to -- for the coroner to
 9 collect as is.
 10 Q Okay. And State's Exhibit 12 shows a different
 11 angle,, And all the stuff that's lower, on the lower part of the
 12 photo here, that's the things that could've been removed from
 13 the top of the victim?
 14 A Some of that probably was, some of it is probably
 15 stuff that he's laying slightly on top of.
 16 Q Okay. But anything that was removed would've
 17 been put on this side of the body, not on the —
 18 A The other side.
 19 Q left side of the body?
 20 A That's correct, That's correct.
 21 Q The plastic wrap that Mr, Schieck is talking about, do
 22 you know if this plastic was consistent with the other plastic
 23 trash bags that were found throughout the trash?
 24 A That was my impression that that's probably what it

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ENHARD - REDIRECT

1 possible blood that may have been cleaned up.
 2 Q So they actually requested you to basically do the
 3 luminal because it's possible the car had been cleaned —
 4 A Yes.
 5 Q or any blood had been cleaned? Now showing
 6 you State's Exhibit 113, It may be too bright. Do you
 7 recognize what's depicted here?
 8 A Yes, ma'am,, That's the left seat -- the factory
 9 installed seat cover.
 10 Q Okay, And you had stated during cross-examination
 11 that you're basically aware of things that can give a false
 12 positive with luminol but to ask the chemist?
 13 A Yes. I'm aware that many things do and some basic
 14 types of things, but to say the exact item that can create it,
 15 such as the specific vegetative manner, I am not aware of
 16 exactly which pieces of vegetative matter will create that false
 17 positive.
 18 Q Okay. But you did say that you had done your own
 19 testing with cleaning solutions?
 20 A Yes.
 21 Q Okay. Now what kind of reaction when you get a
 22 false positive with cleaning solution do you get?
 23 A When I used the cleaning solution I used specifically
 24 some bleaches that were poured on concrete, And they

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RENHARD - REDIRECT

1 was, However, that was the most examination I did of it.
 2 Q Okay, And with regard to State's Exhibit 109, and
 3 this shows the stain that you looked at on the console?
 4 A Yes, sir — ma'am,,
 5 Q Do you have any idea if that was a stain that could
 6 easily be cleaned?
 7 A It wasn't a stain that came off easily.
 8 Q Okay, So did you have to work at it to even get a
 sample to do the phenolphthalein?
 10 A Yes, ma'am, I did.
 11 THE COURT: What was the number of that exhibit?
 12 MS, DiGIACOMO: Your Honor, that was State's
 13 Exhibit 109,
 14 THE COURT: Thank you
 15 BY MS, DiGIACOMO:
 16 Q Now you testified before that lumina' testing is not
 17 something that's -- you normally do every day?
 18 A No, ma'am.
 19 Q Okay Now is part of the reason why you did it in
 20 this case because the car that you processed was found
 21 approximately 14 -- or was processed by you approximately 14
 22 days after you had processed the crime scene?
 23 A That was one of the reasons, and also because at
 24 the detective's request they wanted us to search for any

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RENHARD - REDIRECT

1 actually sparkled. You know, they had little pops of sparkles,
 2 It was somewhat different.
 3 Q Okay. Would it cause a reaction like you're seeing in
 4 State's Exhibit 113, like an area this big?
 5 A That I don't know. I didn't attempt to do it on
 6 specific items, I was just trying to see what it looked like on --
 7 you know, at that time compared to an actual sample of blood
 on it.
 9 Q Okay. So when you say it would sparkle, is it a
 10 different reaction than what you saw in State's 114?
 11 A Yes,,
 12 Q Okay. So this reaction is not consistent with when
 13 you've tried to do false positives with cleaning solutions?
 14 A No, that one is not,
 15 Q Okay. Now showing you State's Exhibit Number
 16 144. And talking about the footwear impressions here. Now is
 17 it your testimony that this one at the far end of the picture up
 18 towards the top, is that the one that was possibly under trash?
 19 A No. To the best of my recollection, there was
 20 another partial one under this area right there.
 21 Q Okay. And then I'm gonna show you State's Exhibit
 22 Number 143. Is it depicted here?
 23 A I think that's -- is that still the same one? The other
 24 one that was under there was so heavy and so thick we didn't

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RENHARD REDIREC1

1 do photography of it I believe this is still gonna be F-2,
 2 Q Okay, Let me show you State's Exhibit Number 11.3
 3 -- or excuse me, State's Exhibit 15 where some of the trash
 4 has been removed. Do you see it there?
 A Can you zoom in a little bit over in this area?
 6 Q Sure,
 7 A I believe this may be it right in here,
 8 Q Oh yeah, if you could clear the screen. Okay. This
 9 where the paper is stuck in it?
 10 A Yeah.
 11 Q Did you take — do you know if any photographs
 12 were taken close up of that area?
 13 A I did not take any, and I believe if they were taken it
 14 would've been the 4x5 by Teresa Main.
 15 Q Okay. Now the photograph that we're looking at
 16 there shows some paper stuck -- or on top of it?
 17 A Yes.,
 18 Q Okay, And it's pretty thick. Is it possible that that
 19 wasn't a real good impression?
 20 A Yes, it's -- to the best of my recollection it was not a
 21 good impression.
 22 Q Okay. But you could tell it was some sort of blood
 23 transfer?
 24 A Yeah, with the shape -- the shoe shape,.

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ENHARD - REDIRECT

1 Q Okay,
 2 A -- that they wouldn't leave much on the floor of the
 3 vehicle,
 4 Q Okay, So it's possible to walk off the blood on the
 5 bottom of the shoe?
 6 A To a degree. I mean there would still be some in
 7 the treads,
 8 Q Okay, But that's not in essence something that
 9 could get transferred to another surface?
 10 A It would be much more difficult,
 11 Q Now with regard to the sunroof on the car, I believe
 12 you had stated that you thought it was a moon roof?
 13 A Oh, I don't know whether it is.
 14 Q Okay,
 15 A I don't know if it was a moon roof or a sunroof.
 16 Q Well, tell me, what do you mean by a moon roof?
 17 A A friend of mine has a vehicle and she has a solid
 18 window that doesn't really move, and it's called a moon roof.
 19 Q Okay, Does it just kinda pop up?
 20 A I don't think it pops up even. I think it's just like a
 21 glass,
 22 Q Okay, And a sunroof, is that the kind that would go
 23 back into the roof of the car and actually completely open up?
 24 A I don't know. I suppose that would depend on the

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RENHARD - REDIRECT

1 Q Okay. And with regards to State's Exhibit 144,
 2 there's several impressions walking out, and there's -- is this
 3 an impression as well at the very bottom end of the -- oops,
 4 let me zoom out, excuse me, Okay, This -- the very bottom
 5 down here, is that also a footwear impression, do you know?
 6 A I don't know.
 7 Q Okay, But other than these that we're seeing in
 8 State's Exhibit 144, there were no other -- and the one that
 9 you mentioned in the back -- there were no other bloody
 10 footprints basically, were there?
 11 A No, not that we were able to determine.
 12 Q So they pretty much just stop right here?
 13 A Yes.
 14 Q And you stated that on direct examination of the
 15 person who had this shoe, that made these prints had got into
 16 a car, you'd expect to see some transfer, correct?
 17 A If — yes, I would think there would be some
 18 Q Okay. Now -- but if this person continued to walk
 19 and didn't leave any impression as the person's walking to the
 20 car, would you still expect that?
 21 A It would be less likely. If they walked far enough
 22 that they no longer had a damp, you know ,this much pattern,
 23 you know, in the pattern area, the raised pattern area, then it
 24 would -- that if they'd eventually walked it off —

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RENHARD - REDIRECT

1 vehicle.
 2 Q Okay, Well, what do you mean by a moon roof
 3 then?
 4 A Like I said, a friend of mine has one that she calls a
 5 moon roof, and it's basically, it's a fixed window in the roof.
 6 Q All right. And you recall there being glass on the top
 7 of this roof?
 8 A Yes,
 9 Q But your testimony you don't recall whether or not it
 10 actually opened?
 11 A I don't recall that.
 12 Q Okay. And with regard to the vomit that was found
 13 underneath the driver's seat, showing you State's Exhibit 183,
 14 To get a clear picture of that vomit or to see it, you didn't have
 15 to actually remove the seat and take it out of the car?
 16 A No,
 17 Q Okay. But it's possible if the seat was moved back it
 18 could've been viewed?
 19 A It could've been viewed a little bit better, yes,
 20 Q Okay, And I believe you said that you had
 21 information when you went to the -- to process the scene that
 22 the person who found the body had moved some trash out of
 23 the dumpster?
 24 A Yes, ma'am,

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RENHARD - REDIRECI

ENHARD - RECROSS

1 Q Okay. And where was that trash put, if you know?
 2 A We did not -- we weren't given that information as
 3 to which pieces he took out, just that he had been going
 4 through the dumpster and he had brought some out.
 5 Q Okay. And that when you say brought some out, it
 6 came out of the dumpster and was put somewhere in the
 7 enclosure floor?
 8 A Yes, ma'am. That was the information as we
 9 understood it.
 10 MS, DiGIACOMO: Court's indulgence.
 EL BY MS. DiGIACOMO:
 12 Q All right. When you got to the crime scene and you
 13 were processing it, you were made aware of the footprints that
 14 we saw in State's Exhibit 144, correct?
 15 A Yes, ma'am.
 16 Q And you were very careful not to step on those?
 17 A Yes, ma'am.
 18 Q And you also stated that the blood back in the
 19 southwest corner was still damp --
 20 A Yes, ma'am.
 21 Q -- and started to dry as you lifted the trash out?
 22 A Yes, as we got it exposed to the air.
 23 Q So it would be possible then for someone who's not
 24 aware of what's back there to step back there and still make

1 body. I didn't do any interviews with him, other than taking
 2 the elimination from him, I didn't have any contact with him,
 3 The information we got was that he did take some items out of
 4 the dumpster and leave them into the enclosure, but exactly
 where he was, that I don't know.
 6 Q There was a lot of blood around that body?
 7 A There was a lot of blood towards -- on the left of the
 8 body or south and southwest of the body. There was less
 9 blood on the right hand side There was some fairly close to
 10 the body, and there was some that kind of -- from the head
 11 kinda had like a little -- where it had rolled down from the
 12 head area,
 13 Q The photographs show all the blood, correct?
 14 A Yes, sir, I think I pretty much got that.
 15 Q Okay. Thank you.
 16 MR. SCHIECK: Nothing further, Your Honor.
 17 MS. DiGIACOMO: Your Honor, and no further
 18 questions by the State.
 19 THE CLERK: Would counsel approach?
 20 (Off-record bench conference from 5:26:52-5:27:58 p.m.)
 21 MS. DiGIACOMO: Your Honor, before
 22 [unintelligible], the defense and the State have entered into a
 23 stipulation, and it's with regard to a gold chain that is shown
 24 on State's Exhibit 11, The State and defense would stipulate

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RENHARD RECROSS

1 tracks?
 2 A I think it would be very difficult.
 3 Okay. Why so?
 4 A Because most of the blood back in that southwest
 5 corner was -- the trash over it was fairly deep.
 6 Q But you don't know how that trash got there?
 7 A No.
 8 Q But it is possible because you did take elimination
 9 prints from the person who found the trash?
 10 A We took the elimination prints in the event that they
 11 were his and that somehow he had transferred blood to his
 12 feet.
 13 Q Okay.
 14 MS. DiGIACOMO: Pass the witness.
 15 THE COURT: Redirect [sic].
 16 SCHIECK: Just a couple
RECROSS EXAMINATION
 18 BY MR. SCHIECK:
 19 Q You never had any information that he was back
 20 there in that back area where all the blood is at, correct?
 21 A No I don't recall that I had any information as to
 22 exactly what part of the enclosure he was. The information I
 23 received was that he had been looking through the dumpster
 24 and that it was during that time that he had discovered the

1 that that actually did belong to Duran Bailey, and Lueron
 2 Williams identified it as such,
 3 THE COURT: Very well, Thank you.
 4 MR. SCHIECK: That's correct, Your Honor,
 5 THE COURT: Okay, We've had eight questions
 6 come out from the jury, Unfortunately we are not gonna be
 7 able to finish with this witness. It's now 5:30 and we need to
 8 take our evening recess. I'd hoped that we would be done,
 9 but that's not going to be possible. We're going to have to
 10 address these questions tomorrow.
 11 We're resuming tomorrow at 10:00 a.m. Can you be
 12 here at that time?
 13 THE WITNESS: Yes, ma'am,
 14 THE COURT: Very well. You may step down from
 15 the stand,
 16 Ladies and gentlemen, during this recess you are
 17 admonished that you are not to talk or converse among
 18 yourselves nor with anyone else on any subject connected with
 19 this trial, And you're not to read, watch, or listen to any report
 20 of or commentary on the trial or any person connected with
 21 the trial by any medium of information, including without
 22 limitation, newspaper, television, radio, and Internet. And
 23 you're not to form or express any opinion on any subject
 24 connected with the trial until the case is finally submitted to

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1 YOU.
 2 You all have a good evening. Thank you for your
 3 indulgence with staying, and we will resume tomorrow at
 4 10:00,

5 (Jurors recessed)

6 THE COURT: We'll go off the record.
 7 COURT ADJOURNED AT 5:32:08 P.M. UNTIL THE
 8 FOLLOWING DAY, SEPTEMBER 22, 2006

CERTIFICATION

I (WE) CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT FROM THE ELECTRONIC SOUND RECORDING OF THE PROCEEDINGS IN THE ABOVE-ENTITLED MATTER.

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The undersigned does hereby affirm that the preceding Transcript filed in District Court, Case No, A528457 does not contain the social security number of any person.

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4/29/07 _____
Date

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