

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-123572-001 DT

01/26/2011

HONORABLE SUSAN M. BRNOVICH

CLERK OF THE COURT
B. Kredit
Deputy

STATE OF ARIZONA

HEATHER L WICHT

v.

GARY THOMAS KELLEY (001)

ROBERT SHAWN DITSWORTH

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY ONE

State's Attorney: Heather Wicht
Defendant's Attorney: Robert Ditsworth, Lina Garcia
Defendant: Present
Court Reporter: Lisa Edgar

10:15 a.m. This is the time set for trial to Jury.

The jury is not present.

Pretrial motions are discussed.

Defendant's Motion in Limine to Preclude Irrelevant Testimony and Evidence (with 2 numbered paragraphs):

IT IS ORDERED granting the motion.

Defendant's Motion in Limine to Preclude Irrelevant Testimony and Evidence (with 4 numbered paragraphs):

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As to paragraph #1, IT IS ORDERED denying the motion.

As to paragraph #2, IT IS ORDERED granting the motion.

As to paragraph #3, IT IS ORDERED granting the motion during the State's case-in-chief.

As to paragraph #4, subsection (a) and (b), IT IS ORDERED granting the motion during the State's case-in-chief.

As to paragraph #4, subsection (c), IT IS ORDERED granting the motion.

As to paragraph #4, subsection (d), IT IS ORDERED denying the motion.

State's Motion in Limine to Preclude Self-Serving Hearsay:

IT IS ORDERED denying the motion, but limiting the Defense to specific questions as discussed on the record.

10:35 a.m. Court stands at recess.

State's exhibits 1-144 and Defense's exhibits 145-166 are marked for identification.

1:42 p.m. Court reconvenes with Defendant and respective counsel present.

Court reporter, Lisa Edgar, is present.

Voir dire examination of jurors.

3:01 p.m. The jury panel is briefly admonished and excused from the courtroom. Court remains in session.

The following jurors are interviewed individually:

5, 31, 16, 42, 45, 50

Juror 42 is excused from further consideration in this matter.

3:17 p.m. Court stands at recess.

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3:36 p.m. Court reconvenes with Defendant and respective counsel present.

Court reporter, Lisa Edgar, is present.

Discussion is held regarding excusing jurors for hardship and/or cause.

Juror 61 is interviewed individually.

3:46 p.m. Juror panel is now present.

The following jurors are excused from further consideration in this matter:

5, 50, 31, 8, 16, 15, 17, 19, 25-28, 34, 37, 38, 49, 52, 55, 59, 63, 64, 57

Voir dire examination continues.

4:57 p.m. The jury panel is excused from the courtroom and court remains in session.

The following jurors are excused from further consideration in this matter:

20, 61, 60, 1, 2, 22, 36, 46

5:05 p.m. Court stands at recess.

Counsels exercise their peremptory challenges.

5:20 p.m. The jury is excused for the day, off the record, and advised that they will be contacted on January 27, 2011 to advise if they have been selected as jurors.

Court will reconvene on January 27, 2011 at 10:30 a.m.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>