

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-123572-001 DT

01/27/2011

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 TWO

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

10:42 a.m. Trial to Jury continues from January 26, 2011.

The jury is not present.

Upon stipulation of the parties, the rule of exclusion of witnesses is invoked.

10:45 a.m. Jury is present.

Fifteen (15) persons are selected and sworn to act as trial jurors in this cause.

FILED: Jury List

The Indictment is read to the jury by the Clerk and the plea of the Defendant is made known to them.

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The Preliminary Instructions are read to the jury by the Court.

FILED: Preliminary Instructions

Opening statements are presented.

State's case:

Antonio Varela is sworn and testifies.

The witness identifies the Defendant in open court.

State's exhibit 166 is received in evidence.

12:00 p.m. The jury is reminded of the admonition and excused from the courtroom.
Court remains in session.

By stipulation of the parties, State's exhibits 17-144 and 166-171, and Defense's exhibits 145-165 are received in evidence.

12:03 p.m. Court stands at recess.

1:36 p.m. Court reconvenes with Defendant and respective counsel present.

Jury is present.

Court reporter, Lori Fraley, is present.

Antonio Varela testifies further.

2:07 p.m. The jury is excused from the courtroom and court remains in session.

Matters are discussed.

2:12 p.m. Jury is present.

Antonio Verela testifies further.

Juror questions 1-3 are reviewed by Court and counsel, and asked of the witness if deemed appropriate.

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FILED: Juror questions (3)

Paula Varela is sworn and testifies.

2:59 p.m. Court stands at recess.

3:17 p.m. Court reconvenes with Defendant and respective counsel present.

Court reporter, Lori Fraley, is present.

Paula Varela testifies further.

Juror questions 4-5 are reviewed by Court and counsel, and asked of the witness if deemed appropriate.

FILED: Juror questions (2)

3:45 p.m. The jury is reminded of the admonition and excused from the courtroom. Court remains in session.

State's exhibits 12-16 are received in evidence by stipulation of counsel.

3:48 p.m. Court stands at recess until **January 31, 2011 at 10:30 a.m.**

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