

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2005-011629-001 DT

03/21/2008

HONORABLE RAYMOND P. LEE

CLERK OF THE COURT  
Sa. Enteman  
Deputy

STATE OF ARIZONA

RACHEL PHIPPS-YONAS  
KEVIN POLLAK

v.

STEPHEN FRANK KARBAN (001)

STEPHEN FRANK KARBAN  
#P117874  
201 S 4TH AVE  
PHOENIX AZ 85003  
EVAN W ROMBERG

INMATE LEGAL SERVICES  
VICTIM SERVICES DIV-CA-CCC

MINUTE ENTRY

3:01 p.m.

State's Attorney:	Kevin Pollak and Rachel Phipps-Yonas
Defendant's Attorney:	Pro Per with advisory counsel Evan Romberg
Defendant:	Present
Court Reporter:	Jovanna Roman

This is the time set for Oral Argument On Motions in Limine.

The Court is in receipt of multiple Motions in Limine from both counsel for the State and the Defendant. For the reasons stated on the record and with good cause appearing,

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IT IS ORDERED the Court does not find that a Willits instruction is warranted in this cause.

IT IS ORDERED denying the Defendant's Motion to Dismiss.

IT IS ORDERED denying the Defendant's Motion for Re-Consideration of the Defendant's Motion to Dismiss.

IT IS ORDERED the Defendant's Motion in Limine to Preclude Detective Momberg's Testimony for Late Discovery, is taken under advisement at this time.

IT IS FURTHER ORDERED Detective Momberg be available to be interview by a member of the Defense.

IT IS ORDERED denying the Defense Motion in Limine for Daily Transcripts.

IT IS ORDERED granting the State's Motion in Limine to Preclude any and all reasons for the failure to conduct an Interview with the Defendant by the Phoenix Police Department.

IT IS ORDERED granting the State's Motion Limine regarding Jasmine's recent divorce. Jasmine shall be addressed by her legal name at this time.

IT IS ORDERED denying the Defendant's Motion in Limine regarding the prior sexual history of Ryan. Ryan's prior sexual history is not relevant to this cause and is therefore precluded.

IT IS ORDERED granting the Defendant's Motion in Limine to Preclude any reference to his intent to flee.

3:35 p.m. The Court stands at recess.

3:45 p.m. The Court reconvenes with respective counsel and the Defendant present.

Court Reporter, Jovanna Roman, is present.

During the recess this Court reconsidered it ruling regarding the Defendant's Motion in Limine to Preclude his Intent to Flee. For the reasons stated on the record, and with good cause appearing,

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IT IS ORDERED denying the Defendant's Motion in Limine to Preclude his Intent to Flee.

IT IS ORDERED granting the State's Motion in Limine regarding the Introduction of the Defendant's Intent to Flee.

IT IS FURTHER ORDERED the Defendant shall not make reference to turning himself into the police on the Arizona charges that were pending.

IT IS ORDERED granting the Defendant's Motion in Limine to Preclude the State from eliciting testimony regarding the Defendant providing alcohol to the girls, unless the State can show that act precipitated sexual activity between the Defendant and the girls.

IT IS ORDERED denying the Defendant's Motion in Limine to Preclude the State from using any and all evidence of urination on others. The State can use both text and pictures of urination on others if needed.

IT IS ORDERED granting the State's Motion in Limine to Preclude Testimony commenting on the Credibility of the Witnesses.

IT IS ORDERED denying the State's Motion in Limine to Preclude Unnecessary Defense Witnesses.

IT IS ORDERED the Defendant is not allowed to approach the witnesses for any reason. Mr. Evan Romberg, advisory counsel, will handle all exhibits and anything else that needs to be handed between attorney and witness.

IT IS FURTHER ORDERED the State will also not be allowed to approach the witnesses. However, either counsel for the State will be able to approach for exhibits and anything else that needs to be exchanged and then will move back to counsel table.

IT IS ORDERED both State and Defense will ask any and all questions of the witnesses behind counsel table.

IT IS ORDERED denying the Defendant's Motion in Limine to explain why he is representing himself.

LET THE RECORD REFLECT both the State and the Defense will waive their presence for the jury prescreen.

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IT IS ORDERED setting Status Conference on April 4, 2008 at 1:30 p.m. before this division.

IT IS FURTHER ORDERED affirming prior custody orders.

4:55 p.m. Matter concludes.