

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2008-031021-001 DT

04/08/2013

HON. SHERRY K. STEPHENS

CLERK OF THE COURT  
C. McCain  
Deputy

STATE OF ARIZONA

JUAN M MARTINEZ

v.

JODI ANN ARIAS (001)

KIRK NURMI  
JENNIFER L WILLMOTT

CAPITAL CASE MANAGER  
ELECTRONIC RECORD SERVICES

TRIAL MINUTE ENTRY  
DAY 50

Courtroom SCT5C

State's Attorney: Juan Martinez  
Defendant's Attorney: Kirk Nurmi and Jennifer Willmott  
Defendant: Present

Court Reporter, Mike Babicky, is present.

A record of the proceeding is also made by audio and/or videotape.

**IT IS ORDERED all bench conferences shall remain sealed not to be produced or transcribed until the conclusion of the trial.**

9:55 a.m. Court convenes in chambers with Defendant, Defense counsel, Alyce LaViolette and mitigation specialist present.

Discussion held.

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10:34 a.m. Alyce LaViolette and mitigation specialist leave chambers.

10:35 a.m. Counsel for the State, case agent and next of kin now present.

Discussion is held.

IT IS ORDERED sealing the in chambers hearing not to be transcribed without prior order of the Court.

10:47 a.m. in chambers hearing concludes.

Trial to Jury continues from 04/04/2013.

10:55 a.m. Court reconvenes with Defendant and respective Counsel present.

Court Reporter, Mike Babicky, is present.

The Jury is present.

Alyce LaViolette having been previously sworn testifies further.

Exhibit # 596 is marked for identification.

The witness testifies further.

Exhibit # 596 is offered in evidence.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

Exhibit # 596 is received in evidence.

The witness testifies further.

Exhibit # 597 is marked for identification.

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The witness testifies further.

Exhibit #597 is offered in evidence.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

Exhibit # 597 is received in evidence.

The witness testifies further.

Exhibit # 597 is received in evidence.

The witness testifies further.

Exhibit # 598 is marked for identification.

The witness testifies further.

Exhibit # 598 is offered in evidence.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

Exhibit #598 is split.

Exhibit #598 is received in evidence.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

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**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

The witness testifies further.

Exhibit # 599 is marked for identification.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

The witness testifies further.

Exhibit # 600 is marked for identification.

The witness reviews exhibit # 600.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

The witness testifies further.

12:06 p.m. The Jury is reminded of the admonition and Court stands in recess until 1:30 p.m.

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

Court Reporter, Mike Babicky, is present.

The Jury is present.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

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**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

Exhibit # 601 is marked for identification.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

The witness testifies further.

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LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

The witness testifies further.

3:00 p.m. The Jury is reminded of the admonition and Court stands in recess.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

3:25 p.m. Court convenes in chambers with Defendant and Counsel for the Defendant present as well as Alyce LaViolette.

Discussion is held.

IT IS ORDERED sealing the in chambers not to be transcribed without further order of the Court.

3:31 p.m. In chambers hearing concludes.

3:35 p.m. Court reconvenes with Defendant and respective Counsel present.

Court Reporter, Mike Babicky, is present.

The Jury is present.

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The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

Exhibit # 602 is marked for identification.

The witness testifies further.

Exhibit # 603 is marked for identification.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

4:13 p.m. The Juror's are excused to the jury room.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

4:21 p.m. The Jury is now present.

The witness testifies further.

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LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

**IT IS ORDERED sealing the bench conference not to be produced or transcribed until the conclusion of the trial.**

4:26 p.m. The Jury is reminded of the admonition and stand in recess until 04/09/2013 at 9:30 a.m.

4:33 p.m. Court and Counsel convene in chambers; also present are the Defendant and next of kin.

Discussion is held.

IT IS ORDERED sealing the in chambers hearing not to be transcribed without further order of the Court.

4:44 p.m. Court stands in recess until 04/09/213 at 9:30 a.m.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

**LATER:**

**Based upon the discussion held in chambers and good cause appearing,**

**IT IS ORDERED the parties shall not release to third parties any other documentation, audio or video recordings until the trial has concluded. This order shall not apply to copies of any documentation, audio or video recordings previously released.**