PROPERTY OF ARKANSAS SUPREME COURT/COURT OF APPEALS

CR 10 00456

Appellant(s)

Charles Jason Baldwin Jessie Lloyd Misskelley, Jr.

v. Craighead Circuit, Western District Hon. Charles David Burnett, JUDGE CR93-450 (BALDWIN), CR93-47 (MISSKELLEY)

Appellee(s)

State Of Arkansas

25 Volume Supplemental Record Lodged 3 Envelopes Exhibits 1 Small Box Exhibits

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Supplemental Record Filed
June 11, 2010
Leslie W. Steen, Clerk
By Renee Herndon

Volume

IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY ARKANSAS WESTERN DISTRICT

CHARLES JASON BALDWIN

PLAINTIFF

VS.

CR-93-450

STATE OF ARKANSAS

DEFENDANT

SUPPLEMENTAL TRANCRIPT

BEFORE:

HONORABLE JUDGE DAVID BURNETT CRAIGHEAD COUNTY COURT HOUSE

JONESBORO, AR 72401

SEPTEMBER 24, 2008 THROUGH OCTOBER 2, 2009

APPEARANCES

FOR THE PLAINTIFF:

MR, J. BLAKE HENDRIX

ATTORNEY AT LAW

MR. JOHN PHILLIPSBORN

ATTORNEY AT LAW

FOR THE DEFENDANT:

MR. MICHAEL WALDEN

ATTORNEY AT LAW

MR. KENT HOLT

ATTORENY GENERAL

MR. DAVID RAUPP

ATTORNEY GENERAL

CRIMINAL DOCKET

Western District, Craighead County, Arkansas

No. CR-93-0450

STATE OF ARKANSAS

PLAINTIFF,

FOR PLAINTIFF

VS.

BALDWIN, CHARLES JASON

DEFENDANT,

DATE FILED: 11/30/1993

CAUSE OF ACTION: CAPITAL MURDER

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WRIT RETURNABLE IN 30 DAYS ON JUNE 19, 2010 CERTIORARI FOR COMPLETE RECORD STATE OF ARKANSAS,) CR93-450, BALDWIN; CR93-47, MISSKEI In the Supreme Court 10 MAY 24 AM 7: 56 CR 10 00456 CIRCUIT COURT CLERK THE STATE OF ARKANSAS To the Clerk of the Court of Craighead Circuit, Western District Greetings: Whereas, In a case pending in said Court of Craighead Circuit, Western District State of Arkansas, wherein Charles Jason Baldwin and Jessie Lloyd Misskelley, Jr., Appellants and State of Arkansas, Appellee judgment was rendered against appellants and they have prayed an appeal from said judgment to the Supreme Court. You are, therefore, hereby commanded that you certify to our Supreme Court, forthwith, a full, true and complete transcript of the record and proceedings of said Craighead Circuit, Western District and Clay Circuit, Western District, that our Supreme Court, upon consideration of a complete record, may cause to be done therein what should be done. Hereof fail not and make due return of this writ under your official seal. IN TESTIMONY WHEREOF, I LESLIE W. STEEN, Clerk of the Supreme Court, hereunto set my hand and affix the seal of said court, at my office in the City of Little Rock, this 20th day of May, 2010. Ву D.C. Original to Clerk (with copy of petitions) cc: David Raupp, Sr. Asst. AG Kent Holt, Deputy AG J. Blake Hendrix, Jr. John Philipsborn Jeff Rosenzweig Honorable Charles David Burnett STATE OF ARKANSAS, County of Raighero I, Lon Hudson Clerk of the Court of Craighead Circuit, Western District, hereby certify that I have made out and certified a full, true and complete transcript of the diminution within suggested, which is hereto attached. IN TESTIMONY WHEREOF, I hereto set my hand as Clerk, and affix the seal of said Craighead Circuit, Western District, this _2 day of Une , A.D., 20 (€)

IN THE ARKANSAS SUPREME COURT OF ALL

JESSIE LLOYD MISSKELLEY JR.

2010 MAY - 3 P 2: APPELLANT

VS.

MAY 0 3 2010

LESLIE W. STEEN
CLERK

STATE OF ARKANSAS

APPELLEE

PETITION FOR WRIT OF CERTIORARI OR, IN THE ALTERNATIVE MOTION FOR EXTENSION OF TIME TO FILE THE RECORD

Comes the Appellant, Jessie Misskelley, through his attorney, Jeff Rosenzweig, and for his Petition and Motion states:

- 1. On January 20, 2010, the circuit court entered an order denying Misskelley post-conviction relief under Rule 37, A.R.Crim.P. Misskelley filed a timely notice of appeal from the trial court's January 20, 2010 order. Misskelley subsequently filed a motion for reconsideration, also denied.
- 2. Pursuant to Rule 4, Arkansas Rules of Appellate Procedure Criminal, the record is to be lodged within ninety days from the filing of the notice of appeal. In this case, the record is due to be lodged by May 3, 2010 ninety days from the filing of the original notice of appeal.
- 3. During the course of the post-conviction proceedings, the trial court ordered that Baldwin's claims would be heard jointly with the claims presented in *State of Arkansas* v. Charles Jason Baldwin in the Craighead County Circuit Court. Baldwin, a co-defendant at the trial level, also had a pending Rule 37 petition that contained many claims in common

with Baldwin. On March 10, 2010, the circuit court entered an order finding that, since the two post-convictions cases were heard together, it would be a needless duplication to prepare separate transcripts. The court directed that: the court reporter prepare one transcript; Craighead County would prepare the record of pleadings and orders for Baldwin; Clay County would prepare Misskelley's record; and the Craighead County would perform the appropriate pagination and indexing for the court reporter's transcript. The court reporter has now completed the transcript and Clay County has completed the Misskelley record.

- 4. On April 29, 2010, the Craighead County Clerk's Office advised that it could not assemble and finalize the record by its due date. Because of the length of the record, the clerk advised that it would need an additional thirty days to prepare and finalize the record for filing.
- order from this Court for an extension to time to file the record, relief that is appropriately sought in this Court. Here, the court reporter has completed the stenographically reported material for inclusion in the record, but the clerk has not yet completed and finalized the full record. In such circumstances, Rule 4 of the Arkansas Rules of Appellate Procedure Criminal does not apply. See Rule 4(c)(1) ("If any party has designated stenographically reported material for inclusion in the record on appeal, the circuit court, by order entered before expiration of the period prescribed by subdivision (b) of this rule or by a prior extension order, may extend the time for filing the record ... The circuit court may enter an order granting the extension if the circuit court finds that all parties consent to the extension

and that an extension is necessary for the court reporter to include the stenographically reported material in the record on appeal.) Since, the court reporter has completed the stenographically reported material, a plain reading of Rule 4 indicates it does not apply.

- 6. Rule 3-5 of the Rules of the Supreme Court and Court of Appeal of Arkansas provides:
 - (a) Authorization for writ of certiorari. When jurisdiction is conferred by filing, within the time allowed for appeal, a dated and certified copy of the order or judgment appealed from, the Clerk may, upon authorization by the Court, issue a writ of certiorari to the clerk of the circuit court, the reporter, or any other person charged with the duty of preparing the record on appeal, directing that any omissions or errors in the record be corrected.
 - (b) Contents of writ. The writ shall order that the record be completed and certified within thirty days, and the explanation for any default in complying with the writ must be made on the return within the time directed. This procedure may be used in appeals of civil, criminal, and administrative agency or commission cases.
- 7. Ark. Sup. Ct. R. 3-5, unlike Ark. R. App. P. Crim. 4, is to be directed to a clerk of the circuit court to complete the record, not to a court reporter. For these reasons, Misskelley asks the Court to issue a writ of certiorari to the Craighead County Circuit Court (which has possession of the Misskelley Clay Circuit record, to complete the record within thirty days. Alternatively, he asks this Court to extend the time to file the record for thirty days to allow the circuit clerk to complete the record.

8. Filed contemporaneously with this motion is a similar motion filed on behalf of Baldwin. Both Baldwin and Misskelley assert that all diligent efforts have been made to lodge the record within ninety days of the filing of their respective notices of appeal.

WHEREFORE, the petitioner, Jessie Misskelley, moves this Court for a writ of certiorari to complete the record, or, alternatively, order extending that date on which to lodge the record until May 30, 2010.

JESSIE L. MISSKELLEY Jr.

APP ROSENZWEJO

Ark. Bar No. 771/8

300 Spring St. Suite 310

Little Rock, AR 72201

(501) 372-5247

Attorney for Jessie Misskelley

CERTIFICATE OF SERVICE

I hereby certify that I have mailed copies of the Petition and Motion to the Hon. David Burnett, c/o Craighead County Courthouse, Jonesboro, AR, Prosecuting Attorney Mike Walden, Craighead County Courthouse, Jonesboro, AR, and Dustin McDaniel, Attorney General [Attn David Raupp and Kent Holt], 323 Center St. Little Rock, AR 72201 and counsel of record to the co-defendants, Deborah Sallings for Echols and Blake Hendrix for Baldwin this day of May, 2010.

SERVED CR10-456

IN THE ARKANSAS SUPREME COURT OF MEDICALS

STATE OF ARKANSAS

vs.

No. MAY 0 3 2010

LESLIE W. STEEN
CLERK

APPELLANT

2,KX

APPELLEE

CHARLES JASON BALDWIN

CERTIORARI OR, IN THE ALTERNATIVE

Comes the Appellant, Charles Jason Baldwin, through his attorneys, John T. Philipsborn and J. Blake Hendrix, and for his petition and motion, states:

- 1. On January 20, 2010, the circuit court entered an order denying Baldwin post-conviction relief under Ark. R. Crim. P. 37. On February 11, 2010, Baldwin filed a timely notice of appeal from the trial court's January 20, 2010 order. In the interim between the January 20, 2010 order, and the February 11, 2010 notice of appeal, Baldwin filed a motion to modify and for specific findings. On February 10, 2010, the circuit court entered an order denying Baldwin's motion to modify and, on March 10, 2010, Baldwin filed a supplemental notice of appeal incorporating all matters appealed from in the original notice of appeal and from the denial of his motion to modify.
- 2. Pursuant to Rule 4, Arkansas Rules of Appellate Procedure Criminal, the record is to be lodged within ninety days from the filing of the notice of appeal. In this case, the record is due to be lodged by May 12, 2010 ninety days from the filing of the original notice of appeal.
 - 3. During the course of the post-conviction proceedings, the trial court ordered that Baldwin's claims would be heard jointly with the claims presented in *State of Arkansas v. Jesse Lloyd Misskelley*, Clay County Circuit Court No. CR 93-47. Misskelley, a co-defendant at the

trial level, also had a pending Rule 37 petition that contained several claims in common with Baldwin. On March 10, 2010, the circuit court entered an order finding that, since the two post-convictions cases were heard together, it would be a needless duplication to prepare separate transcripts. The court directed that: the court reporter prepare one transcript; the Craighead County Circuit Clerk would prepare the record of pleadings and orders for Baldwin; the Clay County Circuit Court would prepare Misskelley's record; and the Craighead County Circuit Clerk would perform the appropriate pagination and indexing for the court reporter's transcript. The court reporter has now completed the transcript and Clay County has completed the Misskelley record.

- 4. On April 29, 2010, the Craighead County Clerk's Office advised counsel for Baldwin that it could not assemble and finalize the record by its due date. Because of the length of the record, the clerk advised that it would need an additional thirty days to prepare and finalize the record for filing.
- 5. The relief Baldwin seeks is a writ of certiorari to complete the record or an order from this Court for an extension to time to file the record, relief that is appropriately sought in this Court. Here, the court reporter has completed the stenographically reported material for inclusion in the record, but the circuit clerk has not yet finalized the full record for delivery. In such circumstances, Rule 4 of the Arkansas Rules of Appellate Procedure Criminal does not apply. See Ark. R. App. P. Crim. 4(c)(1) ("If any party has designated stenographically reported material for inclusion in the record on appeal, the circuit court, by order entered before expiration of the period prescribed by subdivision (b) of this rule or by a prior extension order, may extend the time for filing the record ... The circuit court may enter an order granting the extension if the circuit court finds that all parties consent to the extension and that an extension is

necessary for the court reporter to include the stenographically reported material in the record on appeal.) Since, the court reporter has completed the stenographically reported material, a plain reading of Rule 4 indicates it does not apply.

- 6. Rule 3-5 of the Rules of the Supreme Court and Court of Appeal of Arkansas provides:
 - (a) Authorization for writ of certiorari. When jurisdiction is conferred by filing, within the time allowed for appeal, a dated and certified copy of the order or judgment appealed from, the Clerk may, upon authorization by the Court, issue a writ of certiorari to the clerk of the circuit court, the reporter, or any other person charged with the duty of preparing the record on appeal, directing that any omissions or errors in the record be corrected.
 - (b) Contents of writ. The writ shall order that the record be completed and certified within thirty days, and the explanation for any default in complying with the writ must be made on the return within the time directed. This procedure may be used in appeals of civil, criminal, and administrative agency or commission cases.

Thus, Ark. Sup. Ct. R. 3-5 allows the Court to direct a circuit clerk to complete the record. For these reasons, Baldwin asks the Court to issue a writ of certiorari to the Craighead County Circuit Clerk to complete the record within thirty days. Alternatively, he asks this Court to extend the time to file the record for thirty days to allow the circuit clerk to complete the record, a power that lies in the Court's inherent authority to regulate the administration of justice. See Nameloc, Inc. v. Jack, Lyon & Jones, P.A., 362 Ark. 175, 208 S.W.3d 129 (2005).

7. Filed contemporaneously with this motion is a similar motion filed on behalf of Misskelley. Both Baldwin and Misskelley assert that all diligent efforts have been made to lodge the record within ninety days of the filing of their respective notices of appeal.

WHEREFORE, the petitioner, Charles Jason Baldwin, moves this Court for a writ of certiorari to complete the record, or, alternatively, order extending that date on which to lodge the record until May 30, 2010.

Respectfully Submitted by CHARLES JASON BALDWIN

J. Blake Hendrix, Esq. John T. Philipsborn, Esq.

By: <u>7 // 6</u>

J. Blake Hendrix ABN 86066

308 S. Louisiana Street Little Rock, AR 72201

(501) 376-0679

Attorneys for Charles Jason Baldwin

CERTIFICATE OF SERVICE

I, J. Blake Hendrix, hereby certify that a copy of the foregoing was placed in the U.S. Mail, postage prepaid, on May 3, 2010 to:

David Raupp Kent Holt Deputy Attorneys General Office of Arkansas Attorney General 323 Center Street, Suite 200 Little Rock, Arkansas 72201

J. Blake Hendrix

PROPERTY OF ARKANSAS SUPREME COURT/COURT OF APPEALS

CR 10 00456

Appellant(s)

Charles Jason Baldwin Jessie Lloyd Misskelley, Jr.

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v. Craighead Circuit, Western District
Hon. Charles David Burnett, JUDGE
CR93-450 (BALDWIN), CR93-47 (MISSKELLEY)

Appellee(s)

State Of Arkansas

25 Volume Supplemental Record Lodged 3 Envelopes Exhibits 1 Small Box Exhibits

Writ Returned
Supplemental Record Filed
June 11, 2010
Leslie W. Steen, Clerk
By Renee Herndon

Volume 2

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3	CHARLES JASON BALDWIN PLAINTIFF
4	VS. CR-93-450B
5	STATE OF ARKANSAS RESPONDENT
6	RULE 37 HEARING
7	APPEARANCES:
8	MIGUARIA FIRE DEVI
9	MICHAEL WALDEN, Esq. Prosecuting Attorney 2 nd Judicial District 531 Union , Suite
10	Jonesboro, Arkansas 72401 FILED
11	Deputy Attorney General APR o 1 2010
12	Office of Attorney General 323 Center Street, Suite 200 Ann Hudson
13	Little Rock, Arkansas 72201 Circuit Court Clerk and
14	DAVID RAUPP, Esq. Deputy Attorney General
15	Office of Attorney General 323 Center Street, Suite 200 Little Rock, Arkansas 72201 FOR THE STATE
16	
17	J. BLAKE HENDRIX, Esq. 308 South Louisiana Street
18	Little Rock, Arkansas 72201 And
19	JOHN T. PHILLIPSBORN, Esq. 507 Polk Street
20	San Francisco, California 94103 FOR THE DEFENDANT
21	
22	
23	
24	ORIGINAL
25	

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WESTERN DISTRICT

CHARLES JASON BALDWIN

PLAINTIFF

VS. CR-93-450-B

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STATE OF ARKANSAS

RESPONDENT

BE IT REMEMBERED that on this 24th day of September, 2008 and ending on the 2nd day of October, 2009, before the HONORABLE DAVID BURNETT, Circuit Court Judge within and for the Second Judicial District, of which Craighead County is a part, the above-styled cause was heard before the Court.

IN THE CIRCUIT COURT OF CRAIGHEAD COUNTY, ARKANSAS

The following is a true, correct and complete

transcription of the record made on the above date.

APPEARANCES:

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Prosecuting Attorney 2nd Judicial District

511 Union, Ste. 342

Jonesboro, Arkansas 72401

and

KENT HOLT, Esq.

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Little Rock, Arkansas 72201

And

JOHN T. PHILLIPSBORN, Esq.

507 Polk Street

San Francisco, California 94103

FOR THE DEFENDANT

25

Rule 37 Hearing before HONORABLE DAVID BURNETT

September 24, 2008 TESTIMONY AND EVIDENCE

ON BEHALF OF THE PETITIONERS

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Rosemary M. Jones Official Court Reporter #317 420 West Hale Ave. Osceola, AR 72370-2532 870-563-2007

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Rosemary M. Jones, C.C.R. #317 420 West Hale Ave.. Osceola, AR 72370-2532 870-563-2007

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11	Petitioner's exhibit #48GG	1749	2870
	Petitioner's exhibit #48HH	1751	2871
12	Petitioner's exhibit #48II	1755	2872
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13	Petitioner's exhibit #48KK	1758	2874
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14	Petitioner's exhibit #48MM	1759	2876
	Petitioner's exhibit #48NN	1760	2877
15	Petitioner's exhibit #4800	1761	2878
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16	Petitioner's exhibit #49	1767	2879
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17	Re-direct examination by Mr. Phillip	sborn	1828
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18	Re-cross examination by Mr. Holt		1839
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19	Direct-examination by Mr. Rosenzweig		1841
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20	MICHAEL BADEN, MD FORENSIC PATHOLOGIST		1050
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21	Petitioner's exhibit #51	1853	2880
	Petitioner's exhibit #52	1860	2881
22	Petitioner's exhibit #53	1870	2882
22	Petitioner's exhibit #54	1878	2883
23	Petitioner's exhibit #55	1881	2884
24	Petitioner's exhibit #56	1891	2885
4 4	Petitioner's exhibit #57	1891	2886 1934
25	Direct-examination by Mr. Phillipsbo Cross-examination by Mr. Holt	T 11	1934
۷.)	Joint-exhibit #2	1947	2887
	Re-direct examination by Mr. Burt	エノユ(1960
	The difference examination by Mr. Butt		T > 0 0

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2	Petitioner's exhibit #58 1961 JOHN MARK BYERS	2888
3	Direct-examination by Mr. Burt RICHARD SOUVIRON, DDS FORENSIC PATHOLOGIST	1968
4	Petitioner's exhibit #59 1971 Direct-examination by Mr. Burt	2889 1972
5	Petitioner's exhibit #60 1987	
6	1 = = = = = = = : "	2892
7	Petitioner's exhibit #64 2053 Direct-examination by Mr. Phillipsborn	
8	Cross-examination by Mr. Holt Re-direct examination by Mr. Burt	2066 2085
9	Re-direct examination by Mr. Phillipsborn Re-cross examination by Mr. Holt	
10	JANICE OPHOVEN, MD Direct-examination by Mr. Phillipsborn	2096
11	Petitioner's exhibit #65 2096 Direct-examination by Mr. Burt	
12	Cross-examination by Mr. Holt Re-direct examination by Mr. Phillipsborn	2162
13	Re-direct examination by Mr. Burt ANGELA GAIL GRINNEL	2190
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15	NANCY PEMBERTON Direct-examination by Mr. Burt	2235
16	Joint exhibit #3 2242 JOHN PHILLIPSBORN	
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18	Direct-examination by Mr. Phillipsborn Cross-examination by Mr. Holt	2246 2257
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20	Direct-examination by Mr. Burt Cross-examination by Mr. Holt	2279 2280
21	Re-direct examination by Mr. Phillipsborn Re-cross examination by Mr. Holt	
22	PAUL JASON DUNCAN Direct-examination by Mr. Hendrix	2295
23	Cross-examination by Mr. Holt	2309 2314
24	Re-direct examination by Mr. Hendrix JENNIFER BEARDEN	
25	Direct-examination by Mr. Hendrix Cross-examination by Mr. Holt	2315 2332
	Re-direct examination by Mr. Hendrix Re-cross examination by Mr. Holt	2336 2338
	Poromore M. Jones C.C.D. #217 420 West Hele Ave. Occes-1- AD 5	77270 7527 - 870 542 7007
	Rosemary M. Jones, C.C.R. #317 420 West Hale Ave Osceola, AR 7	2310-2332 010-303-2001

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2	JACK LASSITER	la o 200	2220
3	Direct-examination by Mr. Phillips Petitioner's exhibit #66	2360	2339 2897
4	Petitioner's exhibit #66a Petitioner's exhibit #66b	2360 2361	2898 2899
5	Direct-examination by Mr. Burt Cross-examination by Mr. Holt		2369 2369
6	Re-direct examination by Mr. Phill Re-direct examination by Mr. Burt	ipsborn	2379 2385
7	Re-cross examination by Mr. Holt VICTORIA HUTCHESON		2386
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8	Petitioner's exhibit #67 Petitioner's exhibit #68	2396 2389	2900 2901
9	Petitioner's exhibit #69	2398	2902
	Petitioner's exhibit #70	2399	2903
10	Petitioner's exhibit #71	2399	2904
ł	NANCY PEMBERTON		
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ŀ	Direct examination by Mr. Hendrix		2409
12	Cross examination by Mr. Holt		2411
	Re-direct examination by Mr. Burt		2411
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14 15	ON BEHALF OF THE ST		
15	ON BEHALF OF THE ST. MIKE ALLEN, WMPD Direct-Examination by Mr. Holt	ATE/RESPONDE	2435
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15 16	ON BEHALF OF THE ST. MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #16 State's exhibit #17 State's exhibit #18	ATE/RESPONDE 2438 2441	2435 2905 2906 2907
15 16 17	ON BEHALF OF THE ST. MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #16 State's exhibit #17 State's exhibit #18	ATE/RESPONDE 2438 2441 2442 2444	2435 2905 2906 2907 2908
15 16 17	ON BEHALF OF THE ST. MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #16 State's exhibit #17 State's exhibit #18 State's exhibit #19	ATE/RESPONDE 2438 2441 2442 2444 2444	2435 2905 2906 2907 2908 2909
15 16 17 18	ON BEHALF OF THE ST MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #16 State's exhibit #17 State's exhibit #18 State's exhibit #19 State's exhibit #23	ATE/RESPONDE 2438 2441 2442 2444 2446 2447	2435 2905 2906 2907 2908 2909 2910
15 16 17 18	ON BEHALF OF THE ST MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #16 State's exhibit #17 State's exhibit #18 State's exhibit #19 State's exhibit #23 State's exhibit #21	ATE/RESPONDE 2438 2441 2442 2444 2446 2447 2449	2435 2905 2906 2907 2908 2909 2910 2911
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15 16 17 18 19	ON BEHALF OF THE ST. MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #17 State's exhibit #18 State's exhibit #19 State's exhibit #23 State's exhibit #21 State's exhibit #26 State's exhibit #26 State's exhibit #20	2438 2441 2442 2444 2446 2447 2449 2453 2458	2435 2905 2906 2907 2908 2909 2910 2911 2912 2913
15 16 17 18 19 20	ON BEHALF OF THE ST. MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #17 State's exhibit #18 State's exhibit #19 State's exhibit #23 State's exhibit #21 State's exhibit #26 State's exhibit #26 State's exhibit #25 State's exhibit #25 State's exhibit #22 State's exhibit #24	2438 2441 2442 2444 2446 2447 2449 2453 2458 2458 2459 2460	2435 2905 2906 2907 2908 2909 2910 2911 2912 2913 2914 2915 2916
15 16 17 18 19 20	ON BEHALF OF THE ST. MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #17 State's exhibit #18 State's exhibit #19 State's exhibit #23 State's exhibit #21 State's exhibit #26 State's exhibit #26 State's exhibit #25 State's exhibit #25 State's exhibit #25 State's exhibit #24 State's exhibit #24 State's exhibit #27	2438 2441 2442 2444 2446 2447 2449 2453 2458 2458 2459	2435 2905 2906 2907 2908 2909 2910 2911 2912 2913 2914 2915 2916 2917
15 16 17 18 19 20 21 22	ON BEHALF OF THE ST MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #17 State's exhibit #18 State's exhibit #19 State's exhibit #23 State's exhibit #21 State's exhibit #26 State's exhibit #20 State's exhibit #25 State's exhibit #25 State's exhibit #24 State's exhibit #27 Cross-Examination by Mr. Hendrix	2438 2441 2442 2444 2446 2447 2449 2453 2458 2458 2459 2460 2461	2435 2905 2906 2907 2908 2909 2910 2911 2912 2913 2914 2915 2916 2917 2463
15 16 17 18 19 20 21	ON BEHALF OF THE ST. MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #16 State's exhibit #18 State's exhibit #19 State's exhibit #23 State's exhibit #21 State's exhibit #26 State's exhibit #26 State's exhibit #25 State's exhibit #25 State's exhibit #25 State's exhibit #24 State's exhibit #27 Cross-Examination by Mr. Hendrix Petitioner's exhibit #73	2438 2441 2442 2444 2446 2447 2449 2453 2458 2458 2458 2458 2460 2461	2435 2905 2906 2907 2908 2909 2910 2911 2912 2913 2914 2915 2915 2916 2917 2463 2918
15 16 17 18 19 20 21 22 23	ON BEHALF OF THE ST. MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #17 State's exhibit #18 State's exhibit #19 State's exhibit #23 State's exhibit #21 State's exhibit #26 State's exhibit #20 State's exhibit #25 State's exhibit #25 State's exhibit #24 State's exhibit #27 Cross-Examination by Mr. Hendrix Petitioner's exhibit #73 Petitioner's exhibit #74	2438 2441 2442 2444 2446 2447 2449 2453 2458 2458 2459 2460 2461	2435 2905 2906 2907 2908 2909 2910 2911 2912 2913 2914 2915 2916 2917 2463 2918 2919
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15 16 17 18 19 20 21 22 23 24	ON BEHALF OF THE ST. MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #17 State's exhibit #18 State's exhibit #19 State's exhibit #23 State's exhibit #21 State's exhibit #26 State's exhibit #20 State's exhibit #25 State's exhibit #25 State's exhibit #24 State's exhibit #27 Cross-Examination by Mr. Hendrix Petitioner's exhibit #73 Petitioner's exhibit #74 Cross Examination by Mr. Burt Petitioner's exhibit #75	2438 2441 2442 2444 2446 2447 2449 2453 2458 2458 2458 2458 2460 2461	2435 2905 2906 2907 2908 2909 2910 2911 2912 2913 2914 2915 2916 2917 2463 2918 2918 2919 2494 2920
15 16 17 18 19 20 21 22 23	ON BEHALF OF THE ST. MIKE ALLEN, WMPD Direct-Examination by Mr. Holt State's exhibit #15 State's exhibit #16 State's exhibit #18 State's exhibit #19 State's exhibit #23 State's exhibit #21 State's exhibit #26 State's exhibit #25 State's exhibit #25 State's exhibit #24 State's exhibit #27 Cross-Examination by Mr. Hendrix Petitioner's exhibit #73 Petitioner's exhibit #74 Cross Examination by Mr. Burt	2438 2441 2442 2444 2446 2447 2449 2453 2458 2458 2459 2460 2461	2435 2905 2906 2907 2908 2909 2910 2911 2912 2913 2914 2915 2916 2917 2463 2918 2918 2919 2494

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9	FRANK PERETTI, MEDICAL EXAMINER		
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18	Re-cross examination by Mr. Phillips Petitioner's exhibit #81		2828
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19	Re-cross examination by Mr. Burt Petitioner's exhibit #82	2830	2829
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20		2837	2941
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24	State's Exhibit #6		3047
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   State's Exhibit #9
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   State's Exhibit #10
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   State's Exhibit #12
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3
   State's Exhibit #14
                                                             3053
   State's Exhibit #15
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   State rests
4
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   5:30 P.M. COURT DISMISSED
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   REPORTER'S CERTIFICATE
5
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