

<b>Description</b>	Judge Boyce * S. Holstine * Patricia Bath * 04/25/23 * Fremont Co. Case		
<b>Date</b>	4/25/2023	<b>Location</b>	1A-CRT400
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">8:47:26 AM</a>		<b>CR22-21-1624 St v Lori Vallow Jury Trial - Day 10</b>	
<a href="#">8:47:28 AM</a>	State Attys	Lindsay Blake - Robert Wood - Rachel Smith - Spencer Rammell for the State	
<a href="#">8:47:31 AM</a>	Def Attys	Jim Archibald - John Thomas for the Defense	
<a href="#">8:47:33 AM</a>	Defendant	is present in custody	
<a href="#">8:47:52 AM</a>		Simulcast On	
<a href="#">8:47:54 AM</a>	Judge Boyce	Calls case. All counsel and parties are present. Reminder of the courtroom conduct order that is in effect.	
<a href="#">8:48:51 AM</a>	Judge Boyce	Anything before we bring the jury in	
<a href="#">8:48:53 AM</a>		Nothing from the parties	
<a href="#">8:49:06 AM</a>	Judge Boyce	Bring the jury in please.	
<a href="#">8:50:21 AM</a>		The jury is present	
<a href="#">8:50:22 AM</a>	Judge Boyce	State's witness has retaken the stand and remains under oath. The jurors are all present and have signed their juror affirmation forms. The State may proceed with their examination	
<a href="#">8:51:08 AM</a>	Mr. Wood	<b>Continues Direct Examination of SW#26- Nick Ballance</b>	
<a href="#">8:52:15 AM</a>	Mr. Wood	State's Exhibit #156A previously marked is handed to the witness for identification	
<a href="#">8:52:20 AM</a>	Mr. Wood	Moves to admit SE #156A	
<a href="#">8:52:41 AM</a>	Judge Boyce	Inquires of the defense	
<a href="#">8:52:48 AM</a>	Mr. Thomas	No objection	
<a href="#">8:52:50 AM</a>	Judge Boyce	<b>STATE'S EXHIBIT #156A IS ADMITTED</b>	
<a href="#">8:52:59 AM</a>	Mr. Wood	Moves to publish SE #156	
<a href="#">8:53:04 AM</a>	Judge Boyce	You may publish SE #156	
<a href="#">8:53:06 AM</a>		SE #156 IS PUBLISHED	
<a href="#">8:53:17 AM</a>	Mr. Wood	CDX of SW#26	
<a href="#">9:58:38 AM</a>	Mr. Wood	No further questions of this witness	
<a href="#">9:58:43 AM</a>	Mr. Thomas	Shall we take a break now or shall I begin	

<a href="#">9:58:55 AM</a>	Judge Boyce	We'll break in about 15 minutes
<a href="#">9:59:01 AM</a>	Mr. Thomas	<b>Cross Examination of SW#26</b>
<a href="#">10:10:34 AM</a>	Judge Boyce	We'll take our mid-morning recess. We'll reconvene at 10:30
<a href="#">10:10:51 AM</a>		Jurors Exit
<a href="#">10:11:24 AM</a>		<b>COURT RECESSES - Simulcast Off</b>
<a href="#">10:41:11 AM</a>		COURT RESUMES. Jury is not present
<a href="#">10:41:14 AM</a>	Judge Boyce	Bring the jury in please
<a href="#">10:41:21 AM</a>		<b>Simulcast On</b>
<a href="#">10:43:51 AM</a>	Judge Boyce	Back on the record. All counsel and parties are present. The Defense may continue their cross examination
<a href="#">10:44:17 AM</a>	Mr. Thomas	<b>CCX of SW#26</b>
<a href="#">10:57:00 AM</a>	Mr. Wood	Objection - Speculation
<a href="#">10:57:04 AM</a>	Judge Boyce	Objection is Overruled
<a href="#">10:57:07 AM</a>	Mr. Thomas	CCX of SW#26
<a href="#">10:58:39 AM</a>	Mr. Thomas	No further questions of this witness
<a href="#">10:58:41 AM</a>	Judge Boyce	Any redirect from the State
<a href="#">10:59:04 AM</a>	Mr. Wood	<b>RDX of SW#26</b>
<a href="#">10:59:45 AM</a>	Mr. Wood	No further questions of this witness
<a href="#">10:59:46 AM</a>	Judge Boyce	May this witness step down and be excused
<a href="#">10:59:57 AM</a>	Mr. Wood	We ask they remain under subpoena
<a href="#">11:00:07 AM</a>	Judge Boyce	Witness may step down but remains under subpoena
<a href="#">11:00:36 AM</a>	Judge Boyce	The State may call their next witness
<a href="#">11:00:41 AM</a>	Mr. Rammell	Requests Sidebar
<a href="#">11:00:47 AM</a>		<b>SIDEBAR - Simulcast Off</b>
<a href="#">11:02:10 AM</a>		<b>Simulcast On</b>
<a href="#">11:02:12 AM</a>	Judge Boyce	The State may call their next witness
<a href="#">11:02:14 AM</a>	Mr. Rammell	<b>CALLS STATE'S WITNESS #27 - Summer Shiflet/Sworn</b>
<a href="#">11:03:16 AM</a>	Judge Boyce	Notes this witness has been designated as a victim representative and therefore the exclusionary rule does not apply to her
<a href="#">11:03:42 AM</a>	Mr. Rammell	<b>Direct Examination of SW#27</b>
<a href="#">11:07:37 AM</a>		Previously admitted SE#34A is shown to the witness

<a href="#">11:07:46 AM</a>	Mr. Rammell	Moves to publish SE #34A
<a href="#">11:07:54 AM</a>	Judge Boyce	You may publish SE #34A
<a href="#">11:08:17 AM</a>		SE #34A IS PUBLISHED
<a href="#">11:21:18 AM</a>	Mr. Rammell	No further questions of this witness
<a href="#">11:21:25 AM</a>	Judge Boyce	Any cross
<a href="#">11:21:51 AM</a>	Mr. Archibald	<b>Cross Examination of SW#27</b>
<a href="#">11:33:45 AM</a>	Mr. Rammell	Objection - Hearsay - Not a party opponent
<a href="#">11:34:00 AM</a>	Judge Boyce	Inquires of the State
<a href="#">11:34:04 AM</a>	Mr. Rammell	Further argument
<a href="#">11:34:27 AM</a>	Mr. Archibald	Responds
<a href="#">11:34:42 AM</a>	Judge Boyce	Objection is Overruled. Witness may answer the last question
<a href="#">11:35:08 AM</a>	Mr. Archibald	CCX of SW#27
<a href="#">11:38:51 AM</a>	Mr. Archibald	No further questions of this witness
<a href="#">11:38:53 AM</a>	Judge Boyce	Allowed the defense to go beyond cross as they were going to call as their own witness. The State may cross/redirect
<a href="#">11:39:20 AM</a>	Mr. Rammell	<b>RDX of SW#27</b>
<a href="#">11:40:10 AM</a>	Mr. Rammell	No further questions of this witness
<a href="#">11:40:14 AM</a>	Judge Boyce	May this witness step down and be excused
<a href="#">11:40:19 AM</a>	Mr. Rammell	No objection
<a href="#">11:40:25 AM</a>	Mr. Archibald	No objection
<a href="#">11:40:28 AM</a>	Judge Boyce	Witness may step down and be excused
<a href="#">11:40:44 AM</a>	Mr. Wood	May she remain as an observer
<a href="#">11:40:52 AM</a>	Judge Boyce	Yes, she may. The State may call their next witness
<a href="#">11:41:11 AM</a>	Ms. Smith	<b>CALLS STATE'S WITNESS #28 - Richard (Rick) Arthur Schmitt/Sworn</b>
<a href="#">11:43:01 AM</a>	Ms. Smith	<b>Direct Examination of SW#28</b>
<a href="#">11:54:16 AM</a>	Ms. Smith	Asks witness be able to view his notes to refresh his recollection. Shows to defense counsel
<a href="#">11:54:33 AM</a>	Judge Boyce	You may
<a href="#">11:55:35 AM</a>	Ms. Smith	The witness has a file with his own files and reports to refresh his recollection.
<a href="#">11:55:53 AM</a>	Judge Boyce	You may continue with your examination

<a href="#">11:55:59 AM</a>	Ms. Smith	CDX of SW#28
<a href="#">11:56:35 AM</a>	Judge Boyce	Instructs the witness on testifying from recollection. The State may continue their examination
<a href="#">11:56:47 AM</a>	Ms. Smith	CDX of SW#28
<a href="#">11:58:29 AM</a>	Mr. Thomas	No objection to him referring to his notes
<a href="#">11:58:30 AM</a>	Judge Boyce	You may refer to your notes
<a href="#">11:58:47 AM</a>	Ms. Smith	CDX of SW#28
<a href="#">11:59:32 AM</a>	Judge Boyce	We'll take our lunch recess at this time and return sometime before 1pm
<a href="#">11:59:54 AM</a>		Jurors Exit
<a href="#">12:00:24 PM</a>		COURT RECESSES - <b>Simulcast Off</b>
<a href="#">1:01:09 PM</a>		COURT RESUMES. Jury is not present
<a href="#">1:01:28 PM</a>	Judge Boyce	Bring the jury in please
<a href="#">1:01:31 PM</a>		<b>Simulcast On</b>
<a href="#">1:03:45 PM</a>		The jury is present
<a href="#">1:03:47 PM</a>	Judge Boyce	Back on the record. All counsel and parties are present. The State may continue their direct examination
<a href="#">1:04:19 PM</a>	Ms. Smith	<b>CDX of SW#28 - Rick Schmitt</b>
<a href="#">1:05:23 PM</a>	Judge Boyce	Defense indicated no objection to witness refreshing his recollection
<a href="#">1:05:25 PM</a>	Ms. Smith	CDX of SW#28
<a href="#">1:06:49 PM</a>	Ms. Smith	Witnesses refreshes recollection with notes - CDX of SW#28
<a href="#">1:10:58 PM</a>		State's Exhibit #297 previously marked is handed to the witness for identification
<a href="#">1:11:07 PM</a>	Ms. Smith	Moves to admit SE #297 per stipulation
<a href="#">1:11:14 PM</a>	Mr. Thomas	No objection
<a href="#">1:11:38 PM</a>	Ms. Smith	<b>STATE'S EXHIBIT #297 IS ADMITTED</b>
<a href="#">1:11:48 PM</a>	Ms. Smith	CDX of SW#82
<a href="#">1:12:31 PM</a>	Ms. Smith	Moves to publish SE #297
<a href="#">1:12:33 PM</a>	Judge Boyce	You may publish SE #297
<a href="#">1:12:35 PM</a>		SE #297 IS PUBLISHED
<a href="#">1:12:58 PM</a>	Ms. Smith	CDX of SW#28
<a href="#">1:13:38 PM</a>	Mr. Thomas	Objection - Foundation

<a href="#">1:13:46 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">1:13:50 PM</a>	Ms. Smith	CDX of SW#28
<a href="#">1:26:33 PM</a>	Ms. Smith	No further questions of this witness
<a href="#">1:26:39 PM</a>	Mr. Thomas	<b>Cross Examination of SW#28</b>
<a href="#">1:31:47 PM</a>	Mr. Thomas	No further questions of this witness
<a href="#">1:31:51 PM</a>	Judge Boyce	Anything further
<a href="#">1:31:53 PM</a>	Ms. Smith	No redirect
<a href="#">1:31:55 PM</a>	Judge Boyce	May this witness step down and be excused
<a href="#">1:32:10 PM</a>	Ms. Smith	He may be excused
<a href="#">1:32:12 PM</a>	Mr. Thomas	No objection
<a href="#">1:32:16 PM</a>	Judge Boyce	Witness may step down and be excused
<a href="#">1:32:36 PM</a>	Mr. Wood	<b>CALLS STATE'S WITNESS #29 - FBI Special Agent Steve Daniels/Sworn</b>
<a href="#">1:33:38 PM</a>	Mr. Wood	<b>Direct Examination of SW#29</b>
<a href="#">1:42:24 PM</a>	Mr. Wood	State's Exhibit #171 previously marked is handed to the witness for identification
<a href="#">1:43:07 PM</a>	Mr. Wood	CDX of SW#29
<a href="#">1:48:59 PM</a>	Mr. Wood	Moves to admit SE #171
<a href="#">1:49:07 PM</a>	Mr. Thomas	Questions SW#29 in aid of objection
<a href="#">1:50:07 PM</a>	Mr. Wood	Objection - misstates the testimony
<a href="#">1:50:08 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">1:50:15 PM</a>	Mr. Thomas	Continues questions of SW#29 in aid of objection
<a href="#">1:53:33 PM</a>	Mr. Thomas	No objection to the exhibit
<a href="#">1:53:40 PM</a>	Judge Boyce	<b>STATE'S EXHIBIT #171 IS ADMITTED</b> and may be published
<a href="#">1:53:47 PM</a>		SE #171 IS PUBLISHED
<a href="#">1:58:21 PM</a>	Mr. Wood	CDX of SW#29
<a href="#">2:15:54 PM</a>	Judge Boyce	Let's take our afternoon break. Return in 20 minutes
<a href="#">2:16:08 PM</a>		Jurors Exit
<a href="#">2:16:39 PM</a>		<b>COURT RECESSES - Simulcast Off</b>
<a href="#">2:38:49 PM</a>		COURT RESUMES. Jury is not present
<a href="#">2:39:13 PM</a>		Bring the jury in please

<a href="#">2:39:16 PM</a>		<b>Simulcast On</b>
<a href="#">2:41:15 PM</a>		The jury is present
<a href="#">2:41:17 PM</a>	Judge Boyce	Back on the record. All counsel and parties are present
<a href="#">2:41:30 PM</a>	Mr. Wood	CDX of SW#29
<a href="#">2:53:19 PM</a>	Mr. Thomas	I'm having a hard time following the laser pointer
<a href="#">2:53:22 PM</a>	Judge Boyce	We're having another one brought into the courtroom
<a href="#">2:53:37 PM</a>	Mr. Wood	CDX of SW#29
<a href="#">3:17:56 PM</a>	Mr. Thomas	Objection - no question before the witness
<a href="#">3:18:00 PM</a>	Judge Boyce	Objection is Sustained - Narrative
<a href="#">3:18:02 PM</a>	Mr. Wood	CDX of SW#29
<a href="#">3:25:37 PM</a>	Judge Boyce	Requests sidebar
<a href="#">3:25:42 PM</a>		<b>SIDEBAR - Simulcast Off</b>
<a href="#">3:27:14 PM</a>		<b>Simulcast On</b>
<a href="#">3:27:20 PM</a>	Judge Boyce	Brief sidebar with the parties to discuss scheduling. There is time remaining with this witness so we will conclude for the day and begin again tomorrow. Admonishes the jurors.
<a href="#">3:29:02 PM</a>		Jurors Exit
<a href="#">3:29:05 PM</a>		END OF CASE

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