

Description	Judge Boyce * S. Holstine * Patricia Bath * 04/26/23 * Fremont Co. Case		
Date	4/26/2023	Location	1A-CRT400
Time	Speaker	Note	
8:39:44 AM		CR22-21-1624 St v Lori Vallow Jury Trial Day 11	
8:39:46 AM	State Attys	Lindsay Blake - Robert Wood - Rachel Smith for the State	
8:39:48 AM	Def Attys	Jim Archibald - John Thomas for the Defense	
8:39:52 AM	Defendant	is present in custody	
8:40:06 AM		Simulcast On	
8:40:10 AM	Judge Boyce	Bring the jury in please	
8:42:22 AM		The jury is present	
8:42:23 AM	Judge Boyce	Calls case. All counsel and parties are present. Reminder of the courtroom conduct that is in effect. The jurors are all present and affirmations have been signed. The State may continue with their case in chief	
8:43:27 AM	Judge Boyce	Inquires of SW#29 and reminds the witness he is still under oath	
8:43:46 AM	Mr. Wood	Continues Direct Examination of SW#29 - FBI Special Agent Steve Daniels	
8:47:38 AM	Mr. Thomas	Objection - no question before the witness	
8:47:48 AM	Judge Boyce	Objection is Sustained	
8:47:50 AM	Mr. Wood	CDX of SW#29	
9:05:03 AM	Mr. Wood	State's Exhibits #170A-170U previously marked are handed to the witness for identification	
9:06:56 AM	Mr. Wood	CDX of SW#29	
9:08:10 AM	Mr. Wood	Moves to admit SE #170A-170U	
9:08:21 AM	Mr. Thomas	Questions SW#29 in aid of objection	
9:08:47 AM	Mr. Thomas	Objection - cumulative evidence	
9:08:54 AM	Mr. Wood	Responsive argument	
9:09:29 AM	Judge Boyce	Overrules objection. STATE'S EXHIBITS #170A-170U ARE ADMITTED	
9:10:25 AM	Mr. Wood	State's Exhibits #170V-17QQ previously marked are handed to the witness for identification	
9:12:17 AM	Mr. Wood	CDX of SW#29	

9:13:54 AM	Mr. Wood	Moves to admit SE #170V-170QQ
9:14:05 AM	Mr. Thomas	Renews objection - cumulative
9:14:11 AM	Judge Boyce	Overrules objection. STATE'S EXHIBITS #170V-170QQ ARE ADMITTED
9:15:02 AM	Mr. Wood	State's Exhibits #170RR-170XX previously marked are handed to the witness for identification
9:15:06 AM	Mr. Wood	CDX of SW#29
9:17:19 AM	Mr. Wood	Moves to admit SE #170RR-170XX
9:17:22 AM	Mr. Thomas	Renews objection - cumulative
9:17:24 AM	Judge Boyce	Overrules objection. STATE'S EXHIBITS #170RR-170XX ARE ADMITTED
9:18:09 AM	Mr. Wood	State's Exhibits #170YY-170JJJ previously marked are handed to the witness for identification
9:18:12 AM	Mr. Wood	CDX of SW#29
9:18:15 AM	Mr. Wood	Moves to admit SE #170YY-170JJJ
9:18:17 AM	Mr. Thomas	Renews objection - cumulative
9:18:18 AM	Judge Boyce	Overrules objection. STATE'S EXHIBITS #170YY-170JJJ ARE ADMITTED
9:19:13 AM	Mr. Wood	State's Exhibits #170KKK-170WWW previously marked are handed to the witness for identification
9:20:23 AM	Mr. Wood	CDX of SW#29
9:23:52 AM	Mr. Wood	Moves to admit SE #170KKK-170WWW
9:23:54 AM	Mr. Thomas	Renews objection - cumulative
9:23:57 AM	Judge Boyce	Overrules objection. STATE'S EXHIBITS #170KKK-170WWW ARE ADMITTED
9:25:14 AM	Mr. Wood	CDX of SW#29
9:27:33 AM	Mr. Wood	No further questions of this witness
9:27:38 AM	Judge Boyce	The defense may begin cross
9:27:40 AM	Mr. Thomas	Cross Examination of SW#29
9:36:43 AM	Mr. Thomas	No further questions of this witness
9:36:47 AM	Judge Boyce	Any redirect
9:36:51 AM	Mr. Wood	No, Your Honor
9:36:55 AM	Judge Boyce	May this witness step down and be excused

9:37:12 AM	Mr. Wood	We ask they remain under subpoena
9:37:18 AM	Judge Boyce	Witness may step down and remains under subpoena
9:37:30 AM	Judge Boyce	The State may call their next witness
9:37:39 AM	Mr. Wood	CALLS STATE'S WITNESS #30 - Dr. Garth Warren/Sworn
9:38:45 AM	Mr. Wood	Direct Examination of SW#30
10:12:16 AM	Mr. Wood	Inquires if the court want to take a break
10:12:24 AM	Judge Boyce	We'll take our mid-morning break and return in 20 minutes
10:12:42 AM		Jurors Exit
10:13:22 AM		COURT RECESSES - Simulcast Off
10:40:32 AM		COURT RESUMES. Jury is not present
10:41:24 AM	Judge Boyce	Bring the jury in please
10:41:27 AM		Simulcast On
10:44:01 AM		The jury is present
10:44:03 AM	Judge Boyce	Back on the record. All counsel and parties are present. The State may continue their direct examination
10:44:25 AM	Mr. Wood	CDX of SW#30
10:44:52 AM	Mr. Wood	State's Exhibit #176A-176MM previously marked is handed to the witness for identification
10:47:35 AM	Mr. Wood	CDX of SW#30
10:49:35 AM	Mr. Wood	Moves to admit SE #176A-176MM
10:49:39 AM	Mr. Thomas	Objection - more prejudicial than probative
10:50:00 AM	Mr. Wood	Responsive argument
10:50:34 AM	Judge Boyce	Objection is Overruled. STATE'S EXHIBITS #176A-176MM ARE ADMITTED (No W, Z or KK)
10:51:23 AM	Mr. Thomas	Would the court consider B&W photos
10:51:24 AM	Mr. Wood	We'd object to that
10:51:40 AM	Judge Boyce	Comments. Requests sidebar with counsel
10:51:46 AM		SIDEBAR - Simulcast Off
11:06:15 AM		Simulcast On
11:06:40 AM	Judge Boyce	I have considered the evidence and the objection of the defense. Inappropriate for many photos to be publicly demonstrated due to the graphic nature of the photographs -

		jurors are entitled to see the photos. The size of the screen on the monitor could be prejudicial to blow the photos up to that size. Photos will be shown to the jurors on their monitors. We've arranged the monitors so the witness, State and defense can view those, but they won't be shown on the overhead projector or to the simulcast locations
11:09:08 AM	Judge Boyce	The State may continue their examination
11:09:10 AM	Mr. Wood	Notes the State didn't take a position on that objection and left it up to the court
11:09:26 AM	Mr. Wood	Moves to publish SE #176A-176MM
11:09:31 AM	Judge Boyce	You may publish SE #176A-176MM
11:09:33 AM		SE #176A-176MM IS PUBLISHED
11:10:00 AM	Mr. Wood	CDX of SW#30
11:11:20 AM	Mr. Thomas	The State's screen is being viewed by the public behind them
11:11:39 AM	Judge Boyce	Comments. Prosecution is rearranging for this portion of the proceeding to block the view of their monitor
11:13:46 AM		SIDEBAR - Simulcast Off
11:17:00 AM		Simulcast On
11:17:02 AM	Judge Boyce	We have cut one of the camera feeds, but the audio remains on. The State may continue
11:17:47 AM	Mr. Wood	CDX of SW#30
11:47:18 AM	Mr. Thomas	Objection - no question before the witness
11:47:21 AM	Judge Boyce	Objection is Sustained - narrative
11:47:22 AM	Mr. Wood	CDX of SW#30
11:49:16 AM	Mr. Wood	I'm moving to a new line of questioning. Do we wish to take a break
11:49:17 AM	Judge Boyce	We will take a moment to rearrange the courtroom and monitors. The victims in this case, if they'd like, may view these exhibits in a separate setting. I'd leave that up to them to communicate with the State's victim witness coordinator if they wish to see those
11:51:11 AM	Judge Boyce	The State may continue
11:51:12 AM	Mr. Wood	CDX of SW#30
12:03:41 PM	Judge Boyce	Would this be a good point for lunch
12:03:44 PM	Mr. Wood	May I ask a few more questions

12:03:46 PM	Judge Boyce	You may
12:03:47 PM	Mr. Wood	CDX of SW#30
12:05:10 PM	Mr. Wood	We can break now
12:05:15 PM	Judge Boyce	We'll recess for an hour-long lunch
12:05:30 PM		Jurors Exit
12:06:07 PM		COURT RECESSES - Simulcast Off
1:17:38 PM		Simulcast On
1:17:39 PM	Judge Boyce	Bring the jury in please
1:19:46 PM		The jury is present
1:19:47 PM	Judge Boyce	Back on the record All counsel and parties are present. The State may continue their direct examination.
1:20:17 PM	Judge Boyce	As to the last set of photos/exhibits (SE#176) that were admitted, to make a clear record, certain letters are not included in the admitted exhibits (W, Z & KK)
1:20:38 PM	Mr. Wood	That is accurate
1:20:42 PM	Judge Boyce	Addresses the jurors
1:21:25 PM	Mr. Wood	The next exhibit will have the same issue
1:21:36 PM	Mr. Wood	CDX of SW#30
1:28:39 PM	Mr. Wood	State's Exhibit #177A-177EE previously marked is handed to the witness for identification
1:30:27 PM	Mr. Wood	CDX of SW#30
1:32:07 PM	Mr. Wood	Moves to admit SE #177A-EE
1:32:17 PM	Mr. Thomas	Objection - More prejudicial than probative
1:32:32 PM	Judge Boyce	Objection is Overruled. STATE'S EXHIBITS #177A-177EE IS ADMITTED (No L, N, R, V, W & Y) . I have determined there are some of the photos that should not be shown on the projector, but on the monitors for the jurors.
1:33:58 PM	Mr. Wood	Notes for the record that SE#177 does not contain (L, N, R, V, W & Y)
1:34:32 PM	Judge Boyce	Admonishes the jurors
1:34:37 PM	Mr. Wood	Discussion on exhibit photos to not be shown on projector
1:35:23 PM	Judge Boyce	Lists the exhibit photos are D-H and O-CC
1:35:47 PM	Mr. Wood	CDX of SW#30

1:38:11 PM	Mr. Wood	The next exhibits are ones the court has indicates shall not be shown on the projector
1:38:18 PM	Judge Boyce	These shall not be projected. Projector is turned off
1:40:54 PM	Judge Boyce	The State may proceed
1:40:59 PM	Mr. Wood	CDX of SW#30
1:47:29 PM	Mr. Wood	Inquires of the court
1:47:53 PM	Judge Boyce	Continue with the next exhibits
1:47:55 PM	Mr. Wood	CDX of SW#30
1:59:42 PM	Judge Boyce	You may project the remainder of the exhibits. We'll take a moment to reconfigure. The victims shall be able to view the exhibits and the State can submit a request for that.
2:00:50 PM	Mr. Wood	CDX of SW#30
2:04:33 PM	Mr. Wood	No further questions of this witness
2:04:45 PM	Judge Boyce	Defense may begin their cross examination
2:04:55 PM	Mr. Thomas	Cross Examination of SW#30
2:20:44 PM	Mr. Wood	Objection -
2:20:45 PM	Judge Boyce	Objection is Sustained
2:20:47 PM	Mr. Thomas	CCX of SW#30
2:23:52 PM	Mr. Thomas	No further questions of this witness
2:23:54 PM	Judge Boyce	Any redirect from the State
2:24:00 PM	Mr. Wood	No, Your Honor
2:24:04 PM	Judge Boyce	May this witness step down and be excused
2:24:11 PM	Mr. Wood	He may be released
2:24:14 PM	Mr. Thomas	We ask that he not be released
2:24:47 PM	Judge Boyce	Witness may step down and remains under subpoena
2:25:23 PM	Judge Boyce	We'll take a 20-minute break
2:25:37 PM		Jurors Exit
2:25:41 PM		COURT RECESSES - Simulcast Off
2:51:30 PM		COURT RESUMES. Jury is not present
2:51:49 PM	Judge Boyce	Bring the jury in please
2:51:57 PM		Simulcast On
2:53:07 PM		The jury is present

2:53:10 PM	Judge Boyce	Back on the record. All counsel and parties are present. The State may call their next witness
2:53:41 PM	Ms. Smith	CALLS STATE'S WITNESS #31 - Dr. Angi Christensen/Sworn
2:54:24 PM	Ms. Smith	Direct Examination of SW#31
3:02:18 PM	Ms. Smith	State's Exhibits #182A & 182B previously marked are handed to the witness for identification
3:02:38 PM	Ms. Smith	Moves to admit SE #182A & 182B
3:02:43 PM	Mr. Thomas	No objection
3:02:43 PM	Judge Boyce	STATE'S EXHIBITS #182A & 182B ARE ADMITTED. (Demonstrative Only)
3:03:06 PM	Mr. Thomas	These are admitted for demonstrative purposes only
3:03:20 PM	Judge Boyce	I would consider them demonstrative
3:03:26 PM	Ms. Smith	Thank you Judge. CDX of SW#31
3:04:29 PM	Ms. Smith	May the witness refresh her recollection with her notes
3:04:41 PM	Mr. Thomas	Reviews witness notes
3:06:46 PM	Ms. Smith	CDX of SW#31
3:10:28 PM	Ms. Smith	State's Exhibits #181A- 81I previously marked are handed to the witness for identification
3:11:47 PM	Ms. Smith	CDX of SW#31
3:12:15 PM	Ms. Smith	Moves to admit SE #181A-181I
3:12:25 PM	Mr. Thomas	Questions SW#31 in aid of objection
3:15:19 PM	Mr. Thomas	No objection
3:15:22 PM	Judge Boyce	STATE'S EXHIBITS #181A - 181I ARE ADMITTED
3:15:26 PM	Ms. Smith	Moves to publish SE #181A-181I
3:15:29 PM	Judge Boyce	You may publish SE #181A-181I
3:15:31 PM		SE #181A-181I ARE PUBLISHED
3:15:37 PM	Ms. Smith	CDX of SW#31
3:32:42 PM	Ms. Smith	This is a good stopping point
3:32:51 PM	Judge Boyce	We will recess for the day. Admonishes the jurors.
3:33:31 PM		Jurors Exit
3:34:10 PM		END OF CASE
3:34:10 PM		

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