

Description	Boyce/ J. Hoskins/ P. Bath/ 4/27/23 ** Fremont County Case **	
Date	4/27/2023	Location 1A-CRT400
Time	Speaker	Note
8:28:43 AM		State vs Lori Vallow CR22-21-1624 Jury Trial Day 12
8:38:38 AM	States Attorneys	Lindsay Blake - Robert Wood - Rachel Smith- Tawnya Rawlings for the State
8:38:40 AM	Defense Attorneys	Jim Archibald - John Thomas for the Defense
8:38:42 AM	Defendant	Is present in custody
8:38:47 AM		Simulcast On
8:39:45 AM	Judge Boyce	Calls case
8:40:05 AM	Ms. Smith	Ready to continue with witnesses this morning
8:40:16 AM	Judge Boyce	All parties are present. Please bring in the jury.
8:42:27 AM		Jury is present
8:43:06 AM	Judge Boyce	State is continuing with its case in chief. All jurors are present and have signed their affirmations. The state may continue direct exam of Dr. Angi Christensen. Witness reminded still under oath for testimony.
8:44:08 AM	Ms. Smith	Continues direct exam with Angi Christensen- previously sworn
8:44:51 AM		Previously admitted SE#181C is shown to the witness; exam continues
8:48:21 AM		Previously admitted SE#181E is shown to the witness; exam continues
8:49:09 AM		Previously admitted SE#181F is shown to the witness; exam continues
8:50:18 AM		Previously admitted SE#182B is shown to the witness; exam continues
8:52:06 AM		Previously admitted SE#181F is shown to the witness; exam continues
8:52:33 AM		Previously admitted SE#181G is shown to the witness; exam continues
8:55:55 AM		Previously admitted SE#182A is shown to the witness; exam continues

8:56:56 AM		Previously admitted SE#181I is shown to the witness; exam continues
8:58:30 AM	Mr. Thomas	Cross exam
9:05:19 AM	Ms. Smith	Redirect exam
9:06:46 AM	Judge Boyce	Can the witness be excused?
9:06:56 AM	Ms. Smith	Ask she be released from her subpoena
9:07:03 AM	Mr. Thomas	No objection
9:07:04 AM	Judge Boyce	Witness may step down and be excused
9:08:44 AM		Sworn In Douglass Halespaska (SW32)
9:09:00 AM	Judge Boyce	Inquires if the witness has watched or viewed any of these proceedings on the news & reminds to speak slowly for the court reporter
9:09:37 AM	Ms. Rawlings	Direct exam
9:15:32 AM		May the witness be provided his notes?
9:15:41 AM	Judge Boyce	Any objection from defense?
9:17:10 AM	Mr. Thomas	After review; no objection
9:17:25 AM	Ms. Rawlings	Witness directed to not read reports but refresh and go by memory
9:17:45 AM	Ms. Rawlings	Direct exam continues
9:18:35 AM	Mr. Thomas	Objection - narrative
9:18:43 AM	Judge Boyce	Objection is Sustained
9:18:45 AM	Ms. Rawlings	Direct exam conts
9:27:09 AM		State's Exhibit #180A-180L previously marked are handed to the witness for identification; exam continues
9:31:11 AM		Moves to admit SE #180A-180L
9:31:17 AM	Mr. Thomas	With the explanation of the writing on the bones; no objection
9:31:34 AM	Judge Boyce	STATE'S EXHIBITS #180A-180L ARE ADMITTED
9:31:45 AM	Ms. Rawlings	Moves to publish SE #180A-180L
9:31:47 AM	Judge Boyce	You may publish SE #180A-180L
9:31:48 AM	Ms. Rawlings	Direct exam continues
10:16:16 AM	Mr. Thomas	Cross exam
10:19:22 AM	Judge Boyce	Will take the morning recess at this time

<u>10:19:31 AM</u>		Court is in recess. Simulcast Off
<u>10:44:21 AM</u>		Court resumes. Simulcast On
<u>10:45:11 AM</u>	Judge Boyce	Please bring in the jury
<u>10:47:10 AM</u>		Jury is present.
<u>10:47:38 AM</u>	Judge Boyce	Back on the record.
<u>10:47:43 AM</u>	Mr. Thomas	Continues with cross exam
<u>10:56:17 AM</u>	Ms. Rawlings	Objection - testifying to facts not in evidence- inadequate foundation
<u>10:56:29 AM</u>	Judge Boyce	Objection is Overruled
<u>10:56:34 AM</u>	Mr. Thomas	Cross conts
<u>11:08:49 AM</u>	Ms. Rawlings	Redirect exam
<u>11:11:30 AM</u>	Judge Boyce	May this witness be excused?
<u>11:11:38 AM</u>	Ms. Rawlings	We ask the witness be released from their subpoena
<u>11:11:40 AM</u>	Mr. Thomas	No objection
<u>11:11:42 AM</u>	Judge Boyce	Witness may step down and be excused
<u>11:12:44 AM</u>		Sworn In David Sincerveaux (SW33)
<u>11:13:06 AM</u>	Judge Boyce	Inquires if the witness has watched or viewed any of these proceedings on the news & reminds to speak slowly for the court reporter
<u>11:13:38 AM</u>	Ms. Smith	Direct exam
<u>11:20:05 AM</u>	Mr. Thomas	Cross exam

<u>11:28:41 AM</u>	Ms. Smith	No redirect; this witness may be excused
<u>11:28:45 AM</u>	Mr. Thomas	No objection
<u>11:28:58 AM</u>	Judge Boyce	Witness may step down and be excused
<u>11:30:09 AM</u>		Sworn In Rylene Nowlin (SW34)
<u>11:30:21 AM</u>	Judge Boyce	Inquires if the witness has watched or viewed any of these proceedings on the news & reminds to speak slowly for the court reporter
<u>11:30:48 AM</u>	Mr. Wood	Direct exam
<u>11:48:20 AM</u>	Mr. Thomas	No cross exam
<u>11:48:31 AM</u>	Mr. Wood	Ask the witness be excused
<u>11:48:32 AM</u>	Mr. Thomas	No objection
<u>11:48:38 AM</u>	Judge Boyce	Witness may step down and be excused
<u>11:49:03 AM</u>		Will recess for lunch. Resume no later than 12:45
<u>11:49:13 AM</u>		Court in recess. Simulcast Off
<u>12:52:58 PM</u>		Court resumes. Simulcast On
<u>12:53:28 PM</u>	Judge Boyce	Please bring in the jury
<u>12:54:54 PM</u>		Jury is present.
<u>12:55:31 PM</u>	Judge Boyce	Back on the record. Jurors are all present. Parties are present.
<u>12:56:08 PM</u>		Wanted to discuss scheduling. Today we will need to be done by 3:20. Tomorrow we will have a shortened schedule, 8:30-1:30.
<u>12:56:44 PM</u>		State may call their next witness

12:57:36 PM		Sworn in Katherine Dace (SW35)
12:57:45 PM	Judge Boyce	Inquires if the witness has watched or viewed any of these proceedings on the news & reminds to speak slowly for the court reporter
12:58:18 PM	Mr. Wood	Direct exam
1:06:26 PM		State's Exhibit #201A-201Q previously marked are handed to the witness for identification; exam continues
1:08:55 PM		Moves to admit SE #201A-201Q
1:09:04 PM	Mr. Thomas	Question in aid of objection
1:09:58 PM		No objection with that explanation
1:10:01 PM	Judge Boyce	STATE'S EXHIBITS #201A-201Q ARE ADMITTED
1:10:29 PM	Mr. Wood	Direct exam continues
1:11:04 PM		Moves to publish SE #201A-201Q
1:11:23 PM	Judge Boyce	You may publish SE #201A-201Q
1:11:24 PM	Mr. Wood	Direct exam continues
1:31:47 PM	Mr. Thomas	Cross exam
1:40:45 PM	Judge Boyce	Record will reflect the witness is being shown her notes
1:41:21 PM	Mr. Thomas	Cross exam conts
1:43:06 PM	Mr. Wood	Redirect exam
1:43:41 PM	Mr. Thomas	No follow up
1:43:47 PM	Judge Boyce	Can the witness be released from subpoena?
1:43:54 PM	Mr. Wood	She can be released
1:43:55 PM	Mr. Thomas	No objection
1:44:37 PM	Mr. Wood	Request for sidebar
1:44:44 PM		Witness is excused/ Sidebar/ Simulcast Off
1:47:37 PM		Simulcast On
1:47:49 PM		Sworn in Tara Martinez (SW36)
1:48:39 PM	Judge Boyce	Inquires if the witness has watched or viewed any of these proceedings on the news & reminds to speak slowly for the court reporter
1:49:03 PM	Ms. Smith	Direct exam

2:07:12 PM		State's Exhibit #210 previously marked is handed to the witness for identification; exam continues
2:08:57 PM		Moves to admit SE #210
2:09:08 PM	Judge Boyce	There have been modifications to the court's copies and defense
2:09:14 PM	Ms. Smith	Responds - yes, as discussed at sidebar
2:09:30 PM	Mr. Thomas	No objection with that explanation
2:09:40 PM	Judge Boyce	STATE'S EXHIBIT #210 IS ADMITTED
2:09:45 PM	Ms. Smith	Moves to publish SE #210
2:09:46 PM	Judge Boyce	You may publish SE #210
2:10:31 PM	Ms. Smith	Direct exam continues
2:17:11 PM	Mr. Thomas	No cross exam
2:17:16 PM	Judge Boyce	May the witness be excused?
2:17:20 PM	Ms. Smith	yes
2:17:22 PM	Mr. Thomas	No objection
2:17:27 PM	Judge Boyce	Witness may step down and be excused
2:18:00 PM		Will take the midafternoon break
2:18:04 PM		Court in recess. Simulcast Off
2:39:01 PM		Court resumes. Simulcast On
2:39:30 PM	Judge Boyce	Please bring in the jury
2:40:37 PM		Jury is present.
2:41:20 PM	Judge Boyce	Back on the record. The state can call their next witness.
2:42:08 PM		Sworn In Chuck Kunsaitis (SW11- Previously Examined)
2:42:20 PM	Judge Boyce	Inquires if the witness has watched or viewed any of these proceedings on the news & reminds to speak slowly for the court reporter
2:42:52 PM	Mr. Wood	Direct exam
2:44:42 PM	Mr. Archibald	Objection - Hearsay
2:44:44 PM	Mr. Wood	Not for truth of the matter
2:44:50 PM	Judge Boyce	Objection is Overruled- for limited purpose
2:44:58 PM	Mr. Wood	Direct exam
2:46:17 PM		State's Exhibit #142 & 142A previously marked is handed to the witness for identification; exam continues

2:47:36 PM		Moves to admit SE #142 & 142A
2:47:43 PM	Mr. Archibald	No objection as to 142
2:48:03 PM		Have not reviewed 142A- conditionally not objecting
2:48:24 PM	Judge Boyce	Will keep that under advisement. STATE'S EXHIBIT #142 IS ADMITTED
2:48:39 PM		STATE'S EXHIBIT #142A IS CONDITIONALLY ADMITTED
2:49:00 PM	Mr. Wood	Moves to publish SE #142 & 142A
2:49:04 PM	Judge Boyce	You may publish SE #142 & 142A
2:49:14 PM	Mr. Wood	Direct exam continues
2:50:24 PM		Does defense have any objection to the files being published at this point?
2:50:31 PM	Mr. Archibald	Appears to be what it is it- no objection
2:50:36 PM	Judge Boyce	No objection at this point- state may continue to publish
2:50:45 PM	Mr. Wood	Direct exam continues
2:57:54 PM	Mr. Archibald	Cross exam
3:03:44 PM	Mr. Wood	Redirect exam
3:03:56 PM	Judge Boyce	Witness may step down and be excused
3:04:15 PM	Mr. Wood	Ask the witness remain under subpoena
3:04:41 PM	Judge Boyce	Request sidebar with counsel
3:04:56 PM		Sidebar/ Simulcast Off
3:05:59 PM		Simulcast On
3:06:38 PM		Sworn In Samantha Gwilliams (SW37)
3:06:48 PM	Ms. Blake	Witness is a victim in this case
3:07:04 PM	Judge Boyce	Exclusionary rule will not apply to this witness. Advise witness to speak slowly and clearly for the court reporter
3:07:24 PM	Ms. Blake	Direct exam
3:08:10 PM		State's Exhibit #23A previously marked is handed to the witness for identification; exam continues
3:08:55 PM		Moves to admit SE #23A
3:09:03 PM	Mr. Archibald	No objection

3:09:07 PM	Judge Boyce	STATE'S EXHIBIT #23A IS ADMITTED
3:09:09 PM	Ms. Blake	Moves to publish SE #23A
3:09:10 PM	Judge Boyce	You may publish SE #23A
3:09:21 PM	Ms. Blake	Direct exam continues
3:11:03 PM		State's Exhibit #298 previously marked is handed to the witness for identification
3:11:24 PM		Moves to admit SE #298
3:11:31 PM	Mr. Archibald	Questions SW in aid of objection
3:12:22 PM		No objection
3:12:24 PM	Judge Boyce	STATE'S EXHIBIT #298 IS ADMITTED
3:12:29 PM	Ms. Blake	Moves to publish SE #298
3:12:30 PM	Judge Boyce	You may publish SE #298
3:12:32 PM	Ms. Blake	Direct exam
3:19:34 PM	Judge Boyce	Will break for the day, will continue with this witness tomorrow
3:19:51 PM		Conclude trial for today
3:20:05 PM		Admonishes the jury