

<b>Description</b>	Judge Boyce * S. Holstine * Patricia Bath * 5/4/23 * Fremont Co. Case	
<b>Date</b>	5/4/2023	<b>Location</b> 1A-CRT400
<b>Time</b>	<b>Speaker</b>	<b>Note</b>
<a href="#">8:46:10 AM</a>		<b>CR22-21-1624 St v Lori Vallow Jury Trial - Day 17</b>
<a href="#">8:46:12 AM</a>	State Attys	Lindsey Blake - Robert Wood - Rachel Smith - Tawnya Rawlings for the State
<a href="#">8:46:15 AM</a>	Def Attys	Jim Archibald - John Thomas for the Defense
<a href="#">8:46:17 AM</a>	Defendant	Is present in custody
<a href="#">8:46:37 AM</a>		<b>Simulcast On</b>
<a href="#">8:46:39 AM</a>	Judge Boyce	Calls case. Counsel and all parties are present. The State continues with its case in chief. Had a conference with counsel this morning on a legal issue that has arisen with the current witness, Ian Pawlowski. The defense wishes to admit/publish recordings made by the witness. The court needs to determine if those should be admitted/published. This is a legal issue that needs to be argued outside the presence of the jury. Asks defense to lay foundation
<a href="#">8:48:10 AM</a>	Mr. Archibald	Makes proffer to court
<a href="#">8:53:08 AM</a>	Judge Boyce	Inquires why do you want to publish/play recording rather than CX on the contents of the recording and possibly impeach
<a href="#">8:53:34 AM</a>	Mr. Archibald	Responds - best evidence
<a href="#">8:54:11 AM</a>	Judge Boyce	Thank you. The State may respond
<a href="#">8:54:20 AM</a>	Ms. Blake	Makes argument against recordings
<a href="#">8:57:42 AM</a>	Judge Boyce	Thank you. The defense may make final argument
<a href="#">8:57:47 AM</a>	Mr. Archibald	Final argument
<a href="#">8:58:57 AM</a>	Judge Boyce	I will take a brief recess to make a decision on this motion
<a href="#">8:59:36 AM</a>		<b>COURT RECESSES - Simulcast Off</b>
<a href="#">9:14:40 AM</a>		<b>COURT RESUMES.</b> Jury is not present
<a href="#">9:14:44 AM</a>		<b>Simulcast On</b>
<a href="#">9:14:48 AM</a>	Judge Boyce	Back on the record. Counsel and all parties are present
<a href="#">9:15:04 AM</a>	Judge Boyce	Makes ruling - finds the recordings would constitute hearsay and are not admissible under the hearsay rules. On CX if witness contradicts contents of recordings it may open that up

		again. Court will not allow recordings to be played at this time. Any questions
<a href="#">9:19:14 AM</a>	Mr. Archibald	No, Your Honor
<a href="#">9:19:16 AM</a>	Ms. Blake	No, Your Honor
<a href="#">9:19:18 AM</a>	Judge Boyce	Bring the jury in please
<a href="#">9:25:51 AM</a>		The jury is present
<a href="#">9:25:52 AM</a>	Judge Boyce	Back on the record. Counsel and all parties are present. The jurors are present and have signed their juror affirmation forms. The witness has returned to the stand and remains under oath. The Defense may begin their cross examination
<a href="#">9:27:09 AM</a>	Mr. Thomas	<b>Cross Examination of SW#55 – Ian Pawlowski</b>
<a href="#">9:39:42 AM</a>	Ms. Blake	Objection - Argumentative
<a href="#">9:39:44 AM</a>	Judge Boyce	That was argumentative Mr. Thomas
<a href="#">9:39:45 AM</a>	Mr. Thomas	CCX of SW#55
<a href="#">9:42:07 AM</a>	Mr. Thomas	Makes argument to court to have witness listen to DE#F to refresh his recollection of the recording made that date
<a href="#">9:42:34 AM</a>	Ms. Blake	We would request a sidebar
<a href="#">9:42:43 AM</a>		<b>SIDEBAR - Simulcast Off</b>
<a href="#">9:47:50 AM</a>		<b>Simulcast On</b>
<a href="#">9:47:55 AM</a>	Judge Boyce	We discussed the defense request to have the witness refresh his recollection by listening to the exhibit and the court has denied that motion. The defense may continue with their questioning
<a href="#">9:48:15 AM</a>	Mr. Thomas	CCX of SW#55
<a href="#">9:53:58 AM</a>	Ms. Blake	Objection - Asked and Answered
<a href="#">9:54:02 AM</a>	Judge Boyce	Objection is Sustained
<a href="#">9:54:08 AM</a>	Mr. Thomas	No further questions of this witness
<a href="#">9:54:16 AM</a>	Judge Boyce	Any redirect from the State
<a href="#">9:54:20 AM</a>	Ms. Blake	No redirect
<a href="#">9:54:25 AM</a>	Judge Boyce	May this witness step down and be excused
<a href="#">9:54:30 AM</a>	Ms. Blake	No objection
<a href="#">9:54:34 AM</a>	Mr. Thomas	We may call him in our case in chief
<a href="#">9:54:44 AM</a>	Ms. Blake	We ask he be released from the State's subpoena
<a href="#">9:54:52 AM</a>	Mr. Thomas	We ask he not be released from the subpoena

<a href="#">9:55:10 AM</a>	Ms. Blake	Argument
<a href="#">9:55:20 AM</a>	Judge Boyce	I don't know who has placed him under subpoena. Is it the State only
<a href="#">9:55:33 AM</a>	Ms. Blake	We have a subpoena; I cannot speak for the defense. We would release her from our subpoena
<a href="#">9:55:34 AM</a>	Judge Boyce	I will allow the witness to be released from the State's subpoena. Will allow the defense to be able to serve a subpoena
<a href="#">9:56:13 AM</a>	Judge Boyce	Witness may step down
<a href="#">9:56:20 AM</a>	Ms. Blake	Counsel will accept service and come back under subpoena from the defense
<a href="#">9:56:52 AM</a>	Judge Boyce	The State may call their first/next witness
<a href="#">9:57:04 AM</a>	Ms. Rawlings	<b>CALLS STATE'S WITNESS #56 - Taylor Ballard/Sworn</b>
<a href="#">9:58:38 AM</a>	Ms. Rawlings	<b>Direct Examination of SW#56</b>
<a href="#">10:02:34 AM</a>	Mr. Thomas	Objection - Narrative
<a href="#">10:02:39 AM</a>	Judge Boyce	Objection is Sustained
<a href="#">10:02:42 AM</a>	Ms. Rawlings	CDX of SW#56
<a href="#">10:03:08 AM</a>	Mr. Thomas	Objection - Hearsay
<a href="#">10:03:10 AM</a>	Judge Boyce	Objection is Sustained
<a href="#">10:03:15 AM</a>	Ms. Rawlings	CDX of SW#56
<a href="#">10:06:00 AM</a>	Ms. Rawlings	Asks witness be allowed to refresh her recollection
<a href="#">10:06:14 AM</a>	Judge Boyce	Okay. Allow defense counsel to review them first
<a href="#">10:06:19 AM</a>		Defense reviews the documents
<a href="#">10:11:14 AM</a>	Mr. Thomas	May I voir dire in aid of objection
<a href="#">10:11:23 AM</a>	Judge Boyce	You may
<a href="#">10:11:26 AM</a>	Mr. Thomas	Questions SW#56 in aid of objection
<a href="#">10:12:23 AM</a>	Mr. Thomas	Requests sidebar
<a href="#">10:12:27 AM</a>		<b>SIDEBAR - Simulcast Off</b>
<a href="#">10:15:00 AM</a>		<b>Simulcast On</b>
<a href="#">10:15:00 AM</a>	Judge Boyce	Request to refresh witness recollection. The records can be given to the witness
<a href="#">10:15:21 AM</a>	Ms. Rawlings	CDX of SW#56

<a href="#">10:16:43 AM</a>	Mr. Thomas	Objection - Discovery Violation. Asks she be excused as a witness
<a href="#">10:17:09 AM</a>	Judge Boyce	I won't go that far with the objection. There was a review of the file by defense counsel that has raised an issue. Let's have a sidebar
<a href="#">10:17:30 AM</a>		<b>SIDEBAR - Simulcast Off</b>
<a href="#">10:20:00 AM</a>		<b>Simulcast On</b>
<a href="#">10:20:06 AM</a>	Judge Boyce	There's been an issue raised as to the witness file and whether it's discoverable evidence or not. The court will make an in-camera review of the file. We'll take our morning recess at this time and return at 10:45
<a href="#">10:20:48 AM</a>		Jurors Exit
<a href="#">10:21:02 AM</a>		<b>COURT RECESSES - Simulcast Off</b>
<a href="#">10:47:58 AM</a>		COURT RESUMES. Jury is not present
<a href="#">10:48:03 AM</a>		<b>Simulcast On</b>
<a href="#">10:48:05 AM</a>	Judge Boyce	Back on the record. There was an issue with an objection related to the file notes of this witness. There's a question of whether discovery has been produced. I understand the parties have resolved the issue, is that correct
<a href="#">10:48:26 AM</a>	Ms. Rawlings	We were able to provide the Bates number for where this was provided
<a href="#">10:48:28 AM</a>	Judge Boyce	So that resolves the objection
<a href="#">10:48:37 AM</a>	Mr. Thomas	Yes, it may have been provided to the prior attorneys, but it is in our discovery
<a href="#">10:49:13 AM</a>	Judge Boyce	Due to nature of the objection, I will provide a curative instruction. Bring the jury in please
<a href="#">10:50:48 AM</a>		The jury is present
<a href="#">10:50:50 AM</a>	Judge Boyce	Back on the record. Witness is still on the stand. Advises jurors the objection has been resolved. Admonishes jurors and reads curative instruction
<a href="#">10:52:33 AM</a>	Ms. Rawlings	CDX of SW#56
<a href="#">10:57:37 AM</a>	Ms. Rawlings	No further questions of this witness
<a href="#">10:57:41 AM</a>	Judge Boyce	Counsel may cross
<a href="#">10:57:43 AM</a>	Mr. Thomas	<b>Cross Examination of SW#56</b>
<a href="#">10:58:36 AM</a>	Mr. Thomas	Asks to have witness refresh her recollection
<a href="#">10:58:48 AM</a>	Judge Boyce	Admonishment to witness

<a href="#">10:59:16 AM</a>	Mr. Thomas	CCX of SW#56
<a href="#">11:00:10 AM</a>	Mr. Thomas	No further questions of this witness
<a href="#">11:00:18 AM</a>	Ms. Rawlings	No redirect
<a href="#">11:00:22 AM</a>	Judge Boyce	May this witness step down and be excused
<a href="#">11:00:27 AM</a>	Ms. Rawlings	No objection
<a href="#">11:00:29 AM</a>	Mr. Thomas	No objection
<a href="#">11:00:30 AM</a>	Judge Boyce	Witness may step down and be excused
<a href="#">11:00:43 AM</a>	Judge Boyce	The State may call their next witness
<a href="#">11:00:53 AM</a>	Ms. Rawlings	<b>CALLS STATE'S WITNESS #57 - Angela Yancey/Sworn</b>
<a href="#">11:02:15 AM</a>	Ms. Rawlings	<b>Direct Examination of SW#57</b>
<a href="#">11:04:36 AM</a>	Ms. Rawlings	State's Exhibits #151, 152 & 153 already admitted are handed to the witness for identification
<a href="#">11:05:23 AM</a>	Ms. Rawlings	Moves to publish SE #151, 152 & 153
<a href="#">11:05:25 AM</a>	Judge Boyce	You may publish SE #151, 152 & 153
<a href="#">11:05:27 AM</a>		SE #151, 152 & 153 IS PUBLISHED
<a href="#">11:05:37 AM</a>	Ms. Rawlings	CDX of SW#57
<a href="#">11:13:02 AM</a>	Ms. Rawlings	No further questions of this witness
<a href="#">11:13:06 AM</a>	Judge Boyce	Counsel may cross
<a href="#">11:13:14 AM</a>	Mr. Thomas	<b>Cross Examination of SW#57</b>
<a href="#">11:15:21 AM</a>	Mr. Thomas	Publishes State's Exhibits #151 already admitted
<a href="#">11:16:21 AM</a>	Mr. Thomas	CCX of SW#57
<a href="#">11:17:39 AM</a>	Mr. Thomas	No further questions of this witness
<a href="#">11:17:43 AM</a>	Judge Boyce	Any redirect
<a href="#">11:17:49 AM</a>	Ms. Rawlings	No redirect
<a href="#">11:17:50 AM</a>	Judge Boyce	May this witness step down and be excused
<a href="#">11:17:52 AM</a>	Ms. Rawlings	No objection
<a href="#">11:17:53 AM</a>	Mr. Thomas	No objection
<a href="#">11:17:58 AM</a>	Judge Boyce	Witness may step down and be excused. The State may call their next witness
<a href="#">11:18:23 AM</a>	Ms. Rawlings	<b>CALLS STATE'S WITNESS #58 - Detective Collin Nesbitt/Sworn</b>
<a href="#">11:19:38 AM</a>	Ms. Smith	<b>Direct Examination of SW#58</b>

<a href="#">11:23:52 AM</a>	Ms. Smith	State's Exhibit #205 previously marked is handed to the witness for identification
<a href="#">11:24:33 AM</a>	Ms. Smith	CDX of SW#58
<a href="#">11:24:59 AM</a>	Ms. Smith	Moves to admit SE #205
<a href="#">11:25:07 AM</a>	Mr. Thomas	No objection
<a href="#">11:25:09 AM</a>	Judge Boyce	<b>STATE'S EXHIBIT #205 IS ADMITTED (Thumb Drive)</b>
<a href="#">11:25:14 AM</a>	Ms. Smith	Moves to publish SE #205
<a href="#">11:25:18 AM</a>	Judge Boyce	You may publish SE #205
<a href="#">11:25:22 AM</a>		SE #205 IS PUBLISHED
<a href="#">11:25:25 AM</a>	Ms. Smith	We are having some technical issues publishing that with our laptop. It'll be just a moment
<a href="#">11:27:50 AM</a>	Ms. Smith	SE #205 IS PUBLISHED
<a href="#">11:29:14 AM</a>	Ms. Smith	CDX of SW#58
<a href="#">11:35:02 AM</a>	Ms. Smith	State's Exhibits #234A-234Z previously marked are handed to the witness for identification
<a href="#">11:36:57 AM</a>	Ms. Smith	CDX of SW#58
<a href="#">11:39:34 AM</a>	Ms. Smith	Moves to admit SE #234A-234Z
<a href="#">11:39:47 AM</a>	Mr. Thomas	No objection
<a href="#">11:39:50 AM</a>	Judge Boyce	<b>STATE'S EXHIBITS #234A-234Z ARE ADMITTED</b>
<a href="#">11:40:04 AM</a>	Ms. Smith	Moves to publish SE #234A-234Z
<a href="#">11:40:05 AM</a>	Mr. Thomas	You may publish SE #234A-234Z
<a href="#">11:40:06 AM</a>		SE #234A-234Z IS PUBLISHED
<a href="#">11:40:17 AM</a>	Ms. Smith	CDX of SW#58
<a href="#">11:59:56 AM</a>	Mr. Thomas	Objection - Leading
<a href="#">12:00:14 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">12:00:17 PM</a>	Ms. Smith	Inquires of court
<a href="#">12:00:30 PM</a>	Judge Boyce	Comments
<a href="#">12:00:31 PM</a>	Ms. Smith	CDX of SW#58
<a href="#">12:00:37 PM</a>	Mr. Thomas	Objection - Leading
<a href="#">12:00:40 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">12:00:41 PM</a>	Ms. Smith	CDX of SW#58
<a href="#">12:00:53 PM</a>	Mr. Thomas	Objection - Leading

<a href="#">12:00:57 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">12:00:59 PM</a>	Ms. Smith	CDX of SW#58
<a href="#">12:01:38 PM</a>	Mr. Thomas	Objection - Leading
<a href="#">12:01:39 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">12:01:41 PM</a>	Ms. Smith	CDX of SW#58
<a href="#">12:02:08 PM</a>	Mr. Thomas	Objection -
<a href="#">12:02:19 PM</a>	Ms. Smith	May the witness be handed the hard copy
<a href="#">12:02:28 PM</a>	Judge Boyce	Objection is Overruled
<a href="#">12:02:36 PM</a>	Ms. Smith	CDX of SW#58 - Witness is handed SE#234X
<a href="#">12:05:51 PM</a>	Ms. Smith	No further questions of this witness
<a href="#">12:05:55 PM</a>	Judge Boyce	We will take our lunch recess and return at 1pm
<a href="#">12:06:05 PM</a>		Jurors Exit
<a href="#">12:07:01 PM</a>		<b>COURT RECESSES - Simulcast Off</b>
<a href="#">1:18:19 PM</a>		COURT RESUMES. Jury is not present
<a href="#">1:18:25 PM</a>	Judge Boyce	Bring the jury in please
<a href="#">1:18:27 PM</a>		<b>Simulcast On</b>
<a href="#">1:20:59 PM</a>		The jury is present
<a href="#">1:21:01 PM</a>	Judge Boyce	Back on the record. Counsel and all parties are present. The State is still in their case in chief. I've been working with the attorneys on some issues. Discusses schedule for the remainder of the week. We will have a half day tomorrow. Do the parties agree with the schedule I've stated
<a href="#">1:22:46 PM</a>	Ms. Smith	We do
<a href="#">1:22:49 PM</a>	Mr. Thomas	Yes, Your Honor
<a href="#">1:22:50 PM</a>	Judge Boyce	Asks the witness to return to the stand and reminds him he remains under oath. The defense may proceed with their cross examination
<a href="#">1:23:49 PM</a>	Mr. Thomas	<b>Cross Examination of SW#58</b>
<a href="#">1:26:55 PM</a>	Mr. Thomas	Moves to publish SE #234A-234Z - already admitted
<a href="#">1:26:57 PM</a>	Judge Boyce	You may publish SE #234A-234Z
<a href="#">1:26:58 PM</a>	Mr. Thomas	CCX of SW#58 and PUBLISHES SE #234A-234Z
<a href="#">1:37:05 PM</a>	Mr. Thomas	No further questions of this witness
<a href="#">1:37:08 PM</a>	Judge Boyce	Any redirect

<a href="#">1:37:21 PM</a>	Ms. Smith	<b>RDX of SW#58</b> and PUBLISHES SE #234A-234Z
<a href="#">1:40:27 PM</a>	Ms. Smith	No further questions of this witness
<a href="#">1:40:31 PM</a>	Judge Boyce	May this witness step down and be excused
<a href="#">1:40:36 PM</a>	Ms. Smith	No objection
<a href="#">1:40:44 PM</a>	Mr. Thomas	No objection
<a href="#">1:40:46 PM</a>	Judge Boyce	Witness may step down and be excused. The State may call their next witness
<a href="#">1:41:13 PM</a>	Ms. Smith	<b>CALLS STATE'S WITNESS #59 - Ryan Pillar/Sworn</b>
<a href="#">1:42:54 PM</a>	Ms. Smith	<b>Direct Examination of SW#59</b>
<a href="#">1:43:28 PM</a>	Mr. Thomas	Objects for the record to preserve 404(b)
<a href="#">1:43:45 PM</a>	Judge Boyce	Anything the State would like to add
<a href="#">1:43:52 PM</a>	Ms. Smith	No, this was taken up prior. Comments further
<a href="#">1:44:09 PM</a>	Judge Boyce	Makes ruling - Objection is Overruled
<a href="#">1:45:03 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">1:49:32 PM</a>	Mr. Thomas	Objection - Hearsay
<a href="#">1:49:37 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">1:49:43 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">1:50:56 PM</a>	Mr. Thomas	Objection - Hearsay
<a href="#">1:51:03 PM</a>	Ms. Smith	Not for truth of the matter asserted
<a href="#">1:51:12 PM</a>	Judge Boyce	Objection is Overruled. Instructs the witness
<a href="#">1:51:25 PM</a>	Mr. Thomas	Thank you
<a href="#">1:51:27 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">1:53:03 PM</a>	Mr. Thomas	Objection - Hearsay
<a href="#">1:53:05 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">1:53:08 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">1:53:46 PM</a>	Mr. Thomas	Objection - Hearsay
<a href="#">1:53:48 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">1:53:50 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">1:59:38 PM</a>	Mr. Thomas	Objection - Hearsay
<a href="#">1:59:40 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">1:59:42 PM</a>	Ms. Smith	CDX of SW#59



<a href="#">2:03:17 PM</a>	Mr. Thomas	Objection - Hearsay
<a href="#">2:03:22 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">2:03:24 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">2:03:34 PM</a>	Mr. Thomas	Objection -
<a href="#">2:03:35 PM</a>	Judge Boyce	Objection is Overruled
<a href="#">2:03:40 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">2:06:39 PM</a>	Mr. Thomas	Objection - Hearsay
<a href="#">2:06:46 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">2:06:50 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">2:06:52 PM</a>	Mr. Thomas	Objection - Hearsay
<a href="#">2:06:58 PM</a>	Judge Boyce	Objection is Overruled
<a href="#">2:07:07 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">2:07:25 PM</a>	Mr. Thomas	Objection - Hearsay
<a href="#">2:07:30 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">2:07:35 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">2:12:29 PM</a>	Ms. Smith	Asks witness be able to refresh his recollection by viewing his notes after defense counsel reviews them
<a href="#">2:12:41 PM</a>	Judge Boyce	Yes
<a href="#">2:13:35 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">2:17:31 PM</a>	Mr. Thomas	Objection - Relevance
<a href="#">2:17:34 PM</a>	Ms. Smith	Argues - motive
<a href="#">2:17:42 PM</a>	Judge Boyce	Objection is Sustained
<a href="#">2:17:47 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">2:18:08 PM</a>	Mr. Thomas	Objection - Relevance
<a href="#">2:18:11 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">2:18:12 PM</a>	Judge Boyce	Objection is Overruled
<a href="#">2:18:13 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">2:18:19 PM</a>	Mr. Thomas	Objection - Vague
<a href="#">2:18:20 PM</a>	Judge Boyce	That is vague
<a href="#">2:18:24 PM</a>	Ms. Smith	CDX of SW#59
<a href="#">2:20:14 PM</a>	Ms. Smith	No further questions of this witness

<a href="#">2:20:18 PM</a>	Judge Boyce	Any cross
<a href="#">2:20:23 PM</a>	Mr. Thomas	Court has a prior ruling re: the 404(b) evidence. We believe all the information garnered today in testimony was either 404(b) or intertwined with 404(b) so that we cannot effectively CX him without losing our right to this 404(b) on appeal, so we won't have any questions
<a href="#">2:20:49 PM</a>	Judge Boyce	I understand. So there won't be any cross examination. That concludes the testimony of this witness
<a href="#">2:21:03 PM</a>	Judge Boyce	May this witness step down and be excused
<a href="#">2:21:05 PM</a>	Ms. Smith	We'd ask that
<a href="#">2:21:06 PM</a>	Mr. Thomas	No objection
<a href="#">2:21:16 PM</a>	Judge Boyce	Witness may step down and be excused
<a href="#">2:21:28 PM</a>	Mr. Thomas	Asks witness's statement to the jury be stricken
<a href="#">2:21:40 PM</a>	Judge Boyce	Addresses the jury - Objection is Sustained. Asks jurors to disregard the statement made to them by the witness
<a href="#">2:22:07 PM</a>	Judge Boyce	Instructs the jury. The State intends to not call another witness until tomorrow, is that correct
<a href="#">2:23:10 PM</a>	Ms. Smith	Yes, Judge. Our next witness is rather lengthy and ask we start that witness tomorrow.
<a href="#">2:23:22 PM</a>	Judge Boyce	I will excuse the jurors for the day. We'll take a 15-minute recess and then come back on the record to hear the evidentiary matter
<a href="#">2:23:49 PM</a>	Judge Boyce	Admonishes and excuses the jury
<a href="#">2:24:10 PM</a>		Jurors Exit
<a href="#">2:24:48 PM</a>	Judge Boyce	Inquires of the parties as to timing of the motion
<a href="#">2:24:57 PM</a>	Ms. Smith	I will email a courtesy copy to staff attorney and defense counsel
<a href="#">2:25:13 PM</a>		<b>COURT RECESSES - Simulcast Off</b>
<a href="#">3:04:23 PM</a>		<b>COURT RESUMES. Jury is not present</b>
<a href="#">3:04:24 PM</a>		<b>Simulcast On</b>
<a href="#">3:04:35 PM</a>	Judge Boyce	Back on the record. Counsel and all parties are present. Jurors have been excused for the day. I've received a demonstrative exhibit from the State that will be used with tomorrow's witness that needs to be argued. The defense will raise an objection to the exhibit. Inquires of the State what the exhibit is

<a href="#">3:05:53 PM</a>	Ms. Smith	The exhibit is for witness Douglas Hart, former FBI Special Agent, who ran criminal investigations for several counties in southern Idaho. He supervised agents that did the investigation in Idaho. He retired in 2022 and is now the chief deputy in Canyon County. Argues further. Re: icloud accounts of Lori Vallow, which have already been admitted.
<a href="#">3:12:17 PM</a>	Judge Boyce	Thank you for the proffer. The defense has reviewed the exhibit and can make your argument
<a href="#">3:12:31 PM</a>	Mr. Archibald	Yes. I make a motion to exclude not only the report but the witness also. Report was emailed to us on 5/2. Common practice - email all the reports and give us a summary the day before their testimony. Makes further argument. Agent has met with many of the witnesses, prepped them, met with the prosecutors. Argues further. Violates exclusionary rule. Argues further. Asks he be excluded or at least exclude the summary
<a href="#">3:21:07 PM</a>	Judge Boyce	The State may proceed. Please address the timing first
<a href="#">3:21:21 PM</a>	Ms. Smith	The exhibit was sent on May 2nd. Makes argument. It has been on the exhibit list
<a href="#">3:21:45 PM</a>	Judge Boyce	Comments
<a href="#">3:21:51 PM</a>	Ms. Smith	Understood. Argues further. Discovery is ongoing. Argues further
<a href="#">3:28:07 PM</a>	Judge Boyce	I've heard the argument and scrolled through the exhibit.
<a href="#">3:29:02 PM</a>	Ms. Smith	It is State's Proposed Exhibit #183
<a href="#">3:29:04 PM</a>	Judge Boyce	Makes ruling - I don't see a violation of the court's exclusionary rule - the witness is not excluded. I will exclude the exhibit - it's 160 pages. It's not just a summary - it looks like a PowerPoint of a closing argument. Makes further rulings on the record. The State may submit a follow-up exhibit with all the argumentative language removed and the court would consider it. <b>The proposed SE#183 WILL NOT BE ADMITTED.</b> The objection is sustained
<a href="#">3:36:01 PM</a>	Ms. Smith	We will try to do that. Inquires further on what the objections are: common themes, the headers, timeline
<a href="#">3:36:48 PM</a>	Judge Boyce	Responds - a lot of the information was argumentative. There's still the issue of the timeline
<a href="#">3:37:22 PM</a>	Ms. Smith	Should we request to not call him tomorrow and call him on Monday. Would the court entertain that?
<a href="#">3:37:45 PM</a>	Judge Boyce	We will start trial tomorrow, but I will let you choose the order of the witnesses. Any questions on my ruling?

<a href="#">3:38:04 PM</a>	Mr. Archibald	No, Your Honor
<a href="#">3:38:12 PM</a>	Judge Boyce	We will recess for the day
<a href="#">3:38:25 PM</a>		END OF CASE
<a href="#">3:38:26 PM</a>		

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