RFP Number: 19-24

JURISDICTION/MISDEMEANOR APPEAL
COURT OF CALIFORNIA
OF SAN BERNARDINO
ELLATE DIVISION
CALIFORNIA,)
-Respondent,)
) Superior Court
) No. TVI-802000
}
t-Appellant.)
January 13 & February 23, 2009
(NOTE: USE CURRENT DISTRICT ATTORNEY) MICHAEL A. RAMOS District Attorney 316 North Mountain View Avenue San Bernardino, California 9231:
IN PROPRIA PERSONA (NOTE: YOU MAY USE ATTORNEY'S
NAME IF NOTED ON APPEAL NOTICE.)
CHRISTIE MATHES, C.S.R.
Official Reporter, CSR-6221
EXAMPLE 5-2

RFP Number: 19-24

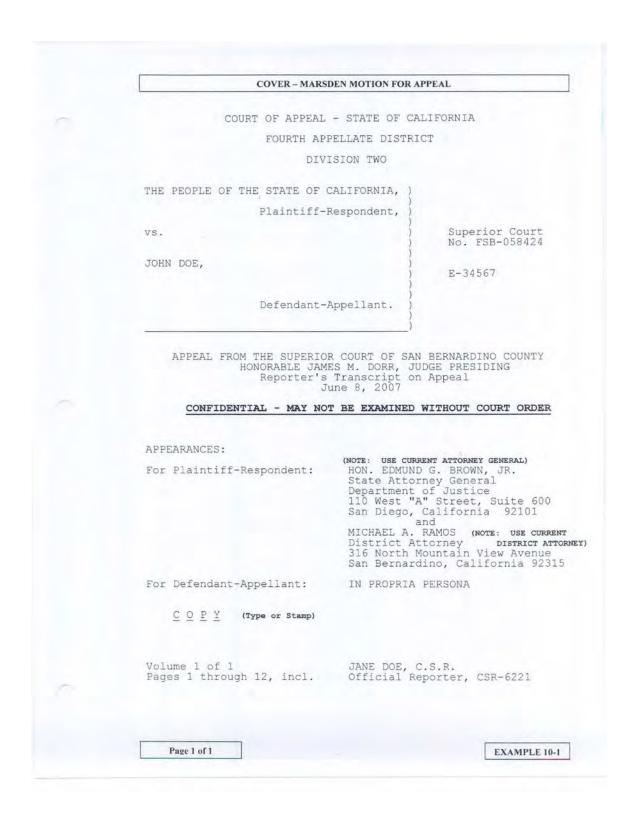


EXHIBIT A4: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO **COURT REPORTERS MANUAL - CONDENSED VERSION**

		APPEARANCE DATE INDE	X FOR APPEAL		
1		MASTER	INDEX		
2		APPEARANCE	DATE		
3	DAY	DATE	SESSION	PAGE	VOL
4	DAI	DATE	3E3310N	EAGL	VOL
5	Wednesday	April 25, 2001	A.M. P.M.	1 62	1
6	Tuesday	September 18, 2001	A.M. P.M.	144 165	1
8	Thursday	September 20, 2001	P.M.	205	1
9	Tuesday	February 26, 2002	A.M. P.M.	237 253	2 2
10	Thursday	February 28, 2002	A.M. P.M.	279 314	2 2
12	Friday	March 1, 2002	A.M.	379	2
13	Tuesday	March 5, 2002	A.M.	382	2
14	Thursday	July 11, 2002	P.M. A.M.	404	2
15		November 6, 2002	P.M.	400	2
16	Wednesday		P.M.	416	2
17	Wednesday		A.M.	422	2
18	Wednesday	bandary of 2005	P.M.	447	2
19	Thursday	January 9, 2003	A.M.	455	2
20	Wednesday	January 22, 2003	A.M.	481	2
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	Page 1 of				

EXHIBIT A4: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO **COURT REPORTERS MANUAL - CONDENSED VERSION**

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5	NO. DESCRIPTION		IDENTIFI	CATION	FOR EVIDE PG.	ENCE
6	NO. DESCRIPTION		rg.	VO13.	FG.	VOL.
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8	3 - Vehicle Door		403	2	575	2
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			EXHIB	T INDE	X – REQUI	RED FOR AP	PEAL		
	1			M A	SIER	I N D E	X		
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	5	NO.	DESCRIPTION IDE	NTIF	CATION	EVIDE	NCE	WITHDRAWN	
	6	1	Diagram	20	7	135	1		
	7	2	Document Diagram	47	1	135 135	1		
	8	5	Photograph Transcript of	219	1	220 487	1 2		
	9	6 7	Exhibit 6 Cassette Tape Copy of Miranda	325	2	487 488	2 2		
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			Page 1 of 1						

MASTERINDEX NOTE		PROCEEDINGS INDEX		
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## PROCEEDINGS PAGE VOL. Preliminary Hearing	2	TARREY OF PROGESTIVES		
Preliminary Hearing 1	3	INDEX OF PROCEEDINGS		
Preliminary Hearing 1 1 1 In Limine Motions 144 1 Change of Plea 382 2 Marsden Motion (Sealed and filed under separate cover.) Motion to Withdraw Plea 422 2 Marsden Motion (Sealed and filed under separate cover.) Sentencing 481 2 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	4	PROCEEDINGS	PAGE	VOL.
In Limine Motions 144 1 Change of Plea 382 2 Marsden Motion (Sealed and filed under separate cover.) Motion to Withdraw Plea 422 2 Marsden Motion (Sealed and filed under separate cover.) Sentencing 481 2 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	5	Droliminary Hearing	1	1
Change of Plea 382 2 Marsden Motion (Sealed and filed under separate cover.) Motion to Withdraw Plea 422 2 Marsden Motion (Sealed and filed under separate cover.) Sentencing 481 2 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	6			
Marsden Motion (Sealed and filed under separate cover.) Motion to Withdraw Plea 422 2 Marsden Motion (Sealed and filed under separate cover.) Sentencing 481 2 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	7			
Motion to Withdraw Plea 422 2 Marsden Motion (Sealed and filed under separate cover.) Sentencing 481 2 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	8			
Marsden Motion (Sealed and filed under separate cover.) Sentencing 481 2 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27	9			
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	WITNESS INDEX	
1		
2	<u>I</u> <u>N</u> <u>D</u> <u>E</u> <u>X</u>	
3		
4	PEOPLE'S WITNESSES	PAGE
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6	MATYSHOCK, Randy	
7	Direct Examination by Mr. Fermin	7
8	Cross-Examination by Mr. Peters	44
9	Redirect Examination by Mr. Fermin	50 54
10	Recross-Examination by Mr. Mahlum Direct Examination Reopened by Mr. Fermin	56
11	JOHNSON, Kyle Smith	
12	Direct Examination by Mr. Fermin	57
13	Cross-Examination by Mr. Peters	68 79
14	Redirect Examination by Mr. Fermin Recross-Examination by Mr. Mahlum	83 84
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18	Cross-Examination by Mr. Padgett	116
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20	Direct Examination by Mr. Fermin	
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EXHIBIT A4: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO COURT REPORTERS MANUAL - CONDENSED VERSION

	WITNESS INDEX (CHRONOLOGICAL) – REQUIRED FOR A	IPPEAL	
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2	CHRONOLOGICAL INDEX OF WITNESSES	5	
3			
4	PEOPLE'S WITNESSES	PAGE	VOL.
5	PRELIMINARY HEARING		
6	FLOWERS-POTTER, Jennifer Ann		
8	Direct Examination by Ms. Barbatoe Cross-Examination by Mr. Bernstein Cross-Examination by Mr. Ponce Redirect by Examination by Ms. Barbatoe Recross-Examination by Mr. Bernstein	. 28 . 35 . 38	1 1 1 1
10	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
11	GRIEGO, Leo R.J.		
12	Direct Examination by Ms. Barbatoe Direct Examination Resumed by Ms. Barbatoe Voir Dire Examination by Mr. Ponce Direct Examination Resumed by Ms. Barbatoe	62 76	1 1 1
14 15	Voir Dire Examination by Mr. Bernstein Direct Examination Resumed by Ms. Barbatoe Cross-Examination by Mr. Phillips Cross-Examination by Mr. Bernstein	94 101 118	1 1 1 1 1 1
16 17	Redirect Examination by Ms. Barbatoe	130 131 131	1 1 1
18	runther Recross-Examination by Mr. Phillips .	102	
19	MOTIONS		
20	GRIEGO, Leo Roy Jose		
21	Direct Examination by Mr. Fermin	174	1
22	Cross-Examination by Mr. Phillips	180	1
23	Recross-Examination by Mr. Phillips Further Redirect Examination by Mr. Fermin	190	1
24	Direct Examination by Mr. Fermin Cross-Examination by Mr. Padgett	257 293	2 2
25	Redirect Examination by Mr. Fermin	310	2 2 2
26			
27			
28			

EXHIBIT A4: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO COURT REPORTERS MANUAL - CONDENSED VERSION

	1	MASTER INDEX		
	2	CHRONOLOGICAL INDEX OF WITNESSES (Co	nt'd)	
	3	PEOPLE'S WITNESSES	PAGE	VOL.
	4	MOTIONS		
	5	GIBSON, Caleb Leland		
	6	Direct Examination by Mr. Fermin	334	2 2 2
	8	CEDILLO, Robert L.		
	9	Direct Examination by Mr. Fermin	356 367	2 2 2
	11	Cross-Examination Resumed by Mr. Padgett Redirect Examination by Mr. Fermin Recross-Examination by Mr. Padgett	371 376	2 2 2 2
	12	Further Redirect Examination by Mr. Fermin	377	2
	14	MOTION TO WITHDRAW THE PLEA		
	15	DEFENSE WITNESSES		
	16	WEATHERS, Leondre Odell		
	17	Direct Examination by Mr. Mahlum	432	2 2 2
	18	GLASSER, Thomas Daniel		
	19	Direction Examination by Mr. Mahlum	444	2
	21	PEOPLE'S WITNESSES		
	22	FERMIN, Michael		
	23	Direct Examination by Mr. Roth	448	2
	24	Cross-Examination by Mr. Mahlum	451	2
	25	PADGETT, Troy		4
	26	Direct Examination by Mr. Roth	456 459	2 2
	27	Cross-Examination by Mr. Mahlum	459	2

MASTERINDEX ALPHABETICAL INDEX OF WITNESSES		WITNESS INDEX (ALPHABETICAL) – REQUIRED FOR APP	EAL	
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5 MOTIONS 6 CEDILLO, Robert L. 7 Direct Examination by Mr. Fermin	3	ALPHABETICAL INDEX OF WITNESSES		
CEDILLO, Robert L.	4	PEOPLE'S WITNESSES	PAGE	VOL
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Cross-Examination by Mr. Padgett	6	CEDILLO, Robert L.		
MOTION TO WITHDRAW THE PLEA		Cross-Examination by Mr. Padgett Examination by the Court	356 367	2 2 2
Direct Examination by Mr. Roth		Redirect Examination by Mr. Fermin Recross-Examination by Mr. Padgett	371 376	2 2 2 2
Direct Examination by Mr. Roth	11	MOTION TO WITHDRAW THE PLEA		
Cross-Examination by Mr. Mahlum	12	FERMIN, Michael		
Cross-Examination by Mr. Mahlum	13	Direct Examination by Mr. Roth	448	2
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Direct Examination by Ms. Barbatoe	15	PRELIMINARY HEARING		
Cross-Examination by Mr. Bernstein	16	FLOWERS-POTTER, Jennifer Ann		
Cross-Examination by Mr. Ponce	17	Direct Examination by Ms. Barbatoe	3	1
20 MOTIONS 21 GIBSON, Caleb Leland 22 Direct Examination by Mr. Fermin	18			1
GIBSON, Caleb Leland Direct Examination by Mr. Fermin	19			1
Direct Examination by Mr. Fermin	20	MOTIONS		
Cross-Examination by Mr. Padgett	21	GIBSON, Caleb Leland		
Cross-Examination by Mr. Padgett	22			2
MOTION TO WITHDRAW THE PLEA GLASSER, Thomas Daniel Direction Examination by Mr. Mahlum	23	Cross-Examination by Mr. Padgett Cross-Examination Resumed by Mr. Padgett		2
GLASSER, Thomas Daniel Direction Examination by Mr. Mahlum	24	WORKEN DO WYDWIND DAY THE THE		
Direction Examination by Mr. Mahlum 444 2	25			
27	26			
28	27	Direction Examination by Mr. Mahlum	444	2
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	ALPHABETICAL INDEX OF WITNESSES (Cont	'd)	
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	PEOPLE'S WITNESSES	PAGE	VOL
	PRELIMINARY HEARING		
-1	GRIEGO, Leo R.J.		
	Direct Examination by Ms. Barbatoe	48	1
	Direct Examination Resumed by Ms. Barbatoe Voir Dire Examination by Mr. Ponce	62 76	1
	Direct Examination Resumed by Ms. Barbatoe Voir Dire Examination by Mr. Bernstein	84 94	1
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1		132	1
1	MOTIONS		
1	GRIEGO, Leo Roy Jose		
1		174	1
1		180	1
18		190	1
15		257 293	1 1 2 2 2
20	Redirect Examination by Mr. Fermin Recross-Examination by Mr. Padgett	310 311	2
2:			
22	2		
23	1		
24			
25	5		
21	5		
27			
28			

RFP Number: 19-24

EXHIBIT A4: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO COURT REPORTERS MANUAL - CONDENSED VERSION

Notice to Reporter to Prepare Transcripts on Appeal

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO 401 North Arrowhead Ave., San Bernardino, CA 92415-0063

NAME ADDRESS AND TELEPHONE	NUMBER OF APPELLANT'S ATTORNEY	FOR COURT USE ONLY
1		
IN PRO PER		
1		•
NAME ADDRESS AND TELEPHONE	NUMBER OF RESPONDENT'S ATTORNEY	
THE TENSION OF THE TENSION OF	TOTAL DE LEGIS CONTRACTOR DE LA CONTRACT	
ATTORNEY GENERAL	DISTRICT ATTORNEY	
DEPARTMENT OF JUSTICE	316 N. Mt View Avenue	
110 West A Street, Suite 600	San Bernardino, CA 92415-0004	
San Diego, CA 92101		
TITLE OF CASE (ABBREVIATED)		
,		
THE PEOPLE OF THE STAT	TE OF CALLEODNIA	
	E OF CALIFORNIA	CASE NUMBER
VS.		
JOHN DOE		FSB12345
JOHN DOE		10012040
1		

NOTICE TO REPORTER TO PREPARE TRANSCRIPT ON APPEAL

Appeal from Honorable Judge: MICHAEL SMITH

In accordance with the NOTICE OF APPEAL filing by Appellant, **JOHN DOE**, you are hereby directed to commence preparation of the REPORTER'S TRANSCRIPT on Appeal in the above-entitled action. The Appeal is to the $\underline{^{4TH}}$ DISTRICT COURT OF $\underline{^{APPEAL}}$ and the transcript is to contain the normal record on appeal for the following dates:

Primary reporter: JANE REPORTER

JANE REPORTER: 8/2/04, 8/3/04, 8/9/04 JACK REPORTER: 8/4/04, 8/10/04 JOE REPORTER: 8/5/04

TRANSCRIPTS ARE DUE: 10/03/04	ATTN: MARY SMITH	
The Rules on Appeal require the original and $ 2 $ copin prepare an additional $ 0 $ copy (ies) of your transcript		e clerk of the Appeals Division. Please
The Appeals Division requires ALL Marsder record on appeal. Please note all Affidavits of mailing. All requests for extensions from date. An original and three copies must be s	of "no notes" must be submitted the District Court of Appeal mu	within 5 court days from the date
Dated: February 18, 2010	by	, Deputy
If you have any questions regarding this noti	ice, please call (909) 387-4517.	
NOTICE TO REPORTER	TO PREPARE TRANSCRIPT ON	APPEAL 3/08

EXAMPLE 22

PAGE 1 OF 1

EXHIBIT A4: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO COURT REPORTERS MANUAL - CONDENSED VERSION

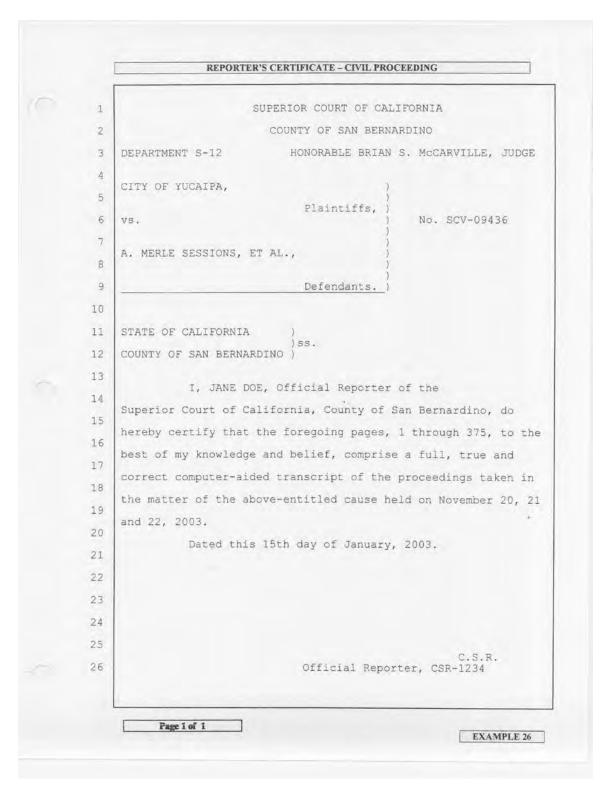


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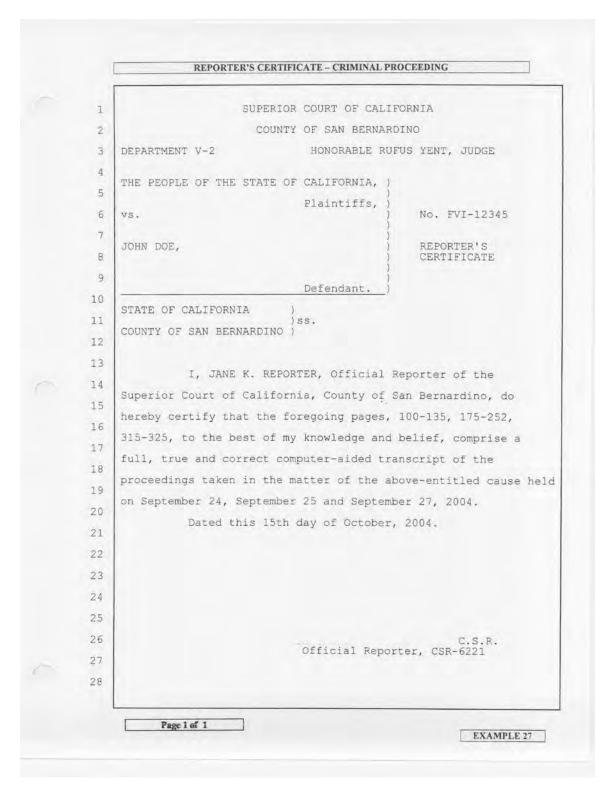


EXHIBIT A4: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO COURT REPORTERS MANUAL - CONDENSED VERSION

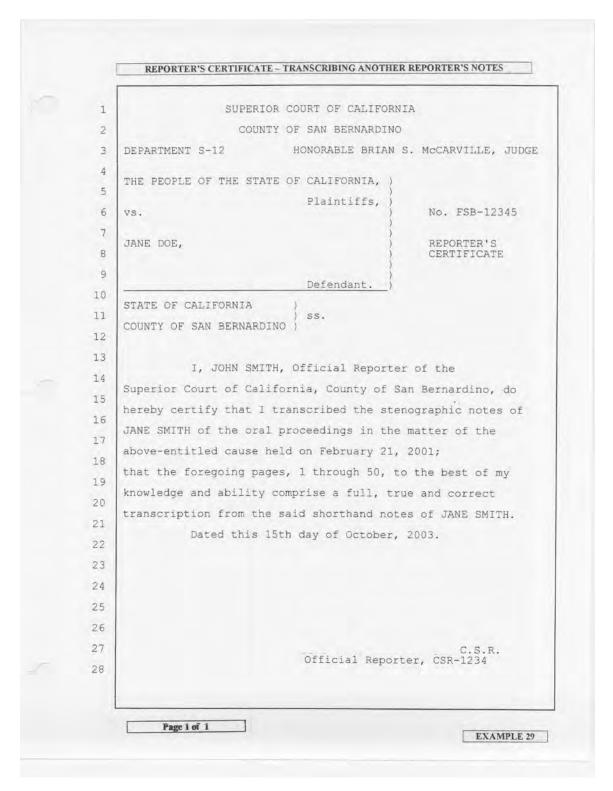
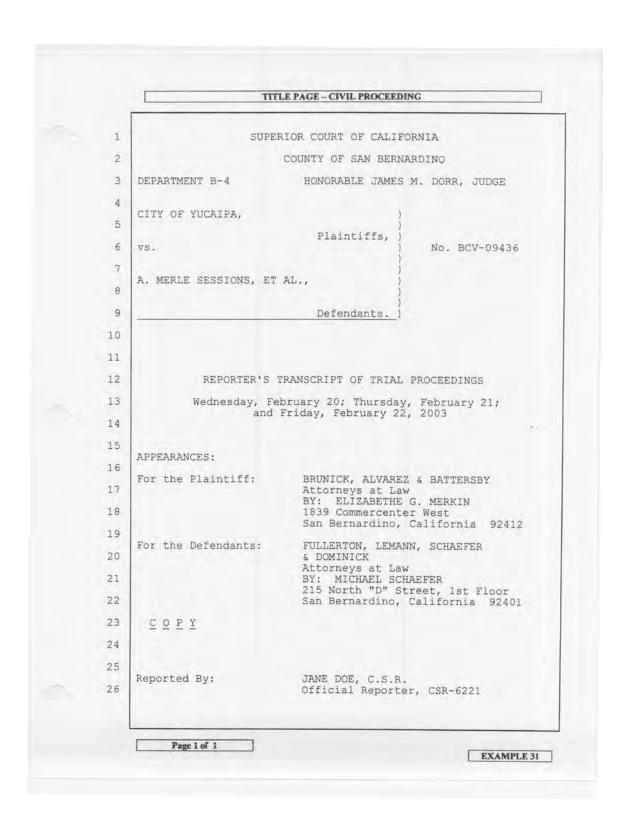


EXHIBIT A4: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO COURT REPORTERS MANUAL - CONDENSED VERSION



RFP Number: 19-24

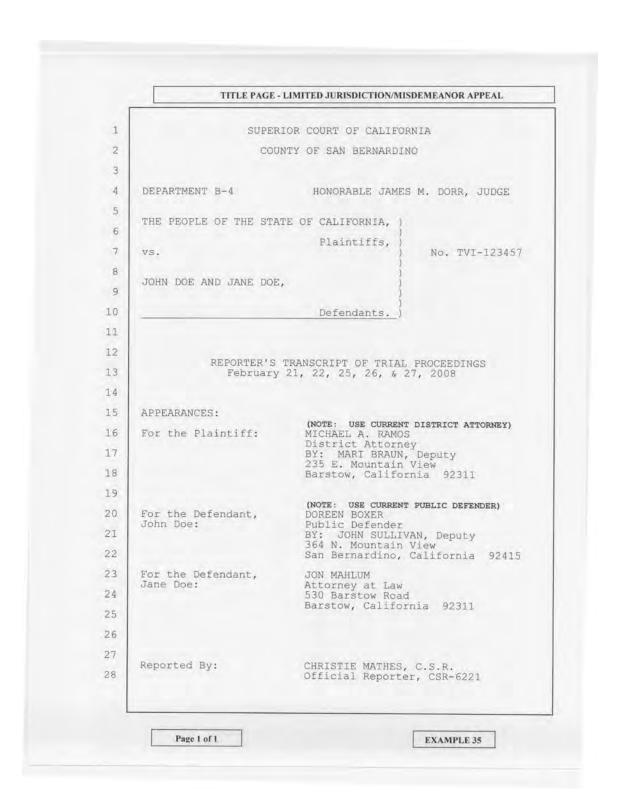
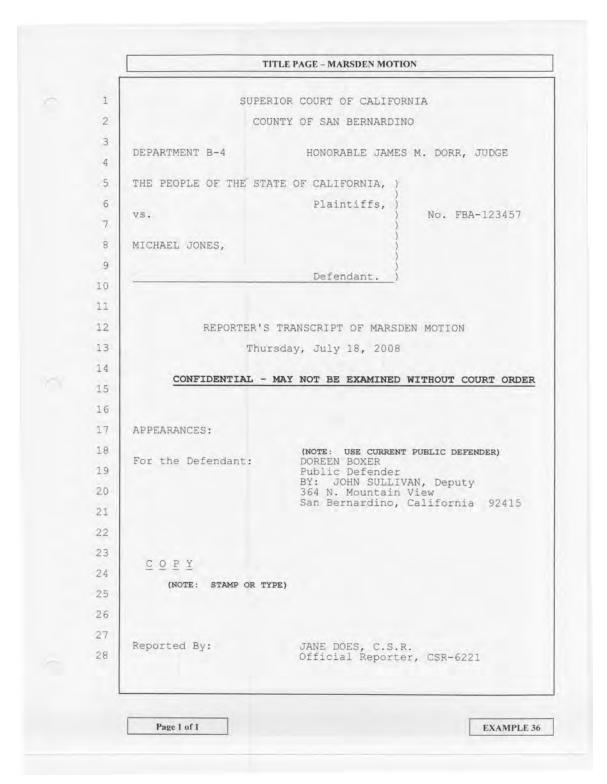
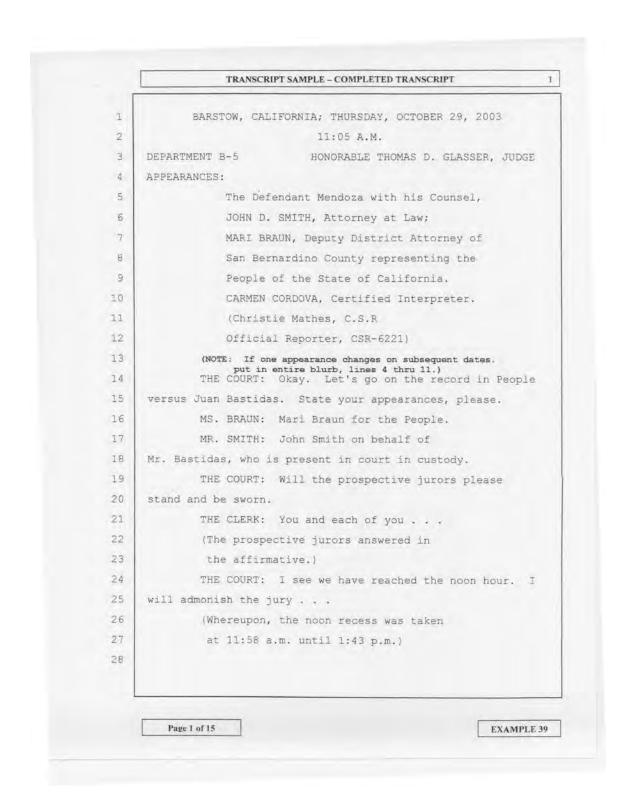


EXHIBIT A4: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO COURT REPORTERS MANUAL - CONDENSED VERSION



RFP Number: 19-24



RFP Number: 19-24

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BARSTOW, CALIFORNIA; THURSDAY, OCTOBER 29, 2003
 2
                                1:43 P.M. (NOTE: YOU ONLY START A NEW PAGE
                               FOR THE PM SESSION OR A NEW DAY.)
HONORABLE THOMAS D. GLASSER, JUDGE
      DEPARTMENT B-5
 3
      APPEARANCES:
 4
 5
                  (Appearances as heretofore noted.)
 6
 7
              THE COURT: Back on the record in People versus
 8
      Bastidas. Let the record reflect the presence of the
 9
      defendant and Counsel and the prospective jurors.
10
             You may proceed.
             (Whereupon, jury voir dire continued, was
11
              taken down but not transcribed.)
12
              MS. BRAUN: I will accept the jury.
13
              MR. SMITH: The defendant accepts the jury as
14
15
      presently constituted.
16
              THE COURT: You may stand and be sworn.
              THE CLERK: You and each of you . . .
17
18
              (The jurors answered in the affirmative.)
              MR. SMITH: Your Honor, may I request at this time
1.9
20
      that all witnesses be excluded from the courtroom during
      the trial?
21
22
             THE COURT: Yes. All persons knowing or believing
23
      themselves to be witnesses in this matter are ordered to
24
      remain outside the courtroom in the hallway during the
25
     pendency of this trial.
26
              Call your first witness.
27
              MS. BRAUN: The People call Julie Smith.
28
              THE CLERK: You do solemnly state that the
     Page 2 of 15
                                                          EXAMPLE 39
```

RFP Number: 19-24

```
evidence you shall give in this matter shall be the truth, the
1
2
     whole truth and nothing but the truth, so help you God?
 3
              THE WITNESS: I do.
             THE CLERK: Please be seated. Please state your full
 4
     name and spell your last name for the record.
 5
             THE WITNESS: Julie Smith, S-m-i-t-h.
 6
             THE COURT: You may proceed.
 8
 9
                                JULIE SMITH,
     called as a witness by the People, was sworn and testified as
10
     follows:
11
12
13
                            DIRECT EXAMINATION
14
     BY MS. BRAUN:
       Q Where do you live, Ms. Smith?
15
       A 214 West 110th Street, San Bernardino, California.
16
            MS. BRAUN: I'd like to have marked Exhibits 1, 2
17
18
     and 3.
19
             THE COURT: They will be marked for identification.
20
             (Court's Exhibits Number 1, 2 and
              3 were marked for identification.)
21
       Q (BY MS. BRAUN:) Would you tell the jury, Miss Smith ...
22
                                  * * * * (NOTE: WOULD BE USED IN A PARTIAL
23
                                 TRANSCRIPT TO INDICATE PROCEEDINGS THAT WERE LEFT OUT.)
             MS. BRAUN: That's all I have.
24
             THE COURT: Thank you.
25
             Mr. Smith, cross-examination.
26
27
            MR. SMITH: Thank you, your Honor.
28
      /// (NOTE: SLASH MARKS INDICATE NOTHING WAS LEFT OUT, JUST SKIPPED A LINE.)
     Page 3 of 15
                                                              EXAMPLE 39
```

RFP Number: 19-24

```
1
                           CROSS-EXAMINATION
 2
      BY MR. SMITH:
 3
        Q Isn't it a fact, Miss Smith, that you have been
 4
      convicted of burglary yourself on several occasions?
       A That's a lie.
 5
 6
             MS. BRAUN: I object, your Honor, and ask that the
 7
      answer be stricken.
 8
             THE COURT: Your objection, Counsel?
                                * * * *
 9
             THE COURT: Very well. Approach the bench.
10
             (The following proceedings were
11
12
             held at the bench.)
13
             THE COURT: Now, Counsel, state your objection
      again, please, if you will.
14
15
          (The following proceedings were held in
16
17
              open court in the presence of the jury:)
18
             THE COURT: The question and answer will be
19
      stricken. The jury is admonished to disregard what they
20
      heard in the matter.
21
             You may proceed, Counsel.
             MS. BRAUN: Thank you, your Honor.
22
23
        Q (BY MR. SMITH:) Now, Miss Smith . . .
24
                          REDIRECT EXAMINATION
25
      BY MS. BRAUN:
26
27
      Q Isn't it a fact, Julie, that you attend church?
                               * * * *
28
      Page 4 of 15
                                                       EXAMPLE 39
```

RFP Number: 19-24

```
1
                          RECROSS-EXAMINATION
2
     BY MR. SMITH:
 3
       Q Did you state to the police officer that you entered
     the premises on the evening of February 3, 1999?
 4
       A I think I did.
 5
                                * * * *
 6
 7
             MR. SMITH: That's all. Thank you.
 8
            MS. BRAUN: Officer Jones, please.
 9
10
            THE COURT: Excuse me, Counsel. We need to recess
11
     for the day. We still have some other court business to
12
     attend to.
      Remember the admonition. Once again, it's your
13
14
     duty not to converse amongst yourselves or with anyone else
15
     connected with this trial and not to form or express any
16
     opinions until the matter is submitted to you. Have a nice
17
     evening. See you tomorrow at 9:30 for the jury.
18
            Off the record.
19
                  (Whereupon, the foregoing proceedings
20
                  were concluded for the day at 4:27 p.m.)
21
22
23
24
25
26
27
28
     Page 5 of 15
                                                       EXAMPLE 39
```

	1	6
	1	BARSTOW, CALIFORNIA; FRIDAY, OCTOBER 30, 1989
	2	9:45 A.M.
	3	DEPARTMENT B-5 HONORABLE THOMAS D. GLASSER,
	4	JUDGE
	5	The Defendant with his Counsel, JOHN D.
	6	SMITH, Attorney at Law; MARI BRAUN,
	7	Deputy District Attorney of San Bernardino
	8	County representing the People of the State
	9	of California.
	10	CARMEN CORDOVA, Certified Interpreter.
	11	(Christie Mathes, C.S.R.
	12	Official Reporter, CSR-6221)
	13	
	14	THE COURT: Let's go back on the record in People
	15	versus Bastidas. Good morning, ladies and gentlemen. The
	16	defendant and counsel are present. Jurors and alternates
	17	are in their respective seats.
	18	You may proceed.
	19	MS. BRAUN: Your Honor, I believe that Officer
	20	Jones was still on the stand when we adjourned yesterday.
	21	
	22	JOHN JONES,
	23	the witness on the stand at the time of adjournment,
	24	resumed the stand and testified further as follows:
	25	
	26	REDIRECT EXAMINATION RESUMED
	27	BY MS. BRAUN:
	28	Q Mr. Jones, the last question asked by Mr. Smith, as I
		Page 6 of 15 EXAMPLE 39

RFP Number: 19-24

```
recall, before we took yesterday's adjournment, was, "Did
     you have a search warrant or a warrant of arrest for the
2
3
     Defendant?" And I believe you replied in the negative; is
 4
     that correct?
       A That is correct, but I hasten to add that my fellow
5
     officer had a search warrant.
 6
             MS. BRAUN: That's all.
 8
                          * RECROSS-EXAMINATION
 9
10
     BY MR. SMITH:
       Q Isn't it a fact, Officer, that you never mentioned
11
12
     yesterday, or any other time . . .
13
       A Yes.
             MR. SMITH: That's all.
14
              MS. BRAUN: Your Honor, I would like to recall
15
16
     Miss Smith to the stand to establish one additional point.
17
              THE COURT: You may, Counsel.
18
              THE CLERK: Would you restate your name, ma'am, for
19
      the record?
20
            THE WITNESS: Julie Smith.
21
             THE COURT: You are still under oath, Miss Smith.
             THE WITNESS: Yes, your Honor.
22
                               JULIE SMITH,
23
      recalled as a witness by the People, having been previously
24
25
      sworn, resumed the stand and testified further as follows:
26
      * (NOTE: If witness is examined under redirect
     again after recross, caption should be:
FURTHER REDIRECT, FURTHER RECROSS-EXAMINATION,
27
      etc.)
28
     Page 7 of 15
                                                          EXAMPLE 39
```

RFP Number: 19-24

```
DIRECT EXAMINATION REOPENED
1
2
     BY MS. BRAUN:
       Q Miss Smith, did all of the fact which you testified to
3
 4
     on your direct examination . . .
 5
 6
            MS. BRAUN: The People rest, your Honor.
7
             MR. SMITH: May I proceed, your Honor?
           THE COURT: Yes. Call your first witness, Counsel.
 8
9
     Did you wish to make an opening statement?
10
             MR. SMITH: No, your Honor. We will waive opening
11
     statement.
             We call George Ellis.
12
13
             THE CLERK: You do solemnly state that the evidence
14
     you shall give in this matter shall be the truth, the whole
     truth, and nothing but the truth, so help you God?
15
             THE WITNESS: I do.
16
             THE CLERK: Please be seated. State your full
17
18
     name, spelling your last name for the record, please.
            THE WITNESS: George Ellis, E-1-1-i-s.
19
20
21
                            GEORGE ELLIS,
22
     called as a witness by the Defendant, was sworn and
23
     testified as follows:
24
25
                           DIRECT EXAMINATION
26
     BY MR. SMITH:
27
      Q Mr. Ellis, what is your business or occupation?
      A I am a private investigator, commonly referred to as a
28
     Page 8 of 15
                                                       EXAMPLE 39
```

RFP Number: 19-24

```
1
     private eye or gumshoe.
2
 3
                           CROSS-EXAMINATION
 4
     BY MS. BRAUN:
 5
       Q Mr. Ellis, isn't it a fact that you acted like what is
 6
     commonly known as a Peeping Tom with your 10-power
 7
     magnifying glasses while observing the four people in Miss
 8
     Smith's apartment?
 9
             MS. BRAUN: I object, your Honor, to the use of the
     words "Peeping Tom" as assuming a fact not in evidence.
10
11
             THE COURT: Objection sustained. I suggest that
12
     you rephrase your question, Counsel.
13
             MS. BRAUN: Yes, your Honor.
       Q (BY MS. BRAUN:) Now, Mr. Ellis . . .
14
15
16
             MR. SMITH: We now offer Exhibit 25, heretofore
17
     marked for identification, into evidence, your Honor.
18
             THE COURT: Any objection?
             MS. BRAUN: No objection, your Honor.
19
20
             THE COURT: It may be received in evidence.
21
                 (Court's Exhibit Number 25
22
                  was admitted into evidence.)
             MR. SMITH: That's our case, your Honor. The
23
24
     defendant rests.
25
             THE COURT: Thank you, Mr. Smith.
25
             Do you have any rebuttal, Ms. Braun?
27
             MS. BRAUN: I do, your Honor.
28
             Mr. Jones, would you take the stand again, please.
     Page 9 of 15
                                                       EXAMPLE 39
```

RFP Number: 19-24

```
10
             THE COURT: Mr. Jones, you're still under oath.
             THE WITNESS: Yes, your Honor.
 2
 3
             THE CLERK: State your name for the record again,
 4
     please.
 5
             THE WITNESS: John Jones.
 6
                              JOHN JONES,
 8
     called as a witness by the People, having been previously
     sworn, resumed the stand and testified further as follows:
 9
10
                           DIRECT EXAMINATION
11
12
     BY MS. BRAUN:
       Q Mr. Jones, in all of your conversations with . . .
13
                                * * * *
14
            MS. BRAUN: That's all.
15
             THE COURT: Thank you, Ms. Braun.
16
             Mr. Smith, cross?
17
             MR. SMITH: Yes.
18
19
20
                           CROSS-EXAMINATION
21
     BY MR. SMITH:
22
       Q What ... ?
23
             MR. SMITH: That's all.
24
             THE COURT: Thank you, Mr. Smith.
25
             Ms. Braun?
             MS. BRAUN: Nothing further, your Honor.
26
             THE COURT: Any sur-rebuttal, Counsel?
27
28
             MR. SMITH: In light of Officer Jones' testimony,
     Page 10 of 15
                                                        EXAMPLE 39
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RFP Number: 19-24

EXHIBIT A4: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO COURT REPORTERS MANUAL - CONDENSED VERSION

11 your Honor, I feel it is incumbent upon me to call one of 1 2 the parties who actually was in the apartment at 224 West 3 10th Street, that is, Apartment 9. We call Mr. White, your Honor. 4 5 THE CLERK: You do solemnly state that the evidence 6 you shall give in this matter shall be the truth, the whole 7 truth, and nothing but the truth, so help you God? 8 THE WITNESS: I do. 9 THE CLERK: Please be seated. Please state your 10 full name and spell your last name for the record. 11 THE WITNESS: Jack White, W-h-i-t-e. 12 13 JACK WHITE, 14 called as a witness by the Defendant, was sworn and 15 testified as follows: 16 17 DIRECT EXAMINATION 18 BY MR. SMITH: 19 Q Where do you live? * * * * 20 21 MR. SMITH: No more question, your Honor. THE COURT: Thank you. 22 23 Ms. Braun, cross-examination. 24 25 CROSS-EXAMINATION 26 BY MS. BRAUN: 27 Q How much does your wife weigh, Mr. White? 28 MR. SMITH: I object, your Honor. Page 11 of 15 EXAMPLE 39