IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

FILED
DATE NOV 1 0 2011
4:55 O'Clock P .M.
Sandra K Markham, CLERK
BY: Becky Hamilton
Deputy

DIVISION: PTB

HON. WARREN R. DARROW

CASE NO. V1300CR201080049

SANDRA K MARKHAM, CLERK

BY: Becky Hamilton, Deputy Clerk

DATE: November 10, 2011

TITLE:

STATE OF ARIZONA

Plaintiff

vs

JAMES ARTHUR RAY

D-1

COUNSEL:

Yavapai County Attorney (e)

(For Plaintiff)

Thomas K. Kelly (e)

(For Defendant)

Luis Li/BradBrianlTruc Do/Miriam Seifter
MUNGER TOLLEST & OLSONG LLP (e)

(For Defendant Pro Hac Vice)

HEARING ON:	NATURE OF PROCEEDINGS	COURT REPORTER
Pre-Sentence		Christy Harrington

START TIME: 8:59 a.m.

APPEARANCES: Sheila Polk, Counsel for State
Bill Hughes, Co-Counsel for State
Detective Ross Diskin, Case Agent
Kathy Durrer, State's Assistant
Tom Kelly, Counsel for Defendant
Luis Li, Pro Hac Vice Counsel for Defendant
Truc Do, Pro Hac Vice Counsel for Defendant

At 8:59 a.m., Court convenes with the State, Defendant and Counsel present. Virginia Brown is on the witness stand.

The State continues examination of the witness.

The State moves to admit Exhibit 1173 into evidence. There being no objection, Exhibit 1173 is **admitted.**

The State continues examination of the witness.

At 9:27 a.m., the Defense cross examines the witness.

At 9:59 a.m., the State examines the witness on redirect.

The witness is excused and exits the courtroom.

At 10:14 a.m., Detective Ross Diskin is sworn and presents testimony.

The State examines the witness.

The Court directs all parties to return at 10:45 a.m.

~* ~* ~* ~* 10:31 a.m., Recess ~* ~* ~* ~*

At 10:49 a.m., Court reconvenes with all previously noted parties present. Detective Ross Diskin is on the witness stand.

The State continues examination of the witness.

The State moves to admit Exhibit 1176 into evidence. There being an objection by the Defense, **IT IS ORDERED** overruling the objection and Exhibit 1176 is **admitted**.

The State continues examination of the witness.

The State moves to admit Exhibit 1157 into evidence. There being and objection by the Defense, **IT IS ORDERED** overruling the objection and Exhibit 1157 is **admitted**.

The State continues examination of the witness.

The State moves to admit Exhibit 1156 into evidence. There being an objection by the Defense, **IT IS ORDERED** overruling the objection and Exhibit 1156 is **admitted**.

The State continues examination of the witness.

The State moves to admit Exhibit 1154 into evidence. There being no objection, Exhibit 1154 is **admitted**.

The State continues examination of the witness.

The State moves to admit Exhibit 1155 into evidence. There being no objection, Exhibit 1155 is **admitted**.

The State continues examination of the witness.

The State moves to admit Exhibit 1159 into evidence. There being an objection by the Defense, **IT IS ORDERED** overruling the objection and Exhibit 1159 is **admitted**.

The State continues examination of the witness.

The Court directs all parties to return after the lunch recess at 1:30 p.m.

~* ~* ~* ~* 11:58 a.m., Recess ~* ~* ~* ~*

At 1:37 a.m., Court reconvenes with all previously noted parties present. Detective Ross Diskin is on the witness stand.

The State continues examination of the witness.

The State moves to admit Exhibit 1149 into evidence. There being no objection, Exhibit 1149 is **admitted**.

The State continues examination of the witness.

The State moves to admit Exhibit 1160 into evidence and under seal. There being no objection, **IT IS ORDERED** given the personal nature represented, Exhibit 1160 is **admitted under Court seal**.

The State continues examination of the witness.

The State moves to admit Exhibit 1158 into evidence. There being no objection, Exhibit 1158 is **admitted**.

The Court directs all parties to return in 10 minutes.

~* ~* ~* ~* 1:57 p.m., Recess ~* ~* ~* ~*

At 2:06 p.m., Court reconvenes with all previously noted parties present. Detective Ross Diskin is on the witness stand.

The State continues examination of the witness.

The State moves to admit Exhibit 1178 into evidence. There being no objection, Exhibit 1178 is **admitted**.

The State continues examination of the witness.

At 2:07 p.m., the Defense cross examines the witness.

The Court directs all parties to return at 3:20 p.m.

~* ~* ~* ~* 3:03 p.m., Recess ~* ~* ~* ~*

At 3:22 p.m., Court reconvenes with all previously noted parties present. Detective Ross Diskin is on the witness stand.

The Defense continues cross examination of the witness.

The Defense offers an exhibit for marking.

The Defense moves to admit Exhibit 1179 into evidence. There being no objection, Exhibit 1179 is **admitted**.

The Defense continues cross examination of the witness.

The Defense offers an exhibit for marking.

The Defense moves to admit Exhibit 1180 into evidence. There be no objection, Exhibit 1180 is **admitted**.

The Defense concludes cross examination of the witness.

The State requests the Court permit a recess in Detective Diskin's testimony to allow for victim allocution at this time.

The Defense has no objection to the request.

IT IS ORDERED granting a recess in Detective Diskin's testimony to allow for victim allocution.

Court and Counsel discuss Mr. Collins, who is not a victim in this matter.

Based on avowal of the State that Mr. Collins is the requested victim representative of Ms. Galespie, the Defense withdraws its objection.

At 4:29 p.m., Matthew Collins addresses the Court.

At 4:39 p.m., Jane Shore addresses the Court.

At 4:43 p.m. Andrea Pucket addresses the Court.

The Court directs all parties to return on November 14, 2011, at 9:00 a.m.

Court adjourns at 4:55 p.m.

cc: Gallagher & Kennedy, P.C., Counsel for the Shore Family (e)
Murphy, Schmitt, Hathaway & Wilson, PLLC, Co-Counsel for the Brown Family (e)
Stone & Magnanini, Co-Counsel for the Brown Family (e)
Aspey, Watkins & Diesel, PLLC, Counsel for the Neuman Family (e)
Steptoe & Johnson, Counsel for KPNX Broadcasting Company, Tm TV and In Session (e)
Perkins, Coie, Brown & Bain, Counsel for KTVK-TV (e)
Victim Services (e)
Court Administration
Customer Service Supervisor, Prescott Superior Court