

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

FILED
DATE: February 18, 2022
5:00 O'Clock P.M.
DONNA MCQUALITY, CLERK
BY: R.Burns
Deputy

DIVISION: PTA
HON. DEBRA R. PHELAN
CASE NO. P1300CR201600476

DONNA MCQUALITY, CLERK
By: R.Burns, Deputy Clerk
DATE: February 18, 2022

TITLE:

COUNSEL:

STATE OF ARIZONA,

(Plaintiff)

Ethan Wolfinger / Casi Harris
Yavapai County Attorney's Office (e)
(For Plaintiff)

vs.

ANTHONY JAMES RICHARDS,

(Defendant)

Tyrone Mitchell
Tyrone Mitchell, PC (e)
(For Defendant)

TIME SET FOR:
JURY TRIAL DAY 4

NATURE OF PROCEEDINGS

COURT REPORTER
MINA HUNT – AM /
SUSANNE NARDOZZI - PM

START TIME: 8:44 a.m.

APPEARANCES: Ethan Wolfinger, Counsel for State
Casi Harris, Counsel for State
Det. John McDormett, Case Agent
Anthony Richards, Defendant
Tyrone Mitchell, Counsel for Defendant

Mina Hunt is the Court Reporter.

The Court reconvenes outside the presence of the Jury Panel.

Discussion ensues regarding the witness, Craig Comstock testifying. Counsel for Defendant informs the Court an agreement was not reached between the parties.

The Court reconsiders the ruling yesterday regarding the witness being precluded from testifying based on a case provided by Counsel for State.

Counsel present argument.

Counsel for Defendant renews his Motion to Strike Craig Comstock as a witness based on the last time he participated and caused a mistrial.

The Court *denies* the Motion to Preclude. The Court will allow the witness, Craig Comstock to testify under very strict oversight.

The Court directs the State to admonish the witness regarding his testimony.

At 9:01 a.m., the Court stands at recess.

~*~*~*~* **RECESS** *~*~*~*~*

At 9:56 a.m., the Court reconvenes with Counsel, Defendant and Jury Panel present.

Darlene Donlen is administered the oath and presents testimony.

The Jury Panel presents questions to the Court for the witness.

The Court and Counsel conduct a sidebar on the record.

The Court directs juror questions to the witness.

Counsel for State presents follow up to the Jury Panel questions.

Counsel for Defendant presents follow up to the Jury Panel questions.

The witness is excused and steps down.

Deputy Mike Bricker is administered the oath and presents testimony.

Counsel for State publishes Exhibits 209, 100, 114, 113 and 111 to the witness.

Having been previously admitted, Counsel for State publishes Exhibit 209 to the witness and Jury Panel.

A full copy of Exhibit 100 is marked as Exhibit 291.

The Court and Counsel conduct a sidebar on the record.

The Court admonishes the Jury Panel and they are instructed to return to the Jury Assembly Room in 10 minutes. The Jury Panel is excused and exits the Courtroom.

At 11:07 a.m., the Court stands at recess.

~*~*~*~* **RECESS** *~*~*~*~*

At 11:17 a.m., the Court reconvenes with Counsel, Defendant and Jury Panel present.

Deputy Mike Bricker resumes with testimony.

Counsel for Defendant publishes Exhibit 291 to the witness.

The Jury Panel presents questions to the Court for the witness.

The Court and Counsel conduct a sidebar on the record.

The Court directs juror questions to the witness.

Counsel for Defendant presents follow up to the Jury Panel questions.

The Court and Counsel conduct a sidebar on the record.

The witness is excused and steps down.

The Court and Counsel conduct a sidebar on the record.

Sgt. Joshua Crabtree is administered the oath and presents testimony.

Counsel for State publishes Exhibit 105 to the witness.

Having been previously admitted, Counsel for State publishes Exhibit 209 to the witness and Jury Panel.

Counsel for State moves for the admission of Exhibits 289 and 290. There being no objection, Exhibits 289 and 290 are admitted.

Counsel for State publishes Exhibit 233 to the witness.

Having been previously admitted, Counsel for Defendant publishes Exhibit 209 to the witness and Jury Panel.

Counsel for Defendant publishes Exhibit 105 to the witness.

The Jury Panel presents questions to the Court for the witness.

The Court and Counsel conduct a sidebar on the record.

The Court directs juror questions to the witness.

Counsel for State presents follow up to the Jury Panel questions.

Counsel for Defendant presents follow up to the Jury Panel questions.

The witness is excused and steps down.

The Court admonishes the Jury Panel and they are instructed to return to the Jury Assembly Room at 8:50 a.m., on February 23, 2022. The Jury Panel is excused and exits the Courtroom.

Counsel for State moves for the admission of Exhibits 111, 113 and 114. There being no objection, Exhibits 111, 113 and 114 are admitted.

Discussion ensues regarding the schedule for February 23, 2022.

The Court directs Counsel and Defendant to be present in the Courtroom on February 23, 2022 at 8:50 a.m.

END TIME: 4:42 p.m.

c: Honorable Debra R. Phelan, Division PTA (e)
PVS (e)
SOD (e)

Counsel for Defendant presents follow up to the Jury Panel questions.

The Court and Counsel conduct a sidebar on the record.

The witness is excused and steps down.

The Court and Counsel conduct a sidebar on the record.

Sgt. Joshua Crabtree is administered the oath and presents testimony.

Counsel for State publishes Exhibit 105 to the witness.

Having been previously admitted, Counsel for State publishes Exhibit 209 to the witness and Jury Panel.

Counsel for State moves for the admission of Exhibits 289 and 290. There being no objection, Exhibits 289 and 290 are admitted.

Counsel for State publishes Exhibit 233 to the witness.

Having been previously admitted, Counsel for Defendant publishes Exhibit 209 to the witness and Jury Panel.

Counsel for Defendant publishes Exhibit 105 to the witness.

The Jury Panel presents questions to the Court for the witness.

The Court and Counsel conduct a sidebar on the record.

The Court directs juror questions to the witness.

Counsel for State presents follow up to the Jury Panel questions.

Counsel for Defendant presents follow up to the Jury Panel questions.

The witness is excused and steps down.

The Court admonishes the Jury Panel and they are instructed to return to the Jury Assembly Room at 8:50 a.m., on February 23, 2022. The Jury Panel is excused and exits the Courtroom.

Counsel for State moves for the admission of Exhibits 111, 113 and 114. There being no objection, Exhibits 111, 113 and 114 are admitted.

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