

GUILTY OF A NUMBER OF CHARGES, INCLUDING SEVERAL HOMICIDES?

A. YES.

Q. AND I ALSO INFORMED YOU THAT THE JURY IN THIS MATTER IS GOING TO BE MAKING A DECISION, ONE OF TWO THINGS, THAT EITHER THEY IMPRISON RANDY FOR THE REST OF HIS LIFE WITHOUT THE POSSIBILITY OF PAROLE, OR EXECUTION, THE DEATH PENALTY; YOU UNDERSTAND THAT?

A. YES.

Q. AND I ASKED YOU TO COME IN AND SHARE YOUR INSIGHT AND OBSERVATIONS OF YOUR UNCLE OVER THE YEARS AS LONG AS YOU HAVE KNOWN HIM, CORRECT?

A. YES.

Q. NOW, YOU'RE THE DAUGHTER OF DORIS?

A. CORRECT.

Q. DORIS L----.?

A. YES.

Q. AND DORIS IS RANDY'S SISTER?

A. YES.

Q. OKAY. HOW MUCH OLDER IS RANDY THAN YOURSELF?

A. 22 YEARS. I-- I AM 24.

Q. OKAY. YOU ARE 24.

A. SO ABOUT 21, 22 YEARS.

Q. ALL RIGHT. DURING THE COURSE OF KNOWING, KNOWING YOUR UNCLE--

A. UH-HUH.

JODI HALE, OFFICIAL COURT REPORTER

Q. -- I SUPPOSE IT'S PROBABLY SELF- EXPLANATORY, BUT WHY DON'T YOU TELL US A LITTLE BIT ABOUT YOUR CONTACTS AND WHEN YOU WOULD SEE YOUR UNCLE RANDY?

A. EVERY FAMILY FUNCTION THAT WE HAVE EVER HAD HE HAS BEEN THERE; ALL MAJOR HOLIDAYS THROUGH THE YEAR, CHRISTMAS, EASTER, 4TH OF JULY, MOTHER'S DAY, FATHER'S DAY, MOST BIRTHDAYS. SO SEVERAL TIMES A YEAR I WOULD SEE HIM PROBABLY ALMOST EVERY MONTH.

Q. OKAY.

A. USUALLY AT MY GRANDPARENTS' HOUSE, WHICH IS HIS PARENTS. UM, SO-- QUITE A BIT, I WOULD THINK.

Q. WHAT DO YOU THINK OF HIM?

A. I THINK HE IS A GREAT GUY. HE'S-- HE'S VERY LOVING AND CARING AND GIVING, VERY THOUGHTFUL OF EVERYONE THAT HE HAS EVER KNOWN, AS FAR AS I'VE SEEN. AND I THINK VERY HIGHLY OF HIM AS MY UNCLE.

Q. HAVE YOU EVER SEEN HIM VIOLENT?

A. NEVER.

Q. HAVE YOU EVER SEEN HIM AGGRESSIVE OR MISTREAT ANYBODY?

A. NO, NOT AT ALL.

Q. OKAY. NOW, WHAT DID-- ARE YOU DOING RIGHT NOW? ARE YOU IN SCHOOL OR EMPLOYED OR--

A. FULL-TIME STUDENT GOING TO A PRIVATE SCHOOL.

Q. WHAT TYPE OF--

A. COURT REPORTING.

JODI HALE, OFFICIAL COURT REPORTER

Q. OKAY. HOW FAR ALONG ARE YOU?

A. I'M ABOUT HALFWAY. I AM 120 WORDS A MINUTE.

Q. OKAY.

A. I HAVE A WAYS TO GO.

Q. HAVE YOU HAD ANY CONTACT WITH RANDY WITH YOUR CAREER AND YOUR GOALS AND THINGS ASSOCIATED?

A. YES, YES. I HAVE DISCUSSED WITH RANDY SOME OBJECTIVES THAT I HAVE HAD. UM, I WAS GOING TO-- WHEN I FIRST GOT INTO COMPUTERS, I HAD ABOUT THREE, THREE YEARS IN COMPUTERS. I CONTACTED RANDY ABOUT THAT. HE WAS IN COMPUTERS.

THIS WAS IMMEDIATELY AFTER HIS ARREST. AND WE HAD DISCUSSED DIFFERENT THINGS AND SOME OF MY OPTIONS. AND HE WAS ALSO CONCERNED ABOUT WHERE I WAS GOING AND WHAT I WAS DOING AND HOW I WAS DOING AND--

Q. AND THIS IS SINCE THE ARREST?

A. YES. OH, YES.

Q. YOU HAVE SPOKEN WITH HIM EITHER ON THE PHONE, OR YOU HAVE CORRESPONDED WITH HIM?

A. UH-HUH, ON THE TELEPHONE. WE HAVE WRITTEN LETTERS AND THINGS.

Q. MARCY, RANDY WOULD LIKE TO ASK YOU A FEW QUESTIONS. OKAY?

A. OKAY.

EXAMINATION

BY THE DEFENDANT:

JODI HALE, OFFICIAL COURT REPORTER

Q. HI MARCY.

A. HI.

Q. COULD YOU DESCRIBE FOR US ANY RELATIONSHIP THAT YOUR FAMILY, BEING THE L-----, HAS WITH THE UNITED STATES MARINE CORPS?

A. MY SISTER MELANIE WAS IN THE MARINE CORPS.

Q. ANYONE ELSE?

A. MY BROTHER WAS IN THE COAST GUARD.

Q. NO. I WAS THINKING OF MELANIE'S HUSBAND.

A. OH, LOUIS. YEAH, HE WAS IN THE MARINE CORPS.

Q. THEY MET--

A. THAT'S WHERE THEY MET, IN OKINAWA, JAPAN IN THE MARINE CORPS.

Q. OKAY. HOW ABOUT YOUR SISTER MINDY?

A. OH, GRANT. YEAH, GRANT WAS IN THE MARINE CORPS.

Q. WHEN SHE MET--

A. UH-HUH, YES.

Q. AS FAR AS YOU KNOW, DOES ANY OF THAT RELATIONSHIP WITH ANY OF THOSE PEOPLE WITH THE MARINE CORPS EVOKE ANY STRONG FEELINGS FOR ME, ANY EXTREME LIKES OR DISLIKES TOWARDS THOSE PEOPLE BECAUSE OF THEIR RELATIONSHIP WITH THE MARINE CORPS?

A. YOU MEAN THEIR DISLIKES FOR THE MARINE CORPS FOR PEOPLE IN THE SERVICE?

Q. DID I EITHER REALLY LIKE THEM OR HATE THEM

JODI HALE, OFFICIAL COURT REPORTER

BECAUSE THEY WERE IN THE MARINE CORPS?

A. NO, NO.

Q. AS FAR AS YOU COULD TELL, IT HAD NO EFFECT ON ME WHATSOEVER?

A. NO, NOT AT ALL.

THE DEFENDANT: THANK YOU.

THE WITNESS: UH-HUH.

MR. MC DONALD: I DON'T HAVE ANYTHING FURTHER.

MR. BROWN: NO QUESTIONS.

THE COURT: THANK YOU.

YOU HAVE ONE MORE WITNESS, AND YOU DESIRE A BREAK FIRST; IS THAT CORRECT?

MR. MC DONALD: YOUR HONOR, HE HASN'T ARRIVED. HE HAD EMPLOYMENT PROBLEMS, SO HE IS EXPECTED TO ARRIVE SHORTLY AFTER 2:00.

THE COURT: TAKE A BREAK UNTIL 2:30, THEN.

MR. MC DONALD: I WOULD APPRECIATE THAT.

THE COURT: AL RIGHT. IT'S YOUR DUTY NOT TO CONVERSE WITH-- AMONG YOURSELVES OR WITH ANYONE ELSE THE SUBJECT OF THIS, THIS MATTER OR FORM OR EXPRESS ANY OPINION UNTIL THE MATTER IS FINALLY SUBMITTED TO YOU.

THANK YOU. WE WILL SEE YOU 2:30 WITH ONE MORE WITNESS, AND THAT WILL BE THE LAST ONE.

(RECESS TAKEN)

(THE FOLLOWING PROCEEDINGS WERE HAD IN OPEN COURT OUTSIDE THE PRESENCE OF THE JURY:)

JODI HALE, OFFICIAL COURT REPORTER

THE COURT: IN REGARD TO THE NEXT WITNESS, WOULD YOU PLEASE, NO STILL CAMERA WITH THE NEXT WITNESS, PLEASE. THERE HAS JUST BEEN A REQUEST FOR THAT. SO IF YOU WOULD NOT HAVE THE STILL CAMERA ON THE NEXT WITNESS, PLEASE. JUST THE ONE WITNESS ONLY.

THE BAILIFF: READY FOR JURORS?

THE COURT: YES.

(THE FOLLOWING PROCEEDINGS WERE HAD IN OPEN COURT IN THE PRESENCE OF THE JURY:)

THE COURT: WHY DON'T YOU TAKE YOUR GLASSES OFF, MR. HICKS, FOR THE NEXT WITNESS.

MR. MC DONALD: WE WOULD CALL CARL H-----.

CARL H---.

CALLED AS A WITNESS BY THE DEFENDANT, HAVING BEEN DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

THE CLERK: STATE YOUR FULL NAME FOR THE COURT AND SPELL IT, PLEASE.

THE WITNESS: CARL H-----, H-----.

THE CLERK: IS THAT CARL WITH A C OR K?

THE WITNESS: C.

THE CLERK: YOU MAY BE SEATED IN THE WITNESS STAND, SIR.

DIRECT EXAMINATION

BY MR. MCDONALD:

Q. CARL, WE HAVE SPOKEN PRIOR TO THE COURTROOM TESTIMONY YOU ARE ABOUT TO GIVE AND YOU ARE AWARE OF THE

JODI HALE, OFFICIAL COURT REPORTER

PROCEEDINGS THAT ARE CURRENTLY UNDERGOING RIGHT NOW?

A. YES.

Q. YOU ARE AWARE THAT RANDY HAS BEEN CONVICTED OF A NUMBER OF HOMICIDES AND THIS JURY IS ULTIMATELY GOING TO BE ASKED TO MAKE A DECISION WHETHER OR NOT HE LIVES OR WHETHER OR NOT THEY IMPOSE THE DEATH PENALTY?

A. YES.

Q. IN ORDER TO HELP THEM EVALUATE SOMETHING ABOUT RANDY, WE HAVE ASKED YOURSELF AND A NUMBER OF OTHER INDIVIDUALS TO COME IN AND SHARE OBSERVATIONS, PERCEPTIONS AND FEELINGS THAT YOU MIGHT HAVE GAINED THROUGH YOUR CONTACT WITH RANDY OVER THE YEARS.

IT'S TRUE, ISN'T IT, THAT YOU FIRST MET RANDY IN 1980?

A. APPROXIMATELY THEN. I CAN'T-- I AM NOT SURE, BUT I WOULD SAY APPROXIMATELY 1980.

Q. OKAY. CAN YOU SHARE WITH US UNDER WHAT CIRCUMSTANCES THAT EVENT TOOK PLACE, IF YOU REMEMBER?

A. AH, OH, BOY. WHEN I-- HOW I MET HIM OR WHEN I MET HIM, I'M-- I CAN'T-- I, I'M NOT SURE.

Q. OKAY. YOU JUST KNOW YOU MET HIM.

A. YES.

Q. OKAY. FROM 1980 UNTIL HIS ARREST IN 1983, YOU HAD NUMEROUS CONTACTS WITH HIM?

A. YES.

Q. OKAY. THESE WERE VARIOUS SOCIAL OCCASIONS?

JODI HALE, OFFICIAL COURT REPORTER

A. YES.

Q. TELL US ABOUT THEM.

A. WELL, IN-- AFTER I GOT TO KNOW RANDY, WE TALKED ABOUT PLAYING BRIDGE AND THINGS LIKE THAT AND FOUND OUT THAT HE PLAYED A LOT OF BRIDGE. I HAD PLAYED A LOT OF BRIDGE AND HE WAS IN A GROUP THAT PLAYED POKER AND PLAYED BRIDGE, SO HE GOT ME INTO THIS GROUP AND WE PLAYED QUITE A BIT OF BRIDGE.

RANDY AT THE TIME HAD ACCESS TO DODGER GAME TICKETS AND ON SEVERAL OCCASION WE WENT TO THE DODGER GAMES TOGETHER. UHM, RANDY HAD A DOG AT THAT TIME. I HAD ONE OR TWO. I CAN'T REMEMBER IF I HAD MY SECOND DOG AT THAT TIME OR NOT WHEN I FIRST MET RANDY, BUT WE USED TO RUN INTO EACH OTHER QUITE A BIT WHEN WE WOULD BE OUT. WE WALKED OUR DOGS IN A FAMILIAR-- IN AN AREA WHERE A LOT OF PEOPLE WALK THEIR DOGS.

Q. ONE OF THOSE AREAS KNOWN AS MARINE STADIUM?

A. YES.

Q. GO AHEAD.

A. AND SO I USED TO RUN INTO RANDY THERE QUITE A BIT AND WE GOT TO BE VERY, VERY GOOD FRIENDS. AND I HAD DINNER AT HIS PLACE ON SEVERAL OCCASIONS, USED TO DROP IN, YOU KNOW, ALL THE TIME. I FELT WE WERE VERY, VERY GOOD FRIENDS.

Q. DURING THE COURSE OF THIS FRIENDSHIP, DID YOU EVER SEE RANDY VIOLENT?

A. NO.

Q. DURING THE COURSE OF THIS RELATIONSHIP, DID YOU EVER SEE ANY SIGN THAT WOULD ALLOW YOU TO HAVE SUSPECTED THAT RANDY WOULD EVER BEEN ACCUSED OF THESE ACCUSATIONS?

A. NONE AT ALL.

Q. OKAY. HOW DID YOU FEEL WHEN YOU, WHEN YOU HEARD THAT RANDY WAS ARRESTED?

A. I JUST FELT THAT, YOU KNOW, THERE HAD TO HAVE BEEN A MISTAKE SOMEWHERE, THAT IT COULDN'T HAVE BEEN THE RANDY THAT I KNEW.

Q. NOW, YOU HAVE BEEN TO HIS HOME, AND WAS THAT THE HOME ON ROSWELL STREET?

A. YES.

Q. ANY OTHER HOMES?

A. NO.

Q. DO YOU KNOW ANYTHING ABOUT THE TYPE OF WORK THAT RANDY WAS DOING DURING THAT PERIOD OF TIME, 1980 TO 1983?

A. UM, WELL, WHEN I FIRST MET RANDY, RANDY WAS LOOKING FOR A JOB AND NOW THAT I STOP AND THINK OF IT, THAT MIGHT HAVE BEEN HOW WE GOT TO KNOW EACH OTHER EVEN BETTER, BECAUSE HE TALKED ABOUT HE WAS LOOKING FOR A JOB.

AND I HAD HAD A POSITION WHERE I DID A LOT OF WORK WITH JOB PLACEMENT AND DIFFERENT THINGS LIKE THAT AND WORKED WITH RESUMES. AND I SAID, "RANDY, YOU KNOW, LET ME

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LOOK AT YOUR RESUME AND SEE IF I CAN GIVE YOU ANY CLUES." SO I THINK THAT WAS ONE OF THE THINGS THAT, YOU NOW, GOT US TO BE GOOD FRIENDS BECAUSE HOPEFULLY I HELPED HIM.

AND I KNOW THAT, YOU KNOW, HE HAD GOTTEN, YOU KNOW, HE HAD GOTTEN A JOB AFTER I HAD MET HIM BECAUSE WHEN I FIRST MET HIM HE WASN'T WORKING, AT LEAST I DON'T THINK HES WAS.

Q. WHAT WORDS WOULD YOU USE TO DESCRIBE RANDY, THE RANDY YOU KNOW?

A. I FELT HE WAS ALWAYS A VERY CARING PERSON. I THINK THAT HE-- I THINK WE HAD A GOOD RE-- A GOOD FRIENDLY RELATIONSHIP THAT I THINK, YOU KNOW, IF I HAD ASKED RANDY TO DO ANYTHING FOR ME, HE WOULD HAVE DONE IT FOR ME.

I NEVER KNEW ANYONE THAT DIDN'T LIKE RANDY, THAT EVER HAD ANYTHING NEGATIVE TO SAY ABOUT RANDY, YOU KNOW. HE WAS QUIET IN SOME RESPECTS, BUT YET, YOU KNOW, HE NEVER-- I AM NOT AWARE OF ANY ENEMIES THAT HE HAD.

Q. OKAY, CARL.

THE DEFENDANT: I HAVE A COUPLE.

MR MC DONALD: CARL, RANDY HAS A QUESTION OR TWO HE WOULD LIKE TO ASK YOU, PLEASE.

THE WITNESS: OKAY.

EXAMINATION

BY THE DEFENDANT:

Q. UHM, CARL, WHEN I MOVED INTO THE HOUSE ON

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ROSWELL, DID YOU ULTIMATELY COME TO HELP ME WITH THE LANDSCAPING?

A. YES.

Q. AND HOW WAS THAT?

A. PARDON?

Q. HOW WAS THAT? HOW DID YOU-- DID YOU PROVIDE PLANTS, IDEAS OR ANY--

A. WELL, AT THE TIME YOU WERE TEARING UP YOUR WHOLE BACKYARD AND, YOU KNOW, WE HAD TALKED ABOUT DIFFERENT THINGS AND YOU HAD DONE, YOU KNOW, QUITE A BIT OF PLANTING IN THE BACKYARD. AND I REMEMBER YOU WERE LOOKING, YOU KNOW, THAT I-- WELL, YEAH, I KNOW I GAVE GAVE YOU SOME PLANTS.

AND I REMEMBER THAT, OH, I THINK IT WAS AT MARINE STADIUM I SAW WHERE THERE WERE SOME PLANTS THAT WERE THROWN IN A DUMPSTER, I THINK WERE SOME YUCCAS. AND I MENTIONED TO YOU THAT, HEY, IF YOU WANTED SOME YUCCAS, THERE WAS SOME UP THERE IN A TRASH BIN OR SOMETHING LIKE THAT IN MARINE STADIUM.

AND I KNOW THAT AT LEAST I AM SURE THAT YOU WENT AND GOT THEM BECAUSE I REMEMBER THOSE YUCCAS DARN NEAR TOOK OVER THE BACKYARD. UHM, BUT I-- I KNOW THAT, YOU KNOW, WE SAHRED POINTS OF INTEREST WITH LANDSCAPING AND GARDENING AT THAT TIME.

Q. YOU WOULD STOP BY THE HOUSE--

A. OH, YEAH.

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Q. -- UNANNOUNCED JUST TO SEE WHAT WAS GOING ON?

A. OH, YEAH.

Q. AND I WOULD BE WORKING IN THE YARD--

A. YEP.

Q. - WITH MY HANDS IN THE FLOWER BEDS OR
WHATEVER, RIGHT?

A. YEP.

Q. OKAY. DID YOU HAVE OCCASION TO RUN INTO ME
ON THE STREETS, SAY, DOWN IN BELMONT SHORE ON SECOND
STREET TO JUST SEE ME OUT AND AROUND?

A. OH, I AM, YES.

Q. AND I WOULD COME OVER TO YOUR HOUSE?

A. YES.

Q. AND YOU HAD SEEN ME AT MARINE STADIUM?

A. YES.

Q. WERE THERE OTHER PEOPLE AT THE MARINE
STADIUM, A GROUP WRESTLING THAT GOT TO KNOW EACH OTHER?

A. OH, YEAH.

Q. SORT OF A SOCIAL SETTING?

A. OH, YES.

Q. ALL RIGHT. AT ANY TIME THAT YOU WERE IN MY
HOUSE, DID YOU SEE ANY WEAPONS?

A. NO.

Q. DID I GIVE YOU ANY INDICATION THAT I KNEW HOW
TO USE WEAPONS EVEN IF I MIGHT HAVE HAD SOME OR--

A. NO.

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Q. OKAY. DID I GIVE YOU ANY INDICATION THAT I WAS A PERSON WHO WAS PRIMARILY INTERESTED IN YOUNGER PEOPLE, WHAT WOULD BE A CHICKEN QUEEN OR CHICKEN HAWK? WOULD YOU SAY THAT ABOUT ME?

A. NO.

Q. WOULD YOU SAY THAT SAME ABOUT THE MILITARY? WOULD I APPROACH, JUST FROM OBSRVING ME, COULD YOU SAY, "WELL, HE'S REALLY INTERESTED IN THE MILITARY?

A. NOT THAT I AM AWARE OF, NO.

Q. DO YOU RECALL THAT I WOULD TRAVEL TO OREGON?

A. YES.

Q. DID I EVER BRING YOU ANYTHING FROM OREGON, DO YOU RECALL?

A. NOT THAT I REMEMBER.

Q. DO YOU RECALL A BOTTLE OF WINE, PERHAPS?

A. OH, YES. I AM SORRY, YES.

Q. DO YOU REMEMBER WHAT KIND IT WAS?

A. AH, UHM, OH, GEEZ, BECAUSE IT WAS SOMETHING REAL DIFFERENT. FIRST OF ALL, IT STRUCK ME ODD THAT THERE WERE GRAPES IN OREGON TO MAKE WINE, BUT IT WAS A DIFFERENT KIND OF WINE AND-- BUT I CAN'T REMEMBER WHAT IT WAS.

Q. COULD HAVE BEEN RHUBARB OR WATERMELON OR SOMETHING LIKE THAT?

A. IT WAS. IT WAS-- IT WAS SOMETHING DIFFERENT. I REMEMBER THAT, BUT I CAN'T REMEMBER WHAT IT WAS.

Q. DID I TELL YOU WHAT I HAD GOTTEN?

A. YOU MIGHT HAVE, BIT I DON'T REMEMBER.

Q. UHM, HAVE YOU HAD THE OCCASION TO WORK AROUND
PEOPLE IN A SALES ATMOSPHERE?

A. YES.

Q. YOU KNOW JEFF----?

A. YES.

Q. WOULD YOU CONSIDER JEFF TO BE A GOOD
SALESMAN?

A. YES.

Q. HAVE YOU EVER HAD AN OPPORTUNITY TO, WITH
RESPECT TO MYSELF, TO HAVE AN OPINION AS TO WHETHER OR
NOT I'M A GOOD SALESMAN OR THE SAME TYPE OF JEFF?

A. YOU WOULDN'T BE THE SAME TYPE AS JEFF.

Q. WOULD YOU SAY THAT I WAS THE KIND OF PERSON
THAT COULD SELL ROWBOATS TO DESERT RATS OR--

A. NO.

Q. -- ICEMAKERS TO ESKIMOS, THAT SORT OF PERSON?

A. NO.

Q. NOT A SLICK TALKER?

A. NO.

THE DEFENDANT: OKAY. THAT'S ALL.

MR. MC DONALD: THAT'S ALL.

CROSS EXAMINATION

BY MR. BROWN:

Q. MR. H----, WHEN WAS THE LAST TIME THAT

YOU HAD SPOKEN WITH MR. KRAFT BEFORE TODAY, RIGHT NOW?

A. BEFORE NOW?

Q. YEAH.

A. PROBABLY A-- ONE OF MY VISITS HERE TO THE JAIL.

Q. HOW LONG AGO WOULD THAT BE, APPROXIMATELY?

A. A COUPLE YEARS.

Q. A COUPLE YEARS, SO THERE HAD BEEN A COUPLE OF YEARS IN BETWEEN--

A. YES.

Q. -- TALKING WITH HIM AND SEEING HIM HERE

R. TODAY?

A. WELL, I WAS HERE AT THE TRIAL BEFORE.

Q. RIGHT, RIGHT. OKAY.

DID MR. KRAFT FREQUENT ANY PARTICULAR PART OF MARINE STADIUM?

A. I WOULD WANT TO SAY "YES" AND "NO" BECAUSE THE STADIUM IS FAIRLY LARGE. I MEAN, THERE IS AN AREA WHERE, YOU KNOW, PEOPLE GO THAT WATER SKI, AND THEN THERE'S A PARK; AND THEN THERE IS OTHER PLACES WHERE YOU DIDN'T GET HASSLED WHEN YOU WALKED YOUR DOG.

SO THERE WAS CERTAINLY AREAS, YES, THAT I THINK THAT MORE SO-- THERE WERE SOME AREAS MORE SO THAN OTHERS THAT HE FREQUENTED, YES.

Q. HOW MANY TIMES, IF YOU CAN, DID YOU SEE MR. KRAFT IN MARINE STADIUM?

JODI HALE, OFFICIAL COURT REPORTER

A. OH--

Q. JUST A BALLPARK ESTIMATE SO WE HAVE AN IDEA JUST ROUGHLY WHAT YOU'RE TALKING ABOUT.

A. I'D SAY PROBABLY WOULD SEE HIM-- AT LEAST FOR A WHILE THERE, I WASN'T WORKING MYSELF, SO I MIGHT RUN INTO HIM DAILY.

Q. WAS THERE A PARTICULAR TIME THAT MR. KRAFT FREQUENTED MARINE STADIUM?

A. NO, NOT THAT I CAN REMEMBER.

Q. WHERE WOULD YOU USUALLY SEE MR. KRAFT IN MARINE STADIUM?

A. THERE WAS A PARK AREA, OR AGAIN ON THE NORTH SIDE OF THE MARINE STADIUM WHERE THERE WAS A WALK THAT, YOU KNOW, YOU COULD PARK AND WALK, WHICH AGAIN WAS A GOOD AREA THAT YOU WEREN'T HASSLED BY PEOPLE BECAUSE OF THE DOGS BECAUSE THERE WERE A LOT OF OPEN FIELDS THAT, YOU KNOW, WASN'T USED.

THE AREA WASN'T USED THAT MUCH, SO NOBODY BOTHERED YOU IF YOU HAD YOUR DOGS UP THERE.

Q. SO THAT WOULD BE AN AREA BETWEEN MARINE STADIUM AND COLORADO BOULEVARD OR COLORADO STREET?

A. NO. IT WOULD BE--

Q. THAT WOULD BE THE NORTH SIDE, WOULDN'T IT?

A. YEAH. IT'S HARD-- IT'S, THE NEW DEVELOPMENT CALLED SPINNAKER COVES, AND SPINNAKER-- IT'S BETWEEN THE STADIUM AND THAT AREA BECAUSE TO ME COLORADO IS TO THE

WEST OF THAT AREA. THERE IS A NEW PARK THERE THAT WASN'T THERE AT THE TIME.

Q. NOW MR. KRAFT HAS ASKED YOU ABOUT JEFF SEELIG. WHEN WAS YOUR LAST CONTACT WITH JEFF SEELIG?

A. YESTERDAY.

Q. THANK YOU VERY MUCH FOR COMING IN.

MR. MCDONALD: ONE MOMENT.

EXAMINATION

BY THE DEFENDANT:

Q. CARL, DO YOU RECALL THAT, THE CONSTRUCTION THAT WAS GOING ON AT THE HOUSE?

A. YES.

Q. OKAY. AND DO YOU RECALL STOPPING BY NOW AND THEN AND SEEING THE VARIOUS PROGRESS ON IT?

A. OH YES, YES.

Q. DO YOU RECALL WHEN THE BATHROOM WAS BEING DONE, BEING REDONE, AND THE BATHTUB HAD BEEN TAKEN OUT AND WAS BEING LOWERED FROM THE TILE? DO YOU RECALL THAT?

A. I DON'T-- I CAN'T SAY I REMEMBER THAT SPECIFICALLY. I REMEMBER WHEN THE BATHROOM WAS BEING REDONE BECAUSE YOU WENT AND TORE OUT THE CLOSET ON THE OTHER SIDE OF THE ROOM THAT BACKED UP TO IT AND PUT THE FRENCH DOORS IN AND TAKEN THOSE CABINETS OUT--

Q. RIGHT.

A. -- THAT YOU HAVE REDONE AND STUFF.

Q. DO YOU RECALL THE TILING IN THE BATHROOM, THE

PERSON WHO WAS DOING IT STARTED OUT TO DO IT AND THEY HAD COMPLETELY MESSED IT UP AND IT HAD TO BE TORN OFF AND RE-DONE AGAIN? DO YOU RECALL THAT?

A. NO. WELL-- OH, I WANT TO SAY "NO, NO," BUT THEN IT STARTS TO RING A BELL, BUT I'M NOT SURE.

Q. OKAY, THAT'S ALL. THANKS.

MR. MC DONALD: THAT'S IT. THANK YOU, CARL.

THE COURT: THANK YOU, SIR. YOU ARE EXCUSED.

THE WITNESS: OKAY.

THE COURT: ANY FURTHER WITNESSES, MR. MC DONALD?

MR. MC DONALD: YES, ONE. ONE ADDITIONAL WITNESS, YOUR HONOR. DIANA L-----.

DIANA L-----,

CALLED AS A WITNESS BY AND ON BEHALF OF THE DEFENDANT, HAVING BEEN DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

THE CLERK: STATE YOUR FULL NAME FOR THE COURT.

THE WITNESS: DIANA C----- L-----, L----.

THE CLERK: THANK YOU. YOU MAY BE SEATED IN THE WITNESS STAND.

DIRECT EXAMINATION

BY MR. MC DONALD:

Q. DIANE, YOU TESTIFIED EARLIER DURING THE GUILT PHASE?

A. I DID.

Q. WE ARE AT DIFFERENT PROCEEDINGS NOW AND I

JODI HALE, OFFICIAL COURT REPORTER