

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF KINGS

PEOPLE OF THE STATE
OF CALIFORNIA

Plaintiff(s)

vs.

DAVID MARTIN HAWK
08-2275
07-2612

Defendant(s)

Date: August 19, 2009 Case # 08CM1633
07CM1925

Assigned Judge:
Honorable Daniel Creed

Reporter: Teresa Pires

Clerk: XXXXXXXXXX

Bailiff: Jerry Costner

Attorneys:

Plaintiff: Deputy District Attorney by:
Larry Crouch and Robert Shane Burns

Defendant: Mark Coleman and Dennis
Peterson

MINUTES OF TRIAL:

Exhibit #239-Stipulation and #240-Trial Brief filed in Case #98C1007 are pre-marked for identification purposes as requested by the People.

Court convened at 9:06 a.m., Jury, Alternates, the People represented by Deputy District Attorney Robert Shane Burns and Larry Crouch, the Defendant, David Martin Hawk, represented by Attorney Mark Coleman and Co-counsel Dennis Peterson and court staff present. Witness, Kenneth Penner retakes the witness stand and resumes with testimony. Witness is excused. Witness, Richard Kinney is sworn and testified as requested by the People. Counsels' stipulate that this witness is an expert in the field of fingerprint analysis. Witness is excused. Witness, Darrin Matteson retakes the witness stand, is reminded that he is still under oath and resumes with testimony. Exhibit #241-Original box containing stun gun, #241a-Stun gun and #241b-Black carrying case for stun gun are marked for identification purposes as requested by the People. People request to admit Exhibits #241, #241a and #241b into evidence. Defense counsel objects. Court will reserve ruling until after cross examination. Court deems Exhibits #241, #241a and #241b admitted into evidence as requested by the People. Witness is excused. Witness, Michael Ray is sworn and testified as requested by the People. Witness is excused.

Witness, Teresa Boyles is sworn and testified as requested by the People. Witness is excused. Witness, Diane Triantis is sworn and testified as requested by the People. Witness is excused. Pre-Exhibit #239 is read into the record by the People. Court deems Exhibit #239 admitted into evidence. People rest. Jury and Alternates are admonished and recessed until August 20, 2009 at 9:00 a.m. Court and counsel adjourn to chambers to discuss Exhibits.

Court in session at 11:07 a.m., outside the presence of the Jury and Alternates. All parties and court staff are present. Counsels' stipulate to all Exhibits being admitted into evidence with the exception of #17, #18, #57, #194, #214 and #236. Counsels' further stipulate that Exhibit #142 be photocopied and thereafter redacted to only include the first five (5) pages and said Exhibit be marked as Exhibit #142a-Redacted version of Notice of Motion for Modification of Custody filed in case #98C1007 and thereafter admitted into evidence. Defense counsel reserves right to argue 1118PC Motion until 8:30 a.m. on August 20, 2009. Court in recess until August 20, 2009 at 8:30 a.m.