

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 26, 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 #223a-Redacted version of transcript, Exhibit #223 is marked as requested by the Court and pursuant to stipulation of counsels'.

Court convened at 9:18 a.m., Jury, Alternates, all parties and court staff are present. Court read closing Jury instructions. Side bar conference held. Court re-reads Jury instruction #3500 to the Jury. Bailiff was sworn to take charge of the Jury. Jury retired at 9:30 a.m. to commence with their deliberations. Alternate Jurors were thanked for their service and excused subject to recall.

Court in session at 9:34 a.m., outside the presence of Jury. All parties and court staff are present. Defense counsel informs the Court that pursuant to stipulation of all counsels', Exhibit #223 has been redacted to conform with counsels' previous stipulation and redacted copy of Exhibit #223 has been marked as Exhibit #223a. Counsels' stipulate that the Jury may call their own recesses and lunch breaks without prior notification to the Court and counsels'. Counsels' further stipulate that if read back of testimony is requested by the Jury, then the Court Reporter may proceed to the Jury room for commencement of read back without prior notification to the Court or counsels'. Counsels' also stipulate that if the Jury requests to listen to audio CD's, then the Jury to

be provided with the CD player to be able to do so without the necessity of the Court and counsels'. Court in recess pending receipt of verdicts and findings.

Jury informed the Bailiff that they have a question. Counsels adjourned to chambers to discuss Court's answer to the Jury's question. Counsels' stipulate to the Court's answer to the Jury's question. Court directs that the Bailiff provide the Jury the Court's answer to the question. Court in recess pending receipt of verdicts and findings.

Jury informed the Bailiff that they are requesting to adjourn for the evening and recommence with their deliberations tomorrow, August 27, 2009 at 9:00 a.m. Court directs the Bailiff to instruct the Jury to adjourn for the evening and return tomorrow August 27, 2009 at 9:00 a.m.

Court adjourned
