

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 28, 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:

Jury returned at 9:05 a.m., to resume with their deliberations. Court in recess pending receipt of verdicts and findings.

Court reconvened at 11:47 a.m., Jury, all parties and court staff are present. Jury informed the Court that they have arrived at their verdicts and findings. The verdicts and findings were read as follows: SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 08CM1633, VERDICT, We, the Jury, find the defendant **David Martin Hawk, GUILTY OF** the murder of Debbie Hawk, a violation of Section 187(a) of the Penal Code of the State of California, as charged in Count 1 of the Information. We the Jury, further **FIND** that the murder of Debbie Hawk was committed willfully, deliberately and with premeditation, within the meaning of Penal Code Section 189 and is a serious and violent felony pursuant to Penal Code Sections 1192.7(c) and 667.5(c), as charged in Count 1 of the Information. Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 08CM1633, FINDING, We, the Jury, find it to be **TRUE** as to Count 1, that the murder of Debbie

Hawk was intentional and was carried out for financial gain, within the meaning of Penal Code Section 190.2(a)(1). Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 07CM1925, VERDICT, We, the Jury, find the defendant, **David Martin Hawk, GUILTY OF** failing to file a tax return for 2001, a violation of Section 19706 of the Revenue and Taxation Code of the State of California, as charged in Count 1 of the Information. Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 07CM1925, VERDICT, We, the Jury, find the defendant **David Martin Hawk, GUILTY OF** failing to file a tax return for 2002, a violation of Section 19706 of the Revenue and Taxation Code of the State of California, as charged in Count 2 of the Information. Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 07CM1925, VERDICT, We, the Jury, find the defendant **David Martin Hawk, GUILTY OF** failing to file a tax return for 2003 a violation of Section 19706 of the Revenue and Taxation Code of the State of California, as charged in Count 3 of the Information. Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 07CM1925, VERDICT, We, the Jury, find the defendant **David Martin Hawk, GUILTY OF** failing to file a tax return for 2004, a violation of Section 19706 of the Revenue and Taxation Code of the State of California, as charged in Count 4 of the Information. Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 07CM1925, VERDICT, We, the Jury, find the defendant **David Martin Hawk, GUILTY OF** failing to file a tax return for 2005, a violation of Section 19706 of the Revenue and Taxation Code of the State of California, as charged in Count 5 of the Information. Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 07CM1925, VERDICT, We, the Jury, find the defendant **David Martin Hawk, GUILTY OF** embezzlement grand theft, a violation of Section 487(a)/506 of the Penal Code of the State of California, as charged in Count 6 of the Information. Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 07CM1925, FINDING, We, the Jury, find it to be **TRUE** pursuant to Penal Code Section 12022.6(a)(1) as to Count 6, that in the commission of the offense the defendant took real property of a value exceeding Fifty Thousand Dollars (\$50,000.00), within the meaning

of Penal Code Section 12022.6(a). Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 07CM1925, VERDICT, We, the Jury, find the defendant **David Martin Hawk, GUILTY OF** embezzlement grand theft, a violation of Section 487(a)/506 of the Penal Code of the State of California, as charged in Count 7 of the Information. Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 07CM1925, FINDING, We, the Jury, find it to be **TRUE** pursuant to Penal Code Section 12022.6(a)(1) as to Count 7, that in the commission of the offense the defendant took property of a value exceeding Fifty Thousand Dollars (\$50,000.00), within the meaning of Penal Code Section 12022.6(a). Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 07CM1925, VERDICT, We, the Jury, find the defendant **David Martin Hawk, GUILTY OF** embezzlement grand theft, a violation of Section 487(a)/506 of the Penal Code of the State of California, as charged in Count 8 of the Information. Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503) SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 07CM1925, FINDING, We, the Jury, find it to be **TRUE** pursuant to Penal Code Section 12022.6(a)(1) as to Count 8, that in the commission of the offense the defendant took property of a value exceeding Fifty Thousand Dollars (\$50,000.00), within the meaning of Penal Code Section 12022.6(a). Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). SUPERIOR COURT OF CALIFORNIA, COUNTY OF KINGS, THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. **DAVID MARTIN HAWK** Defendant, No. 07CM1925, VERDICT, We, the Jury, find the defendant **David Martin Hawk, GUILTY OF**, of perjury, a violation of Section 118 of the Penal Code of the State of California, as charged in Count 10 of the Information. Dated this 28 day of August, 2009. Signed Jury Foreperson #4 (#503). Court asks Jury as a whole, "Are the verdicts and findings as read, your true and correct verdicts and findings?" The Jury replied as a whole, "Yes". Court directed the Clerk to poll the Jury. Clerk polled the Jury and as each individual juror number was called upon and asked, "Are the verdicts and findings as read your true and correct verdicts and findings?" Each individual juror replied, "Yes". Court finds the Jury to be unanimous in their decision. Court ordered the verdicts and findings be recorded as read. Court read concluding jury instruction, including the sealing of Jury information. Jury thanked for their service and discharged. Defense counsel Coleman requests to set Probation/Sentencing date 60 to 90 days to prepare and file a Motion for New Trial. Defendant waives time for probation/sentencing. Matter set for Probation/Sentencing on December 4, 2009 at 10:30 a.m. in a Department to Be Determined. Matter to continue to be heard before Judge Daniel Creed. Defendant

ordered to appear on above date and time. Probation Department to prepare Probation/Sentencing Report and Recommendation.

Court adjourned
