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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
**IN AND FOR THE COUNTY OF COCONINO**

Dan R. Slayton, Judge  
Division 2  
Date: April 14, 2017

Valerie Wyant, Clerk  
Marie Jones, Deputy Clerk  
Steve Garwood, Court Reporter

**MINUTE ENTRY**

THE STATE OF ARIZONA,  
  
Plaintiff,  
  
vs.  
  
**STEVEN EDWARD JONES,**  
  
Defendant.

**Cause No. CR 2015-00862**

**ACTION: JURY TRIAL – DAY SIX**

**APPEARANCES:** Ammon Barker and Bryan Shea, Deputy County Attorneys, are present, appearing on behalf of the State. The Defendant is present and appearing out of custody with Counsel, Joshua Davidson and Burges McCowan. Sergeant Mike O'Hagan, Investigating Officer, is present.

8:42 a.m. Court reconvenes. The Defendant, Counsel, the investigating officer, and the Jury are present.

The Court advises that there is a change in the Jury Schedule for next week. On Tuesday, Court will only go until 12 noon and then the Jury will be released for the remainder of the day. Court will reconvene Wednesday morning.

The State (Bryan Shea) calls Dr. Larry Czarnecki to the stand. The Witness is sworn and testifies on direct examination.

At the request of the Court, Court and Counsel hold a bench conference off the record.

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The State (Bryan Shea) moves to admit Exhs. #130 and #357 into evidence. Subject to the previous record made, **IT IS ORDERED** admitting Exhs. #130 and #357 into evidence.

With the permission of the Court, the State (Bryan Shea) publishes the preceding exhibits to the Jury and the Witness continues to testify on direct examination.

The State (Bryan Shea) moves to admit Exhs. #131 and #358 into evidence. Subject to the previous record, **IT IS ORDERED** admitting **Exh. #131** and **#358** into evidence.

The exhibits are published to the Jury and the Witness continues to testify on direct examination.

The State (Bryan Shea) moves to admit Exh. #135 into evidence. Subject to the previous record, **IT IS ORDERED** admitting **Exh. #135** into evidence.

The exhibit is published to the Jury and the Witness continues to testify on direct examination.

The State (Bryan Shea) moves to admit Exh. #110 into evidence. Subject to the previous record, **IT IS ORDERED** admitting **Exh. #110** into evidence.

The exhibit is published to the Jury and the Witness continues to testify on direct examination.

The State (Bryan Shea) moves to admit **Exh. #301** into evidence. Defense Counsel (Joshua Davidson) has no objection and, subject to the record, **IT IS SO ORDERED**.

The exhibit is published to the Jury and the Witness continues to testify on direct examination.

The State (Bryan Shea) moves to admit **Exh. #132** into evidence. There being no objection by Defense Counsel (Joshua Davidson), **IT IS SO ORDERED**.

The exhibit is published to the Jury and the Witness continues to testify on direct examination.

Defense Counsel (Joshua Davidson) objects to a line of questioning due to relevance.

Court and Counsel hold a bench conference off the record.

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The objection is sustained.

The Witness continues to testify on direct examination.

The State (Bryan Shea) moves to admit Exh. #120 into evidence.

Defense Counsel (Joshua Davidson) asks permission to voir dire the Witness and permission is granted.

After voir dire, Defense Counsel (Joshua Davidson) has no objection to the exhibit being admitted and **IT IS ORDERED** admitting **Exh. #120** into evidence.

The exhibit is published to the Jury and the Witness continues to testify on direct examination.

The State (Bryan Shea) moves to admit Exh. #113 into evidence. Defense Counsel (Joshua Davidson) has nothing to add and **IT IS ORDERED** admitting **Exh. #113** into evidence.

The exhibit is published to the Jury and the Witness continues to testify on direct examination.

The State (Bryan Shea) moves to admit **Exh. #302** into evidence. There being no objection, **IT IS SO ORDERED**.

The exhibit is published to the Jury and the Witness continues to testify on direct examination.

At this time, the State (Bryan Shea) asks to publish Exh. #361 for demonstrative purposes. There being no objection, permission is granted.

The exhibit is published to the Jury and the Witness continues to testify on direct examination.

At this time, the State (Bryan Shea) asks to publish Exh. #362 for demonstrative purposes. There being no objection, permission is granted.

The State (Bryan Shea) asks that the Witness mark Exhs. #361 and #362 as was projected to the Jury during the Witness' testimony, which he proceeds to do.

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The State (Bryan Shea) now moves to admit Exhs. #361 and #362 into evidence.

After Defense Counsel (Joshua Davidson) reviews the exhibits, he has no objection, and **IT IS ORDERED** admitting **Exhs. #361** and **#362** into evidence.

With the permission of the Court, the exhibits are published to the Jury by hand.

The Witness continues to testify on direct examination.

The Court will now take the morning recess and gives the Admonition.

10:02 a.m. Court is in recess.

10:25 a.m. Court reconvenes. The Defendant, Counsel, the investigating officer, and the Jury are present.

The Witness continues to testify on cross examination by Defense Counsel (Joshua Davidson). During cross examination, Exh. #361 is published for the Witness.

The Witness continues to testify on redirect examination.

As there are Jury Questions, Court and Counsel sidebar and review off the record.

The Witness continues to testify on Jury Questions and follow-up examination by the State (Bryan Shea) and Defense Counsel (Joshua Davidson).

There being no objection, the Witness is excused.

The State (Bryan Shea) calls Terrence Weaver to the stand. The Witness is sworn and testifies on direct examination.

The State hands Exh. #318 (handgun) to the Witness.

Defense Counsel (Joshua Davidson) advises the Defense will stipulate that item 1094-1 was fired from SC 16 (the gun).

After conferring with Co-Counsel for the State (Ammon Barker), the State (Bryan Shea) rejects Defense Counsel's stipulation.

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The State (Bryan Shea) states that the Defense can offer that stipulation; however, the State wants to proceed with the examination of the Witness.

The Witness continues to testify on direct examination.

Prior to the gun being altered from its original state, Defense Counsel (Joshua Davidson) would like the opportunity for both Parties to review the gun in its present state.

Court and Counsel hold a bench conference off the record.

Defense Counsel (Joshua Davidson) proceeds to review the gun.

The State (Bryan Shea) moves to admit Exh. #318 into evidence.

Defense Counsel (Joshua Davidson) does not object but would like to see if there is anything else in the box.

As there is no objection, **IT IS ORDERED** admitting **Exh. #318** into evidence.

With the permission of the Court, the Witness publishes the gun to the Jury.

The Witness continues to testify on direct examination.

The Witness proceeds to remove the flashlight from the firearm.

The Witness continues to testify on direct examination.

The State (Bryan Shea) moves for the admission of Exh. #319 into evidence.

Defense Counsel (Joshua Davidson) would like to review the contents to see if there is anything else in the package.

The Court grants Defense Counsel's request.

The Witness proceeds to detail on the record the contents of the package.

The State (Bryan Shea) moves to admit Exh. #319 into evidence.

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At the request of the Court, Court and Counsel hold the bench conference off the record.

The State (Bryan Shea) now moves to admit *only* the magazine without the cartridge as contained in Exh. #319. There being no objection, **IT IS SO ORDERED.**

The Court advises that Exh. #319A will contain the magazine and Exh. #319B will contain the cartridges; therefore, **IT IS ORDERED** only admitting **Exh. 319A** into evidence.

The Court advises It will now take the luncheon recess and gives the Admonition.

At the request of Defense Counsel (Joshua Davidson), Court and Counsel hold a bench conference off the record.

11:54 a.m. Court is in recess.

During the luncheon recess, Defendant's Exh. #370 is marked for purposes of identification.

1:37 a.m. Court reconvenes. The Defendant, Counsel, the investigating officer, and the Jury are present.

The Court advises that by agreement of Defense Counsel Davidson and McCowan, there will be a break in the State's direct examination of Mr. Weaver in order to accommodate the State's next Witness.

The State (Ammon Barker) calls Dr. Michael Ray to the stand. The Witness is sworn and testifies on direct examination.

There is an objection by Defense Counsel (Joshua Davidson) as to the element of the offense.

At the Court's request, Court and Counsel hold a bench conference off the record.

The Witness continues to testify on direct examination and cross examination by Defense Counsel (Joshua Davidson).

The State (Ammon Barker) has an objection to a line of questioning and relevancy of a report. As such and at the State's request, Court and Counsel hold a bench conference off the record.

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Court and Counsel now sidebar on the record.

During the sidebar, the Court advises there will be a recess and gives the Admonition.

2:21 p.m. Court is in recess.

2:50 p.m. Court reconvenes. The Defendant, Counsel, the investigating officer, and the Jury are present.

The Witness continues to testify on cross examination by Defense Counsel (Joshua Davidson).

The State (Ammon Barker) objects to a line of questioning as to relevance.

At the request of the State (Ammon Barker), Court and Counsel hold a bench conference off the record.

The objection is overruled.

The Witness continues to testify on cross by (Joshua Davidson) and redirect examination by the State (Ammon Barker).

As there are no Jury Questions and there being no objection, the Witness is excused.

The State (Bryan Shea) recalls Terrence Weaver to the stand. The Witness, having previously been sworn, testifies on direct examination.

Defense Counsel (Joshua Davidson) would like the Witness to be admonished not to publish an exhibit until it is admitted and the Court proceeds to do so.

The Witness continues to testify on direct examination.

The State (Bryan Shea) moves for the admission of Exh. #322A into evidence.

At the request of Defense Counsel (Joshua Davidson), Court and Counsel hold a bench conference off the record.

The objection is overruled.

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The Witness continues to testify on direct examination.

The State (Bryan Shea) moves for the admission of Exh. #322 into evidence. Defense Counsel (Joshua Davidson) has the same objection. **IT IS ORDERED** admitting **Exh. #322** into evidence.

The Witness continues to testify on direct examination.

The State (Bryan Shea) moves for the admission Exh. #321 into evidence. Defense Counsel (Joshua Davidson) has the same objection. **IT IS ORDERED** admitting **Exh. #321** into evidence.

The Witness continues to testify on direct examination.

The State (Bryan Shea) moves for the admission Exh. #321A into evidence. Defense Counsel (Joshua Davidson) has the same objection – relevancy under 403. **IT IS ORDERED** admitting **Exh. #321A** into evidence.

The Witness continues to testify on direct examination.

Defense Counsel (Joshua Davidson) advises that the Defense will stipulate to Terrence Weaver's findings as to Exhs. #321, #321A, #322, and #322A. The Defense will also stipulate as to the analysis performed on the spent casings that were recovered from the scene and analyzed by the Witness.

As the State is in agreement, the Court notes that the Parties have stipulated to the analysis and conclusions of finding by Terrence Weaver.

The Witness continues to testify on direct, cross by Defense Counsel (Joshua Davidson) and redirect examination.

As there are Jury Questions, Court and Counsel sidebar and review off the record.

The Witness continues to testify on the Jury Questions and follow-up examination by Defense Counsel (Joshua Davidson).

There being no objection, the Witness is excused.

The Court advises It will take the final afternoon recess and gives the Admonition.



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3:54 p.m. Court is in recess.

3:55 p.m. Court reconvenes. The Defendant, Counsel, the investigating officer, and the Jury are present.

The State (Ammon Barker) calls Abbey Norcutt to the stand. The Witness is sworn and takes the stand.

At the request of the Court, Court and Counsel hold a bench conference off the record.

The Witness testifies on direct examination. At times during direct examination, the Witness testifies as Exh. #316 is being published.

The Witness continues to testify on cross examination by Defense Counsel (Burges McCowan). At times during cross examination, the Witness testifies as Exh. #316 is being published.

The Witness continues to testify on redirect examination by the State (Ammon Barker).

As there are no Jury Questions and there being no objection, the Witness is excused.


The Court gives the logistics to the Jury for next week as this Court is Duty Court. The Court advises the Jurors to be in the Jury Deliberation Room by 9:00 a.m. as opposed to 8:30 a.m.

The Court advises It will now take the weekend recess and gives the Admonition.

4:37 p.m. Court is adjourned.

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As an objection was overruled, **IT IS ORDERED** admitting Exh. #322A into evidence.

  
cc: Deputy County Attorney (Barker/Shea)  
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