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FILED  
PATRICIA A. NOLAND  
CLERK, SUPERIOR COURT  
January 21, 2009 (10:12 a.m.)  
By: Tiffany Ayres

ARIZONA SUPERIOR COURT, PIMA COUNTY

JUDGE: HON. MICHAEL CRUIKSHANK

CASE NO. **CR20080297**

COURT REPORTER: Bob Sipos

DATE: January 21, 2009

STATE OF ARIZONA

J.C. Patrascioiu.

VS

MBD

Jacob Amaro

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**MINUTE ENTRY**

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**JURY TRIAL - DAY ONE/ STATUS CONFERENCE:**

**As to the Status Conference,**

\*\*Defendant not present, out of custody. Mr. Amaru waives the defendant's presence for purposes of the Status Conference.

Counsel make statements to the Court.

Mr. Patrascioiu advises the Court that counsel have agreed to a stipulation which will eliminate the testimony of one witness, and provides said stipulation to the Court.

Counsel make statements to the Court regarding pending issues.

The Court and counsel confer regarding witness testimony.

Mr. Amam advises the Court that he is not waiving any 404B issues.

The Court advises counsel that **he will** not rule against Judge Acuna's ruling allowing the State to question a witness regarding defendant's cocaine use.

The Court strongly suggests that Mr. Patrascioiu not to question the witness regarding the defendant's cocaine use.

Mr. Amaru requests to play the defendant's initial interview **in** his opening statements.

**IT IS ORDERED** that the request is denied.

\*\*Defendant is now present, out of custody.

Tiffany Avres  
Deputy Clerk

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**Jury Trial - Day One,**

10:33 a.m. Defendant present, out of custody.

**OUT OF THE PRESENCE OF THE PROSPECTIVE JURORS:**

Court and counsel discuss alternate jurors. The Court states that there will be 1 alternate.

**IN THE PRESENCE OF THE PROSPECTIVE JURORS:**

Counsel announce ready to proceed.

The Court directs the clerk to swear the prospective jurors on voir dire and to call 21 into the box.

The Court states the nature of the case generally and questions the prospective jurors generally and individually on voir dire.

Mr. Amaru advises the Court that there is not a single African-American on the prospective juror panel.

The following list reflects the prospective jurors excused by the Court for cause and those prospective jurors called to serve in their stead.

EXCUSED FOR CAUSE

Juror A

Juror M

CALLED TO SERVE

Juror L

Juror T

Mr. Patrascioiu declines to question the jurors generally and individually on voir dire.

Mr. Amaru questions the prospective jurors generally and individually on voir dire.

The following list continues to reflect the prospective jurors excused by the Court for cause and those prospective jurors called to serve in their stead.

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EXCUSED FOR CAUSE

CALLED TO SERVE

Bench conference.

Counsel pass the panel.

The prospective jurors not impaneled are excused with the thanks of the Court.

12: 11 p.m. The jury is admonished and excused until 1:30 p.m. this date.

1:30 p.m. Defendant is present, out of custody. Same counsel are present. Bob Sipos reporting.

IN THE PRESENCE OF THE PROSPECTIVE JURORS:

Mr. Patrascioiu moves to dismiss this matter with prejudice.

IT IS **ORDERED** that the matter is dismissed with prejudice.

**THE COURT NOTES** that the victim in this matter states that the defendant is not the same person who committed the offense.

. All prospective jurors are dismissed with the thanks of the Court.

**FILED IN COURT:** Juror Strike List

cc:

County Attorney- J.C. Patrascioiu, Esq.  
Public Defender - Jacob Amaru, Esq.  
Calendaring Services - Criminal  
Clerk of Court - Criminal  
Clerk of Court - Imaging

Tiffany Ayres  
Deputy Clerk

