

APR 10 2008

FILED..
PATRICIA A. NOLAND
CLERK, SUPERIOR COURT
April 10, 2008
By: C. Kerton

ARIZONA SUPERIOR COURT, PIMA COUNTY

JUDGE; HON. RICHARD NICHOLS

CASE NO. **CR20071867**

COURT REPORTER: Autumn Grant
Courtroom: 675

DATE: April 9, 2008

STATE OF ARIZONA

Heather Siegele

VS.

SR

Jacob Amaru

MINUT-E ENT-RY

JURY TRIAL-., DAY TWO:

10:20a.m. Defendant present, out of custody.

Defendant's family present.

OUT OF THE PRESENCE OF THE JURY:

The Court and both counsel settle final jury instructions.

Mr. Amaru argues to the Court in opposition of the State's motion regarding improper contact with jurors.

THE COURT *NOTES* that the motion regarding defense counsel's improper contact with jurors is moot because neither counsel are permitted to contact the jurors at their homes under the law.

Ms. Siegele argues the motion to the Court.

THE COURT *DECLINES* ruling on this motion at this time and advises both counsel that said issue shall be addressed by the Criminal Bench as to general procedure in all cases.

IN THE PRESENCE OF THE JURY:

Both counsel make closing arguments to the jury.

The Court instructs the jury on the rules it must follow in deciding this case; a copy of the Final Jury Instructions is provided to each juror.

Cassandra Kerton
Deputy Clerk.

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Date: April 9, 2008

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IT IS ORDERED that all exhibits admitted into evidence shall be provided to the jury or its use during deliberations.

The clerk is directed to select the one (1) alternate juror; Juror No. 7 is selected by lot as the alternate juror.

11:59 a.m. The jury retires to consider its verdicts under the charge of the bailiff, Karen Downing, who was first duly sworn for that purpose.

OUT OF THE PRESENCE OF THE JURY:

At THE BENCH:

Juror No. 7, present, is admonished and excused conditionally with the Court's thanks; _

(Clerk's Note: The exhibits not admitted or offered and objected to are returned to Heq, the Siegele pursuant to the Stipulation and/or Order Re: Release of Exhibits signed by the Court)

12:05 p.m. Court stands at recess:

1:10 p.m.. Defendant present, out of custody; jury and same counsel present. Autumn Grant reporting.

The jury announces through its foreperson that it has reached a verdict in this case;

The Court reads the forms of verdict, the jury finding the defendant:

NOT GUILTY of the offense of Possession of Marijuana for Sale as alleged in Count One of the Indictment, and GUILTY of the lesser-included offense of possession of Marijuana; and

NOT GUILTY of the offense of Transportation of Marijuana for Sale, as alleged in Count Two of the Indictment.

The Court asks the jurors if these are their verdicts and the verdicts of each of them, and so say they all.

1:15 p.m. The jury is excused with the Court's thanks.

OUT OF THE PRESENCE OF THE JURY:

Cassandra Kerton
Deputy Clerk

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IT IS ORDERED a Presentence Report be prepared by the Adult Probation Department.

IT IS ORDERED setting this matter for judgment of guilt and sentencing on May 27, 2008, at 9:00 a.m. in Division 14.

The defendant is directed to remain in contact with the Adult Probation Department.

FILED IN COURT: Jury List; Preliminary *Jury* Instructions; Jury Questions Submitted During Trial; Final Jury Instructions; Verdict (2); Sentence Notification Form:

1:17 p.m. Court stands at recess.

cc: County Attorney - Siegele
Public Defender - Amaru
Adult Probation

Cassandra Kerton -
Deputy Clerk

4-9-08