

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

CAMERON THOMAS, Petitioner

v.

THE STATE OF NEVADA, Respondent

On Petition for Writ of Certiorari to the
Supreme Court of the State of Nevada

**APPENDIX TO PETITION FOR WRIT OF CERTIORARI TO THE
NEVADA SUPREME COURT**

VOLUME 7

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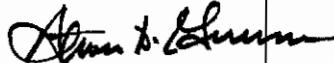
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1

2 IN THE SUPREME COURT OF THE STATE OF NEVADA

3

4 CAMERON THOMAS,) ORIGINAL

5 Appellant,) 

6 vs.)

7 THE STATE OF NEVADA,)

8 Respondent.)

9

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DEPT. NO.: IV

10

11 REPORTER'S TRANSCRIPT

12

OF

13

PROCEEDINGS

14

BEFORE THE HONORABLE KERRY L. EARLEY
DISTRICT COURT JUDGE

15

16

TUESDAY, MAY 24, 2016

17

AT 1:00 P.M.

18

LAS VEGAS, NEVADA

19

20

APPEARANCES:

21

For the State: DENA I. RINETTI, ESQ.
STACEY L. KOLLINS, ESQ.
Deputy District Attorney

22

For the Defendant: JOEL M. MANN, ESQ.

23

24
25 REPORTED BY: GINA M. SHRADER, CCR NO. 647, RPR

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1 LAS VEGAS, NEVADA; TUESDAY, MAY 24, 201

2 1:15 P.M.

3 -00o-

4

5 THE COURT: This is Case C277559-1,
6 State of Nevada versus Cameron Thomas. We're on
7 for the continuation of trial.

8 Does anybody have anything outside the
9 presence of the jury?

10 MR. MANN: No, Your Honor.

11 MS. RINETTI: No.

12 THE COURT: Do you want to put Z
13 back on? If we could get Z .

14 (Whereupon, the jury entered the courtroom.)

15 THE MARSHAL: Please be seated.

16 THE COURT: Okay. Counsel stipulate to
17 the presence of the jury.

18 MS. KOLLINS: Yes, Your Honor.

19 MR. MANN: Yes, Your Honor.

20 THE COURT: Okay. We're going to
21 continue with the direct exam of Z F .

22 Do you want to re-swear? We probably
23 should.

24 / / /

25 / / /

1 Whereupon,

2 Z F ,

3 having been called as a witness, and having been
4 first duly sworn to testify to the truth, was
5 examined and testified as follows:

6 THE CLERK: Thank you. Please be
7 seated.

8 MS. KOLLINS: Do you want to state your
9 name and spell them both for the record again for
10 us today, Z ?

11 THE WITNESS: Z F .
12 Z- , F- .

13 THE COURT: Okay.

14

15 DIRECT EXAMINATION (Continued)

16 BY MS. KOLLINS:

17 Q. Good afternoon. How are you today?

18 A. Good. How are you?

19 Q. I am well. Am I fine asking you
20 questions from back here or would you rather me
21 stand up there?

22 A. Up here.

23 Q. Up there?

24 MS. KOLLINS: Your Honor, the Court's
25 permission, if I could stand up there?

1 THE COURT: That's fine. As long as the
2 jury can see her. No problem.

3 MS. KOLLINS: Absolutely.

4 BY MS. KOLLINS:

5 Q. I'm going to stand right here. Is that
6 better?

7 A. Yes.

8 Q. Okay. We still have to talk into the
9 microphone, okay?

10 A. Yes.

11 Q. Okay. Z, how long you been sitting
12 in Las Vegas waiting to come in here and talk?

13 A. Almost a week and a half.

14 Q. Almost a week and a half?

15 A. Yes.

16 Q. How did you feel about coming in here
17 yesterday?

18 A. Nervous.

19 Q. Okay. Are you still nervous today?

20 A. Just a little bit.

21 Q. Okay. Can you I get you a drink of
22 water?

23 A. No thank you.

24 Q. Is there anything I can do to make you
25 less nervous than you were yesterday?

1 A. No.

2 Q. Do you like to talk about this stuff?

3 A. No.

4 Q. Have you had to talk about it a lot?

5 A. Yes.

6 Q. Okay. Are you done talking about it?

7 A. Yes.

8 Q. Okay. You talked a little bit yesterday
9 about your older sister, A . You call her
10 B ?

11 A. Yes.

12 Q. Do you remember that?

13 A. Yes.

14 Q. Okay. We talked about you and B
15 talking about what happened to you guys a little
16 bit.

17 THE COURT: Is that a yes?

18 THE WITNESS: Yes.

19 MS. KOLLINS: Okay. Can everybody see?
20 I'm out of the way? Okay.

21 BY MS. KOLLINS:

22 Q. I want to talk to you about that
23 conversation.

24 A. All right.

25 Q. Did you talk to B first or did B

1 talk to you first?

2 A. I talked to B first.

3 Q. What did you tell B?

4 A. That somebody in the family was touching
5 me.

6 Q. And how did B respond?

7 A. She said, "Was it was Cameron?"

8 Q. Okay. That was the first thing she
9 said?

10 A. Yes.

11 Q. Okay. Now, did you and B have that
12 conversation before you had to tell your teacher?

13 A. Yes.

14 Q. Okay. And before you had to tell CPS?

15 A. Yes.

16 Q. And before you told your moms?

17 A. Yes.

18 Q. Before Mom April and before Momma Kay?

19 A. Yes.

20 Q. Okay. Do you know how long before?

21 A. A couple months maybe.

22 Q. Okay. Do you remember where you were
23 living when you and B had that talk?

24 A. Arizona.

25 Q. Okay. You were already in Arizona?

1 A. Yes.

2 Q. Okay. So you would have been in third
3 grade still, right? Is that third grade?

4 A. Fourth grade.

5 Q. Fourth grade. Okay. Had you been asked
6 by that time by either one of your moms whether
7 anybody had touched you before?

8 A. Yes.

9 Q. Which one of your moms asked you that?

10 A. Both of them did.

11 Q. Okay. Did they ask you that in Las
12 Vegas?

13 A. Yes.

14 Q. Did they ask you that in Arizona?

15 A. Yes.

16 Q. Okay. And I'm talking about before you
17 told them about Cameron.

18 A. Yes.

19 Q. Okay. Did you ever tell them about
20 Cameron in any of those times that they asked you?

21 A. No.

22 Q. Why didn't you tell?

23 A. Because I was scared.

24 Q. What were you scared of?

25 A. I thought I was going to be in trouble.

1 Q. Why would you think you would be in
2 trouble?

3 A. Because that's what he told me.

4 Q. That's what who told you?

5 A. Cameron.

6 Q. When did he tell you that?

7 A. Many times.

8 Q. Okay. Did he say what kind of trouble
9 you were going to be in?

10 A. He said I would get a whooping.

11 Q. And who would be mad at you?

12 A. My parents.

13 Q. Okay. Your moms?

14 A. Yes.

15 Q. Okay. Did you tell any of your other
16 sisters back then when you told Brie?

17 A. No.

18 Q. Okay. When Cameron told you many times
19 that you would be in trouble if you told, did you
20 believe him?

21 A. Yes.

22 Q. Okay. Before -- let me just double
23 check what I asked you yesterday. I thought I got
24 it all.

25 When you had to talk to your teacher at

1 school about this stuff, did you want to tell her
2 about this stuff?

3 A. Yes.

4 Q. You did? Okay. Did you want to talk to
5 your moms about it by the time it came out?

6 A. No.

7 Q. Why didn't you want to talk to your moms
8 about it by the time it came out in 2010?

9 A. Because I was still scared.

10 Q. Okay. Even though Cameron wasn't living
11 nearby?

12 A. Yes.

13 Q. Okay. Why were you still scared about
14 Cameron even though he was living in another state?

15 A. Because I was still scared I was going
16 to be in trouble.

17 Q. You still thought you would be in
18 trouble by Moms?

19 A. Yes.

20 Q. Did Jennifer ever ask you anything, if
21 anybody was touching you?

22 A. No.

23 Q. Okay. Did you ever try to tell
24 Jennifer?

25 A. No.

1 Q. Okay. Did you ever try to tell anybody
2 else outside your family that was still part of
3 your family? When I say "outside your family," I
4 mean outside you and your moms and your sisters,
5 besides your teacher that day.

6 A. No.

7 Q. Okay. For the same reasons?

8 A. Yes.

9 Q. Okay. Are you still feeling as nervous
10 today and you were yesterday?

11 A. Yes.

12 Q. Well, at least I got a smile out of you
13 today. I didn't get one of those yesterday. Can I
14 get you some water before I let Mr. Mann ask you
15 some questions?

16 A. I'm okay.

17 Q. You're okay? All right.

18 THE COURT: Thank you. Cross-exam, Mr.
19 Mann.

20

21 CROSS-EXAMINATION

22 BY MR. MANN:

23 Q. Good afternoon, Z: .

24 A. Good afternoon, Mr. Mann.

25 Q. How are you?

1 A. Good. How are you?

2 Q. Good. Thank you.

3 Z. , you had told Ms. Kollins that
4 you had been waiting to testify for a long time,
5 right?

6 A. Yes.

7 Q. Both in years and also this past week?

8 A. Yes.

9 Q. Okay. Now, you have testified
10 previously?

11 A. Yes.

12 Q. And that was at the preliminary hearing?

13 A. Yes.

14 Q. Back in 2011?

15 A. Yes.

16 Q. Okay. And since the preliminary
17 hearing, there's been about a five-year gap,
18 correct?

19 A. Yes.

20 Q. Okay. Your -- you spent some time
21 preparing for today, right?

22 A. Yes.

23 Q. Talking to people about your testimony?

24 A. Yes.

25 Q. Talking to people about how you should

1 say things?

2 A. No.

3 Q. Okay. About the way you should talk
4 about what you were going to testify about?

5 A. They told me to say things like yes and
6 no, but that's about it.

7 Q. Okay. Now, you spent time speaking to
8 Ms. Kollins?

9 A. Yes.

10 Q. You spent time speaking to your moms?

11 A. Not really about the case but about
12 going.

13 Q. Okay. You reviewed your previous
14 testimony?

15 A. Yes.

16 Q. You reviewed your previous statements to
17 the police?

18 A. Yes.

19 Q. And you reviewed what you had said
20 previously as a whole, right?

21 A. Yes.

22 Q. Now, it's your -- it was your testimony
23 that the abuse you talked about started relatively
24 early from meeting Cameron?

25 A. Yes.

1 Q. So shortly after you met Cameron, the
2 abuse occurred?

3 A. Yes.

4 Q. And you talk about the first time where
5 he attempts to pull down your pants?

6 A. Yes.

7 Q. And that time you actually tell him no?

8 A. I didn't say anything. I just pulled
9 them up.

10 Q. You didn't say anything?

11 A. No.

12 Q. Okay. And you pulled up the pants, your
13 pants, and you left?

14 A. Yes.

15 Q. Okay.

16 MR. MANN: I'm sorry, Your Honor.

17 Court's indulgence.

18 THE COURT: That's fine.

19 BY MR. MANN:

20 Q. Now, you testified yesterday that your
21 moms were probably outside, right?

22 A. Yes.

23 MS. KOLLINS: Objection. Foundation.

24 "Probably outside" when?

25 THE COURT: I think he's referring to

1 the first occurrence. If the objection is it's
2 vague, no foundation, I'll sustain that and just
3 give us a time sequence.

4 MR. MANN: No problem, Your Honor.

5 BY MR. MANN:

6 Q. Z , we're still talking about the
7 first time that you testified to yesterday.

8 Do you remember that?

9 A. Yes.

10 Q. All right. And you had said that your
11 parents, your moms, were probably outside, right?

12 A. Yes.

13 Q. And now, do you remember giving a
14 statement to the police?

15 A. Yes.

16 Q. That was back in December of 2010,
17 right?

18 A. Yes.

19 Q. Does that sound about right?

20 A. Yes.

21 Q. Okay. And when you gave the statement
22 to the police back in December of 2010, were you
23 being truthful then?

24 A. Yes.

25 Q. Were you telling everything then?

1 A. Not everything.

2 Q. Okay. And were you -- were you
3 explaining to them what had happened to you?

4 A. For the most part.

5 Q. Okay. Now, back in your statement in
6 2010 to the police, you had said that you had one
7 mom outside but the other mom was in the loft,
8 right? Do you remember that?

9 A. No.

10 MR. MANN: Counsel, this is page 5 of
11 the voluntary.

12 BY MR. MANN:

13 Q. When the detective asked you where was
14 everybody else, you said: Um, they were -- most of
15 the people weren't there. My mom, she was outside.
16 One of my moms went outside --

17 MS. KOLLINS: I'm going to object. This
18 is improper impeachment. He can ask her if she
19 remembers.

20 If she doesn't remember, he can try to
21 refresh her recollection but he can't just read
22 from the transcript what she said.

23 MR. MANN: Actually, Your Honor. Sorry.
24 If I may?

25 THE COURT: Yes.

1 MR. MANN: It is impeachment. It's a
2 prior inconsistent statement. She said both her
3 moms were outside. I am now reading her statement
4 where she does not say both her moms were outside.
5 In fact, she says one of her moms was in the loft
6 next door.

7 THE COURT: So you're offering it -- why
8 don't you approach the bench.

9 (Whereupon, there was a conference at the bench
10 that was not requested to be reported.)

11 THE COURT: I'm going to sustain the
12 objection and we'll go forward from there.

13 BY MR. MANN:

14 Q. Z: , you remember giving a statement
15 to the police, correct?

16 A. Yes.

17 Q. Okay.

18 MR. MANN: If I may approach, Your
19 Honor.

20 THE COURT: Yes, you may. It's Page 5,
21 correct?

22 MR. MANN: Correct.

23 BY MR. MANN:

24 Q. Z: , can you read the last question
25 and the last answer?

1 THE COURT: To yourself.

2 BY MR. MANN:

3 Q. To yourself. Thank you.

4 THE COURT: They get confused.

5 BY MR. MANN:

6 Q. Have you finished?

7 A. Yes.

8 Q. Okay. Do you remember making that
9 statement?

10 A. Not really remember answering any of the
11 questions but --

12 Q. I'm sorry. Can you speak up?

13 A. I don't really remember about any of the
14 questions. It was a while ago.

15 Q. Okay. So the statement where you say
16 that one of your moms was in the loft, um, you are
17 now testifying yesterday about both your moms were
18 outside?

19 A. I don't remember they being in the loft.

20 Q. Okay. So back in 2010 when you gave the
21 statement to the police, you remembered your mom
22 being in the loft. But in 2016, you don't remember
23 anyone being in the loft?

24 A. I can't remember where everybody was.

25 Q. Okay. Now, in that same statement that

1 you just read, you indicate where you believe other
2 people are, correct?

3 A. Yes.

4 Q. Okay. And you indicate in that
5 statement that a cop said all the rest of the kids
6 were in Dante's room?

7 MS. KOLLINS: Objection.

8 THE COURT: Wait a minute. What's the
9 question? You can't just read from the preliminary
10 hearing transcript. I thought we made that clear.
11 You cannot do that.

12 MR. MANN: If we may approach, Your
13 Honor.

14 THE COURT: Yes. Let's do it again.

15 (Whereupon, there was a conference at the bench
16 that was not requested to be reported.)

17 THE COURT: Okay. Continue, Mr. Mann.

18 BY MR. MANN:

19 Q. Z , do you remember speaking to the
20 police back in December of 2010?

21 A. Yes.

22 Q. When you were speaking to the police
23 back in December of 2010, did you ever say that
24 cops told you that the kids were in Dante's room?

25 A. I can't remember.

1 Q. Okay.

2 MR. MANN: May I approach, Your Honor?

3 THE COURT: Yes, you may.

4 BY MR. MANN:

5 Q. Page 5 still. Same paragraph. Can you
6 read that to yourself, please? Are you finished?

7 A. Yes.

8 Q. Okay. After reading that to yourself,
9 Zailey, did you tell the police that --

10 THE COURT: Does that refresh your
11 recollection -- give her a chance. Okay. Just do
12 it that way.

13 BY MR. MANN:

14 Q. Did that refresh your recollection?

15 A. Not necessarily.

16 Q. Okay. Not necessarily it did not
17 refresh your recollection?

18 A. It didn't.

19 Q. Okay. And so you do not remember
20 telling the police that a cop told you the rest of
21 the kids were in Danté's room?

22 A. No.

23 Q. Did a cop tell you all the kids were in
24 Danté's room?

25 A. I can't remember.

1 Q. Okay. Um, when this first incident
2 occurred, you were in a bedroom, correct?

3 A. Yes.

4 Q. And you said that it was Cameron's
5 bedroom?

6 A. Yes.

7 Q. Cameron and Jennifer's?

8 A. Yes.

9 Q. That he started to pull down your pants?

10 A. Yes.

11 Q. Jean shorts?

12 A. Yes.

13 Q. And you knew it wasn't right?

14 A. Yes.

15 Q. Okay. And that you probably figured
16 that your mom was outside smoking?

17 A. Yes.

18 Q. Okay. Now, you've known Cameron for a
19 long time, correct?

20 A. Yes.

21 Q. You also know that Cameron smokes,
22 correct?

23 A. Yes.

24 Q. Okay. And so when your moms would go
25 out to smoke, Cameron often would go out with them,

1 correct?

2 MS. RINETTI: Objection. Foundation.
3 Vague.

4 MR. MANN: I think we just covered --

5 THE COURT: I'm going to overrule that.
6 I think she laid the foundation that you knew they
7 smoked. You've know them for a long time. If you
8 know. Don't guess or speculate. If you know that.

9 If you don't, say you don't know. Okay.

10 BY MR. MANN:

11 Q. Would it be normal for Cameron to go
12 outside with your parents to smoke?

13 A. They didn't always go together.

14 Q. So you're saying that it wouldn't be
15 normal?

16 A. It would be normal if they went together
17 but they didn't always go.

18 Q. And you also spoke about the time that
19 Cameron was doing the laundry; is that right?

20 A. I was doing the laundry.

21 Q. Okay. And Cameron was doing the laundry
22 as well?

23 A. Yes.

24 Q. Okay. And he spoke -- you indicated
25 that he called you into his room to do the laundry

1 with him; is that right?

2 A. I believe so. I can't remember.

3 Q. Okay. Now, this laundry incident
4 occurred when you were living with Cameron?

5 A. Yes.

6 Q. Okay. And that was in October, November
7 and December of 2009?

8 A. Yes.

9 Q. Okay. And he asked you if you wanted to
10 help him with the laundry?

11 A. Yes.

12 Q. And you go into his room and help with
13 the laundry?

14 A. Yes.

15 Q. Folding clothes?

16 A. Yes.

17 Q. And that's what helping with the laundry
18 means is folding clothes?

19 A. Yes.

20 Q. Okay. And when you said that it was at
21 this time that he pulled -- you were sitting on the
22 bed, correct?

23 A. Yes.

24 Q. He pulled your pants down?

25 A. Yes.

1 Q. Now, you were wearing pants and
2 underwear?

3 A. Yeah. Bottoms and underwear. I don't
4 remember what type of pants I was wearing.

5 Q. Okay. You don't remember shorts or
6 jeans or pants?

7 A. What type of pants I was wearing.

8 Q. Okay. So that's a no?

9 A. What are you asking?

10 Q. Sorry. You don't remember?

11 A. I don't remember what type I was wearing
12 but I was wearing pants.

13 Q. And when you pulled -- when he pulled
14 the pants down, he didn't take them all the way
15 off, did he?

16 A. Mostly to my ankles.

17 Q. To your ankles?

18 A. Yes.

19 Q. And your legs were actually dangling
20 over the bed?

21 A. Yes.

22 Q. And you said that he was on his knees?

23 A. Yes.

24 Q. With his face towards you?

25 A. Yes.

1 Q. Okay. And it was at that point that you
2 said he put his mouth on your vagina?

3 A. Yes.

4 Q. Now, you had testified yesterday that
5 when you asked him -- I mean, when he stopped was
6 when you got up and left; is that right?

7 A. Yes.

8 Q. Yes? I'm sorry?

9 A. Yes.

10 Q. And that you left first, right?

11 A. Yes.

12 Q. And you remember having -- I'm sorry.
13 You gave a statement to police in 2010, right?

14 A. Yes.

15 Q. And in that statement, you were
16 truthful?

17 A. Yes.

18 Q. And did you ever tell the police at that
19 time that you yelled for Cameron to stop?

20 A. I don't remember yelling.

21 Q. Okay. Did you ever tell the police that
22 you told him that you're not going to help him fold
23 clothes anymore?

24 A. I did say that.

25 Q. Okay. And do you remember yelling loud

1 enough that someone could hear you?

2 A. I don't remember yelling.

3 Q. Now, but you definitely yell or you
4 definitely told him to stop?

5 A. I didn't say stop. I said, I don't want
6 to fold clothes anymore.

7 Q. Okay. And this was the time that --
8 that kids were roughhousing with a dog named "Max"?

9 A. Yes.

10 Q. And whose dog was Max?

11 A. I don't know.

12 Q. Does it seem right if I tell you that
13 dog -- that Max was Mike's dog?

14 A. I don't know who Mike was but --

15 Q. All right. Now, do you remember who was
16 in the house at this time?

17 A. Not necessarily, but there was a lot of
18 people --

19 Q. So if you were living --

20 THE COURT: You have to let her finish
21 her answer. I know she's speaking slowly.

22 But she said "not necessarily" and she said more.

23 MR. MANN: I apologize.

24 THE COURT: And sweetie, I know it's
25 hard. But your voice is low. So he's not

1 purposely asking questions over you but you drop
2 your voice at the end. I'm so sorry. I'm not here
3 to chastise you. We all need to hear. All the
4 jury needs to hear and the court reporter and
5 everybody. Okay?

6 Did you get the end of her answer.

7 THE REPORTER: I didn't.

8 THE COURT: Okay. So and, see? The
9 other thing, what happens is the court reporter
10 can't get your whole answer. So do you remember
11 what you said, "not necessarily"? Do you know what
12 the rest of your answer was to that question?

13 THE WITNESS: That there were a lot
14 people there.

15 THE COURT: That there were a lot of
16 people there. Okay. Thank you. Appreciate it.
17 Okay.

18 BY MR. MANN:

19 Q. So a lot of people that were there was
20 your mom's?

21 A. Yes.

22 Q. Your sister, A ?

23 A. Yes.

24 Q. Your sister, Z ?

25 A. Yes.

1 Q. You, Z ?

2 A. Yes.

3 Q. And your sister, K ?

4 A. Yes.

5 Q. We have Jennifer?

6 A. Yes.

7 Q. Cameron?

8 A. Yes.

9 Q. Danté?

10 A. Yes.

11 Q. And Jenae?

12 A. Yes.

13 Q. Anyone else living there at that time?

14 A. There wasn't anybody else living there,
15 but there was other people over that day.

16 Q. Okay. And do you remember who else was
17 over there that day?

18 A. I believe Kourtney and Audrey were over
19 that day and their kid, little Cameron, or we
20 called him "Little Cameron."

21 Q. So we have Kourtney, Audrey, Little
22 Cameron. Was their baby Kegan born yet?

23 A. I can't remember. Well, I think she was
24 but I don't remember seeing her that day.

25 Q. Okay. And so you remember all those

1 people being there that day?

2 A. Yes.

3 Q. All right. And when the folding clothes
4 incident occurred, all those people were there,
5 correct?

6 A. Yes.

7 Q. And when you were folding clothes in the
8 bedroom, the door was open, right?

9 A. Yes.

10 Q. And there were kids playing upstairs and
11 downstairs?

12 A. Yes.

13 Q. And this room that this occurred in was
14 upstairs?

15 A. Yes.

16 Q. Um, and so there were people running
17 around all over the place upstairs?

18 A. Yes.

19 Q. And, in fact, you had testified that
20 there were kids playing hide-and-go-seek at that
21 time as well, right?

22 A. That was a different time.

23 Q. Okay. So if you had testified yesterday
24 about kids playing hide-and-go-seek at that same
25 time of the laundry incident, that was a mistake?

1 A. Yes.

2 Q. Now, you talked about an incident in
3 Danté's room. Do you remember that incident?

4 A. Yes.

5 Q. This was an incident where you said that
6 he came into the room?

7 A. Yes.

8 Q. Cameron came into the room?

9 A. Yes.

10 Q. And Karter was there while you were
11 there?

12 A. Yes.

13 Q. And he told Karter to go downstairs
14 according to you?

15 A. Yes.

16 Q. Um, now, was this a special day that was
17 going on or was this just a normal day where you
18 were in Danté's room?

19 A. A normal day.

20 Q. Um, and he comes into the room, right?

21 A. Yes.

22 Q. There are other people in the house,
23 correct?

24 A. Yes.

25 Q. Karter's in the house?

1 A. Yes.

2 Q. A 's in the house?

3 A. Yes.

4 Q. Zi 's in the house?

5 A. Yes.

6 Q. Danté's in the house?

7 A. Yes.

8 Q. Jenae's in the house?

9 A. Yes.. Wait. Jenae was born but I don't
10 know if she was like in the house. I don't
11 remember the setup, though.

12 Q. Jennifer's in the house?

13 A. Yes.

14 Q. Your mom April was in the house?

15 A. I don't know if they were there that
16 time.

17 Q. Okay. And there were other kids there
18 too, correct?

19 A. I can't remember.

20 Q. And you were in Danté's room watching
21 TV?

22 A. Yes.

23 Q. Okay. Because that's where you would
24 watch TV?

25 A. Yes.

1 Q. And you said that Cameron came into the
2 room to start cleaning up?

3 A. I don't know if he came in to clean up
4 but --

5 Q. And when Cameron came into the room, you
6 indicated that the door was open?

7 A. Yes.

8 Q. And he pulled down your pants?

9 A. Yes.

10 Q. And did he pull down his pants?

11 A. His -- yeah. Well, he unzipped his
12 pants and unbuttoned his pants.

13 Q. I am sorry. Say that again.

14 A. He unzipped and unbuttoned his pants.

15 Q. He unzipped and unbuttoned his pants.

16 Now, you saw what his penis looked like, correct?

17 A. Yes.

18 Q. And you had told police that his penis
19 was very pink and hard, right?

20 A. Yes.

21 Q. You also said that it looked rusty?

22 A. I meant crusty.

23 Q. Crusty?

24 A. Yes.

25 Q. So not "rusty" but "crusty"?

1 A. Yeah, not "rusty."

2 Q. And it was at this time that he was
3 apparently -- he had pulled your pants down, he had
4 unzipped his pants, you had seen his pink penis.
5 And at that point, he tries to put his penis on top
6 of your vagina?

7 A. Yes.

8 Q. Okay. But not in your vagina?

9 A. Not in.

10 Q. And when he's attempting to put his pink
11 penis on top of your vagina, you -- what happens?

12 A. He ejaculated.

13 Q. Okay. And you say you the word
14 "ejaculated," but that's not a word you knew back
15 then, correct?

16 A. No.

17 Q. What word did you use back then?

18 A. I can't remember what word but I said
19 white stuff came out.

20 Q. So white stuff came out. And you said
21 that white stuff got on your leg?

22 A. Just a little bit.

23 Q. Okay. And white stuff got on the bed?

24 A. Yes.

25 Q. How do you know it got on the bed?

1 A. Because I saw it.

2 Q. Okay. So here he is with his pink penis
3 out and white stuff is getting on you and you look
4 to see that it got on the bed?

5 A. No. When I got up, I saw it.

6 Q. Okay. And you then said that you left
7 the room.

8 A. No. He left the room and then I left.

9 Q. Okay. And when he left the room, did he
10 have his pants up or down?

11 A. Down.

12 Q. Down?

13 A. Yes.

14 Q. And what are we talking about? Was his
15 underwear up or down?

16 A. His underwear were up.

17 Q. They were up?

18 A. Yes.

19 Q. I'm sorry. And so he had his pants
20 down, his underwear up and did you see where he
21 went?

22 A. To the bathroom.

23 Q. Okay. And you saw him walk -- now his
24 pants were down. Were they around his ankles?

25 A. Yes.

1 Q. Okay. And so he walks out of Danté's
2 room with his pants down around his ankles, his
3 boxers up, going to, you said, the bathroom?

4 A. Yes.

5 Q. Okay. How do you know he went to the
6 bathroom?

7 A. Because I saw the door close when I left
8 the room.

9 Q. And the bathroom is located at the top
10 of the stairs, correct?

11 A. Not the very top. If you turn after you
12 come up the stairs, you can see it.

13 Q. But you can see it when you're on the
14 second level?

15 A. Yes.

16 Q. Okay. And he went from Danté's room
17 with his pants down around his ankles into that
18 bathroom?

19 A. Yes.

20 Q. And you go out behind him?

21 A. Yes.

22 Q. And you go downstairs; is that right?

23 A. Yes.

24 Q. And you then go play with your sisters?

25 A. Yes.

1 Q. You didn't tell your moms about this?

2 A. No.

3 Q. You didn't tell your sisters about this?

4 A. No.

5 Q. You didn't tell your sisters, hey, look
6 what Cameron just did or anything like that?

7 A. It wasn't the first incidence, so no.

8 Q. Okay. If it had been the first
9 incident, you would tell them?

10 A. No.

11 Q. But you didn't tell them this time?

12 A. No.

13 Q. And that was back in -- when you were
14 living with Cameron?

15 A. No.

16 Q. When was this?

17 A. This was his old house. I don't know
18 which year.

19 Q. Okay. Do you remember how old you were?

20 A. No.

21 Q. I am sorry?

22 A. No.

23 Q. No. You also stated yesterday that
24 Cameron would watch cartoons with you guys, right?

25 A. I said sometimes he would and he'd watch

1 us .

2 Q. Okay. I wrote down yesterday, and maybe
3 I'm wrong, but where you indicated that Cameron
4 never watched cartoons with me?

5 A. No.

6 Q. No? He would watch cartoons with you?

7 A. Sometimes he would be in the room while
8 all the other kids were watching cartoons.

9 Q. Sometimes?

10 A. Yes.

11 Q. Okay. And was that in Danté's room?

12 A. I can't remember any times in Danté's
13 room.

14 Q. Okay. Was that in the living room?

15 A. Yes.

16 Q. And there was another time that you were
17 in Danté's room and you were watching Sponge Bob?

18 A. Yes.

19 Q. Was this the same time that we had just
20 talked about where you saw his pink penis and his
21 pants were around his ankles --

22 A. No.

23 Q. So this was a different time?

24 A. Different.

25 Q. Okay. And you had stated that you were

1 in second or first grade?

2 A. I can't remember which grade I was in.

3 Q. But you also indicated that he came into
4 the room and told Karter to go downstairs and play
5 Wii?

6 A. Yes. It was Z or K .

7 Q. I'm sorry?

8 A. It was Z or K .

9 Q. Zoë or Karter?

10 A. Yes.

11 Q. So I'm curious. You say Z or K .
12 Do you remember which one it was or you just
13 remember that it was one of them?

14 A. It was one of them.

15 Q. Okay. So you don't have a vision of Z
16 or a vision of Karter in your head. You knew that
17 there was someone there?

18 A. They were both little and I remember one
19 of my younger sisters was with me.

20 Q. And there was a lot people in the house
21 this time too, right?

22 A. There was always a lot people in the
23 house.

24 Q. Always a lot people in the house?

25 A. Yes.

1 Q. And he pulled down your pants in Danté's
2 room?

3 A. Yes.

4 Q. And Cameron, you said that he took your
5 underwear off?

6 A. Yes.

7 Q. All the way off?

8 A. Yes.

9 Q. And he took his underwear all the way
10 off?

11 A. No.

12 Q. No?

13 A. No.

14 Q. And --

15 MR. MANN: Court's indulgence?

16 THE WITNESS: Excuse me. I need to use
17 the restroom.

18 THE COURT: Okay. We are going to just
19 take a brief recess. That's fine. Hold on. Just
20 wait a second, okay.

21 During this recess, you are not to talk
22 or converse among yourselves or with anyone else on
23 any subject connected with this trial; or read,
24 watch or listen to any report of or commentary on
25 the trial or any person connected with this trial

1 by any medium of information including, without
2 limitation, newspapers, television, radio or
3 Internet; or form or express any opinion on any
4 subject connected with the trial until the case is
5 finally submitted to you.

6 We'll take a brief recess and continue.

7 (Whereupon, the jury exited the courtroom.)

8 (Whereupon, a brief recess was taken.)

9 (Whereupon, the jury entered the courtroom.)

10 THE MARSHAL: Please be seated.

11 THE COURT: Okay. Counsel stipulate to
12 the presence of the jury.

13 MS. RINETTI: Yes, Your Honor.

14 MR. MANN: Yes, Your Honor.

15 THE COURT: Okay. Mr. Mann, please
16 continue your cross-exam.

17 BY MR. MANN:

18 Q. Z: , is that better?

19 A. Yes.

20 Q. Excellent. All right.

21 MR. MANN: Just get a little bit
22 organized here.

23 THE COURT: That's fine. Take your
24 time.

25 / / /

1 BY MR. MANN:

2 Q. So the time that you had testified about
3 where you were playing hide-and-seek in the new
4 house, do you remember that?

5 A. Yes.

6 Q. You testified about that yesterday,
7 correct?

8 A. Yes.

9 Q. Okay. And yesterday you said that you
10 were playing hide-and-seek in the new house and
11 that you were in the closet; is that right?

12 A. Yes.

13 Q. Okay. And that Cameron ended up coming
14 into that closet?

15 A. Yes.

16 Q. Do you remember testifying at
17 preliminary hearing?

18 A. Yes.

19 Q. Back in 2011?

20 A. Yes.

21 Q. And at the preliminary hearing, you
22 swore to tell the truth and the whole truth and
23 nothing but the truth?

24 A. Yes.

25 Q. Okay. Now, at the preliminary hearing,

1 did you say that you actually weren't playing
2 hide-and-seek yourself but that you were sitting on
3 the bed?

4 A. I don't remember that.

5 MR. MANN: And for the record, Your
6 Honor, we're looking at preliminary hearing pages
7 114, 115 and 116.

8 THE COURT: Three pages for one
9 statement or?

10 MR. MANN: No. I'm just giving you the
11 general.

12 MS. KOLLINS: And I guess I'll lodge the
13 same objection as previously. Is he asking her if
14 she remembers --

15 THE COURT: I thought she did ask. I
16 thought she said "I don't remember." You did say
17 "I don't remember," right?

18 THE WITNESS: Yes.

19 THE COURT: Okay. I want to make sure I
20 was listening for the foundation. So for that
21 specific statement about she wasn't herself playing
22 hide-and-seek and she was sitting on the bed.

23 MR. MANN: Let me just add a little more
24 foundation, Your Honor.

25 THE COURT: That would be fine.

1 BY MR. MANN:

2 Q. And this was back when you were living
3 with Cameron and Jennifer?

4 A. Yes.

5 Q. Back in October, November, December of
6 2009?

7 A. Yes.

8 Q. Okay. And this was the incident that
9 you talked about where he allegedly put his mouth
10 on your private part?

11 A. Yes.

12 Q. On your vagina?

13 A. Yes.

14 Q. And you had testified that you were
15 hiding in a closet playing hide-and-go-seek?

16 A. Yes.

17 Q. Okay. And then I asked you if you
18 actually were playing hide-and-go-seek and or were
19 you just really -- just sitting on the bed watching
20 TV?

21 A. I was playing hide-and-go-seek.

22 Q. Okay. And so if you had made a
23 statement previously indicating that you were
24 watching TV, would that be a correct statement?

25 A. No.

1 Q. Okay.

2 MR. MANN: If I may approach, Your
3 Honor.

4 THE COURT: Yes.

5 BY MR. MANN:

6 Q. You can read page 115 to yourself --
7 actually, why don't you start at the bottom of 114.
8 Are you done?

9 A. Yes.

10 Q. Did you say that you were watching TV
11 and weren't playing hide-and-seek?

12 A. Yes.

13 Q. Okay. And when you -- you said that he
14 came into the room and you were on the bed,
15 correct?

16 A. Yes.

17 Q. And that -- that the kids actually left
18 to play hide-and-seek before he came into the room?

19 A. Yes.

20 Q. And that you remained in the room to
21 watch TV?

22 A. Yes.

23 Q. And it was at that time that he came
24 into the room and pulled your pants down?

25 A. Yes. But I believe that's two different

1 times from when I was in the closet.

2 Q. Okay. So when you originally testified
3 that you were playing hide-and-seek in the new
4 house, you're saying that what you testified to at
5 the preliminary hearing is a different time?

6 A. Different.

7 Q. Okay. And so what you've testified
8 today is something different than what you talked
9 about at the preliminary hearing?

10 A. Yes.

11 Q. Um, at the preliminary hearing, you
12 testified about a time that something very similar
13 happened where kids were playing hide-and-go-seek?

14 MS. KOLLINS: I'm going to object.

15 Foundation.

16 MR. MANN: Actually, may we approach,
17 Your Honor?

18 THE COURT: Yes. That's fine.

19 (Whereupon, there was a conference at the bench
20 that was not requested to be reported.)

21 BY MR. MANN:

22 Q. Z , you had stated yesterday that
23 when you came home from school back in December of
24 2010, that -- that CPS, the cops, your sisters, and
25 your mom were at home; is that right?

1 A. Yes.

2 Q. Okay. And that you then came into the
3 house and you spoke to your moms in their room with
4 Brie?

5 A. Yes.

6 Q. And it wasn't until after you had spoken
7 with your moms and Brie that you then spoke to your
8 moms privately?

9 A. Yes.

10 Q. And, um, you said that your moms
11 wondered why you didn't say anything before then?

12 A. Yes.

13 Q. All right. Let's talk about the
14 discussion you had with Ms. Halpern.

15 Do you remember Ms. Halpern?

16 A. Yes.

17 Q. Ms. Halpern was who?

18 A. My fourth grade math teacher.

19 Q. And she was your math teacher?

20 A. Yes.

21 Q. And that was in Arizona?

22 A. Yes.

23 Q. That on that day, your math teacher was
24 principal for the day?

25 A. Yes.

1 Q. That she was not being your teacher that
2 day but instead acting as the principal?

3 A. Yes.

4 Q. And you had a discussion with her?

5 A. Yes.

6 Q. And that discussion you had with her,
7 she asked you first if you had a God dad, correct?

8 A. Yes.

9 Q. Okay. And it was from her asking you if
10 you had a God dad that you started further
11 discussion about Cameron?

12 A. Yes.

13 Q. Okay. And Cameron was your God dad at
14 that time?

15 A. Yes.

16 Q. And it was from that teacher asking you
17 if you had a God dad that you then finally
18 disclosed that something happened?

19 A. Yes.

20 Q. Okay. It wasn't from the point that
21 your moms would ask you on a regular basis if
22 anyone had touched you inappropriately, correct?

23 A. Yes.

24 Q. So your moms would ask you on a regular
25 basis if anyone had touched you?

1 A. Not on a regular basis but every once in
2 a while they'd ask.

3 Q. Okay. And that was from when you were
4 small until before this incident or before you were
5 talking with Ms. Halpern?

6 A. Yes.

7 Q. And so you didn't say anything to your
8 moms?

9 A. No.

10 Q. You didn't say anything to your sisters?

11 A. No.

12 Q. You didn't say anything to any other
13 adults?

14 A. No.

15 Q. And you didn't say anything to any other
16 kids?

17 A. No.

18 Q. But when this teacher asked you, do you
19 have a God dad, and that's when you said it?

20 A. Yes.

21 Q. And do you know why that teacher was
22 asking you if you had a God dad?

23 THE COURT: Let's approach the bench.
24 I'm sorry. I just have a question.

25 (Whereupon, there was a conference at the bench

1 that was not requested to be reported.)

2 THE COURT: Okay. For the record, the
3 objection to that last question was calls for
4 speculation and I'm going to sustain that
5 objection. So Mr. Mann's going to go on to the
6 next question.

7 Remember, when I sustain it, then they
8 can't ask it. If I overrule it, they can ask it.
9 It gets confusing. If you can continue, Mr. Mann,
10 that would be great.

11 BY MR. MANN:

12 Q. Z , during your conversation with
13 your mom's after your -- well, let me back up a
14 second.

15 After your conversation with Ms.
16 Halpern, you had a conversation with someone else,
17 correct?

18 A. Yes.

19 Q. About this incident?

20 A. Yes.

21 Q. And that was an officer?

22 A. I think it was a CPS lady.

23 Q. Okay. Did you eventually have a
24 conversation with an Officer Sink?

25 A. I don't remember his name, but yes.

1 Q. Okay. So you had a discussion with Ms.
2 Halpern?

3 A. Yes.

4 Q. You had a discussion with a CPS lady?

5 A. Yes.

6 Q. And then you had a discussion with
7 Officer Sink?

8 A. Yes.

9 Q. And then you had a discussion with your
10 moms and Brie?

11 A. Yes.

12 Q. And then you had a discussion with just
13 your moms?

14 A. Yes.

15 Q. And then after that, you eventually gave
16 your statement that was recorded to the detective?

17 A. Yes.

18 Q. Okay. Now, you knew that when you lived
19 with Cameron back in 2009, the end of 2009, that
20 you had to leave Cameron's house, correct?

21 A. Yes.

22 Q. That your moms got in a big argument
23 with Cameron's family?

24 A. I didn't know until after we moved.

25 Q. So you didn't know that there was any

1 sort of argument?

2 A. No.

3 Q. You didn't know that, um, um, that they
4 weren't getting along?

5 A. Not until after we moved to Kourtney's.

6 Q. Okay. But once you moved to Kourtney's,
7 you knew that, right?

8 A. Yes.

9 Q. And you lived at Kourtney's house for
10 about two months, right?

11 A. Yeah.

12 Q. Two and a half months maybe?

13 A. Yes.

14 Q. And it was during this time that you
15 would see Cameron come and pick up Aunt Mada to
16 take her to work, right?

17 A. Yes.

18 Q. But you weren't allowed to talk to
19 Cameron?

20 A. No.

21 Q. Because your mom, April, told you not
22 to?

23 A. Yes.

24 Q. Told you that Cameron wanted nothing to
25 do with you anymore?

1 A. I don't remember that, but I remember
2 she said don't talk to him.

3 Q. I am sorry?

4 A. I don't remember her saying that, but
5 she said not to talk to him.

6 Q. Okay. So she told you not to talk to
7 him anymore?

8 A. Yes.

9 Q. And that made you sad?

10 A. I can't remember how it made me feel.

11 THE COURT: I'm sorry?

12 THE WITNESS: I can't remember how it
13 made me feel.

14 THE COURT: Sweetie, I'm so sorry, but
15 it's real -- we cannot hear your words. And I know
16 I'm right next to you and I can hardly hear you, I
17 know the jury -- so please speak up.

18 THE WITNESS: All right. Okay.

19 THE COURT: And we're not picking on
20 you. Your words are very important, All right. So
21 what did you say or do you remember or do we need
22 to do the question --

23 THE WITNESS: Can you repeat the
24 question, please?

25 THE COURT: I'm sorry, Mr. Mann, can you

1 repeat?

2 MR. MANN: Yeah, I'm --

3 THE COURT: Do you want the court
4 reporter to read it back?

5 MR. MANN: That would be great.

6 (Whereupon the record was read back.)

7 THE COURT: Okay. So that was your
8 answer, we just couldn't hear it?

9 THE WITNESS: Yes.

10 THE COURT: Okay. Well, you could hear
11 it. God love you, Court Reporter. I am going to
12 have to clean my ears out. Thank you. All right.
13 There you go, Mr. Mann.

14 BY MR. MANN:

15 Q. And that made you sad, right?

16 A. I can't remember how it made me feel.

17 Q. Okay. Now, back in December of 2010, um
18 --

19 MR. MANN: Your Honor, may we approach?

20 THE COURT: Yes. Sure.

21 (Whereupon, there was a conference at the bench
22 that was not requested to be reported.)

23 THE COURT: We have something very
24 quickly. We want you to stay there. We're going
25 to go to the back because I'm trying to keep this

1 moving. It will be one second.

2 (Whereupon the Judge and counsel for both parties
3 briefly exited the courtroom.)

4 THE COURT: All right. Mr. Mann,
5 continue with the cross-exam.

6 MR. MANN: Thank you, Your Honor.

7 THE COURT: You're welcome.

8 BY MR. MANN:

9 Q. Z , back in December of 2010, you
10 were getting in trouble a lot, right?

11 A. Yes.

12 Q. You were getting in trouble a lot for
13 lying, correct?

14 A. Yes.

15 Q. Um, and your -- you were living with Mom
16 April at the time?

17 A. Yes.

18 Q. And you would get in trouble for
19 stealing?

20 A. Yes.

21 Q. And for lying?

22 A. Yes.

23 Q. Okay. And this was right at the same
24 time that you had spoken to Ms. Halpern?

25 A. Yes.

1 Q. Okay. Now, back in December of 2010,
2 you had been -- you had seen Cameron about two or
3 three months before that, right?

4 A. Yes.

5 Q. In Las Vegas?

6 A. Yes.

7 Q. Okay. And then before that, you saw him
8 in Arizona Memorial weekend?

9 A. Yes.

10 Q. And before that, that was when there was
11 the big argument between Cameron and your parents?

12 MS. KOLLINS: Objection. Foundation.

13 "Before that." Before that, when?

14 MR. MANN: Sure.

15 THE COURT: I think before Memorial
16 weekend but --

17 MR. MANN: I can rephrase.

18 THE COURT: I'll sustain the objection.
19 Just rephrase your question.

20 BY MR. MANN:

21 Q. So before Memorial weekend up through
22 December of 2009, that's when Cameron and your
23 parents were in an argument?

24 A. I can't remember.

25 Q. Now, when Mom April gets upset, she gets

1 really upset, right?

2 A. Yes.

3 Q. And you become scared of her, correct?

4 A. Yes.

5 Q. Okay. And you knew that she was really
6 upset with Cameron, right?

7 A. I don't know.

8 Q. You don't know?

9 A. I didn't know what they were talking
10 about or why they were mad at each other.

11 Q. But you could see her, right?

12 MS. KOLLINS: Well, objection.

13 Foundation.

14 THE COURT: I'm going to -- rephrase --
15 I don't know. I think it's vague and ambiguous
16 plus foundation. So I am just going to sustain the
17 objection. Just rephrase.

18 MR. MANN: Sure.

19 BY MR. MANN:

20 Q. Back in December of 2009, you could see
21 your mom, correct?

22 A. Yes.

23 Q. You could see her facial expressions?

24 A. Sometimes.

25 Q. You could see how she acted?

1 A. Sometimes.

2 Q. You could -- you're her daughter, you
3 know when she's upset, right?

4 A. Yes.

5 Q. And back in December of 2009, Momma
6 April was upset, right?

7 A. Yes.

8 Q. She was upset at the Thomas family,
9 right?

10 A. Yes.

11 Q. Okay. And like you said, when she's up
12 upset, she gets really upset, right?

13 A. Yes.

14 Q. And she was still upset in January of
15 2009?

16 A. 2009?

17 Q. I am sorry. Thank you. January of
18 2010.

19 A. I believe so.

20 Q. Okay. And she was upset when you guys
21 moved to Arizona in February of 2010?

22 A. I don't know. She didn't talk about it
23 with us.

24 Q. And as far as you knew, she had been
25 upset and then she just didn't talk about it

1 anymore?

2 A. Yes.

3 Q. And Momma Kay was also upset, right?

4 A. I don't know.

5 Q. Okay. You know that Momma Kay and
6 Cameron were very close?

7 A. Yes.

8 Q. All right. And it was in December of
9 '09 and January of 2010 that Momma Kay was no
10 longer talking to Cameron, right?

11 A. Yes.

12 Q. And it was Momma Kay that was telling
13 you along with Momma April that you couldn't talk
14 to Cameron anymore, right?

15 A. Yes.

16 Q. And that you couldn't see him anymore?

17 A. Yes.

18 MR. MANN: Court's indulgence?

19 THE COURT: Yes. No problem.

20 MR. MANN: Your Honor, I have no further
21 questions at this time.

22 THE COURT: Okay. State, redirect?

23 MS. KOLLINS: Court's indulgence? Let
24 me get my notes.

25 THE COURT: That's fine.

1 MS. KOLLINS: Your Honor, may I return
2 to the witness stand?

3 THE COURT: You can. Make sure the jury
4 can see you, as you know.

5

6 REDIRECT EXAMINATION

7 BY MS. KOLLINS:

8 Q. We're almost done, okay?

9 A. All right.

10 Q. All right? Back in December of 2009,
11 how old were you, do you remember?

12 A. No.

13 Q. Okay. When's your birthday?

14 A. May 17th.

15 Q. May 17th of 2001?

16 A. Yes.

17 Q. So you just turned 15. So 2009, eight
18 years old. Does that sound about right?

19 A. Yes.

20 Q. Were you eight years old in third grade?

21 A. Yes.

22 Q. Okay. When you were eight years old,
23 were you really keeping up with all the grown-up
24 arguments?

25 A. No.

1 Q. Okay. Keeping up on --

2 MR. MANN: Objection. Leading.

3 MS. KOLLINS: It's a yes-or-no question.

4 It doesn't suggest the answer.

5 THE COURT: I agree. I'm going to
6 overrule it.

7 BY MS. KOLLINS:

8 Q. Did you know all the details in December
9 of 2009 about what the -- Mr. Mann's words, "big
10 fight" was with Cameron and your moms?

11 A. No.

12 Q. Okay. Was that something that was any
13 of your business in 2009?

14 A. No.

15 Q. Okay. Mr. Mann asked you if you were
16 getting in trouble for lying back then. Do you
17 remember that question?

18 A. Not in Vegas but in Arizona.

19 Q. You were getting in trouble in Arizona
20 for lying?

21 A. Yes.

22 Q. What kind of stuff were you lying about?

23 A. Stealing.

24 Q. Like stealing what?

25 A. Perfumes and little things.

1 Q. Inside your house or someplace else?

2 A. Someplace else.

3 Q. The store?

4 A. My mom's friend.

5 Q. Okay. So you stole some stuff at your
6 mom's friend's house?

7 A. Yes.

8 Q. Okay. Did you ever have to apologize
9 for doing that?

10 A. Yes.

11 Q. Okay. And when somebody found out that
12 you stole that stuff, who found out about it?

13 A. My mom's.

14 Q. Okay. And did they ask you about it?

15 A. Yes.

16 Q. And did you tell them the truth the
17 first time when they asked you about it?

18 A. No.

19 Q. Okay. So you were still eight years old
20 then? Still eight?

21 A. No. I was like -- I think I was nine or
22 ten because I was in the fourth grade.

23 Q. Okay. So it was after -- after you told
24 about Cameron that you got in trouble for lying?

25 A. No. It was before. Wait. I was always

1 lying, so.

2 Q. Okay. Were you lying about stuff like
3 stealing, stuff like that?

4 A. Um --

5 Q. Little stuff that you're going to get in
6 trouble for?

7 A. It was after Cameron I think.

8 Q. Okay.

9 A. Because they were split up, yeah.

10 Q. Let's talk through it together, okay,
11 just so we make sure we know.

12 A. Okay.

13 Q. You moved to Arizona when?

14 A. Um, 2010.

15 Q. Okay.

16 A. February.

17 Q. Okay. And what grade were you in?

18 A. The third.

19 Q. Okay. And the time that you got in
20 trouble for lying about stealing some perfume or
21 some makeup, is that what you said?

22 A. Yeah.

23 Q. Was that before you moved to Arizona or
24 after you moved to Arizona?

25 A. After.

1 Q. Okay. Um, did -- and what grade were
2 you in when you got in trouble for that?

3 A. The fourth grade.

4 Q. The fourth grade?

5 A. Yes.

6 Q. How old were you when you started the
7 fourth grade?

8 A. Ten. No. Nine.

9 Q. Okay. Because you would have turned
10 nine in May of 2010?

11 A. Yes.

12 Q. That would be the end of your third
13 grade year going into your fourth grade year,
14 right?

15 A. Yes.

16 Q. So when you got in trouble in fourth
17 grade, was it before for lying was it before
18 Christmas time or after Christmas time, do you
19 remember?

20 A. No.

21 Q. Okay. Was that -- you said you were
22 lying all the time. What kinds of other stuff were
23 you lying about?

24 A. Um, like if I did something or if I
25 wasn't supposed to be up past bedtime, I'd lie.

1 Just any little things I could think of I lied
2 about.

3 Q. Like, who ate the last Ding Dong?

4 A. Yes.

5 Q. Or yes, I'll go to bed at 10:00 o'clock?

6 A. Yes.

7 Q. Okay. Now, when you told about Cameron,
8 was there something that you were trying to get out
9 of trouble for? Like you were trying to get out of
10 trouble in your other lies?

11 A. No.

12 Q. Okay. I just have my notes from Mr.
13 Mann, so it takes me a minute.

14 Bear with me, all right?

15 A. All right.

16 Q. Okay. Um, Mr. Mann asked you some
17 questions about your teacher bringing up your God
18 dad.

19 Do you remember that?

20 A. Yes.

21 Q. Okay. Did you tell everybody that was
22 in your family that day?

23 A. What do you mean?

24 Q. Did you just tell her who your brothers
25 and sisters were and who the people were in your

1 family, including your God dad?

2 A. No. I just -- she asked if I had
3 somebody I could talk to and I said Cameron because
4 she said God dad.

5 Q. Okay. Now, um, I told you earlier, we
6 talked earlier today before we came to court,
7 right?

8 A. Yes.

9 Q. And I told you I was going to do my best
10 not to talk about the sex stuff anymore, right?

11 A. Yes.

12 Q. Do you remember that? We have to talk
13 about that just a little bit more.

14 Is that okay?

15 A. Yes.

16 Q. Okay. Um, the day in Danté's room when
17 Cameron's penis touched your vagina, do you
18 remember that day?

19 A. Yes.

20 Q. Okay. When Mr. Mann was asking you
21 questions, he asked -- he said, when he tried to
22 touch your vagina.

23 Do you remember those questions?

24 A. Yes.

25 Q. Okay. What I want to know is, on that

1 day that we talked about earlier, did the skin of
2 Cameron's penis touch the skin of your vagina?

3 A. Yes.

4 Q. Okay. So it really touched. It wasn't
5 just a try to touch?

6 A. It wasn't a try.

7 Q. Okay. Do you remember talking about the
8 white stuff that came out of Cameron's penis?

9 Do you remember that?

10 A. Yes.

11 Q. Do you remember talking to Moms about
12 that?

13 A. After the situation, yes.

14 Q. Okay. And today you use the word
15 "ejaculation," right?

16 A. Yes.

17 Q. Is that the word you used when you were
18 eight?

19 A. No.

20 Q. Okay. Do you remember what words you
21 used when you were eight?

22 A. I said white stuff came out.

23 Q. Okay. Did you ever call it pee?

24 A. I thought it was pee.

25 Q. Okay. You thought the white stuff was

1 pee?

2 A. Yes.

3 Q. Do you remember if, as you sit there
4 today, if that's how you described it to your mom's
5 as pee?

6 A. Yes.

7 Q. Okay. Yes, that's what you --

8 A. That's how I described.

9 Q. Okay. Now, every time something
10 happened with Cameron, sometimes people were home
11 and sometimes people weren't, right?

12 A. Yes.

13 Q. Okay. Did you keep a running list of
14 when people were home and where they were every
15 time something happened with Cameron?

16 A. No.

17 Q. Do you know as you sit there today at 15
18 who was in every room or loft or bathroom or
19 backyard of every house that this stuff happened
20 in?

21 A. No.

22 Q. Did you keep track of that stuff?

23 A. No.

24 Q. Did you ever think you would have to
25 come here, I don't know, years later and talk about

1 who was in what room while you were being touched?

2 A. No.

3 Q. Okay. You talked about a lot of people
4 being around. Did any of the grown-ups, I'm not
5 talking about the little kids because we know all
6 the little kids that were running around.

7 Did any of the grown-ups ever catch
8 Cameron with what he was doing to you?

9 A. No.

10 Q. Okay. Did you ever see any of the
11 grown-ups talk to Cameron about stuff that was
12 going on with you?

13 A. No.

14 Q. So whether it was in Danté's room or his
15 room or the jacuzzi, no grown-ups were there in
16 front of you and confronted Cameron about that?

17 A. No.

18 Q. Okay. Mr. Mann asked you about a whole
19 long order of people you had talked to.

20 Do you remember that?

21 A. Yes.

22 Q. A few minutes ago. I know it was long.
23 The very first person you ever, ever, ever told is
24 who?

25 A. My sister Brie.

1 Q. Okay. And then comes that whole long
2 list that Mr. Mann went through?

3 A. Yes.

4 Q. Okay. And that would be your teacher,
5 Teacher Halpern, your fourth grade math teacher?

6 A. Yes.

7 Q. And who's the next person?

8 A. The CPS lady.

9 Q. Okay. And then?

10 A. The cop.

11 Q. Cop. I say police officer?

12 A. Police officer.

13 Q. Okay. That's the nice way to say it.

14 A. I'm sorry.

15 Q. That's okay. And then who?

16 A. My moms and Brie.

17 Q. Your moms and Brie at the same time?

18 A. Yes.

19 Q. And then just your moms?

20 A. Yes.

21 Q. And then you had to come give a recorded
22 statement?

23 A. Yes.

24 Q. And then you had to go where? Did you
25 have to promise to tell the truth like you did here

1 today?

2 A. Yes.

3 Q. And that was in 2011?

4 A. Yes.

5 Q. But before all those times, who did you
6 tell?

7 A. Brie.

8 Q. Okay. And did you even tell Brie who at
9 first or did --

10 A. She guessed.

11 Q. She guessed. Okay. Did your moms ever
12 tell you to either make up this stuff about Cameron
13 or make it bigger?

14 A. No.

15 Q. Did they ever tell you because they were
16 not acting like mature adults and not speaking that
17 you should make up this stuff about Cameron?

18 A. No.

19 Q. Did Brie ever tell you to make stuff up
20 about Cameron?

21 A. No.

22 Q. Your teacher?

23 A. No.

24 Q. Police officer?

25 A. No.

1 Q. CPS worker?

2 A. No.

3 Q. Me?

4 A. No.

5 Q. Ms. Rinetti?

6 A. No.

7 Q. Okay. And most importantly not your
8 moms either, right?

9 A. No, not my moms.

10 Q. Okay.

11 MS. KOLLINS: Pass the witness, Your
12 Honor.

13 THE COURT: Okay. Recross. Mr. Mann.

14

15 RECROSS-EXAMINATION

16 BY MR. MANN:

17 Q. Z_____ , the cop that you spoke to, was
18 that the cop that told you where the kids were in
19 Danté's room?

20 A. I can't remember.

21 Q. And that would have been the cop that
22 you spoke to after you spoke to the CPS lady?

23 A. Yes.

24 Q. After you spoke to Ms. Halpern?

25 A. Yes.

1 Q. Okay. And the first time you told or
2 you spoke to Brie, that was in summertime of 2010?

3 A. I can't remember what time.

4 Q. Okay. And when you spoke to Brie, it
5 was just a quick conversation saying someone in the
6 family has been touching me?

7 A. Yes.

8 Q. And then she said Cameron?

9 A. She asked if it was Cameron.

10 Q. And then that was the end of your
11 discussion?

12 A. We went to sleep after that.

13 Q. Okay. You guys never talked about it
14 again?

15 A. I asked her -- I tried to ask her things
16 but she said not to talk about it.

17 Q. All right. So you had an additional
18 conversation with Brie the following --

19 A. No. It was the same night. And I tried
20 to ask her things about it, and she said she
21 doesn't want to talk about it.

22 Q. So it was at that time that she said,
23 it's Cameron and then she said, I don't want to
24 talk about it.

25 A. She asked if it was Cameron; she said

1 she didn't want to talk about it.

2 Q. And do you have any other discussions
3 with Brie about this?

4 A. I asked if we should tell somebody and
5 she said, no, we'll save it for a different time
6 because it wasn't the right time.

7 Q. Okay. We'll save it for a different
8 time because it wasn't the right time. And why
9 wasn't it the right time then?

10 A. Because he was going to be coming over
11 soon.

12 Q. Okay. So he was going to be coming over
13 soon so it was not the right time to discuss it?

14 A. No.

15 Q. Now, when you had a conversation with
16 Ms. Halpern -- sorry.

17 When you had a conversation with Ms.
18 Halpern, she asked you if there was anyone that you
19 could talk to, right?

20 A. Yes.

21 Q. And then that's when you said --

22 A. She said, is there anybody you can talk
23 to, like a God dad or something.

24 Q. And that's when you said Cameron?

25 A. Yes.

1 Q. And then after that is when you told her
2 that Cameron had done stuff to you?

3 A. Yes.

4 Q. And this was after you had a
5 conversation with Brie about finding the right time
6 to say something?

7 A. Yes.

8 Q. And why was December of 2010 the right
9 time to finally say something?

10 A. I don't know if it was the right time
11 but I just -- it just came out.

12 Q. Okay. And so when your teacher asked
13 you if you have anyone to talk to like a God dad,
14 you knew right then that that was the right time to
15 say something?

16 A. Yes.

17 Q. Okay. Now, we had talked about this, as
18 Ms. Kollins put, big fight that your parents had,
19 right?

20 A. Yes.

21 Q. And the fight was with the Thomas
22 family?

23 A. Yes.

24 Q. Now, you had indicated that you didn't
25 know the details?

1 A. Yes.

2 Q. And that it was none of your business,
3 right?

4 A. Yes.

5 Q. Is it your business where you live?

6 A. Yes.

7 MS. KOLLINS: Objection. Argumentative.

8 THE COURT: No. I'm going to sustain.

9 That's okay. I'm going to overrule. I'm so sorry.

10 Overruled. Go ahead.

11 BY MR. MANN:

12 Q. Is it your business where you live?

13 A. Yes.

14 Q. Is it your business who you live with?

15 A. Yes.

16 Q. Is it your business if your family is
17 upset?

18 A. When my parents are upset and they told
19 me to stay in a child's place --

20 THE COURT: I'm sorry?

21 THE WITNESS: Sorry.

22 THE COURT: That's okay.

23 THE WITNESS: They told me to stay in a
24 child's place.

25 / / /

1 BY MR. MANN:

2 Q. In a child's place?

3 A. In a child's place. So don't speak out
4 and don't, like, talk about older people's
5 business.

6 Q. Okay.

7 A. Does that make sense?

8 Q. I think I understand that. So your mom's
9 would tell you that a child's place is talking
10 about children things?

11 A. Yes.

12 Q. And an adult's place is talking about
13 adult things?

14 A. Yes.

15 Q. Okay. I understand. And is it your
16 business if you don't get to talk to Cameron
17 anymore?

18 A. If they say I shouldn't be talking to
19 him, it wasn't my business.

20 Q. Is it your business to not talk to Danté
21 anymore?

22 A. It wasn't my business -- business as she
23 told me not to talk about him.

24 Q. Okay. So you were going to follow
25 whatever your mom told you?

1 A. Yes.

2 Q. Okay. And we had talked about your mom.
3 When she gets upset, you get scared?

4 A. Yes.

5 Q. Because she gets really upset?

6 A. Yes.

7 Q. And you were scared of your mom back in
8 December and January of 2009 to 2010, right?

9 A. Yes.

10 Q. Okay. And you were also scared of your
11 mom back in December of 2010, right?

12 A. Yes.

13 Q. Okay. And because as we talked about,
14 you were lying a lot?

15 A. Yes.

16 Q. You were stealing?

17 A. Yes.

18 Q. And you were getting in trouble?

19 A. Yes.

20 Q. Now, Ms. Kollins asked if you kept track
21 of who was in what room.

22 Did you keep track of who was in what
23 room?

24 A. No.

25 Q. Okay. But back in December of 2010 when

1 you spoke to police, no one forced you to say who
2 was where, correct?

3 A. No.

4 Q. No one told you that you must tell me
5 where each individual was, right?

6 A. I didn't say where each individual was.

7 Q. Okay. But no one told you to say that?

8 A. No.

9 Q. So if you gave a statement of where
10 people were, that's because at that time you
11 remembered where they were?

12 A. Yes.

13 Q. Okay. And did you make things up?

14 A. Um, I had like a general vicinity of
15 where people were or may have been because they
16 were normally downstairs and normally smoking.

17 Q. So when I asked you, did you make things
18 up --

19 A. I guess you could say they were made up
20 but nobody was upstairs.

21 Q. Okay. So you say that you believe that
22 you made it up where people were, but as you sit
23 here today, 2016, you're saying that you know they
24 weren't upstairs?

25 A. They weren't upstairs.

1 Q. Okay. And if you're not sure where
2 everyone is, how do you know they weren't upstairs?

3 A. Because you would be able to hear.

4 Q. Oh, so you remember hearing them?

5 A. I remember not hearing them upstairs.

6 Q. Okay. So the times where they are
7 playing hide-and-seek and you hear them coming in
8 and out of a closet nearby, you didn't hear that?

9 A. No.

10 Q. And the time when you are -- have -- he
11 first tries to pull down your pants and you say
12 your mom was in the loft, you didn't hear that
13 either?

14 A. No.

15 Q. And the time where you talk about, um,
16 yelling out and telling Cameron no, you didn't hear
17 anyone out there?

18 A. No.

19 Q. But yet you testified to those very
20 things back in 2011?

21 MS. KOLLINS: Objection. Compound and
22 vague. I mean, all the last litany of questions,
23 the last two, the last four.

24 THE COURT: Well, let me put -- do you
25 understand his question?

1 THE WITNESS: No, not really.

2 THE COURT: If you don't, then you need
3 to rephrase it.

4 BY MR. MANN:

5 Q. When you testified back in 2011, you had
6 made statements about where people were, correct?

7 A. Yes.

8 Q. And you had indicated that people were
9 playing hide-and-seek nearby?

10 A. Which time are you talking about?

11 Q. The time that they were playing
12 hide-and-seek and you were in Cameron's room.

13 A. Right.

14 Q. Do you remember that time?

15 A. Yes.

16 Q. And you testified that you could hear
17 people playing hide-and-seek in the closet nearby?

18 A. Yes.

19 Q. And you knew that they were nearby. You
20 knew that these kids were nearby because you said
21 you could hear it?

22 A. Yes.

23 Q. All right. And so when you said that no
24 one was upstairs when this occurred today -- when
25 you said today that no one was upstairs, there are

1 definite instances where there were people
2 upstairs, correct?

3 A. Certain times, yes.

4 Q. Okay. And you stated that back in 2010,
5 when you spoke to the police, that you may have
6 made things up of where people were, right?

7 A. Yes.

8 Q. And that in 2011, when you testified and
9 swore to tell the truth, had you may have made
10 things up of where people were then too?

11 A. I knew there weren't anybody upstairs
12 and there was people downstairs and that they were
13 smoking.

14 Q. So you're saying that in 2011, you said
15 that there wasn't anyone upstairs, that they were
16 downstairs and they were smoking?

17 A. The adults were smoking, the kids were
18 on the Wii.

19 Q. Were on the Wii?

20 A. Yes.

21 Q. We're talking about at least six kids?

22 A. Yes. They were watching everybody play.

23 Q. Okay. They were all on the Wii --

24 A. Not all playing.

25 Q. -- whenever any of this would happen?

1 A. No.

2 Q. And the white stuff that came out, the
3 pee that came out, you said it got on you?

4 A. Yes.

5 Q. And that Cameron left the room with his
6 pants around his ankles?

7 A. Yes.

8 Q. When it got on you, you left, correct?

9 A. Yes.

10 Q. What did you do with the area that it
11 got on you?

12 A. I wiped it off.

13 Q. What did you wipe it off with?

14 A. My hand.

15 Q. Okay. And then what?

16 A. I wiped it on my pants on like the side,
17 my hip.

18 Q. Okay. And did you do anything else
19 after that?

20 A. No. I just ran downstairs.

21 Q. And then you went and started playing
22 Wii?

23 A. Yes. And talking to my sisters.

24 Q. And just playing with the kids around?

25 A. Yes.

1 Q. And you were able to keep track with the
2 fact that they were downstairs on the Wii when this
3 happened?

4 A. Yes.

5 Q. But you're sure where everyone was
6 downstairs but not upstairs?

7 A. Yes.

8 MR. MANN: No further questions.

9 THE COURT: Any re-redirect.

10 MS. KOLLINS: Very briefly, Your Honor.

11 THE COURT: Okay. That's fine.

12 MS. KOLLINS: Thanks. If I may.

13 THE COURT: Yes. You may.

14 MS. KOLLINS: Thank you.

15 THE COURT: Absolutely.

16

17 FURTHER REDIRECT EXAMINATION

18 BY MS. KOLLINS:

19 Q. Okay. I would like to -- I promise this
20 is the last time I'll be up here.

21 Every time something happened with
22 Cameron, was it the same?

23 A. No.

24 Q. Okay. Do you remember everything today
25 the way you remembered it five years ago?

1 A. No.

2 Q. Are you doing your best to remember?

3 A. Yes.

4 Q. Um, when you say you made stuff up about
5 who was where, did you make it up to lie or did you
6 make it up to help or something different?

7 A. To help or to give an idea of where they
8 were.

9 Q. Okay. Did you want to intentionally
10 mislead anyone as to who was where?

11 A. No.

12 Q. Okay. Do you want to intentionally
13 mislead anyone as to who was wherever in the house
14 today?

15 A. No.

16 Q. Okay. Do you remember some of the times
17 better that stuff happened than you remember other
18 times?

19 A. Yes.

20 Q. Do you know why you remember some times
21 better?

22 A. No.

23 Q. Okay. Do you have an explanation why
24 you remember some times better?

25 A. Sometimes I think about other times more

1 than usual.

2 Q. Okay. Different conduct different
3 times?

4 A. Yes.

5 Q. Different parts of your body touched
6 different times?

7 A. Yes.

8 Q. In different ways?

9 A. Yes.

10 Q. Okay. Is the white stuff time, is that
11 a time you remember well?

12 A. Yes.

13 Q. Okay.

14 MS. KOLLINS: No further questions, Your
15 Honor.

16 THE COURT: Any re-recross?

17 MR. MANN: No, Your Honor. Thank you.

18 THE COURT: Okay. All right. Thank
19 you. Thank you very much. Oh, I'm sorry. You are
20 right. We -- I should be looking for questions.

21 Anybody have questions? I see Juror No.
22 2. Anybody else? Take your time. It's been a
23 long testimony.

24 (Whereupon, there was a conference at the bench
25 that was not requested to be reported.)

1 THE COURT: We're unable to ask these
2 questions because of a legal thing. So we
3 appreciate it but I will not be able to ask Zailey
4 those questions, all right. Anybody else? I don't
5 want to cut you short.

6 JUROR NO. 0146: I'm transferring them.

7 THE COURT: That's fine. While she is
8 doing that, do you want a break now or do you want
9 to keep going?

10 MR. MANN: Keep going.

11 MS. KOLLINS: Keep going.

12 THE COURT: We have a witness, right?
13 Okay. We'll keep going as long as you guys are
14 good.

15 (Whereupon, there was a conference at the bench
16 that was not requested to be reported.)

17 THE COURT: Zailey, I'm going to ask
18 you a couple of questions and you can answer them
19 for the jury and then counsel if they need to will
20 do follow-up.

21 THE WITNESS: Okay.

22 THE COURT: How many hide-and-seek
23 incidents of abuse were there?

24 THE WITNESS: That I can remember, two.

25 THE COURT: All right. And it says: Do

1 you remember the incident with yourself, Cameron
2 and Brie in the bed? Do you remember an incident
3 like that?

4 THE WITNESS: No.

5 THE COURT: All right. Thank you.

6 Any follow-up.

7 MS. KOLLINS: Court's indulgence?

8 THE COURT: That's fine. I'm sorry?

9 THE COURT REPORTER: The juror number?
10 It's Juror Number -- 0146, Wroblewski. She smiled
11 because I didn't butcher her name.

12 MS. KOLLINS: Your Honor, the State's
13 not going to do any follow-up.

14 MR. MANN: I'll pass, Your Honor.

15 THE COURT: All right. Thank you very
16 much. You are now excused as a juror.

17 Thank you so much.

18 (The witness exited the courtroom.)

19 THE COURT: State, you want to call your
20 next witness?

21 MS. RINETTI: State calls April Reed.

22 THE COURT: April Reed. Okay.

23 MR. MANN: Your Honor, is the courtroom
24 still sealed?

25 THE COURT: No. It doesn't need to be.

1 Is there any reason why you would like
2 it for Ms. Reed?

3 MS. KOLLINS: She's an adult.

4 (The witness entered the courtroom.)

5 Whereupon,

6 APRIL REED,
7 having been called as a witness, and having been
8 first duly sworn to testify to the truth, was
9 examined and testified as follows:

10 THE WITNESS: I do.

11 THE CLERK: Thank you.

12 Would you state your full name, spelling
13 your first and last name for the record.

14 THE WITNESS: April Delores Reed. First
15 name, A-p-r-i-l. Last name, Reed, R-e-e-d.

16 THE COURT: Okay. Thank you, ma'am.

17 Direct exam, Ms. Rinetti.

18

19 DIRECT EXAMINATION

20 BY MS. RINETTI:

21 Q. Good afternoon, Ms. Reed.

22 A. Good afternoon.

23 Q. When did you arrive here in Las Vegas?

24 A. Recently?

25 Q. Yes. Recently.

1 A. Last Monday.

2 Q. Last Monday. And you've been up in a
3 hotel for the last week, week and a half now?

4 A. Yes.

5 Q. And most of the days during trial you've
6 been sitting in a little room?

7 A. Yes.

8 Q. Okay. I want to talk to you a little
9 bit about your family.

10 A. Okay.

11 Q. Do you have a significant other or
12 spouse?

13 A. Yes, I do.

14 Q. And who's that?

15 A. That's Kashonda Williams.

16 Q. And are you married or domestic
17 partners?

18 A. No. Domestic partners.

19 Q. Okay. And do you have any children?

20 A. Yes.

21 Q. How many children do you have?

22 A. Four.

23 Q. And can you tell us who is the oldest
24 child?

25 A. Ambree. She's the oldest.

1 Q. And how old is Ambree today?

2 A. Ambree is 17.

3 Q. And what is her date of birth?

4 A. 3/11/99.

5 Q. And who's the next oldest?

6 A. Zailey. She's the second to the oldest.

7 Q. What's -- how old is she today?

8 A. She's 15.

9 Q. And what is her date of birth?

10 A. 5/17/2001.

11 Q. Now, who's next in line?

12 A. Zoë.

13 Q. And how old is Zoë?

14 A. Zoë is 13.

15 Q. And what is Zoë's date of birth?

16 A. 2/6/2003.

17 Q. Okay. And now your youngest child, who
18 is that?

19 A. That's Karter.

20 Q. And how old is Karter today?

21 A. Karter is ten.

22 Q. Ten. And what is her date of birth?

23 A. March 23rd, 2006 -- or 25th. I'm sorry.

24 Q. Do your four children and your
25 significant other and you live together?

1 A. Yes, we do.

2 Q. And where do you currently reside?

3 A. In Maricopa, Arizona.

4 Q. Is that Arizona?

5 A. Um-hmm.

6 Q. Is that a yes?

7 A. Yes.

8 Q. Let me talk to you about Kay.

9 Do you mind if I call her Kay?

10 A. That's fine.

11 Q. And that is your significant other?

12 A. Yes.

13 Q. When did you meet Kay?

14 A. 2005.

15 Q. And where did you guys meet?

16 A. At Kids 'R' Kids day care.

17 Q. How did you guys meet at Kids 'R' Kids?

18 A. She started working there right after I did, and I heard about her through my interview for the job at Kids 'R' Kids through Cameron because he interviewed me.

19 Q. And did Cameron work at the day care?

20 A. Yes, he did.

21 Q. And he's the one that interviewed you?

22 A. Yes.

1 Q. Do you see Cameron in the courtroom here
2 today?

3 A. Yes, I do.

4 Q. Can you please point to and describe
5 something he's wearing?

6 A. He is sitting right there with the black
7 jacket on.

8 MS. RINETTI: Record reflect
9 identification of the defendant.

10 THE COURT: The record shall so reflect.

11 MS. RINETTI: Thank you.

12 BY MS. RINETTI:

13 Q. How long did you work at Kids 'R' Kids
14 for?

15 A. About two years.

16 Q. And what was your position at Kids 'R'
17 Kids?

18 A. I was a teacher.

19 Q. And can you tell us kind of the relative
20 time frame in which you worked?

21 A. From 2005 to about 2007.

22 Q. And what about Kay? You mentioned that
23 she started working shortly after you did?

24 A. Yes.

25 Q. And how long did she work at Kids 'R'

1 Kids for?

2 A. She stayed there about a year after I
3 left.

4 Q. So until maybe like roughly 2008?

5 A. Yes.

6 Q. Okay. And what was her position with
7 Kids 'R' Kids?

8 A. She was a teacher for a while and she
9 worked front desk sometimes too.

10 Q. And the front desk, can you explain a
11 little bit about what happens at the front desk?

12 A. Helping parents, getting kids checked
13 in, giving them tours, dealing with issues of
14 payments, things of that nature.

15 Q. When you got the job at Kids 'R' Kids in
16 2005, how many kids did you have at that point?

17 A. Three.

18 Q. Were you pregnant at the time?

19 A. Yes, I was very pregnant.

20 Q. Very pregnant. Are we talking months
21 and months and months along?

22 A. No. Just four.

23 Q. Four. Okay. Once you started going --
24 working at Kids 'R' Kids, did you enroll any of
25 your children at Kids 'R' Kids?

1 A. When I first started working at Kids 'R'
2 Kids, I enrolled two of my children and then
3 shortly thereafter, I enrolled my oldest, which is
4 Ambree.

5 Q. Why did you enroll them at different
6 times? .

7 A. At the time, I was living with my aunt
8 and I had Zailey and Zoë living with me and Brie
9 was staying with her grandmother at the time, her
10 paternal grandmother.

11 Q. Okay. So she had someone to watch her
12 during the day when you were at work?

13 A. Yes. Um-hmm.

14 Q. Okay. Did the kids stay at Kids 'R'
15 Kids for a period of time?

16 A. Yes, they did.

17 Q. Do you remember when they stopped going
18 to Kids 'R' Kids?

19 A. I want it say it was about 2008.

20 Q. So roughly a time that Kay left --

21 A. Yes.

22 Q. -- Kids 'R' Kids?

23 When you worked at Kids 'R' Kids and Kay
24 worked at Kids 'R' Kids, would your children help
25 you out with things around the day care?

1 A. Yes.

2 Q. Okay. And we -- you mentioned that you
3 met the defendant at the -- your initial interview
4 with Kids 'R' Kids.

5 Did he -- to your knowledge, did he have
6 any type of relationship with Kay?

7 A. Did who?

8 Q. Did the defendant have any relationship
9 with Kay, like friendship --

10 A. Yes.

11 Q. -- or otherwise? Were they fairly close
12 friends?

13 A. Yes. They were best friends.

14 Q. And you started dating Kay, correct?

15 A. Yes.

16 Q. And that was in 2000 -- end of 2005?

17 A. Yes.

18 Q. How was -- did Kay kind of have a circle
19 of friends at the day care?

20 A. Yes, she did.

21 Q. And in starting any kind of new
22 relationship, did you have to kind of warm up to
23 the group and they had to warm up to you?

24 A. Yes.

25 Q. Okay. Did eventually you warm up to the

1 group and the group warmed up to you?

2 A. Yes.

3 Q. Did you develop a friendship with Kay
4 and her friends?

5 A. Yes.

6 Q. And did that include the defendant,
7 Cameron Thomas?

8 A. Yes.

9 Q. Um, in fact, did your family and the
10 defendant's family actually become very close?

11 A. Yes, very close.

12 Q. Did you do fun activities together?

13 A. Yes.

14 Q. What kind of things would you do, the
15 two families?

16 A. We would stay the night at each other's
17 houses. We would go places together. We would go
18 swimming together. We would hang out at other
19 people's house together. A lot of the time that we
20 spent on the weekends and sometimes during the week
21 we spent a lot time with our friends, including
22 Cameron mostly.

23 Q. You said you went to fun places. What
24 kind of fun places would you guys go to?

25 A. Um, one time I won some tickets over the

1 radio for Father's Day and we considered Cameron
2 the girl's godfather at the time, and I felt that
3 he should go with us. So everybody else went too.
4 And it was a good time.

5 We went swimming at Palo Verde Park --
6 Palo Verde school. They have a pool there. We
7 would do a lot stuff together. A lot. Mostly just
8 hanging out at each other's homes.

9 Q. What kind of things would you do when
10 you just hung out at each other's homes?

11 A. Watch movies. Play video games. Rock
12 Band a lot. That was my favorite. Make jokes, a
13 lot of jokes.

14 Q. Would you guys have meals together?

15 A. Yes. Lots of meals. Lots.

16 Q. Lots and lots of meals?

17 A. Um-hmm.

18 Q. Besides your family and the defendant's
19 family, would other families come over as well that
20 include this kind of circle of friends?

21 A. Yes.

22 Q. That include individuals named Kourtney
23 and Audrey?

24 A. Yes.

25 Q. As well as some other members from the

1 day care community?

2 A. Yes.

3 Q. And you mentioned a moment ago that you
4 consider the defendant your children's godfather.
5 Was he the godfather to all of your children or
6 just some of them?

7 A. All of them.

8 Q. As the children's godfather, did he buy
9 gifts for your children?

10 A. Yes, he did.

11 Q. And what kind of gifts did he buy them?

12 A. A DS, a Wii, a bracelet from either
13 Zales or Kay's Jewelers for Brie that had
14 dragonflies and ballerina shoes on it. It was
15 really pretty.

16 A necklace that had a star on it from
17 Kay's Jewelers for Brie. A cell phone, a touch
18 screen cell phone when they first came out, and she
19 was nine. Pretty much -- oh, a Razor scooter.
20 It's like a moped type of thing for children. And
21 it was always some type of gift exchange at some
22 point, out of nowhere.

23 Q. Did that happen for all of your kids?

24 A. No.

25 Q. Which kids did he buy gifts for?

1 A. Brie and Zailey.

2 Q. Now, you mentioned that they would spend
3 the night at each other's houses.

4 Did the defendant and his family spend
5 the night at your house?

6 A. Yes, they did.

7 Q. And did your family spend the night at
8 his house?

9 A. Yes.

10 Q. Did there come a time when you'd ask the
11 defendant to babysit your children?

12 A. Yes.

13 Q. And when the defendant would babysit
14 your children, would he babysit them at your house?

15 A. Sometimes.

16 Q. Would he babysit them at his house?

17 A. Absolutely.

18 Q. During this period of time that you
19 worked at Kids 'R' Kids and Kay worked at Kids 'R'
20 Kids in roughly 2005 to 2008, would the defendant
21 ever kind of help you transport the kids to and
22 from day care?

23 A. Yes.

24 Q. And sometimes when he would transport
25 them from day care, would the defendant take your

1 children to his house instead of your house?

2 A. Yes.

3 Q. Would you do the same for his children?

4 A. Yes.

5 Q. Now, when they were little, so in 2005,
6 you indicated you started working at Kids 'R' Kids
7 and met the defendant.

8 So Zailey would have been approximately
9 five, six years old?

10 A. Yes.

11 Q. During this time frame when you're
12 initially getting to know him and Brie's around
13 that age, when you spent the night at the
14 defendant's house, would it be unusual for him to
15 kind of take Zailey to bed or, you know,
16 tuck-her-in type of thing?

17 A. No. Because all of the children would
18 go to sleep around the same time.

19 Q. Do you remember during this time frame
20 when you were friends, what kind of car the
21 defendant drove?

22 A. Yes.

23 Q. And what kind of car did he drive?

24 A. A black F-150.

25 Q. During this time frame that you guys

1 were friends, do you remember where he lived?

2 A. He lived in two different areas of town.

3 When I first met him and his wife, they lived in
4 the new North Las Vegas. And they stayed there for
5 a little while, and then they moved to the Blue
6 Diamond area off of Cantina Creek or something like
7 that.

8 Q. The new North Las Vegas. I've not heard
9 that term before. Where is that located in North
10 Las Vegas?

11 A. It's over by the Cannery.

12 Q. Oh, okay. Okay. Do you remember if
13 that was a one-story house or a two-story house?

14 A. That was a two-story house.

15 Q. And the one off of Blue Diamond, was
16 that a one-story house or a two-story house?

17 A. That was also a two-story house.

18 Q. You mentioned that your family would
19 sometimes sleep over at the defendant's family.
20 Does the defendant have children?

21 A. Yes.

22 Q. And how many children did he have while
23 you were living in Las Vegas?

24 A. He's -- he has three now and when I
25 first met him he had one. He had Danté and then

1 they had Jena, which is their second child, and
2 then they had Kailey, I think her name is, but that
3 was after we already moved. I've seen her once.

4 Q. So Danté. Do you know how old Danté is
5 today or kind of where he is in relationship to
6 your children as far as age-wise?

7 A. Danté is younger than Zoë but older than
8 Karter, so he may be about 11 or 12.

9 Q. Today?

10 A. Today.

11 Q. Okay. And what about his daughter,
12 Jena? Do you know how old she is today or kind of
13 in relationship with your children where she is in
14 that kind of chronological order?

15 A. She is younger than Karter. So she may
16 be about eight or nine.

17 Q. Today?

18 A. Today.

19 Q. So let's say 2000 -- okay. I am trying
20 to do my math in my head. That's why I became an
21 attorney.

22 At these houses, did either of these
23 houses have a fish tank in them?

24 A. Yes.

25 Q. Did both of them or one of them?

1 A. The first one did for sure.

2 Q. Okay.

3 A. The second one, I can't remember.

4 Q. When you guys would go over to each
5 other's houses -- well, specifically when you would
6 go over to their house to spend the night, where
7 would you and Kay sleep?

8 A. When he lived in new North Las Vegas, we
9 would sleep downstairs because they had a huge
10 sectional and they also had a really big beanbag,
11 it was huge. So we would sleep downstairs and
12 sometimes the girls would sleep wherever they
13 landed. Most of the time it was in Danté's room or
14 wherever they fell asleep at.

15 Q. What about in the house off of Blue
16 Diamond. What were kind of the sleeping
17 arrangements when you and the family slept over
18 there?

19 A. There was a downstairs bedroom where Kay
20 and I would sleep at. They also had their room and
21 then they had, I believe, Jenae's room and then
22 they had, no -- they had another room that was
23 empty and then they had Jenae's room and then they
24 had Danté's room. We would -- the girls would
25 sleep in the empty room next to theirs.

1 Q. Okay. So a guest room, if you will?

2 A. Yes.

3 Q. Okay. When we're talking about, you
4 know, spending time in each other's houses, I need
5 to ask you kind of where you lived during this
6 relevant time period.

7 When you first met Kay, where were you
8 living?

9 A. I was living with my aunt.

10 Q. And after you lived with your aunt,
11 where did you move to?

12 A. We moved into our first apartment in
13 North Las Vegas together. Cheyenne Pointe.

14 Q. And when you say "we," Kay and you?

15 A. Kay and I and the girls.

16 Q. When did you move into Cheyenne Pointe?

17 A. That was maybe about a month after
18 Karter was born so 2005. April 2005.

19 Q. How long did you stay at Cheyenne Pointe
20 for?

21 A. A year and a half.

22 Q. Where did you move after a year and a
23 half?

24 A. To The Residence off of Sahara and Fort
25 Apache.

1 Q. Now, The Residence, is that an apartment
2 or a house?

3 A. It's an apartment.

4 Q. And so when you said you moved into your
5 first apartment roughly like April 2005, you stayed
6 there for a year and a half.

7 Do you remember when you moved into The
8 Residence?

9 A. I believe it was around -- I'm not sure
10 what month. I'm not sure what month it was.

11 Q. Would it have been 2006?

12 A. Yes.

13 Q. And this Cheyenne Pointe, I mean, excuse
14 me. The Residence, you said it was an apartment
15 complex.

16 Did it have a pool?

17 A. Yes, it did.

18 Q. And did it have a jacuzzi there as well?

19 A. Yes, it did.

20 Q. How long did you say at The Residence
21 for?

22 A. A year. Exactly a year.

23 Q. Okay. And where did you move after
24 that?

25 A. We moved to Summerlin on Windrose.

1 Q. Was that a house or an apartment?

2 A. That was a house.

3 Q. Do you remember when you moved to the
4 Windrose house?

5 A. It was in the summer.

6 Q. Summer. 2006?

7 A. 2007.

8 Q. 2007?

9 A. Yes.

10 Q. How long did you stay at that house for?

11 A. A year.

12 Q. And then in 2008, where did you move to?

13 A. After that we moved to Grasswood off of
14 Rainbow.

15 Q. Was that a house or an apartment?

16 A. That's a house.

17 Q. How long did you stay there for?

18 A. Just a few months. No more than six.

19 Q. So then, where did you move after that?

20 A. We moved with Cameron.

21 Q. And was that which house, the new North
22 Las Vegas house or the one off of Blue Diamond?

23 A. The one off of Blue Diamond.

24 Q. And how long did you stay at the
25 defendant's house for?

1 A. Maybe about a month or two.

2 Q. And then where did you move to?

3 A. We moved in with Kourtney and Audrey.

4 Q. And how long did you stay with Kourtney
5 and Audrey for?

6 A. About a month or two.

7 Q. Where did you move after that?

8 A. We moved to Phoenix.

9 Q. Okay. And you've been there ever since?

10 A. Yes.

11 Q. Okay. And I want to talk to you about a
12 period of time when you lived with the defendant.

13 Do you remember, was it the fall of
14 2009?

15 A. Um-hmm, yes.

16 Q. Which house was that at?

17 A. That was the house near Blue Diamond.

18 Q. Did you, Kay and all of your children
19 move into his house?

20 A. Yes.

21 Q. Why did you move into the defendant's
22 house?

23 A. We moved in the house because bills got
24 tight and we were going to get evicted, so we
25 needed a place to stay. And it seemed like it was

1 a good idea to move with Cameron because it was a
2 really big house that had just enough space to fit
3 us somehow instead of living on the streets.

4 Q. Okay. How many bedrooms was this house?

5 A. Five. Five bedrooms.

6 Q. So what were the sleeping arrangements
7 like for those two months when you lived with the
8 defendant?

9 A. Kay and I stayed downstairs in the
10 downstairs bedroom. It's only one bedroom
11 downstairs. And then the girls stayed upstairs in
12 the guest bedroom, all four of them.

13 Q. So all four shared a room?

14 A. On an air mattress.

15 Q. During this time period when you were
16 living with the defendant shortly before, did
17 somebody take out a title loan to get some money?

18 A. Yes.

19 Q. Can you tell us a little bit about that?

20 A. From my understanding, Cameron took out
21 a title loan for us to pay bills with and we paid
22 every month. I believe it was about \$200 every
23 month that we paid, but of course, interest piles
24 on top of it. It seems like you never get away
25 from it.

1 Q. Did you kind of struggle a little bit?

2 A. Yes.

3 Q. Okay. Did you manage the household
4 finances or did Kay?

5 A. Kay did.

6 Q. Okay. So kind of paying off this title
7 loan, would it have been Kay's responsibility or
8 yours?

9 A. Kay's.

10 Q. I know you both owed the money but Kay
11 would kind of take the lead, I should say?

12 A. Yes.

13 Q. At some point, were you asked to leave
14 the defendant's house?

15 A. Yes.

16 Q. Why were you asked to leave?

17 A. The explanation that I was given was
18 they didn't want us to ruin their Christmas. That
19 was all I was told.

20 Q. Did you have any arguments at all?

21 A. At that time?

22 Q. Correct.

23 A. No.

24 Q. Did you have arguments?

25 A. We've had -- we had two arguments during

1 the entire friendship. Two.

2 Q. Let me ask you. When was the first
3 friendship kind of disagreement, if you will?

4 A. When we lived in Cheyenne Pointe.

5 Q. So what year would that have been?

6 A. 2005, 2006.

7 Q. And do you remember what that argument
8 was about?

9 A. No.

10 Q. Fair enough to say that you mended
11 fences?

12 A. Absolutely.

13 Q. And obviously the families were close
14 enough that eventually in 2009 you move into his
15 house?

16 A. We got even closer after that argument,
17 so.

18 Q. Did there come a time when you and your
19 family did not speak to the defendant and his
20 family?

21 A. Yes.

22 Q. And when did that happen?

23 A. When we lived with Kourtney and Audrey.
24 Um, they were having a Christmas gathering and they
25 were decorating the Christmas tree and Cameron was

1 upset at us because maybe -- I'm not sure why. I'm
2 not sure if it was the payday loan. I still don't
3 know. But he was upset and he didn't invite us,
4 just our family, to the Christmas gathering. And
5 Cameron and I got into a very heated discussion and
6 he said some really hurtful things and we didn't
7 speak to him after that.

8 Q. So based upon that kind of heated
9 exchange between you and the defendant, you made a
10 decision to kind of part ways a little bit?

11 A. Absolutely.

12 Q. When that heated discussion took place,
13 who was present beside yourself and the defendant?

14 A. Kourtney was present. I'm not sure,
15 Audrey may have been present. She might -- I don't
16 think she was working at that time. And Kay was
17 present.

18 Q. Were any of your children present during
19 this discussion?

20 A. No. They were downstairs playing with
21 Audrey's son, Cameron.

22 Q. And you said it was a heated discussion.
23 Did -- were voices raised?

24 A. Absolutely.

25 Q. Okay. Raised enough that potentially

1 other people downstairs could have heard?

2 A. Possibly.

3 Q. Do you remember whose decision it was to
4 not communicate with one another?

5 A. It was mine.

6 Q. Okay. And did that last for a period of
7 time?

8 A. Yes.

9 Q. When you moved to Arizona, in 2010,
10 January 2010, were you on speaking terms with the
11 defendant and his family or not?

12 A. No.

13 Q. During this period of time between the
14 heated argument and leaving for Arizona, did you
15 speak with your children about it?

16 A. No.

17 Q. Did you inform them that they were not
18 going to be allowed to see the defendant?

19 A. Yes.

20 Q. Okay. Were they upset about that?

21 A. No.

22 Q. Did you go into the details, the finer
23 details, of what the two of you, you and the
24 defendant, were arguing about?

25 A. Briefly. Just about the Christmas.

1 celebration that we weren't invited to.

2 Q. Other than just mentioning the Christmas
3 gathering, at any point did you discuss any other
4 details with your children?

5 A. No. They're children.

6 Q. I believe Zailey mentioned something
7 about a child's place. Is that something that you
8 refer to in your household? Keep it in a child's
9 place?

10 A. Yes.

11 Q. And what does a child's place mean?

12 A. It's a double-edge sword because you put
13 them in a place where you want them to stay in a
14 child's place, which means to be seen and not heard
15 or not to go into adult conversations. They need
16 to stay in a child's place.

17 Q. Did you feel that your argument or your
18 disagreement with the defendant was something that
19 didn't need to be discussed with Ambree, with
20 Zailey, Zoë and Karter?

21 A. I didn't think it was necessary.

22 Q. You moved down to Arizona in 2010.

23 Do you and Kay break up for a period of
24 time?

25 A. Yes. A little later.

1 Q. A little bit later. Okay.

2 Do you remember when you guys broke up
3 for a little bit?

4 A. I want to say August.

5 Q. August of 2010?

6 A. Yes.

7 Q. Okay. While you're living in Arizona,
8 do you have any discussions with your children
9 about the argument you had with the defendant?

10 A. No.

11 Q. Again, you still think it's a child's
12 place. It's just not something you want to discuss
13 with them?

14 A. Correct.

15 Q. At some point, do you and the defendant
16 reconnect?

17 A. Yes.

18 Q. And do you remember when that
19 reconnection took place?

20 A. Mother's Day.

21 Q. Mother's Day in 2010?

22 A. Yes.

23 Q. I should know this. It's May 2010?

24 A. Yes.

25 Q. Okay. How did the contact take place?

1 Did you reach out to him or did the defendant reach
2 out to you?

3 A. He reached out to me. It was a
4 three-way call with another person that we both
5 know. Her name is Kirsten. Kirsten Krauss. And
6 they called me on three way and Cameron said, hey,
7 Happy Mother's Day to the best mother I know. And
8 we, you know, had some jokes and we kind of decided
9 at that time we were going to clear the air.

10 Q. When you say "clear the air," what do
11 you mean by that?

12 A. We just swept it under the rug.

13 Q. Enough time had passed?

14 A. We also paid him back before we moved to
15 Arizona, so.

16 Q. So the debts had been paid?

17 A. Yes.

18 Q. And you felt it's enough time had passed
19 after that heated argument to kind of move past it
20 and rebuild a friendship?

21 A. Yes. I loved Cameron.

22 Q. Did you consider him a member of the
23 family?

24 A. Yes, I did.

25 Q. After this reconnection, was there any

1 time that the defendant came down to your house in
2 Arizona?

3 A. Yes, he did.

4 Q. And when did he come down to Arizona?

5 A. May of 2010.

6 Q. Was it for Memorial Day weekend?

7 A. Yes, it was.

8 Q. So it wasn't long after kind of
9 reconnecting on the three-way call that the
10 defendant came down to your house in Arizona?

11 A. That's correct.

12 Q. Okay. Did he come by himself or with
13 people?

14 A. He came with people.

15 Q. And who did he come with?

16 A. He came with his wife, Jennifer Thomas,
17 and their three children, and Kourtney and Audrey
18 and their two children.

19 Q. Was there another child by the name of
20 Dominic present as well?

21 A. Yes.

22 Q. Where were you living at the time during
23 Memorial Day of 2010?

24 A. We stayed in Phoenix. In the heart of
25 Phoenix, Arizona. In a condo.

1 Q. How many bedrooms?

2 A. Three.

3 Q. Where did -- because this seems like a
4 lot people, where did everyone sleep?

5 A. It definitely was a lot people, but it
6 was pretty normal for us to share our space.

7 Jennifer and Cameron slept in the first
8 bedroom to the right. And then Kourtney and Audrey
9 slept in the second room. And then Kay and I slept
10 in our room, that's our house, so we slept in our
11 room.

12 And all of the many, many children all
13 slept in the living room and crashed on the floor
14 and watched TV and did what they did that night.

15 Q. Do you know how many nights the
16 defendant and his family stayed over in Memorial
17 Day weekend in 2010?

18 A. I believe it was two nights.

19 Q. Would it have been like Friday night,
20 Saturday night or Saturday night, Sunday night?

21 A. Friday night, Saturday night, leaving on
22 Sunday, so.

23 Q. So what kind of things did you guys do
24 when they were in town?

25 A. We went to the zoo. The Phoenix zoo.

1 Q. There's a zoo in Phoenix?

2 A. There is a zoo, yes.

3 Q. What other things did you do?

4 A. I had to work too, so I didn't really
5 get to spend too much time with everybody. But we
6 went out to the nightclub with Kourtney and Audrey
7 and Kay and myself, we went out, and then the girls
8 all stayed with Cameron and his wife.

9 Q. So kind of the babysitters for the kids
10 were the defendant and Jennifer?

11 A. Yes.

12 Q. And the other adults went to a
13 nightclub?

14 A. Yes.

15 Q. Okay. Besides the nightclub and the
16 zoo, do you remember any other fun things you guys
17 did?

18 A. No. I don't remember anything else.
19 Just those two things.

20 Q. Any arguments between you and the
21 defendant?

22 A. No.

23 Q. Any arguments between anyone in your
24 family and the defendant and his family?

25 A. No.

1 Q. Any arguments between you and your
2 family and Kourtney and Audrey?

3 A. No.

4 Q. Let me ask you this: Was there any
5 arguments during the Arizona trip on Memorial Day
6 weekend in 2010?

7 A. No. Not at all.

8 Q. When the defendant and his family left
9 Arizona, Sunday, were you guys on good terms?

10 A. Yes.

11 Q. Had you expected to see each other
12 again?

13 A. Yes.

14 Q. Okay. Did you guys see each other
15 again?

16 A. Yes, we did.

17 Q. When was the next time that you guys saw
18 each other?

19 A. A few months later. Either right before
20 Kay and I broke up or right after we broke up for
21 that eight-month period.

22 Q. And why did you come up?

23 A. We were bringing Karter, our youngest,
24 down here to meet her dad.

25 Q. Did you bring the other kids as well?

1 A. Yes, we did.

2 Q. Did you have an opportunity during this
3 visit to see the defendant?

4 A. Yes.

5 Q. And let me ask you this: Between
6 Memorial Day weekend -- and when did you say you
7 saw him again?

8 A. About September or August.

9 Q. During like the end of the summer, let's
10 say --

11 A. Um-hum.

12 Q. -- between May and the end of the
13 summer, did you communicate with the defendant and
14 his family?

15 A. Yes.

16 Q. And how did you guys communicate?

17 A. Facebook, text messages, phone calls.

18 Q. During that period of time, any
19 arguments?

20 A. No.

21 Q. Any disagreements?

22 A. No.

23 Q. When you came up August, September, in
24 2010, were you on good terms with the defendant and
25 his family?

1 A. Yes.

2 Q. And when did you see the defendant or
3 how did it come about that you got to see him when
4 you came out to visit?

5 A. Kay was at his house and I was staying
6 at a hotel room. And Kay had the girls, all four
7 of the girls, with her at Cameron's house, so when
8 I got done hanging out with my family and friends,
9 at different parts of Las Vegas, I ended up coming
10 back to Blue Diamond and hanging out with everybody
11 else that was there.

12 Q. Any disagreements between yourself and
13 the defendant?

14 A. No.

15 Q. Any disagreements between anyone in your
16 family and the defendant's family?

17 A. No.

18 Q. How long did you stay in Vegas during
19 that trip?

20 A. Just the weekend. So came down on
21 Friday, left on Sunday.

22 Q. When you left on Sunday, were you guys
23 on good terms?

24 A. Yes.

25 Q. Went back to Arizona?

1 A. Yes.

2 Q. Did you see the defendant again between
3 August, September to December 2010?

4 A. I don't believe so.

5 Q. Did you communicate with the defendant
6 at all during that time period?

7 A. Yes.

8 Q. And how did you communicate?

9 A. Through Facebook, text messages, phone
10 calls. It was -- when Kay and I broke up, our
11 contact was awkward. It was not limited in any
12 way, but we just didn't talk as much because it
13 might have been a little weird for either one of us
14 because his best friend and I had just broken up.
15 So it was a little different but there were no
16 arguments between him and I or anyone else.

17 Q. And December of 2010, prior to why we
18 are here today, were you on good terms with the
19 defendant and his family?

20 A. Yes, I was.

21 Q. On December 9th of 2010, were you
22 contacted by authorities in Arizona?

23 A. Yes, I was.

24 Q. And through authorities in Arizona, did
25 you become aware that your daughters Ambree and

1 Zailey were victims of sexual abuse?

2 A. Yes.

3 Q. Up until authorities in Arizona told you
4 that they were victims of sexual abuse, had you
5 ever heard of this information prior to that?

6 A. About my children, no.

7 Q. Were you surprised or shocked by these
8 -- this revelation?

9 A. Yes, I was surprised and shocked.

10 Q. Do you know where you were when you
11 found out?

12 A. Yes.

13 Q. Where were you?

14 A. At home in my kitchen.

15 Q. After finding out that Brie and Zailey
16 had become victims of abuse, did you find out who
17 the perpetrator was?

18 A. Yes.

19 Q. Were you surprised when you heard about
20 who the perpetrator was?

21 A. Yes.

22 Q. Were you devastated?

23 A. Yes.

24 Q. Based upon this news, what's the first
25 thing you did?

1 A. I cried.

2 Q. After you were done crying, what did you
3 do?

4 A. I called Kay.

5 Q. Why did you call Kay?

6 A. Because no matter what we were going
7 through, she was still their mother.

8 Q. You feel that was information that she
9 needed to know?

10 A. Yes.

11 Q. Did you have that conversation?

12 A. Yes.

13 Q. Was it a difficult conversation?

14 A. Yes.

15 Q. Based upon your conversation with Kay,
16 did you have kind of a plan of action of how to
17 kind of address this?

18 A. No.

19 Q. There's no handbook for this?

20 A. No.

21 Q. Did you decide at some point to take one
22 of the girls out of school?

23 A. Yes.

24 Q. Which child did you take out of school?

25 A. I took Ambree out of school.

1 Q. Where was Ambree going to school at the
2 time?

3 A. Madison Rose Lane middle school.

4 Q. And where was Zailey going to school?

5 A. Madison Rose Lane Elementary school.

6 Q. Are they actually separate facilities?

7 A. Yes, they are.

8 Q. Who picks up Brie from school?

9 A. Kay.

10 Q. And does Kay and Brie come back to your
11 house?

12 A. Yes.

13 Q. Who is at the house besides yourself,
14 Momma Kay and Brie?

15 A. Karter, our youngest daughter.

16 Q. And you said Karter was born in what
17 year?

18 A. 2005.

19 Q. 2005. So in December of 2010, she would
20 have been roughly five years old?

21 A. Four.

22 Q. Four. Did you have a conversation with
23 Zailey -- excuse me, with Ambree?

24 A. Yes.

25 Q. When -- do you remember when Ambree came

1 home that day?

2 A. Yes.

3 Q. Do you remember what she looked like
4 when she talked through that door?

5 A. Scared.

6 Q. Why do you say scared?

7 A. Because she just told somebody a very
8 deep, dark secret.

9 Q. What was her body language like or her
10 demeanor like?

11 A. Her shoulders were slumped down and her
12 head was to the ground just in shame.

13 Q. Where did you talk to Brie at?

14 A. In my bedroom.

15 Q. Who was in the bedroom at the time?

16 A. Kay, myself and Ambree.

17 Q. Was Karter in the room?

18 A. No.

19 Q. Was the door open or closed?

20 A. Closed.

21 Q. And why was the door closed?

22 A. Because there was no need for Karter to
23 hear what was going on.

24 Q. And what was the purpose of you speaking
25 with Brie, just in general terms, what the purpose

1 was?

2 A. For her to understand that she could
3 have always told us anything and that she can
4 always tell us anything in the future. No matter
5 who it is.

6 Q. What was Brie's demeanor like during
7 your conversation with her?

8 A. She cried. A lot. A lot.

9 Q. What was your demeanor like?

10 A. I cried a lot too.

11 Q. What was Momma Kay's demeanor like?

12 A. She cried a lot too.

13 Q. Do you remember how long that
14 conversation lasted for?

15 A. Twenty, 30 minutes.

16 Q. And at any point during that
17 conversation, did you tell Brie that she was in
18 trouble?

19 A. No.

20 Q. Did you ever tell Brie to make up a
21 story about sexual abuse?

22 A. No.

23 Q. Did you ever tell Brie to make up a
24 story about sexual abuse to get back at the
25 defendant?

1 A. No.

2 Q. Was it a difficult conversation to have
3 -- I apologize. There's water if you need some.

4 A. I'm sorry.

5 Q. It's okay. Take your time. You tell me
6 if you need a break. Okay?

7 A. Um-hmm.

8 Q. Is that a yes?

9 A. Yes.

10 Q. Okay. Let me know.

11 Was it a difficult conversation that you
12 had with your daughter Brie?

13 A. Yes.

14 Q. How old was Brie at the time that you
15 had this conversation?

16 A. She was 11.

17 Q. After your conversation with Brie, did
18 you have a conversation with Zailey?

19 A. Yes.

20 Q. Where did that take place?

21 A. In my bedroom.

22 Q. How did Zailey get to your house?

23 A. She caught the bus home that day.

24 Q. And what was kind of your thought
25 process of picking up Brie and kind of letting

1 Zailey take the bus home?

2 A. It was way too much information to take
3 in at once, so we needed a few hours to breathe.

4 Q. Is it fair to say that when you talked
5 to Brie, it was kind of a one-on-one alone time?

6 A. Yes.

7 Q. I should say two on one?

8 A. Yes.

9 Q. Um, do you remember when Zailey got
10 home?

11 A. Yes.

12 Q. What did she look like when she came
13 through those doors?

14 A. Scared.

15 Q. Why do you say scared?

16 A. Because she just told somebody some deep
17 information.

18 Q. What did her demeanor, body language
19 look like?

20 A. She looked like she wanted to run. She
21 looked like she didn't want to be at home. She was
22 scared.

23 Q. Where did you have the conversation with
24 Zailey?

25 A. In my bedroom.

1 Q. And how old was Zailey at the time that
2 you had this discussion with her?

3 A. She was nine.

4 Q. Who was in that bedroom at the time?

5 A. Kay, Zailey and myself.

6 Q. Was Brie in the room at the time?

7 A. She was either in the living room or one
8 of the other bedrooms.

9 Q. Did you have this conversation -- was
10 the bedroom door open or closed?

11 A. Closed.

12 Q. What was the purpose of having it behind
13 closed doors?

14 A. So Brie and Karter didn't have to hear
15 what was going on.

16 Q. When you had this discussion with Zailey
17 inside the bedroom, where was Zailey inside the
18 bedroom?

19 A. Zoë was also there as well.

20 Q. I apologize.

21 A. Sorry. But she was outside of the room
22 with her other sisters. Zailey was on the floor,
23 and I was sitting on my bed and Kay was sitting on
24 my bed.

25 Q. Was Zailey like kneeling, cross-legged,

1 do you remember?

2 A. She was sitting on her knees.

3 Q. What was her demeanor like during your
4 conversation?

5 A. She cried.

6 Q. What was your demeanor like during that
7 conversation?

8 A. I cried.

9 Q. And what was Kay's demeanor like during
10 that conversation?

11 A. She cried.

12 Q. At any point during that conversation,
13 did you raise your voice at Zailey?

14 A. Absolutely not.

15 Q. At any point during that conversation
16 did you raise your voice to -- to Kay?

17 A. No. Absolutely not.

18 Q. How long did your discussion take, how
19 long did it last for?

20 A. About 20 to 30 minutes.

21 Q. Do you remember who began the
22 conversation?

23 A. I believe it was me.

24 Q. And how did you begin the conversation?

25 A. I told her how I found out the

1 information. And I asked her was there anything
2 she wanted to tell me and why she didn't tell us
3 this -- the whole time. I believe it was four or
4 five years that it had been going on and nobody
5 said anything.

6 Q. Was Zailey able to respond to your
7 questions?

8 A. Yes, she was.

9 Q. Was she able to respond to your
10 questions appropriately? And I give you the
11 example, Zailey, is the sky blue and she just talks
12 about what -- Sponge Bob on TV. She would
13 appropriately answer your questions?

14 A. Yes, she could answer questions
15 appropriately at that time.

16 Q. When she answered your questions, did
17 she use language that she commonly used?

18 A. Yes.

19 Q. For instance, you said she was nine
20 years old at this time.

21 What did she call her vaginal area?

22 A. Privates.

23 Q. And what did she call an adult male
24 penis? Or I should say any male penis?

25 A. Privates.

1 Q. And have you had the birds and the bees
2 talk with Zailey at nine years old?

3 A. No.

4 Q. So you hadn't had the sex talk yet?

5 A. No.

6 Q. Had you ever had conversations about
7 good touch versus bad touch?

8 A. Yes.

9 Q. Had you also had that conversation with
10 Brie?

11 A. Yes.

12 Q. Did you have it on kind of a regular
13 basis, if you will?

14 A. No.

15 Q. Every so often you would bring it up?

16 A. Yes.

17 Q. Okay. Is that because of your work and
18 your background as an educator?

19 A. Um-hmm, yes.

20 Q. During your question of Zailey, did you
21 use open-ended questions or did you do leading
22 questions?

23 A. Open-ended questions.

24 Q. Did you do repetitive questions like ask
25 the same question over and over again?

1 A. No. I don't have to repeat myself to my
2 children.

3 Q. Did you have to prompt her in any way?

4 A. No.

5 Q. During that conversation, what did
6 Zailey tell you?

7 A. Zailey told me that Cameron put his
8 mouth on her vagina. Zailey told me that he was
9 humping her leg and he peed on her and we asked her
10 what color the pee was because it just sounded
11 awkward and she said it was white. Um, she said
12 that he tried to put his penis in her mouth. And
13 that's pretty much all I could handle.

14 Q. When you say you thought that was all
15 that you could handle, what do you mean by that?

16 A. I didn't want to ask any more questions.

17 Q. Why not?

18 A. Because I felt like that was the worst
19 thing that I could ever hear in my life being a
20 mother. It was definitely the hardest thing that I
21 could have ever heard, ever, and I didn't want to
22 have her relive it. And I didn't want to have to
23 have her use that verbiage with me about anything
24 or anybody.

25 Q. When the defendant -- when Zailey talked

1 about the defendant placing his mouth on her
2 vagina, did she use the word "vagina"?

3 A. No, she did not.

4 Q. What word did she use?

5 A. She used the word "privates."

6 Q. And when she talked about the defendant
7 humping her, did she actually use the word
8 "humping"?

9 A. Yes, she did.

10 Q. Is that a word that Zailey knew at the
11 time?

12 A. Yes, it is.

13 Q. Do you know how Zailey knew this word?

14 A. That was a word that we used around the
15 house to identify with good touch and bad touch
16 with other children because that was one of our
17 concerns at the time because Cameron's son was
18 doing that.

19 Q. I'm just asking you like, so when you
20 have good -- good touch bad talk -- touch
21 conversations with your children, are you telling
22 them to look out for other children as well as
23 adults?

24 A. Other children and adults, mostly kids.

25 Q. And when Zailey said that the defendant

1 peed on her leg, did she actually use the word
2 "pee"?

3 A. Yes.

4 Q. Is that why you asked some clarifying
5 questions?

6 A. Yes.

7 Q. During this conversation with Zailey,
8 did she ever deny that the defendant, um, sexually
9 abused her?

10 A. No.

11 Q. Has she ever denied the defendant
12 sexually abused her?

13 A. No.

14 Q. Since December 9th of 2010, have you had
15 conversations with Zailey about the actual factual
16 basis of her abuse?

17 A. One more time.

18 Q. Since December of 2009, have you had
19 conversations with Zailey about the details of her
20 abuse?

21 A. No.

22 Q. Why not?

23 A. I was told not to.

24 Q. And who told you not to?

25 A. So many people. Attorneys, victim,

1 witness, um, you, anybody that had anything to do
2 with the case. Um, counselors that they've seen, I
3 was just advised not to talk to my children about
4 it.

5 Q. Did you talk to your children about kind
6 of just that the case was coming forward or things
7 like that?

8 A. Yes.

9 Q. Is it fair to say that between 2011 and
10 2016 there's been a number of different court
11 dates?

12 A. Yes.

13 Q. And have you advised your children on
14 when those court dates were coming up?

15 A. Yes.

16 Q. In preparation for these various court
17 dates, did you talk about the facts underlying
18 their abuse?

19 A. No.

20 Q. Did you talk kind of in general terms
21 about what was going to happen? Or let me ask you
22 this: What did you tell them?

23 A. I told them that we might, because it
24 got pushed back so many times, that we might be
25 going to court. When we would get the call, we

1 would be told that it was going to be canceled, I
2 would let them know and I would let them know our
3 travel arrangements and where we would be staying
4 or if we would go see any family or friends out
5 here during the process.

6 Um, I would tell them to be strong and I
7 would leave it at that because we were already
8 advised heavily not to discuss anything with them.

9 Q. Did you ever talk about kind of just the
10 thoughts and feelings about going?

11 A. Yes.

12 Q. Okay. Or their apprehension or
13 unwillingness to want to talk about this stuff?

14 A. No.

15 Q. Okay. Subsequent to your discussion
16 with Zailey, did you have to take Brie and Zailey
17 down to kind of like a children's advocacy center
18 or a place for them to be interviewed?

19 A. Yes.

20 Q. Did you also get interviewed as well?

21 A. Yes.

22 Q. And the day after the children were
23 interviewed, did you have to go down to a medical
24 facility for Brie and Zailey to have a medical
25 evaluation?

1 A. Yes.

2 Q. Were you present during those
3 examinations?

4 A. Yes.

5 Q. Were you present for both Brie and
6 Zailey's?

7 A. Yes.

8 Q. Were those, my words, evasive or
9 intrusive?

10 A. Very intrusive. Very intrusive.

11 Q. Is it -- was their examination similar
12 to a female's annual examination?

13 A. Yes.

14 MS. RINETTI: Permission to approach?

15 THE COURT: Yes.

16 BY MS. RINETTI:

17 Q. April, I am going to show you two
18 pictures. Showing you State's proposed Exhibit No.
19 1.

20 Who is that a photograph of?

21 A. That's Zailey and Brie and Zoë.

22 Q. Okay. Where is Brie located?

23 A. Brie's right there in the middle.

24 Q. Is she wearing a white dress?

25 A. Yes, she is.

1 Q. And where is Zailey?

2 A. Zailey is right there.

3 Q. Is she out to the left of Brie?

4 A. She is.

5 Q. And do you know how old Brie was in that
6 photograph?

7 A. She was probably about seven or eight.

8 Q. So seven or eight. That would have been
9 2006, 2007?

10 A. Um-hmm. Yes.

11 Q. Yes. Okay. And does this fairly and
12 accurately depict what Brie looked like back in
13 that time period?

14 A. Yes.

15 MS. RINETTI: State's going to move for
16 admission of State's Proposed Exhibit 1.

17 THE COURT: Okay. Any objection?

18 MR. MANN: Yes, Your Honor. May we
19 approach.

20 THE COURT: Certainly.

21 (Whereupon, there was a conference at the bench
22 that was not requested to be reported.)

23 THE COURT: Okay. Is there -- now we
24 just -- Exhibit 1. Any objection to Exhibit 1?

25 MR. MANN: I'll submit it, Your Honor.

1 THE COURT: Okay. It shall be admitted,
2 then.

3 MS. RINETTI: Thank you.

4 THE COURT: Exhibit 1. You're welcome.

5 (Whereupon State's Exhibit 1 was admitted.)

6 BY MS. RINETTI:

7 Q. Showing you State's proposed Exhibit
8 Number 2. What's that a photograph of -- or who is
9 that a photograph of?

10 A. That's Zailey.

11 Q. And do you know how old Zailey is in
12 that photograph?

13 A. She's probably about six.

14 Q. About six?

15 A. Yeah.

16 Q. And she was born what year?

17 A. 2001.

18 Q. So this is about roughly 2007?

19 A. Yes.

20 Q. Okay. Does this fairly and accurately
21 depict what Zailey looked like back in that time
22 period?

23 A. Yes.

24 MS. RINETTI: At this time I am going to
25 ask for admission of State's Proposed Exhibit

1 Number 2.

2 THE COURT: Any objection?

3 MR. MANN: I'll submit it, Your Honor.

4 THE COURT: It shall be admitted.

5 Exhibits 1 and 2.

6 (State's Exhibit 2 was admitted.)

7 THE COURT: All right.

8 MS. RINETTI: I'd just ask for a brief
9 indulgence while we turn on the monitor.

10 THE COURT: Do you want to publish it?

11 MS. RINETTI: Yes. Please, Your Honor.
12 All right. Permission to publish?

13 THE COURT: Yes.

14 BY MS. RINETTI:

15 Q. Showing you State's Exhibit Number 1.

16 Is that a picture of Brie as a kid?

17 A. Yes.

18 Q. Was she still a kid but younger?

19 A. Yes.

20 Q. Okay. And showing you State's Exhibit
21 Number 2.

22 Is that a photograph of Zailey during
23 this relative time period?

24 A. Yes.

25 Q. Okay. When the defendant supplied you

1 with a roof over your head, did you appreciate that
2 gesture?

3 A. Yes.

4 Q. Did you appreciate the fact that he
5 would -- that he allowed that car title loan to
6 kind of take place to take down that
7 responsibility?

8 A. Yes.

9 Q. You were close with Cameron?

10 A. Yes.

11 Q. Had your ups and downs but in December
12 of 2010, you felt that you were on solid ground?

13 A. Yes.

14 Q. April, did you tell Brie to make up
15 allegations of sexual abuse against the defendant?

16 A. Absolutely not.

17 Q. April, did you ask Zailey to make up
18 allegations of sexual abuse against the defendant?

19 A. Absolutely not.

20 Q. Did you tell Brie what to say at trial
21 here?

22 A. Absolutely not.

23 Q. Did you tell Zailey what to say in court
24 here today?

25 A. Absolutely not.

1 MS. RINETTI: Thank you. I'll pass the
2 witness at this time.

3 THE COURT: All right. Cross-examine.
4 Are we okay to keep going forward? We'll take a
5 really brief recess. You can have five minutes. I
6 get it. Hold on, quick.

7 During this recess, you are admonished:
8 Not to talk or converse among yourselves or with
9 anyone else on any subject connected with this
10 trial; or read, watch or listen to any report of or
11 commentary on the trial or any person connected
12 with this trial by any medium of information
13 including, without limitation, newspapers,
14 television, radio or Internet; or form or express
15 any opinion on any subject connected with the trial
16 until the case is finally submitted to you.

17 We'll make it a brief recess so we can
18 continue.

19 THE MARSHAL: All rise for the jury.

20 (The jury exited the courtroom.)

21 THE COURT: Okay. We'll take a brief
22 recess.

23 (There was a brief recess.)

24 THE COURT: Perfect. Let's go.

25 MS. RINETTI: And Judge, I don't know if

1 we're on the record.

2 THE COURT: We can be on or off. What
3 do you want?

4 MS. RINETTI: We can be on.

5 THE COURT: Please.

6 MS. RINETTI: I forgot to mention
7 something in my direct examination. I'm just going
8 to ask to reopen direct examination. I totally
9 forgot one thing, and then I will pass.

10 THE COURT: That's fine. I have no
11 problem.

12 MS. RINETTI: Thank you so much.

13 THE COURT: You're welcome. He hadn't
14 started his cross. No problem.

15 (The jury entered the courtroom.)

16 THE MARSHAL: Please be seated.

17 THE COURT: Okay. Counsel stipulate to
18 the presence of the jury.

19 MS. RINETTI: Yes, Your Honor.

20 MR. MANN: Yes, Your Honor.

21 THE COURT: Okay. Ms. Rinetti is going
22 to ask a couple more questions on direct and then
23 we'll pass for cross.

24 MS. RINETTI: And I promise I'm done.

25 THE COURT: That's fine.

1 DIRECT EXAMINATION (Continued)

2 BY MS. RINETTI:

3 Q. April, I just forgot to ask you just a
4 few questions.5 Subsequent as you kind of were going
6 through our questions, we got to December 9th when
7 Zailey and Brie disclosed allegations of sexual
8 abuse.9 Q. Subsequent to that, did you file a civil
10 lawsuit?

11 A. No.

12 Q. Did your -- someone on your children's
13 behalf do so?

14 A. No.

15 Q. At some point, did your children receive
16 money from a civil settlement?

17 A. Yes, after the fact.

18 Q. After the fact. And is that money
19 something that is accessible to you?

20 A. Absolutely not.

21 Q. And is it something that is accessible
22 right now to your children?

23 A. No.

24 Q. Is it in what we call a "minor's blocked
25 account"?

1 A. Yes.

2 Q. And when is it that your children can
3 touch that money?

4 A. On their 18th birthday or after.

5 Q. And when did that civil settlement come
6 about, do you know?

7 A. About two years ago.

8 Q. Okay. And do you know how much money is
9 in the blocked account?

10 A. For each one of them, it's about 31,000.

11 Q. Okay. And that was a civil suit against
12 the Kids 'R' Kids day care?

13 A. Yes.

14 Q. Okay. And then I wanted to mention
15 since we're talking about Kids 'R' Kids, the day
16 care, which -- did they have a number of different
17 facilities here in town?

18 A. Yes.

19 Q. Did you work at one particular location
20 or multiple?

21 A. Just one.

22 Q. Which one did you work at?

23 A. The one on Cimarron.

24 Q. Is that the one where you met the
25 defendant?

1 A. Yes.

2 Q. And is that the one that you knew the
3 defendant worked at --

4 A. Yes.

5 Q. -- for a period of time?

6 Did this Kids 'R' Kids have one story or
7 two story?

8 A. Two.

9 Q. And what was located in the second story
10 of that building?

11 A. It was a multiple of different -- it was
12 a big area but it was used for different purposes.
13 One area they had a couch and vending machines and
14 a coffee machine that didn't really work and then
15 there was a bunch of cribs on one side that had
16 lost and found kids clothes, it was a lot clothes.

17 And then in the back there was a
18 stairwell to go to the back of the building, still
19 on the inside of the building, and there was an
20 office -- and a -- a closet and then an office.

21 Q. Okay. Were there cameras in the day
22 care?

23 A. Yes.

24 Q. And do you know where they were located?

25 A. No.

1 Q. Okay. Do you remember -- do you know
2 whether they were on the first floor or the second
3 floor?

4 A. I wasn't for sure where they were. I
5 didn't pay attention to it.

6 Q. Okay. Thank you so much, April.

7 MS. RINETTI: Now I will pass the
8 witness. Thank you so much.

9 THE COURT: Okay. Mr. Mann, cross-exam.

10 MR. MANN: Yes, Your Honor.

12 | CROSS-EXAMINATION

13 BY MR. MANN;

14 Q. Ms. Reed?

15 A. Yes.

16 Q. How are you today?

17 A. Oh, I'm okay. How are you?

18 Q. Good. Thank you.

19 A child is to be seen not heard, right?

20 A. Yes.

21 Q. That is how you thought of your
22 daughters, right?

23 A. That's how I was raised.

24 Q. Okay. And that's how you thought you
25 were raising your children as well?

1 A. Yes.

2 Q. That you shall not have to repeat
3 yourself as a mother to your children, correct?

4 A. I shouldn't have to repeat myself to
5 anyone.

6 Q. Okay. And that attitude of not having
7 to repeat yourself to anyone is definitely
8 reflected upon your children as well, right?

9 A. What do you mean?

10 Q. Well, your children know your stance on
11 life, not having to repeat yourself?

12 A. Yes.

13 Q. That you find it wholly unacceptable
14 that you have to repeat yourself?

15 A. No. It happens.

16 Q. But you shouldn't have to do it?

17 A. No, I shouldn't have to.

18 Q. Now, your children knew that about you,
19 correct?

20 A. Yes.

21 Q. They knew that, one, you did not want to
22 have to repeat yourself to them?

23 A. Yes.

24 Q. That they must listen to what you say.

25 A. I'm their mother; I would like for them

1 to listen to me.

2 Q. But they must do it, otherwise you would
3 have to repeat yourself, correct?

4 A. Yes.

5 Q. And they knew that they should not
6 become sideways with you, right?

7 A. They shouldn't be disrespectful, still.

8 Q. And they knew that if they did become
9 disrespectful of you, they would be in trouble?

10 A. Yes.

11 Q. That you would make sure that they
12 learned some respect?

13 A. I would make sure that they would learn
14 the lesson.

15 Q. Not respect?

16 A. Whatever lesson was in place at that
17 time.

18 Q. Now, you said that the kids, when you
19 got in this argument with Cameron, you told the
20 kids they couldn't speak with Cameron anymore,
21 correct?

22 A. Correct.

23 Q. Okay. Now, Cameron was their God dad?

24 A. Yes.

25 Q. Cameron was very close to the kids?

1 A. Yes.

2 Q. His whole family was very close to the
3 kids?

4 A. Yes.

5 Q. And your direction that they could no
6 longer speak with the kids or with the Thomas
7 family anymore was a very direct decision by you?

8 A. Yes. Because I'm their mother.

9 Q. Okay. And the kids were upset by that,
10 correct?

11 A. No.

12 Q. They were not upset by the fact that
13 they don't get to speak to their God dad anymore?

14 A. No.

15 Q. They were not upset that they couldn't
16 see Danté anymore?

17 A. No.

18 Q. They were not upset that they couldn't
19 see Jenae anymore?

20 A. No.

21 Q. And they were not upset that they could
22 not see Jennifer anymore?

23 A. No.

24 Q. It meant very little to them, correct?

25 A. Possibly. They didn't tell me either

1 way.

2 Q. They didn't tell their own mother that
3 they felt one way or the other?

4 A. No.

5 Q. That -- let's talk about this argument
6 between you and Cameron?

7 A. Okay.

8 Q. You guys were having some significant
9 money issues?

10 A. Yes.

11 Q. In fact, in October of 2009, you were
12 going to be evicted from your place?

13 A. Yes.

14 Q. And you ended up going to Arizona for a
15 week or two to try and see if you could live with
16 your grand -- with your parents there, correct?

17 A. No.

18 Q. Okay. Did you go to Arizona?

19 A. Yes.

20 Q. During that time?

21 A. Yes.

22 Q. And you went to see if you could live
23 with someone there, correct?

24 A. No.

25 Q. No. So who did you live with there?

1 A. I didn't live with anyone there. I went
2 to Arizona to see to if my mother could keep my
3 children. I didn't go there to see if I could live
4 there because her place wasn't big enough.

5 Q. And your mother couldn't keep your
6 children?

7 A. No.

8 Q. And you had to take your children back
9 with you to Las Vegas?

10 A. Yes.

11 Q. You had to bring those four kids back to
12 Las Vegas and figure something out?

13 A. Yes.

14 Q. And this idea with the title loan, you
15 had the title loan. Cameron gave you the title
16 loan before the October eviction, correct?

17 A. Cameron did not give me the title loan.
18 I was not in charge of the finances. That
19 agreement was between Kashonda and Cameron. I knew
20 of it but that was not an agreement with me.

21 Q. Okay. And so if it wasn't an agreement
22 with you, you were not responsible for it, correct?

23 A. Oh, I was responsible for it because it
24 was still to help my family, but I didn't make the
25 agreement.

1 Q. All right. And you didn't feel any
2 obligation to abide by it?

3 A. Absolutely, I did. We paid every -- it
4 was \$200 a month or every so often we paid.

5 Q. But there was definitely a time when
6 your family missed payments?

7 A. Possibly.

8 Q. And this title loan that Mr. Thomas took
9 out for your family, you didn't pay it on time, did
10 you?

11 A. I didn't pay it at all.

12 Q. No. You didn't pay it at all?

13 A. Kashonda did.

14 Q. So it's Kashonda. Now at this time, you
15 started dating Kashonda in December of 2005, right?

16 A. Yes.

17 Q. Okay. So and this was roughly October,
18 maybe September of 2009?

19 A. Yes.

20 Q. So just under four years, you had been
21 with Kashonda?

22 A. Yes.

23 Q. That she was a part of your family?

24 A. Yes.

25 Q. That you saw Kashonda as the mother of

1 your four children?

2 A. Yes.

3 Q. But this was an agreement that Kashonda
4 made, not you?

5 A. I never asked Cameron for money.

6 Q. Okay. So this was an agreement that
7 Kashonda made, not you?

8 A. Yes.

9 Q. Now, you were living with Cameron and
10 Jennifer and their two kids?

11 A. Yes.

12 Q. In October of 2009?

13 A. Yes.

14 Q. November of 2009?

15 A. Yes.

16 Q. And part of December of 2009?

17 A. Yes.

18 Q. And at some point, you were asked to
19 leave?

20 A. Yes.

21 Q. The original idea was that you guys
22 would live with the Thomases to get back on your
23 feet?

24 A. Yes.

25 Q. That you wouldn't have to pay rent?

1 A. That's not true.

2 Q. That you wouldn't have to pay rent to
3 the Thomases?

4 A. We paid.

5 Q. You paid rent to the Thomases?

6 A. Yes.

7 Q. Okay. Now, if you paid rent to the
8 Thomases, it wasn't full rent was it?

9 A. No.

10 Q. All right. So but the idea was to have
11 your expenses low so you could get back on your
12 feet?

13 A. Yes.

14 Q. Okay. Because your money became tight?

15 A. Yes.

16 Q. Not because you guys weren't working,
17 correct?

18 A. Correct.

19 Q. I mean, Kashonda was working?

20 A. Yes.

21 Q. You were working?

22 A. Yes.

23 Q. So the money became tight because you
24 were spending it other ways?

25 A. Yes.

1 Q. In fact, it was Kashonda spending it in
2 ways, correct?

3 A. Yes.

4 Q. That she actually had a gambling
5 problem, correct?

6 A. Yes, she did.

7 Q. And it was her gambling problem that put
8 you guys in this position?

9 A. Possibly.

10 Q. Okay. Did you know that she had this
11 gambling problem?

12 A. Yes, I did.

13 Q. Um, she didn't try to keep it from you
14 at all?

15 A. No.

16 Q. She didn't lie about where she was
17 getting money or anything like that?

18 A. Yes, she did.

19 Q. And so her lies to you made you unaware
20 of certain agreements that she made, right?

21 A. Yes.

22 Q. And those lies that she made to you, her
23 significant other for almost four years, impacted
24 your family?

25 A. Yes.

1 Q. Okay. She even took the money that you
2 made and spent it elsewhere, correct?

3 A. Yes.

4 Q. And that made you angry?

5 A. Yes.

6 Q. And you were angry that Kashonda made
7 this agreement with Cameron who was helping her out
8 because you were both angry at Kashonda?

9 A. Excuse me. One more time.

10 Q. Sure. I can rephrase it.

11 You were angry with Kashonda for making
12 this side agreement with Cameron?

13 A. No.

14 Q. You were happy about it?

15 A. I wasn't happy about it but I wasn't
16 angry.

17 Q. Okay. And once you were asked to leave,
18 you went and lived with Kourtney and Audrey?

19 A. Yes, I did.

20 Q. And in Kourtney in Audrey's house, we
21 had Kourtney, correct?

22 A. Yes.

23 Q. Audrey?

24 A. Yes.

25 Q. Their two kids, which is Kegan and

1 little -- Little Cameron?

2 A. Yes.

3 Q. Um, we had Crystal, Courtney's sister?

4 A. Yes.

5 Q. Her boyfriend?

6 A. Yes.

7 Q. And we had Aunt Mada, right?

8 A. Mada, yes.

9 Q. Okay. Mada, Mada Eddins?

10 A. Yes.

11 Q. And the six of you guys?

12 A. Yes.

13 Q. So 13 people living in that house?

14 A. Yes.

15 Q. How many bedrooms was that house?

16 A. Four.

17 Q. Okay. And did -- did you get a bedroom
18 with Kay?

19 A. Yes.

20 Q. Did your girls sleep in that bedroom?

21 A. No.

22 Q. Did the girls -- where did the girls
23 sleep?

24 A. They would have slept in Little
25 Cameron's room or they slept downstairs in, it's

1 not an office but it's like a den. They had a
2 foldout mattress in there.

3 Q. Okay. Now, you talked about -- let me
4 keep going.

5 So when you moved in there, um, this was
6 obviously much tighter of a living situation than
7 when you were living with Cameron and his family?

8 A. Yes.

9 Q. This was more inconvenient for you and
10 your family?

11 A. It was all inconvenient.

12 Q. And you obviously had not gotten back on
13 your feet at that point?

14 A. No.

15 Q. Because you weren't living in your own
16 place?

17 A. Correct.

18 Q. And it wasn't until February of 2010
19 that you finally moved to Arizona?

20 A. Correct.

21 Q. Now, in December of 2009, you and
22 Cameron, as you stated, had a very heated argument?

23 A. Yes.

24 Q. Now, it's your testimony that that
25 argument occurred in person?

1 A. No. It was over the telephone.

2 Q. It was over the telephone.

3 When Ms. Rinetti asked you questions,
4 she was talking about the only two times that you
5 and the Thomas family had an argument --

6 A. Yes.

7 Q. -- right? You said the first time there
8 was an argument and you mended fences and then the
9 second time, he said very hurtful things.

10 A. Yes.

11 Q. Okay. When you testified about that you
12 said that Kourtney was there?

13 A. Yes.

14 Q. Audrey was there?

15 A. Yes.

16 Q. Kay was there?

17 A. Yes.

18 Q. And that the kids were downstairs?

19 A. Yes.

20 Q. Okay. And are you now saying that that
21 argument was actually over the phone and not in
22 person?

23 A. That argument was over the phone with
24 Cameron.

25 Q. And over the phone, he said some things

1 to you that you can't forget?

2 A. I forgot them but they were hurtful.

3 Q. He said you were an unfit mother, right?

4 A. Possibly. I'm not sure. I don't
5 remember everything.

6 Q. He said some other things that you knew
7 at that time you would not forget?

8 A. I knew at that time what he was saying
9 to me was out of the blue and it was hurtful
10 because I didn't understand and I did not want to
11 accept that he was upset in that manner but I had
12 to.

13 Q. Now, this argument, he was mad at you or
14 you were mad at him?

15 A. He was mad at me.

16 Q. He was mad that you guys took advantage
17 of him?

18 A. Okay.

19 Q. Is that yes?

20 A. No.

21 Q. I mean, you were on the phone with him,
22 right?

23 A. Absolutely. I still don't understand --

24 Q. You knew what he was saying right --

25 MS. RINETTI: Judge, I'm going to ask

1 counsel to allow the witness to answer the
2 question.

3 THE COURT: Okay. I understand. Please
4 -- but it is cross-exam so I understand. But
5 please make sure you get your answer out and make
6 sure you understand the question. All right?

7 THE WITNESS: Yes.

8 THE COURT: I understand it's cross.

9 BY MR. MANN:

10 Q. You were on the phone with him, right?

11 A. Yes.

12 Q. You know what he was saying to you,
13 right?

14 A. Yes.

15 Q. So you know why he was upset?

16 A. When Cameron and I had that discussion
17 over the telephone, he was saying a lot different
18 hurtful things that had nothing to do with money at
19 all. Nothing to do with him not being able to see
20 the kids.

21 Cameron was saying hurtful things about
22 me and my character and I didn't understand why he
23 felt that way because I hadn't done anything or
24 said anything to him to make him that angry with
25 me.

1 Q. Did you ever say, Cameron, look, I
2 understand you're upset right now. Let's talk
3 about this later when you've calmed down a little
4 bit?

5 A. No. That's not how conversations go in
6 arguments.

7 Q. Okay. So you never took a second and
8 said, I've known you for four years. This is our
9 second entire argument. Let's just take a break
10 for a second. Take a breather, and come back.
11 Because you're just really angry and I just need to
12 figure out why. Nothing like that?

13 A. No. I was trying to get my point across
14 as to my confusion as to why he was attacking me.

15 Q. And he wasn't --

16 A. Over the phone. I am sorry?

17 Q. He wasn't letting you?

18 A. No.

19 Q. He wasn't letting you --

20 THE COURT: Hold on. She needs to
21 finish. He wasn't letting you -- did you finish
22 your answer? Please finish your answer.

23 THE WITNESS: No. No. He wasn't
24 letting me speak.

25 ///

1 BY MR. MANN:

2 Q. And that made you angry?

3 A. Yes.

4 Q. He was saying hurtful things to you
5 about what type of mother you were?

6 A. Possibly.

7 Q. He wouldn't let you speak, that made you
8 angry?

9 A. Yes.

10 Q. And at that point, you directed your
11 children to no longer have contact with Cameron?

12 A. I directed my family that we were no
13 longer going to have contact with Cameron.

14 Q. That included Kay?

15 A. Yes.

16 Q. And so you told your significant other
17 of almost four years at that point that her best
18 friend of 20-some-odd years or maybe 15-some-odd
19 years at that time that she wasn't to have contact
20 with Cameron?

21 A. I wouldn't have appreciated it, but once
22 I told her what happened and how he was speaking to
23 me, she agreed.

24 Q. And that argument continued on for many
25 months?

1 A. Oh, there was no more argument. There
2 was that one conversation and there was no more
3 discussion. He would come over and he would park
4 outside of Kourtney and Audrey's house and request
5 that my children come outside, and I was not going
6 to let that occur.

7 Q. Now, you also told your children that
8 Cameron didn't love them anymore, right?

9 A. No.

10 Q. You never said that?

11 A. No.

12 Q. When you lived with Kourtney and Audrey,
13 did you have a conversation with Mada about your
14 argument with Cameron?

15 A. Possibly. She lived there.

16 Q. Was there ever a discussion where there
17 was an expression of "let's bury the hatchet" or
18 anything like that with Mada?

19 A. No.

20 Q. Was there ever a discussion of anything
21 where Mada asked you to bury the hatchet for the
22 sake of the children?

23 A. No.

24 Q. Now, you talked about these gifts that
25 Cameron would give your children?

1 A. Yes.

2 Q. Now, you guys before this argument where
3 he wouldn't let you speak, you guys were close?

4 A. Yes.

5 Q. So close that he took out loans for your
6 family so that you guys could survive?

7 A. So close that I let my children stay the
8 night.

9 Q. And he treated you all like family,
10 right?

11 A. I thought that's what he was treating us
12 as.

13 Q. Jennifer treated you like family, his
14 wife?

15 A. I thought that's what she treated us as.

16 Q. And you guys were involved in a lot of
17 the family gatherings?

18 A. Yes.

19 Q. And it was extremely hurtful to you for
20 the first time in four years to not be invited to
21 the Thomas Christmas party?

22 A. Yes.

23 Q. You were very hurt by that?

24 A. Yes.

25 Q. You felt like you had been stabbed in

1 the back?

2 A. No.

3 Q. You felt like everything that occurred
4 between you and the Thomas family was a sham?

5 A. No. No, I didn't feel that way.

6 Q. So they didn't invite you to the
7 Christmas party. Why was that a big deal?

8 A. Why was it a big deal that they didn't
9 invite us?

10 Q. Yeah.

11 A. We did everything together. I wasn't
12 upset that we moved out or they wanted us to move.
13 I just felt it was another event.

14 Q. Now, Ms. Rinetti asked you a lot dates
15 of where you lived?

16 A. Yes.

17 Q. You had said that you started living at
18 Cheyenne Pointe of April of 2005?

19 A. Yes.

20 Q. You also said that you started living at
21 Cheyenne Pointe after Karter was born?

22 A. Yes.

23 Q. Karter was born in 2006, correct?

24 A. Yes. Oh, okay. Karter was born in
25 2006, so we moved in a month after Karter was born.

1 She was born in March and we moved into our
2 apartment in April of 2006.

3 Q. So when you said April of 2005, you
4 really meant April of 2006?

5 A. That's when we moved into Cheyenne
6 Pointe, correct.

7 Q. And so when you said The Residence you
8 moved in in 2006, you really meant 2007?

9 A. Yes. It had to go in that order. We
10 only stayed at those places for a year and a half.

11 Q. You stayed there until 2008?

12 A. Yes. I'm not great with dates.

13 Q. I'm just making sure we get it correct.
14 And then you moved into the Windrose location in
15 Summerlin the summer of 2008?

16 A. Yes.

17 Q. To the summer of 2009?

18 A. Yes.

19 Q. And then you lived at Grasswood until
20 October of 2009?

21 A. Yes.

22 Q. And then after that, you sent your kids
23 to Arizona to live with your mother?

24 A. I took my children, yes.

25 Q. But then ended up moving back to Las

1 Vegas and lived with the Thomases?

2 A. Yes.

3 Q. All right. There was a lot of gifts
4 exchanged between your family and his family,
5 correct?

6 A. Yes.

7 Q. But he was much -- his family was much
8 better financially than you were?

9 A. Yes.

10 Q. And everyone saw each other as family,
11 right?

12 A. Yes.

13 Q. And the gifts that you talk about was
14 not only to Brie and Zailey, was it?

15 A. Yes.

16 Q. So was there -- there was an incident
17 where Karter was given, who's your youngest,
18 diamond earrings, right?

19 A. Oh, yes. Um-hmm. Her first pair of
20 earrings.

21 Q. Her first pair of earrings. And, the
22 Wii that was given, that wasn't given to one child
23 but to your entire family, right?

24 A. It was given to one child. It was given
25 to Zailey.

1 Q. For your entire family?

2 A. It was given to Zailey. We all used it
3 but it was given to Zailey.

4 Q. Now, Wii was something that you guys
5 liked to play?

6 A. Yes.

7 Q. You would play it at Cameron's house a
8 lot?

9 A. The family would, yes.

10 Q. And so you had no Wii at your house
11 until Cameron gave you guys one?

12 A. Correct.

13 Q. And you all played with it?

14 A. Yes.

15 Q. The Razor that you talked about, was
16 actually both from your family and his family to
17 the child?

18 A. Yes.

19 Q. And the cell phone that was given to
20 Ambree was actually a free cell phone that Cameron
21 got?

22 A. I didn't know it was free but it was
23 still gifted to my child.

24 Q. So these gifts that you talked about --

25 A. Yes.

1 Q. -- were kind of a normal course of
2 families exchanging gifts to kids?

3 A. Sure. We gave his children gift's when
4 we could afford it. They weren't as expensive but
5 we did.

6 Q. Now, you talked about having a
7 discussion about a good touch and a bad touch?

8 A. Yes.

9 Q. You had those conversations with your
10 girls?

11 A. Yes.

12 Q. You talked to your girls about ways that
13 people were allowed to touch them?

14 A. Yes.

15 Q. Um, and you never have to repeat
16 yourself, so the girls understood when you talked
17 to them?

18 A. Yes.

19 Q. So they understood what a good touch and
20 a bad touch was?

21 A. I assume that they did.

22 Q. And they understood that if someone
23 touched them in a place that was a bad touch, that
24 they were to tell you?

25 A. Yes.

1 Q. And that word "humping," you said that
2 that was part of your conversation regarding a good
3 touch and a bad touch?

4 A. Yes.

5 Q. Now, as stated in direct examination,
6 your family collected money from a civil suit?

7 A. Yes.

8 Q. That your family received \$62,000?

9 A. Yes.

10 Q. Thirty-one thousand to Brie?

11 A. Yes.

12 Q. Thirty-one thousand to Zailey?

13 A. Yes.

14 Q. But this wasn't a civil suit you filed?

15 A. It was a civil suit that I was
16 approached to, the last time we came here, by the
17 attorneys and they asked if I would be interested
18 in pursuing forward. And I wasn't too sure if I
19 want to do that at first because I didn't want to
20 involve too many other people, but other people did
21 -- did need to take responsibilities for their
22 actions as well, and we moved forward with it.

23 Q. Attorneys from Ms. Slattery. Her
24 attorneys approached you?

25 A. I imagine it was their attorney as well

1 because when I received the documents, their names
2 were also on the documents.

3 Q. Okay. So that's Ramona Slattery?

4 A. Yes. Ramona, yes.

5 Q. Also Cheryl Barbian?

6 A. Her name was on there as well.

7 Q. And you had these conversations with
8 their attorneys?

9 A. Yes.

10 Q. About collecting money from this
11 incident?

12 A. No. We had conversations with the
13 attorneys about making sure that people were held
14 accountable for their actions. There's no dollar
15 amount that could ever replace what was happening
16 to all four of these kids.

17 Q. And there was no dollar amount but we
18 know what that dollar amount is?

19 A. Yeah.

20 MR. MANN: Court's indulgence?

21 THE COURT: No problem.

22 MR. MANN: I have no further questions
23 at this time.

24 THE COURT: Redirect.

25 / / /

1 REDIRECT EXAMINATION

2 BY MS. RINETTI:

3 Q. Doing it for the money now?

4 A. No.

5 Q. Do it for the money back in 2015?

6 A. No.

7 Q. Do it for the money back in 2014?

8 A. No.

9 Q. Do it back -- do it for the money in
10 2013?

11 A. No.

12 Q. Do it for the money in 2012?

13 A. No.

14 Q. Do it for the money in 2011?

15 A. No.

16 Q. And your testimony here today, is it in
17 any way influenced by money?

18 A. Absolutely not.

19 Q. Your conversations with your daughters
20 back in 2010, was that in any way influenced by
21 money?

22 A. Absolutely not.

23 Q. Okay. And again, no money can replace
24 what happened, correct?

25 A. No. No amount of money can replace what

1 was taken.

2 Q. Okay. And the money that the children
3 received is their money?

4 A. It is their money.

5 Q. And it's for them to do what they want?

6 A. It will always be their money to do what
7 they wish.

8 Q. Mr. Mann asked you about your financial
9 situation.

10 Once you moved to Arizona, did the
11 family get, I think on his words, "back on your
12 feet"?

13 A. Absolutely.

14 Q. Okay. Back on your feet today?

15 A. Yes.

16 Q. Okay.

17 A. Thank God for that.

18 Q. Mr. Mann asked you about the argument
19 between yourself and the defendant that happened
20 over the phone. And you mentioned that there were
21 other people present?

22 A. Yes.

23 Q. Why did -- when you say other people
24 were present, were they on the phone or in your
25 presence when you were making that phone call?

1 A. No. They were walking around the house.
2 Most of the conversation took place upstairs and
3 then I went outside to smoke a cigarette and then I
4 continued the conversation outside and Kourtney
5 tried to be very involved in calming the situation
6 down but her efforts failed.

7 Q. During this conversation, did the
8 defendant try to de-escalate the situation?

9 A. Not at all.

10 Q. This really big Christmas party that I
11 know you weren't invited to. Feelings were hurt?

12 A. Yes.

13 Q. Was it some lavish, crazy Christmas
14 party?

15 A. No.

16 Q. Okay. Just like a normal Christmas
17 party?

18 A. Just normal family members that we all
19 hung out with were there. It wasn't anything
20 bigger than normal.

21 Q. Okay. So as Mr. Mann asked you, it was
22 like this -- a stab in the back that you weren't
23 allowed to go to this Christmas party?

24 A. No.

25 Q. Okay. And eventually the families

1 reconnected in May of 2010. Correct?

2 A. Yes.

3 Q. And you were good -- on good terms in
4 December of 2010?

5 A. Yes.

6 Q. And you were good -- on good terms on
7 December 8th, the day before authorities came to
8 your house, correct?

9 A. Yes.

10 MS. RINETTI: Nothing further.

11 THE COURT: Okay. Any re-cross, Mr.
12 Mann?

13 MR. MANN: No, Your Honor.

14 THE COURT: Okay. All right. Thank you
15 very much. Sorry. Thank you. Thank you. No
16 problem.

17 (Whereupon, there was a conference at the bench
18 that was not requested to be reported.)

19 THE COURT: All right. We can ask most
20 of these. Only one that we can't.

21 Okay. Did -- I'm going to ask you some
22 questions. Okay? These are submitted from the
23 jury. You give me an answer and then after I do
24 all these, counsel can have a chance to follow up
25 if they need to, okay, Ms. Reed?

1 THE WITNESS: Yes.

2 THE COURT: All right. Ms. Reed, did
3 you ever see a sign of someone touching the girls
4 when doing laundry, such as blood/discharge?

5 THE WITNESS: Yes.

6 THE COURT: How have the children
7 received money on a civil suit? Who sued them and
8 why?

9 THE WITNESS: The day care was sued by
10 all three of the families. And the reason why they
11 were sued is to make sure that everybody was held
12 accountable that had anything to do with what the
13 girls all went through.

14 THE COURT: Why did they stay in a hotel
15 in the August/September 2010 time frame when they
16 visited Las Vegas instead of staying with Cameron?

17 THE WITNESS: Why did they stay at the
18 hotel?

19 THE COURT: Why did they stay -- what
20 they're asking is why did they stay in a hotel in
21 August/September 2010 when you came from Arizona to
22 Las Vegas, when they visited Las Vegas instead of
23 staying with Cameron at that time?

24 THE WITNESS: They didn't stay in a
25 hotel. I stayed in a hotel.

1 THE COURT: Okay. Follow up on that.
2 Were the gifts given for an event such as a
3 birthday, Christmas, et cetera?

4 THE WITNESS: Most of the time.

5 THE COURT: Was the fight on the phone
6 before the Christmas party?

7 THE WITNESS: Yes.

10 MS. RINETTI: Yes. Thank you so much.

11 THE COURT: You're welcome.

12

DIRECT EXAMINATION

14 BY MS. RINETTI:

15 Q. You said the gifts were given for events
16 like birthdays and Christmas. Were they given for
17 other occasions or just random events?

18 A. It would be random reasoning like a good
19 grades because they always still get good grades.
20 Um, it was -- a lot of the times it was birthdays
21 or Christmas.

22 Q. And when you came out to Las Vegas in
23 August, September of 2010, who did you come out to
24 Vegas with?

25 A. I came to Las Vegas with Sheena Randall

1 and Darius Allen and Kashonda Williams and the
2 girls.

3 Q. So a big group of you?

4 A. Yes.

5 Q. At this point, were you and Kay together
6 or separate -- separated?

7 A. We were on the outs. We were about to
8 be separated.

9 Q. Okay. Why did you elect to stay at a
10 hotel during that trip?

11 A. Because I was staying there with Sheena.

12 Q. And was that a new girlfriend?

13 A. Yes.

14 Q. And so it would have been awkward to
15 stay with Kay in the same place with your new
16 girlfriend?

17 A. It would have been inappropriate.

18 Q. Okay. There was a question regarding
19 the civil suit.

20 Um, was that civil suit settled a couple
21 years ago?

22 A. Yes.

23 Q. Okay.

24 MS. RINETTI: Nothing further.

25 THE COURT: Okay. Mr. Mann. Cross.

1 CROSS-EXAMINATION

2 BY MR. MANN:

3 Q. Ms. Reed, you were asked if you ever saw
4 any blood or discharge in the laundry, correct?

5 A. Yes.

6 Q. And you said, yes, you did.

7 A. Yes.

8 Q. Now, you spoke to the police in December
9 of 2010?

10 A. Yes.

11 Q. At the time speaking to the police in
12 December 2010, you knew what the allegations were?

13 A. Yes.

14 Q. You knew that your girls had claimed
15 that something had happened to them at the hands of
16 Cameron?

17 A. Yes.

18 Q. Something sexual?

19 A. Yes.

20 Q. You never once told the police that you
21 ever saw blood or discharge in the laundry then?

22 A. It wasn't asked.

23 Q. Okay. And you never once decided in
24 2011 to tell the police, you know what, I think I
25 need to tell you that I saw blood or discharge in

1 the laundry one time during this four-year period?

2 A. When you have six women in a household
3 and you're doing laundry, there's a lot of things
4 you see in underwear.

5 Q. You never once told the police in 2012?

6 A. Not that I know of. Not that I recall.

7 Q. And you never once told the police in
8 2013?

9 A. Not that I recall or know of at this
10 time.

11 Q. 2014?

12 A. Not up until this day. Not that I
13 remember.

14 Q. And you didn't even tell the prosecutors
15 that that had occurred after your many meetings
16 with them?

17 A. There were not many meetings with the
18 prosecutor. There were also many meetings with
19 different people when you're out of state, as you
20 may know of.

21 So there was a lot of information that
22 may come up when I remember it that I would forward
23 the information to whoever needed to get it
24 connected to whatever attorney we had at the time.

25 Q. And you never once told any of those

1 people?

2 A. Not that I recall.

3 Q. And today for the first time we hear
4 that you remember seeing blood or discharge in the
5 laundry?

6 A. It wasn't blood. I didn't see blood in
7 their underwear until they reached the appropriate
8 age for that to occur. But there was discharge in
9 their underwear.

10 Q. Okay. And so when you saw no longer
11 blood but discharge, that's a normal occurrence for
12 a woman? For a girl?

13 A. I didn't really remember what my
14 childhood was like as a young girl, so I wasn't for
15 sure if that's something that all young woman go
16 through.

17 Q. It was nothing that caused you concern
18 when you saw it?

19 A. No. Other than having conversations
20 about hygiene.

21 Q. And it was nothing that made you think
22 that this had anything to do with any sort of
23 sexual occurrence that was going on with the girls?

24 A. No.

25 Q. And so there would be no reason to think

1 that it was anything other than, like you said,
2 normal hygiene?

3 A. Right. I didn't think that that was
4 going on until I was advised of what was really
5 happening. So I didn't think that that was the
6 case.

7 Q. And it wasn't so poignant to you that
8 when you heard what your girls had said, the
9 stories that they had told, that you said, whoa,
10 hey, I'm having this experience of I remember
11 seeing these things in the laundry that I need to
12 tell the police about it?

13 A. There were a lot things that came to my
14 attention once I was notified of what Cameron was
15 doing to children. There was a lot things that I
16 sat back and remembered and there was some things
17 that haven't been mentioned since I've been sitting
18 here that I'm not sure that if you guys are aware
19 of, and there are still things that come up.

20 MR. MANN: Your Honor. I --

21 BY MR. MANN:

22 Q. Ms. Reed, you did not find it necessary
23 to tell anyone about this discharge, correct?

24 A. I figured it was a regular thing that
25 mothers deal with with their daughters.

1 Q. Thank you. The civil suit, it was two
2 day cares being sued, correct?

3 A. My children didn't go to the other day
4 care that Cameron worked at. They only went to one
5 that he worked at.

6 Q. And are you familiar with the order that
7 was filed in order for your children to collect
8 money?

9 A. No. Once we settled everything, I filed
10 the paperwork and I haven't looked back at it
11 since.

12 Q. All right. And the gifts that were
13 given, they were all given at appropriate times
14 for, like you said, good grades, birthdays,
15 Christmas, right?

16 A. Seemed like it to me at the time it was
17 an appropriate thing to do.

18 MR. MANN: No further questions, Your
19 Honor.

20 THE COURT: Any redirect?

21 MS. RINETTI: No.

22 THE COURT: We're good? All right.
23 Okay. No further questions, right? Okay. I just
24 want to make sure. All right. Okay. You're
25 excused. Thank you very much. All right.

1 THE WITNESS: Thank you.

2 THE COURT: I'm going to give -- it's a
3 little after 5:00. We're going to start at 12:30
4 tomorrow. I am going to try to start a little
5 earlier than one. Hopefully that doesn't
6 inconvenience anybody but I want to keep going as
7 much as we can.

8 So you are admonished -- and this is
9 your overnight admonishment.

10 You are admonished: Not to talk or
11 converse among yourselves or with anyone else on
12 any subject connected with this trial; or to read,
13 watch or listen to any report of or commentary on
14 the trial or any person connected with this case or
15 by any medium of information including, without
16 limitation, newspapers, television, the Internet or
17 radio.

18 You are further admonished not to form
19 or express any opinion on any subject connected
20 with this trial until the case is finally submitted
21 to you.

22 You are directed to come back here and
23 we will start at 12:30 tomorrow. Have a good
24 evening.

25 THE MARSHAL: All rise.

1 (The jury exited the courtroom.)

2 MR. MANN: Your Honor, I would like to
3 put some things on the record.

4 THE COURT: On the record? Absolutely.
5 Okay. We're back on the record.

6 What do we have?

7 MR. MANN: Um, there are so many things
8 today. I'm trying to remember.

9 THE COURT: It was a long day.

10 MR. MANN: Let's start with the last
11 thing that occurred.

12 When asked Ms. Reed about not telling
13 the police about, um, the discharge, she then went
14 into a diatribe about, well, there's a lot things I
15 haven't talked about, about all the things that
16 have happened to kids in general. And pretty much
17 went off in a way to try and influence the jury
18 about things that no one had asked her about.

19 Um, and I -- I think that was wholly
20 inappropriate and very prejudicial to my client.

21 THE COURT: And did you do a motion at
22 that time to have it stricken? Did you do a motion
23 or do anything at that time? Because for the
24 record, the witness -- nothing was done. The
25 witness is gone and has been dismissed.

1 MR. MANN: No, I did not.

2 THE COURT: So, sorry. I mean, it's
3 been waived as far as I'm concerned under Nevada
4 law. I can't -- she has been dismissed as a
5 witness and there's nothing I can do at this point.
6 I don't know what I would of done but it's been
7 waived.

8 What's your next thing.

9 MR. MANN: Um, there were -- during
10 Zailey's cross-examination, we had several bench
11 conferences.

12 THE COURT: Yes.

13 MR. MANN: Several objections by the
14 State to which you ultimately ruled.

15 THE COURT: Okay.

16 MR. MANN: Um, I was hoping that we
17 could put those objections on the record.

18 THE COURT: Absolutely. That's why
19 we're here.

20 MR. MANN: And based on what you've said
21 previously, since it was their objections, you
22 asked that they stand up and argue them so I don't
23 argue it for them and I say what my response was
24 and then your ruling.

25 MS. KOLLINS: My primary objection at

1 the inception of Mr. Mann's direct was improper
2 impeachment because what was happening instead of
3 asking the child whether she remembered, giving her
4 an opportunity to adopt or disavow the statement,
5 he didn't do that. He just started reading it from
6 either her police report or the statement that she
7 gave to the forensic interview or, um, her
8 preliminary hearing testimony. And my position is
9 that that's inappropriate.

10 I agree that it may be a prior
11 inconsistent or consistent statement, but you have
12 to give her the opportunity to adopt it or disavow
13 it, and it was just improper impeachment.

14 And so that -- I think the first three
15 objections were couched on that notion. Because
16 you can't -- until it becomes consistent or
17 inconsistent, you can't just start reading it into
18 the record. That's the position I took. I think
19 the Court agreed with me.

20 THE COURT: I did.

21 MS. KOLLINS: There was another
22 objection regarding --

23 THE COURT: Do you want to answer that
24 one or do you want to just keep going?

25 MR. MANN: I'll answer that.

1 THE COURT: Why don't we do that. It
2 will just be a cleaner record. Okay.

3 MR. MANN: My response to that at the
4 time was I had asked Zailey, you know, you
5 testified in 2016 about -- and there were several.
6 So I'm just going to use a general about "X."

7 And do you remember giving a statement
8 to the police back in 2011? And do you remember
9 telling them the truth at that time? Yes. And
10 then I said, did you say "Y" to the police? The
11 letter "Y" to the police? I am just using it as a
12 placeholder so we're not specific.

13 And that's when it was objected to. Um,
14 and Your Honor would not let me -- well, that's
15 what --

16 COURT: That's not --

17 MR. MANN: I apologize. Let me
18 rephrase.

19 THE COURT: Watch your wording. Because
20 I will tell you you also were referencing either a
21 voluntary statement she made to the police, either
22 CPS records or preliminary hearing at the time when
23 you were asking those questions. You absolutely
24 were referencing that. That's what called the
25 objection.

1 MR. MANN: First of all, I wasn't
2 referencing CPS records because I don't have CPS
3 records.

4 THE COURT: No. A statement or
5 something made to the CPS. I don't know. My --
6 what I wrote down three times was either a
7 voluntary statement that she gave the police or the
8 preliminary hearing transcript.

9 MR. MANN: Correct. Absolutely. That
10 is correct, Your Honor.

11 THE COURT: Okay.

12 MR. MANN: And that I asked her did she
13 say this in the preliminary hearing and then she
14 said, I don't remember. And that's when I then
15 read it to her.

16 THE COURT: You didn't -- and you didn't
17 give her a chance. And I agree. That is true.
18 You did not follow it. You did not let her look at
19 it. You did not give her a chance to refresh her
20 recollection and see if she did make that statement
21 or not.

22 So I totally agree that was an improper
23 use. You just started reading whatever it was,
24 whether it was from the preliminary hearing or --
25 I've got two of them here. It doesn't matter.

1 Either way, one of her prior statements, so I
2 agreed and I did sustain the objection. I think
3 there were, I don't know, two or three of those
4 that was improper.

5 Then once you did it, you were able to
6 use it and absolutely go forward, show her whatever
7 it was and lay the proper foundation. So for the
8 record, that was done.

9 MR. MANN: Okay.

10 THE COURT: So I agree. I am staying
11 with that ruling, Okay. And what was the other
12 thing? I kind of tried to write them down. Do you
13 remember Ms. --

14 MS. KOLLINS: Your Honor --

15 THE COURT: Now, is this during Zailey?

16 MR. MANN: It's still Zailey.

17 MS. KOLLINS: The other one, Mr. Mann
18 asked her why she was called to the office or why
19 CPS came. It was couched in one of those veins.
20 And everyone's fear was, A, it was causing her to
21 speculate but, B, it was going to open the door
22 that was going to vitiate this Court's prior
23 rulings about the physical abuse.

24 And I think everyone was concerned and
25 cautious. We wanted to protect the record in that

1 regard. So we approached. The Court ultimately
2 did not let her ask -- answer that question because
3 we were afraid she was going to go into the
4 physical abuse. Ultimately -- and when we got jury
5 questions back, it still -- the door was still kind
6 of left hanging for them because they had questions
7 about why was she initially there that we declined
8 to give.

9 So, I mean, it still probably was left
10 -- it's still probably left open to the jury to
11 some regard, but our objection was speculation and
12 we approached because we didn't want the door
13 opened based on the Court's prior rulings. And
14 obviously it caused some concern to the jurors
15 because they asked questions about that that we
16 declined to answer.

17 THE COURT: In fact, that is in one of
18 the questions that we didn't -- the only question
19 that I did not give.

20 MR. MANN: I'm sorry, Your Honor. May
21 I?

22 THE COURT: Yes. I'm just writing it
23 down. I wasn't cutting you off.

24 MR. MANN: I'm afraid that I am going to
25 miss something so that's why I'm eager. So I

1 apologize.

2 THE COURT: It's fine. It's tough. I
3 get it.

4 MR. MANN: My question when the
5 objection was made was about Amanda Halpern asking
6 Zailey about her God dad and my question was why
7 would this teacher, Ms. Halpern, ask you about your
8 God dad. And that's when it raised the objection
9 with the fear that it would get into this other
10 ruling that Your Honor had made.

11 THE COURT: Why Ms. Halpern had her come
12 to the office because they had seen physical abuse
13 on her. Absolutely. That is true.

14 MR. MANN: And so, you know, and for the
15 record, I again asked to get into the information
16 about the physical abuse and Your Honor again told
17 me that that decision was already made.

18 THE COURT: I don't know if you -- and I
19 admonish you. I am not doing motions to reconsider
20 prior rulings from the bench on objections in
21 trial. And I do feel that's inappropriate and that
22 is inappropriate under Nevada law. That's -- for
23 the record, that's why I said no, okay?

24 And I agree your question was why was --
25 did Ms. Halpern, who is the lady from -- her fourth

1 grade school teacher who had brought her to the
2 office asking about -- you said why Cameron --
3 about your God dad.

4 MR. MANN: Right. That's correct, Your
5 Honor.

6 THE COURT: Okay.

7 MR. MANN: I think we sufficiently
8 discussed that.

9 THE COURT: And then what I said at the
10 time, I feel that was speculation even if that
11 question -- and the reason because how would she
12 know why Ms. Halpern's state of mind or why she
13 would ask?

14 And the reason I called up is because I
15 was concerned and everybody felt I was concerned of
16 my prior ruling that, number one, I asked the State
17 has she been prepped on this, because I realize
18 this is still a 15-year-old child. And I wanted to
19 make sure that was done and I was concerned about
20 opening the door, so that is true.

21 MS. KOLLINS: And I apologize. Um.

22 THE COURT: That's fine.

23 MS. KOLLINS: I made an inaccurate
24 record. You're correct -- Mr. Mann is correct.
25 The question was why did she want --

1 THE COURT: Why did Ms. Halpern ask
2 about a God dad. She did say that. That was her
3 testimony.

4 MS. KOLLINS: Right. And I think she
5 even got out in part of her response that that was
6 somebody that she could talk to.

7 THE COURT: Yes.

8 MS. KOLLINS: And that's what prompted
9 the questions.

10 THE COURT: Okay. That's fine.

11 MR. MANN: And then just lastly, during
12 my questioning of Zailey, I asked to approach
13 because I wanted to ask Zailey about her lying and
14 I just didn't want to get into Your Honor's ruling,
15 and that's when we went outside and talked to
16 Zailey. And I just want to put that on the record.

17 THE COURT: Okay. And we did. I wanted
18 to make sure that she understood what the
19 parameters were, so we actually went outside and
20 kept the jury here and made sure she understood and
21 you were able to do that.

22 And you were there. Ms. Kollins was
23 there. Ms. Rinetti was there and the judge was
24 there. And we just spoke to Zailey in my office to
25 make sure she understood the parameters of what she

1 could say in response to your question about lying.

2 MS. KOLLINS: That's correct. It was
3 less than five minutes in chambers, right?

4 MR. MANN: That's correct.

5 THE COURT: Yes. Less than -- I'll go
6 with less than three to five minutes, whatever.
7 And then you were allowed to ask those questions.

8 MR. MANN: That's correct.

9 THE COURT: She handled -- she stayed
10 within the parameters that she understood. Okay.

11 MR. MANN: Thank you, Your Honor.

12 THE COURT: You're welcome.

13 -00o-

14 (Whereupon the proceeding's concluded at 5:17 p.m.)

15

16 -00o-

17

18 ATTEST: FULL, TRUE AND ACCURATE TRANSCRIPT OF
19 PROCEEDINGS.

20 /s/Gina M. Shrader

21

Gina M. Shrader, CCR 647, RPR

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