

Matthew Sedillo - Direct Examination - January 14, 2020

1 Q. Thank you for that.

2 THE WITNESS: Sorry, Your Honor.

3 THE COURT: Don't let that happen again, please.

4 (Laughter)

5 THE WITNESS: Yes, sir.

6 Q. (BY MR. HARWOOD) Is that the same driver's license that
7 you found a photograph of on the phone that the defendant had
8 in his possession?

9 A. Yes, sir.

10 Q. I want to direct your attention to Government Exhibit 13.

11 A. Yes, sir.

12 Q. Do you recognize that photograph?

13 A. Yes, sir.

14 Q. What is it a photograph of?

15 A. Of Mr. Williams.

16 Q. Is it what's commonly referred to as a selfie?

17 A. Yes, sir.

18 Q. Do you recall where that photograph came from?

19 A. His cell phone.

20 Q. And I would like to direct your attention to Government
21 Exhibits 14 --

22 A. Yes, sir.

23 Q. -- through 20.

24 A. Yes, sir.

25 Q. Do you recognize Government Exhibits 14 through 20?

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1 A. Yes, sir.

2 Q. Where did those photographs come from?

3 A. They also came off of Mr. Williams' phone.

4 Q. And is that -- was that from a phone report that you got
5 from the detective that downloaded the phone?

6 A. Yes, sir.

7 Q. Or dumped the phone?

8 A. Yes, sir.

9 MR. HARWOOD: Your Honor, the government moves to
10 admit what's been previously marked as Government Exhibits 13
11 through 20 for identification into evidence.

12 THE COURT: Mr. Stallings?

13 MR. STALLINGS: Your Honor, could I just see 13
14 through 20 again?

15 THE COURT: I'm sorry?

16 MR. STALLINGS: Could I just see 13 through 20 again?

17 THE COURT: Oh, of course. I thought you had seen
18 them.

19 Mr. Harwood, are they up here?

20 MR. HARWOOD: They're up there in front of the
21 detective.

22 THE COURT: Yeah, come on up.

23 MR. STALLINGS: May I approach?

24 THE COURT: Yes, of course.

25 MR. STALLINGS: Your Honor, other than our initial

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1 objection to the phone, as it went to the consent, I would have
2 no additional objections. So we renew that objection.

3 THE COURT: Okay. Then Government's Exhibits 13
4 through 20 are admitted without objection except for, I guess,
5 the overall objection to the phone itself.

6 MR. HARWOOD: May I publish those exhibits, Your
7 Honor?

8 THE COURT: Yes, sir, you may.

9 Q. (BY MR. HARWOOD) What's this a photograph of,
10 Detective Sedillo?

11 A. Mr. Williams.

12 Q. Is that the selfie?

13 A. Yes, sir.

14 Q. What is Government Exhibit 14 a photograph of?

15 A. Money and a watch.

16 Q. Government Exhibit 15?

17 A. It's a picture of Mr. Williams holding a large amount of
18 U.S. currency.

19 Q. Government Exhibit 16?

20 A. More U.S. currency.

21 Q. Government Exhibit 17?

22 A. More U.S. currency.

23 Q. Government Exhibit 18?

24 A. More U.S. currency.

25 Q. Government Exhibit 19?

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1 A. More U.S. currency.

2 Q. And Government Exhibit 20?

3 A. Mr. Williams' vehicle.

4 Q. Is that the vehicle that he was found in on the night he
5 was arrested?

6 A. Yes, sir.

7 MR. HARWOOD: May I approach the witness, Your Honor?

8 THE COURT: Yes, sir, you may.

9 Q. (BY MR. HARWOOD) And we've talked about the phone before.
10 Were you provided a complete report from Detective McKown of
11 the contents of the phone?

12 A. Yes, sir.

13 Q. And have you reviewed the photographs that were on the
14 phone?

15 A. Yes, sir.

16 Q. Call logs?

17 A. Yes, sir.

18 Q. Contacts lists?

19 A. Yes, sir.

20 Q. Did you also find text messages to and from your
21 cooperating source named Brad?

22 A. Yes, sir.

23 Q. And, in fact, on the night of the 7th, were you with Brad
24 when text messages were sent back and forth?

25 A. Yes, sir.

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1 Q. Is that how you were able to track when the defendant was
2 supposed to show up?

3 A. Yes, sir.

4 Q. And the Facebook post which is the photograph of the
5 little Volvo sports car, did you relay that information to the
6 detectives on scene?

7 A. Yes, sir.

8 Q. And so they knew not only what vehicle but did they also
9 know approximately what time he was going to get there?

10 A. Yes, sir.

11 Q. Let me direct your attention to Government Exhibit 12 for
12 identification.

13 A. Yes, sir.

14 Q. Starting on the second page, it looks like Block 49, does
15 Brad send the defendant a text?

16 MR. STALLINGS: Your Honor, we would object to, I
17 guess, the information contained in these text messages without
18 actually introducing the text messages.

19 THE COURT: Sustained.

20 MR. STALLINGS: And those -- sorry. I didn't mean to
21 interrupt. I mean those particular text messages first, those
22 I think it's 12 and 13 -- or 12 and 11.

23 THE COURT: Exhibit 12.

24 MR. HARWOOD: It's Government Exhibit 12. Your
25 Honor, we're ready to admit it. The defendant had objected to

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1 some of the 404(b). We can admit the entire thing if the Court
2 wishes.

3 THE COURT: You're offering how many text messages
4 approximately?

5 MR. HARWOOD: There's probably eight or nine.

6 THE COURT: Of the ones you want.

7 MR. HARWOOD: Yes, Your Honor. And I'm perfectly
8 content to offer them all if the Court would prefer.

9 (Sotto voce discussion)

10 MR. STALLINGS: Your Honor, we have no objections
11 with how the U.S. Attorney's Office is going to do it
12 initially. I didn't realize those other people were on that as
13 well, Your Honor.

14 THE COURT: Okay. So Government's Exhibit 12 then is
15 being offered, correct?

16 MR. HARWOOD: No, Your Honor, just the content of
17 messages from Government Exhibit 12. We don't plan to offer
18 the piece of paper.

19 THE COURT: Okay. And then is there an objection to
20 that other than the objection you already have to the phone?

21 MR. STALLINGS: Nothing other than what we had
22 already objected to on the phone, Your Honor.

23 THE COURT: So Government's Exhibit 12 is admitted
24 over that objection --

25 MR. STALLINGS: Yes, sir.

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1 THE COURT: -- without any other objection.

2 Yes, sir, you may publish.

3 MR. HARWOOD: And, Your Honor, to be clear, we're not
4 offering it to be admitted. We're simply offering excerpts of
5 the texts.

6 THE COURT: Right. Agreed. And that's what's
7 admitted.

8 MR. HARWOOD: Yes, Your Honor.

9 Q. (BY MR. HARWOOD) Starting in Block 49, is there a text
10 message from Brad?

11 A. Yes, sir.

12 Q. What does he say?

13 A. "Wats up dawg I'm awake!!"

14 Q. And then Block 48.

15 A. "Man I passed the fuck out an slept good."

16 Q. Block 47.

17 A. "I'm starving so get at me."

18 Q. And then in Block 44.

19 A. "I'm walkin out to the shop to hit a couple hotrail. Hit
20 me back an let me kno when you wanna meet up."

21 Q. And Block 42.

22 A. "On my way."

23 Q. And was that from Brad or to Brad?

24 A. To Brad.

25 Q. And so who sent that text message?

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- 1 A. Mr. Williams.
- 2 Q. And Block 41.
- 3 A. "Let's meet at Danny's [sic]. Her grandparents been
- 4 tripping on us."
- 5 Q. And who is that from?
- 6 A. It's from Brad.
- 7 Q. And does anybody spell Denny's in any of these text
- 8 messages correctly?
- 9 A. No, sir.
- 10 Q. In text message No. 40, does the defendant send a text
- 11 message to Brad?
- 12 A. "Bet I'll let you know when I'm there."
- 13 Q. Box 39.
- 14 A. "No!!"
- 15 Q. And who is that from?
- 16 A. Brad.
- 17 Q. And then in Box 25, does somebody send a text message?
- 18 A. Yes, sir.
- 19 Q. Who sends that text message?
- 20 A. Mr. Williams.
- 21 Q. What does he say?
- 22 A. "Do you still want the 4?"
- 23 Q. In Box 24, what does he say?
- 24 A. "Of yellow."
- 25 Q. And who says that?

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- 1 A. Mr. Williams.
- 2 Q. In Box 23, does Brad respond?
- 3 A. He says: "Yea."
- 4 Q. In Box 21, does the defendant send another text message?
- 5 A. Yes, sir.
- 6 Q. What does he say?
- 7 A. "It will be 2000 for the 4 of yellow and 5 of chocolate
- 8 all together."
- 9 Q. And in Box 19, does Brad respond?
- 10 A. He says: "Okay."
- 11 Q. And Box 16, does he send another text message to Brad?
- 12 A. "I'll be at Dennis in 30 minutes."
- 13 Q. And Box 15?
- 14 A. "Okay."
- 15 Q. Who is that from?
- 16 A. Box 16 or 15?
- 17 Q. In Box 15, who is that from?
- 18 A. It's from Brad.
- 19 Q. And in Box 6, does the defendant sent a message to Brad?
- 20 A. Yes, sir. It says: "I'm pulling up."
- 21 Q. And then in Box 5, does Brad send a message?
- 22 A. "Ok almost there."
- 23 Q. In Box 4, does the defendant send a message to Brad?
- 24 A. "Bet."
- 25 Q. And were you monitoring these text messages back and