

CIRCUIT COURT MINUTES

DATE 9/25/07

TIME 8:53 am

PRESIDING JUDGE Michael C. Overstreet

CLERK PRESENT J. Gilpin & A. Wester

COURT REPORTER PRESENT S. Diltz

STATE OF FLORIDA
VS
Henry Dickens
Charles Entinger
[REDACTED]

Raymond Hawk
[REDACTED]
Kristen Schmidt
Joseph Walsh

ATTORNEYS PRESENT
FOR STATE Mark Ober
FOR DEFENDANT W. Smith
W. Graham H. Crawford
J. Dingus S. Sombathiy
A. Stone J. White
R. Pell

CASE NUMBER 06-4016 CFMA-CFMH

CHARGE Agg. Manslaughter of a child

- 8:53 am - Court in session
- 8:59 am - Juror 130 called - Stacey Scruggs - accepted
- 8:59 am - Defense voir dire - H. Crawford
- 8:59 am - State voir dire
- 9:00 am - Juror 150 called - John Kennedy - not accepted
- 9:01 am - State voir dire
- 9:02 am - The judge excuses the juror
- 9:02 am - Juror 141 called - Theonne Harris - accepted
- 9:02 am - Defense voir dire - J. White
- 9:04 am - Juror 13 called - Ryan Peacock - accepted
- 9:04 am - State voir dire
- 9:07 am - Juror 36 called - Monique Davila - accepted
- 9:07 am - Defense voir dire - W. Graham
- 9:09 am - Juror 17 called - Audrey Sowell - accepted
- 9:09 am - State voir dire
- 9:10 am - Juror 95 called - Michelle Allison - accepted
- 9:10 am - Defense voir dire - R. Sombathiy
- 9:12 am - Juror 145 called - Scott Malott - accepted
- 9:12 am - State voir dire

9:14 am - Juror 148 called - Michael Flanagan - accepted

9:15 am - Defense voir dire - R. Pell

9:16 am - Juror 138 called - Joseph Chapman - accepted

9:16 am - State voir dire

9:18 am - Juror 158 called - John Paulov - accepted

9:18 am - Defense voir dire - A. Stone

9:20 am - State voir dire

9:22 am - Juror 53 called - Paula Reis - accepted

9:23 am - State voir dire

9:24 am - Juror 153 called - Joanne Coleman - accepted

9:24 am - Defense voir dire - W. Smith

9:26 am - Defense mtn to dismiss juror - denied

9:26 am - State voir dire

9:27 am - Defense voir dire - W. Graham

9:28 am - Juror 7 called - Michael Ashmore - accepted

9:28 am - State voir dire

9:29 am - Juror 187 called - Erik Zaleska - accepted

9:30 am - Defense voir dire - J. Dingus

9:31 am - State voir dire

9:32 am - Juror 16 called - Melissa Kelso - accepted

9:32 am - State voir dire

9:33 am - Defense voir dire - R. Sambathiy

9:34 am - Juror 82 called - William Howle - accepted

9:34 am - Defense voir dire - H. Crawford

9:36 am - State voir dire

9:38 am - State mtn to dismiss juror - denied

9:38 am - Defense voir dire - H. Crawford

9:39 am - State voir dire
9:40 am - Juror 74 called - James Kelly - accepted
9:40 am - State voir dire
9:42 am - Juror 146 called - Tonya Lewis - accepted
9:42 am - Defense voir dire - J. White
9:44 am - Juror 69 called - Noel Goris - accepted
9:44 am - State voir dire
9:48 am - Defense voir dire - R. Sombathij
9:48 am - Juror 169 called - Peggy Burrows - accepted
9:49 am - Defense voir dire - W. Graham
9:51 am - Juror 176 called - Debra Cerkan - accepted
9:51 am - State voir dire
9:55 am - State's mtn to dismiss juror - denied
9:55 am - Defense voir dire - R. Sombathij
9:55 am - State voir dire
9:57 am - Juror 140 called - Keosha Brunson - accepted
9:57 am - Defense voir dire - R. Sombathij
9:58 am - State voir dire
10:01 am - Juror 183 called - James Geyer - accepted
10:01 am - State voir dire
10:03 am - Juror 185 called - Robert Abernathy - accepted
10:04 am - Defense voir dire - R. Pell
10:05 am - State voir dire
10:12 am - State's mtn to dismiss juror - denied
10:13 am - Juror 48 called - Willie Smith - accepted
10:13 am - State voir dire
10:14 am - Defense voir dire - W. Graham

10:15 am - Juror 196 called - Jean Blackwell - accepted
10:15 am - Defense voir dire - A. Stone
10:16 am - Juror 122 called - Mary Moore - accepted
10:17 am - State voir dire
10:19 am - Juror 188 called - Eric Schaff - Not accepted
10:19 am - Defense voir dire - W. Smith
10:23 am - Defense mtn to dismiss juror - granted
10:23 am - Juror 182 called - Geoffrey Woodby - Not accepted
10:24 am - State voir dire
10:26 am - Defense voir dire - W. Graham
10:26 am - Defense mtn to dismiss juror - granted
10:26 am - Court in recess for 10 min
10:42 am - The Judge excuses Michelle Frick 159 from
9/24/07 morning session
10:45 am - Court in session
10:45 am - Juror 56 called - John Dunn - accepted
10:46 am - Defense voir dire - J. Dingus
10:48 am - State voir dire
10:50 am - Juror 33 called - Kay Waddell - accepted
10:51 am - State voir dire
10:54 am - Juror 88 called - Leland Downs - accepted
10:54 am - Defense voir dire - H. Crawford
10:55 am - State voir dire
10:56 am - Juror 19 called - Chad Gilbert - accepted
10:56 am - State voir dire
10:58 am - Juror 40 called - Justin Guthrie - accepted
10:59 am - Defense voir dire - J. White

- 11:01 am - Defense mtn. to dismiss juror - denied
- 11:01 am - State voir dices
- 11:03 am - Defense voir dices - J. White
- 11:05 am - State voir dices
- 11:05 am - The Judge address the juror
- 11:08 am - Defense objection to last juror - Noted
- 11:08 am - Juror 58 called - Irvin Miller - accepted
- 11:09 am - State voir dices
- 11:12 am - Juror 90 called - Danny Brown - accepted
- 11:12 am - Defense voir dices - W. Graham - A. Stone
- 11:16 am - Juror 30 called - Jo Ann Matakovich - accepted
- 11:16 am - State voir dices
- 11:18 am - Juror 199 called - Mary Chamberlee - accepted
- 11:18 am - Defense voir dices - R. Sombathing
- 11:20 am - Juror 14 called - Janet Kirksey - accepted
- 11:20 am - State voir dices
- 11:23 am - Defense voir dices - W. Graham
- 11:24 am - Juror 86 called - Billy Gilbert - accepted
- 11:24 am - Defense voir dices - R. Pell
- 11:25 am - State voir dices
- 11:29 am - Juror 42 called - Constance Eudie - accepted
- 11:29 am - State voir dices
- 11:31 am - Juror 149 called - Terri Langston - accepted
- 11:31 am - Defense voir dices - A. Stone
- 11:33 am - State voir dices
- 11:37 am - Juror 97 called - Anthony Simpson - accepted
- 11:37 am - Defense voir dices - W. Smith

- 11:40 am - Juror 63 called - Sandra Smith - Not accepted
- 11:41 am - State voir dire
- 11:44 am - Defense mtn to dismiss juror - granted
- 11:44 am - Juror 73 called - Freda Bragg - accepted
- 11:44 am - State voir dire
- 11:46 am - Juror 65 called - Robert Borgers - accepted
- 11:47 am - Defense voir dire - J. Dingus
- 11:48 am - State voir dire
- 11:51 am - Defense voir dire - R. Sambathay
- 11:52 am - Juror 98 called - Mary Miller - accepted
- 11:52 am - Defense voir dire - H. Crawford
- 11:54 am - State voir dire
- 11:56 am - Juror 70 called - Dwayne Lee - Not
- 11:57 am - State voir dire
- 12:00 pm - State's mtn to dismiss juror - granted
- 12:01 pm - Juror 75 called - Debra Baublis - accepted
- 12:01 pm - Defense voir dire - J. White
- 12:04 pm - Juror 79 called - Clifford Griner - Not accepted
- 12:04 pm - State voir dire
- 12:10 pm - State's mtn to dismiss juror - granted
- 12:10 pm - Defense voir dire - J. White
- 12:13 pm - The judge address attny's about juror's
voir dire responses
- 12:14 pm - Court in recess
- 12:15 pm - The judge address the Attny's about 3rd
group - to be sent home
- 2:47 pm - Court in session

2:51 pm - Juror 177 called - Teakila Mathis - accepted
2:51 pm - Defense voir dire - W. Graham
2:53 pm - Juror 39 called - James Roncaglione - accepted
2:53 pm - State voir dire
2:57 pm - Juror 150 called - Elizabeth McDaniel - accepted
2:58 pm - Defense voir dire - R. Sambathay
3:00 pm - State voir dire -
3:05 pm - State's mtn to dismiss juror - denied
3:05 pm - Juror 190 called - Erik Nolte - accepted
3:06 pm - State voir dire
3:12 pm - Juror 44 called - Jake Curry - accepted
3:12 pm - Defense voir dire - R. Pell
3:14 pm - Juror 42 called - Nola Routh - accepted
3:14 pm - State voir dire
3:17 pm - Juror 137 called - Eva Carroll -
3:17 pm - Defense voir dire - A. Stone - accepted
3:19 pm - State voir dire
3:22 pm - Juror 140 called - Donald Stumpf - accepted
3:22 pm - State voir dire
3:25 pm - Juror 59 called - Robert Ross - accepted
3:26 pm - Defense voir dire - W. Smith
3:27 pm - State voir dire
3:28 pm - Juror 62 called - Glen Molina - accepted
3:29 pm - State voir dire
3:35 pm - Juror 147 called - Dorothy Killings - accepted
3:36 pm - Defense voir dire - J. Dingus
3:38 pm - Defense voir dire - R. Sambathay

- 3:38 pm - Juror 57 called - Leroy Ellis - accepted
- 3:39 pm - State voir dire
- 3:41 pm - Juror 132 called - Linda Fox - accepted
- 3:41 pm - Defense voir dire - H. Crawford
- 3:42 pm - State voir dire
- 3:43 pm - Juror 173 called - Theresa Briscoe - accepted
- 3:44 pm - State voir dire
- 3:47 pm - Defense voir dire - A. Stone
- 3:48 pm - Defense mtn to dismiss juror - denied
- 3:48 pm - State voir dire
- 3:49 pm - Defense voir dire - J. White
- 3:50 pm - State voir dire
- 3:51 pm - Juror 111 called - Gregory Ervin - accepted
- 3:51 pm - Defense voir dire - J. White
- 3:53 pm - Juror 10 called - Lynn Ferren - accepted
- 3:53 pm - State voir dire
- 3:55 pm - Juror 145 called - Teresa Waddell - accepted
- 3:56 pm - Defense voir dire - W. Graham
- 3:58 pm - Juror 149 called - Thomas Smith - accepted
- 3:58 pm - State voir dire
- 4:00 pm - Juror 84 called - Cleo Sexton - accepted
- 4:01 pm - Defense voir dire - R. Sombathing
- 4:04 pm - Juror 141 called - Richard Clappitt - accepted
- 4:04 pm - State voir dire
- 4:05 pm - Defense voir dire - W. Graham
- 4:07 pm - The judge addresses the Attny's about procedure
- 4:11 pm - Court in recess