

§ 520 Transcript Format

§ 520.10 Introduction

The Judicial Conference prescribed the transcript format in 1944 to assure that each party is treated equally throughout the country. [JCUS-SEP 44, Appendix](#). Although the Conference has made some adjustments from time to time, the format has remained substantially the same. It is essential that the format requirements be followed because minor changes result in significant monetary losses to parties. No court, judge, supervisor, reporter, or transcriber may authorize a deviation from the requirements set forth by the Judicial Conference. The per-page transcript rates are based on strict adherence to the prescribed format. The format standards incorporate government standards for archival materials and assure that all transcript produced in federal courts is produced on the same basis.

§ 520.13 Judicial Conference Policy

(a) Transcripts may be sold via electronic media in portable document format (PDF), ASCII format, or other format requested by the ordering party and agreed to by the court reporter or transcriber, whether they represent originals, first copies, or additional copies. Each page of transcript sold via electronic media must be formatted consistent with the Judicial Conference's approved transcript format guidelines, and electronic media transcripts may not contain any protection or programming codes that would prevent copying or transferring the data. [JCUS-SEP 12](#), p. __.

(b) To conform to available technology, the Judicial Conference approved an amendment to the transcript format guidelines to delete the requirement that words be hyphenated at the end of a line of transcript text. [JCUS-MAR 95](#), p. 22.

(c) The Conference modified the transcript format guidelines to provide an exception to the requirement that each page of transcript contain 25 lines of text. The exception allows a page break before and after sidebar conferences, bench conferences, and hearings on motions in jury trials when the transcript is produced under the daily or hourly delivery schedule, and the exception is approved by the presiding judicial officer. Court reporters are required to reduce the page count for billing purposes by one-half page for every page of transcript which includes a sidebar conference, bench conference, or hearing on motions that is marked by such a page break. This modification will make it easier for a judge to provide portions of a transcript to a jury for review. [JCUS-MAR 96](#), pp. 26-27.

§ 520.16 Compressed Transcript

As with electronic media, court reporters and transcribers who have the capability may sell compressed transcripts on a per page basis. However, there is no requirement to provide such service.

§ 520.20 Realtime Unedited Transcript

Realtime unedited transcript sold on any electronic media may be in ASCII format, or any other format requested by the ordering party and agreed to by the court reporter. It must include any notations made to the electronic file by the ordering party during proceedings. Electronic media may not contain any protection or programming codes that would prevent copying or transferring the data. The transcript format guidelines prescribed by the Judicial Conference apply to realtime unedited transcript with the following exceptions:

(a) Realtime unedited transcript sold via electronic media may be in portable document format (PDF), ASCII format, or any other format requested by the ordering party and agreed to by the court reporter.

(b) It should include any notations made to the electronic file by the ordering party during proceedings.

(c) Electronic files may not contain any protection or programming codes that would prevent copying or transferring the data.

(d) The transcript format guidelines prescribed by the Judicial Conference apply to realtime unedited transcript with the following exceptions: (1) Realtime unedited transcript must be clearly marked as such with a header or footer which appears at the top or bottom of each page of transcript stating, "Realtime Unedited Transcript Only."

(2) The realtime unedited transcript must not include an appearance page, an index, or a certification.

(3) The electronic media label may be of a different color than that used on other electronic media containing the text of certified transcript and stamped with the words, "Realtime Unedited Transcript Only."

§ 520.23 Paper

The format standards for paper transcript incorporate government standards for archival materials, as well as assure that all transcript produced in federal courts is produced on the same basis, whether by official staff, contract, or substitute reporters, or by transcription companies.

(a) Size

Paper size is to be 8-1/2 X 11 inches

(b) Weight

The weight of paper is to be at least 13 pounds for both originals and copies.

(c) Type

The paper type for both originals and copies is to be of chemical wood or better quality.

(d) Color

White paper is to be used for both originals and copies.

§ 520.26 Ink Color

Black ink is to be used for both originals and copies.

§ 520.30 Preprinted Marginal Lines

The use of preprinted solid left and right marginal lines is required. The use of preprinted top and bottom marginal lines is optional. All preprinted lines must be placed on the page so that text actually begins 1-3/4 inches from the left side of the page and ends 3/8 inch from the right side of the page.

§ 520.33 Line Numbers

Each page of transcription is to bear numbers indicating each line of transcription on the page.

§ 520.36 Typing

§ 520.36.10 Type Size

The letter character size is to be 10 letters to the inch. This provides for approximately 63 characters to each line. (Type should be letter quality.)

§ 520.36.15 Number of Lines Per Page

(a) Line of Text Per Page Requirement

Each page of transcription is to contain 25 lines of text. The last page may contain fewer lines if it is less than a full page of transcription. Page numbers or notations cannot be considered part of the 25 lines of text.

(b) Exception

An exception to the above requirement of 25 lines of text will be allowed when daily or hourly transcript of jury trials is produced and the exception is approved by the presiding judicial officer. The exception allows a page break before and after sidebar conferences, bench conferences, and hearings on motions. Court reporters are required to reduce the page count for billing purposes by one-half page for every page of transcript that includes a sidebar conference, bench conference, or hearing on motions that is marked by such a page break. This modification will make it easier for a judge to provide portions of a transcript to a jury for review.

§ 520.36.20 Margins

Typing is to begin on each page at the 1-3/4 inch left margin and continue to the 3/8 inch right margin.

§ 520.36.25 Spacing

Lines of transcript text are to be double spaced.

§ 520.36.30 Upper and Lower Case

Upper and lower case is preferred, but all upper case may be used.

§ 520.36.35 Indentations

(a) Q and A (1) All "Q" and "A" designations must begin at the left margin. A period following the "Q" and "A" designation is optional. The statement following the "Q" and "A" must begin on the fifth space from the left margin. Subsequent lines must begin at the left margin. See: Appx 5A (Sample Transcript).

(2) Since depositions read at a trial have the same effect as oral testimony, the indentations for "Q" and "A" must be the same as described above. In the transcript, each question and answer read from a deposition must be preceded by a quotation mark. At the conclusion of the reading, a closing quotation mark must be used.

(b) Colloquy

Speaker identification must begin on the tenth space from the left margin followed directly by a colon. The statement must begin on the third space after the colon. Subsequent lines must begin at the left margin.

(c) Quotations

Quoted material other than depositions must begin on the tenth space from the left margin, with additional quoted lines beginning at the tenth space from the left margin, with appropriate quotation marks used.

§ 520.36.40 Interruptions of Speech and Simultaneous Discussions

Interruptions of speech must be denoted by the use of a dash at the point of interruption, and again at the point the speaker resumes speaking. At the discretion of the transcriber, simultaneous discussions may also be noted in this manner. See: Appx 5A (Sample Transcript).

§ 520.36.45 Punctuation and Spelling

Punctuation and spelling must be appropriate standard usage. For example, if a question in "Q" and "A" is indeed a question, it must be followed by a question mark. See: Appx 5A (Sample Transcript).

§ 520.36.50 Page Heading (Also Known as "Headers")

A page heading is brief descriptive information noted to aid in locating a person and/or event in a transcript. A page heading must be provided on each page of witness

testimony; a page heading is optional for other types of persons and/or event notations. Listing the last name of the witness or other party and the type of examination or other event is sufficient. Page headings must appear above line 1 on the same line as the page number. This information is not to be counted as a line of transcript. See: Appx 5A (Sample Transcript).

§ 520.36.55 Parenthetical Notations

Parenthetical notations are generally marked by parentheses; however, brackets may be used. Parenthetical notations must begin with an open parenthesis on the fifth space from the left margin, with the remark beginning on the sixth space from the left margin.

Parentheses are used for:

- customary introductory statements such as call to order of court or swearing in a witness, and
- indicating non-verbal behavior, pauses, and readback/playback.

For types of parenthetical notations, see: § 520.40.20(a). See also: Appx 5A (Sample Transcript).

§ 520.36.60 Legibility

The original transcript and each copy are to be legible without any interlineations materially defacing the transcript.

§ 520.40 Content

§ 520.40.10 Verbal

Except as noted below, the transcript must contain all words and other verbal expressions uttered during the course of the proceeding.

(a) Striking of Portions of the Proceeding

No portion of the proceeding must be omitted from the record by an order to strike. Regardless of requesting party, the material ordered stricken, as well as the order to strike, must all appear in the transcript. See: Appx 5A (Sample Transcript).

(b) Editing of Speech (1) The transcript must provide an accurate record of words spoken in the course of proceedings. All grammatical errors, changes of thought, contractions, misstatements, and poorly constructed sentences must be transcribed as spoken. See: Appx 5A (Sample Transcript).

(2) In the interest of readability, however, false starts, stutters, uhms and ahs, and other verbal tics are not normally included in transcripts; but such verbalizations must be transcribed whenever their exclusion could change a statement's meaning.

(c) Reporting of Audio/Video Recordings

Generally, audio/video recordings played in court are entered as an exhibit in a proceeding. Since such recordings are under the direct control of the court, audio/video recordings need not be transcribed unless the court so directs.

(d) Private Communications and Off the Record Conversations

Private communications and off the record conversations inadvertently recorded must not be included in the transcript. See: Appx 5A (Sample Transcript).

(e) Call to Order, Swearing in, or Affirmation of Witnesses or Jurors (1) Standard summary phrases must be used for customary introductory statements such as the call to order of court and the swearing in or affirmation of witnesses.

(2) These must appear in parentheses and begin with an open parenthesis on the fifth space from the left margin, with the remark beginning on the sixth space from the left margin.

(3) The following phrases can be employed:• (Call to Order of the Court),

- (The Jury Is Sworn),
- (The Witness Is Sworn), and
- (The Witness Is Affirmed).

(f) Identification of Speaker (1) All speakers must be properly identified throughout the transcript, initially by their full name, thereafter by the following designations or courtesy titles, in capital letters indented ten spaces from the left margin:

(2) Proper Transcript:

Speaker

Identification

the judge

THE COURT

attorney

MR., MRS., MS., OR MISS.

+ (last name)

witness

THE WITNESS
(in colloquy)

interpreter

THE INTERPRETER

defendant (in
criminal cases)

THE DEFENDANT

See: Appx 5A (Sample Transcript).

(g) Testimony Through Interpreter

When interpreters are used, it will be assumed that answers are made in a foreign language and interpreted unless a parenthetical "(in English)" is inserted. See: Appx 5A (Sample Transcript).

§ 520.40.20 Nonverbal

(a) Designation of Portions of Proceedings and Time of Occurrence (Parenthetical Notations)

Parenthetical notations in a transcript are a court reporter's or electronic court recorder operator's own words, enclosed in parentheses, recording some action or event. Parenthetical notations should be as short as possible consistent with clarity and standard word usage.

The following parenthetical notations should be used to designate portions of proceedings. Designations requiring a time notation are listed first: (1) Proceedings

Started, Recessed, and Adjourned, with Time of Day and Any Future Date Indicated where Appropriate

Examples:

- (Recess at 11:30 a.m.)
- (Recess at 12:30 p.m., until 1:30 p.m.)
- (Proceedings concluded at 5 p.m.)

See: Appx 5A (Sample Transcript).

(2) Jury In/Out

Examples:

- (Jury out at 10:35 a.m.)
- (Jury in at 10:55 a.m.)

If a jury is involved, it is essential to indicate by the proper parenthetical notation whether the proceeding occurred:• in the presence of the jury,

- out of the presence of the jury,
- out of the hearing of the jury,
- prior to the jury entering the courtroom, or
- after the jury left the courtroom.

(3) Defendant Present/Not Present

In criminal trials, this designation must be made if not stated in the record by the judge.

(4) Bench/Side Bar Conferences

This designation must note whether the bench/side bar conference is on or off the record.

If all the attorneys in court are not participating in the bench/side bar conference, the parenthetical notation must so indicate.

Examples:

- (Bench conference on the record)
- (Bench conference off the record with Mr. Smith, Mrs. Jones, and Mr. Adams)
- (At side bar on the record)
- (At side bar)
- (End of discussion at side bar)

See: Appx 5A (Sample Transcript).

(5) Discussions off the Record

This designation must note where the discussion took place.

(6) Chambers Conferences

This designation must note the presence or absence of parties in chambers.

Examples:

- (Discussion off the record in chambers with defendant not present)
- (Discussion on the record in chambers with defendant present)

(b) Speaker/Event Identification

References to speakers and events that occur throughout proceedings must be properly noted in capital letters and centered on the appropriate line.

Examples:• AFTER RECESS

- DIRECT EXAMINATION
- CROSS EXAMINATION
- REDIRECT EXAMINATION
- RECROSS EXAMINATION
- FURTHER REDIRECT EXAMINATION
- PLAINTIFF'S EVIDENCE
- PLAINTIFF RESTS
- DEFENDANT'S EVIDENCE
- DEFENDANT RESTS
- PLAINTIFF'S EVIDENCE IN REBUTTAL

See: Appx 5A (Sample Transcript).

(c) Nonverbal Behavior, Pauses

It is the responsibility of the attorneys, as well as the judge in some instances, to note for the record any significant nonverbal behavior (i.e., physical gestures, and lengthy pauses on the part of a witness.) If counsel or the court refers to the witness's affirmative or negative gesture, parenthetical phrases may be used to indicate physical gestures.

Examples:• (Nods head up and down)

- (Shakes head from side to side)
- (Indicating)

See: Appx 5A (Sample Transcript).

(d) Readback/Playback

All readbacks and/or playbacks, and the party requesting must be noted parenthetically as follows: (1) If the question and/or answer requested to be read or played back appears on the same page as the request, the following parenthetical must be used:

(The last question and/or answer was read/played back)

See: Appx 5A (Sample Transcript).

(2) If, however, the question and/or answer, or both, appear on a previous page, the court reporter or audio operator should replay or restate the question and/or answer both, in full, with appropriate quotation marks and parentheses. The following parenthetical should be used for playbacks:

(The record was replayed)

(e) Indiscernible or Inaudible Speech on Electronic Sound Recording (1) Incomplete records of proceedings are unacceptable in a court of law. It is therefore highly undesirable to have any portion of a transcript labeled "indiscernible" or "inaudible."

(2) Every effort must be made to produce a complete transcript. The indication "inaudible" or "indiscernible" should be used only when it is impossible to transcribe the record.

§ 520.43 Title Page

§ 520.43.10 Contents

Each transcript is to include a title page indicating:

- (a) court name;
- (b) district;
- (c) case name;
- (d) civil or criminal docket case number;
- (e) name and title of judge or other judicial officer presiding;
- (f) type of proceeding;
- (g) date and time of proceeding;
- (h) volume number (if multi-volume);
- (i) name and address of each attorney and name of party represented;
- (j) whether a jury was present;
- (k) if steno based, court reporter's name, address, and telephone number;
- (l) if electronic sound recording equipment based, audio operator's name, plus name, address, and telephone number of transcription company;
- (m) method by which the proceedings were recorded, and
- (n) method by which the transcript was produced.

Note: Examples of this statement include the following:

- (1) Proceedings recorded by mechanical stenography, transcript produced by notereading.
- (2) Proceedings recorded by mechanical stenography, transcript produced by computer.
- (3) Proceedings recorded by shorthand/stenomask, transcript produced from dictation.
- (4) Proceedings recorded by electronic sound recording, transcript produced by transcription service.

§ 520.43.20 Record of Appearance

Beginning on the title page, the court reporter is to include the complete record of appearances.

§ 520.43.30 Cost

The court reporter may charge for the title page as a full page of transcript.

§ 520.46 Indexes

Each volume is to contain an index that is to be numbered. It is preferable to have the index at the end. The court reporter may charge for the index page as a full page of transcript.

§ 520.46.10 Requirement

(a) The index must indicate the pages at which each of the following begins:• direct examination,

- cross-examination,
- redirect examination,
- recross-examination,
- further redirect examination, and
- recall of each witness.

(b) The index must also indicate on behalf of whom the witness or witnesses were called, such as:• PLAINTIFF'S WITNESSES,

- WITNESSES FOR THE GOVERNMENT,
- DEFENDANT'S WITNESSES, or
- WITNESSES FOR THE DEFENSE

(c) A separate table in the index must indicate the page at which any exhibit was marked for identification and received in evidence.

§ 520.46.20 Master Index for Longer Transcripts

In a protracted case (i.e., a transcript of one thousand pages or more) in addition to the individual index, there may be a master index set forth in its own separate volume, consisting of a compilation of all of the individual indexes. See: Appx 5A (Sample Transcript).

§ 520.46.30 Keyword Indexing Service

No charge is permitted in addition to the normal page rates for keyword indexing services. If the keyword indexing service is provided via electronic media, no additional charge is permitted for the cost of the electronic media itself.

§ 520.50 Numbering

§ 520.50.10 Pages

- (a) The pages of the transcript are to be numbered in a single series of consecutive numbers for each proceeding, regardless of the number of days involved.
- (b) The court reporter must place the page number at the top right corner of the page flush with the right margin above the first line of transcription.
- (c) The page number does not count as a line of transcript.
- (d) The pagination of the transcript of the further proceedings in the same matter must follow consecutively the pagination of earlier proceedings, unless the presiding official directs otherwise.

§ 520.50.20 Multi-Volumes Transcripts

Multi-volume transcripts must be numbered in either of the following ways:

(a) Each volume of transcript must be numbered consecutively. One volume of transcript should be at least equal to one day of court proceedings. Pages may be numbered consecutively for each volume of transcript, with the cover page of each volume designated page 1. Using this method, page numbers will begin with a volume number followed by the page number.

- Examples:
- 1-14 (Volume 1, page 14)
 - 2-54 (Volume 2, page 54)

(b) If preferred, the pages may be numbered consecutively for an entire multiple-volume transcript.

- Examples:
- 56 (Volume 1, page 56)
 - 521 (Volume 3, page 521)

See: Appx 5A (Sample Transcript).

§ 520.53 Cover

The court reporter is to cover at no charge the original and each copy of transcript with front and back covers of good quality, consisting of white or colored 140 pound index paper, #1 sulphite paper, heavy weight transparent plastic, or similar material as the court approves.

§ 520.56 Punched Holes

If the court reporter punches transcript with three holes in the left margin, the holes are to be 4-1/4" center to center, with the middle hole centered in the page.

§ 520.60 Fastener

The court reporter is to secure the transcript for each proceeding separately with a suitable fastener of permanent nature.

§ 520.63 Certification

§ 520.63.10 Requirement

(a) The court reporter or transcriber is to authenticate the original transcript and each copy with a certification on the last page.

(b) The certification is to appear on the last page of each volume of transcript. If more than one court reporter or transcriber is involved in the production of the transcript being certified, then the certifications of each court reporter or transcriber involved must be required at the end of each volume. (Note: The contents of the title page should not be repeated as part of the certification.)

(c) A rubber stamp with the certifications in the paragraphs below may be used to save time and space.

§ 520.63.20 Reporter's Charge for Certification

If the reporter places the certification on a separate page from any transcript text, then they may NOT charge for the certification page. If the court reporter includes the certification on the last page of a transcript that contains actual transcript text, the reporter can charge for that page of text.

§ 520.63.30 Certification Examples

(a) Stenography/Stenomask

"I (we) certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter."

Signature of Court Reporter/Transcriber

Date

Typed or Printed Name

(b) Transcriber's Certification for Another's Notes.

"I (we) certify that the foregoing is a true and correct transcript, to the best of my ability, of the above pages, of the stenographic notes provided to me by the court name, of the proceedings taken on the date and time previously stated in the above matter. I (we) further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not financially nor otherwise interested in the outcome of the action."

Signature of Transcriber Date

Typed or Printed Name

(c) Electronic Sound Recording

"I (we), court approved transcriber(s), certify that the foregoing is a correct transcript from the official electronic sound recording of the proceedings in the above-entitled matter."

Signature of Approved Transcriber Date

Typed or Printed Name

(d) Redacted Transcripts

At the end of the transcript, and without causing a "page roll-over" (a smaller font may be used) the redacted transcript must be certified by the court reporter/transcriber stating:

"I (we) certify that the foregoing is a true and correct copy of the transcript originally filed with the clerk of court on day/mo/year, and incorporating redactions of personal identifiers requested by the following attorneys of record: _____, in accordance with Judicial Conference policy. Redacted characters appear as an "x" (or a black box) in the transcript."

Signature of Approved Transcriber Date

Typed or Printed Name

§ 520.66 Copies

Transcript copies may be reproduced by any method of reproduction which produces black text on single-sided white paper. There may be no markings on the original or copies that would hinder the clear reproduction by mechanical means by any court official or party.

§ 520.70 Redaction

There are various software programs that are available to assist court reporters/transcribers in the redaction process. The use of these programs is permissible, as long as page and line integrity remains intact. If a court reporter does not have access to such a program, the reporter may also manually redact. Whatever method is used to redact, page and line integrity must be maintained from the original transcript to the redacted transcript.

§ 520.70.10 Manual Redaction

To manually redact, the court reporter/transcriber must place an "x" in the space of each redacted character. Manual redactions must have the same number of x's as characters deleted to preserve page and line numbers of transcripts.

§ 520.70.20 Title Page

The title page of the transcript must indicate that it is a redacted transcript immediately below the case caption and before the Volume number and the name and title of the Judge. A notation of "REDACTED TRANSCRIPT" must be inserted on a blank line, and the addition of this text must not change the length of the title page.

§ 520.70.30 Charge for Redacted Transcripts

The Judicial Conference has not authorized an additional fee that the court reporter/transcriber can charge for providing redacted transcripts to the court for the electronic records of the court.

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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

DENISE M. OLIVER AND)	
ELIZABETH ANN MOODY,)	
)	
Plaintiffs,)	CASE NO. CV 81-1224
)	
VS.)	
)	
WILLIAM FOUNDATION HOSPITALS,)	
C.Z. TORT, F.W. WINSTON,)	
)	
Defendants.)	
)	

**TRANSCRIPT OF PROCEEDINGS - VOLUME III
BEFORE THE HONORABLE ROBERT JUSTICE
TUESDAY, AUGUST 28, 2013; 9:00 A.M.
ST. LOUIS, MISSOURI**

FOR THE PLAINTIFF:
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Proceedings recorded by mechanical stenography, transcript produced by computer.

MARY JONES, CSR 0000, CRR
FEDERAL OFFICIAL COURT REPORTER
308 SOUTHCREST BOULEVARD
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I N D E X

AUGUST 28, 2013; VOLUME III

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Defendant's

Witnesses: Direct Cross Redirect

Ann D. Hannan 3 5 5

Mary Ramirez 6

1 MR. JONES: That is all I have for this witness.

2 THE COURT: All right. Suppose we recess for a
3 short period now, say 15 minutes.

4 (Recess at 10:30 A.M. until 10:45 A.M.)

5 MR. JONES: If it please the court, Your Honor, the
6 defendant is ready to proceed. I would like to call
7 Ann Hannan.

8 ANN D. HANNAN, DEFENDANT'S WITNESS, SWORN

9 DIRECT EXAMINATION

10 BY MR. JONES:

11 Q Would you give your full name, Ann?

12 A Ann D. Hannan.

13 Q And where do you live?

14 A At 425 Rockway Place, Lake Summit.

15 Q And how have -- I mean, how long have you lived there?

16 A For about 20 years.

17 Q And what do you do for a living?

18 A I work as a checker at Green Grocery on
19 Long Street.

20 Q How long have you worked there, Ms. Hannan?

21 A I was hired by Clem Staples, I mean, the deceased --

22 MR. PLASKY: I object. Your Honor, I would like the
23 witness' answer stricken from the record as nonresponsive.

24 (Off the record discussion at sidebar.)

25 THE COURT: Objection sustained. Will you proceed.

1 Q BY MR. JONES: Miss Hannan, how many years did you work as
2 a checker at Green Grocery Store?

3 A For ten years and maybe three, four months.

4 Q Did you work all that time?

5 A (Inaudible response.)

6 Q Was that a yes, Miss Hannan?

7 A Yeah.

8 Q Were you ever laid off for any reason?

9 A No, never, 'cause Mr. Staples seen where I was livin' and
10 he knew I needed the money.

11 Q Why did you --

12 THE COURT: Pardon me, Counsel, for interrupting
13 you; but I would like to ask the witness one question.

14 I don't understand what you mean by that statement.
15 Please explain what your living conditions were, Miss Hannan.

16 THE WITNESS: They were awful, Judge. The house had
17 no electricity. We only got a water pump two years ago.

18 THE COURT: Thank you.

19 You may proceed, Counsel.

20 MR. JONES: Your Honor, at this time I would like to
21 call the court's attention to the case of State vs. Tilden
22 which states:

23 "On June 20, 1969, the defendant was on his way
24 home and was struck by an automobile which was
25 traveling at an excessive rate of speed, and

1 MR. JONES: That's all I have.

2 THE COURT: Are you sure that there is no more
3 testimony for the record?

4 MR. PLASKY: Nothing further.

5 THE COURT: You may step down. I am going to call a
6 short recess.

7 (Recess from 3:35 P.M. until 4:05 p.m.; all parties
8 present.)

9 THE COURT: You may proceed, Mr. Jones.

10 MR. JONES: May it please the court. I have a
11 witness, Mary Ramirez, and she only speaks Spanish. I have
12 brought Jorge Lopez, a Spanish teacher who has been officially
13 certified by the U.S. Courts, to act as an interpreter.

14 THE COURT: Yes, Mr. Lopez has acted as an
15 interpreter in this court before.

16 MR. PLASKY: I know Mr. Lopez and agree that he be
17 the interpreter.

18 THE COURT: I will have the deputy clerk administer
19 the oath to Mr. Lopez and then to Mrs. Ramirez.

20 (Interpreter sworn.)

21 MARY RAMIREZ, DEFENDANT'S WITNESS, SWORN

22 DIRECT EXAMINATION

23 BY MR. JONES:

24 Q What is your name?

25 A Mary Ramirez.

1 Q Where do you live?

2 A Now I live at 245 Davis Road in Summerville, but I just
3 moved there three months ago. I am living with my mother and
4 father in their home.

5 Q Do you remember the afternoon of July 14, 1979?

6 THE INTERPRETER: I am sorry. I didn't hear the
7 date. Did you say July 14?

8 MR. JONES: Yes.

9 THE INTERPRETER: She said, "yes."

10 Q BY MR. JONES: And where were you on July 14 at about
11 4:00 p.m.?

12 A Shopping at SAVE-A-LOT.

13 Q What time did you get to the store?

14 A 1:00.

15 MR. PLASKY: Your Honor, may we go off the record?

16 THE COURT: Yes.

17 (Bench conference off the record.)

18 THE COURT: You may proceed, Mr. Jones.

19 MR. JONES: May we have the last question and answer
20 read back?

21 (The last question and answer were read.)

22 Q BY MR. JONES: At about 4:00 p.m. did you see anything
23 unusual?

24 A I saw that woman over there (indicating) take a steak and
25 put it in a shopping bag. Her, her (indicating).

1 Q You are pointing at the defendant, Lynn Roger, are you
2 not?

3 A Yes. That woman right there.

4 MR. JONES: Let the record show that the witness has
5 correctly identified the defendant.

6 (Proceedings concluded at 10:05 a.m.)

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1 CERTIFICATE OF OFFICIAL REPORTER
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5 I, Mary F. Jones, Federal Official Realtime Court
6 Reporter, in and for the United States District Court for the
7 Central District of California, do hereby certify that pursuant
8 to Section 753, Title 28, United States Code that the foregoing
9 is a true and correct transcript of the stenographically
10 reported proceedings held in the above-entitled matter and that
11 the transcript page format is in conformance with the
12 regulations of the Judicial Conference of the United States.

13
14 Dated this 24th day of July, 2013.

15
16
17 /S/ MARY F. JONES

18 _____
19 MARY F. JONES, CSR NO. 0000, CRR
20 FEDERAL OFFICIAL COURT REPORTER
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