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COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA, )  
 )  
 PLAINTIFF-RESPONDENT, )  
 )  
 VS. )  
 )  
 JOE HUNT, AKA JOSEPH HUNT, )  
 AKA JOSEPH HENRY GAMSKY, )  
 )  
 DEFENDANT-APPELLANT. )  
 \_\_\_\_\_ )

SUPERIOR COURT  
NO. A-090435

OCT 09 1987

APPEAL FROM THE SUPERIOR COURT OF LOS ANGELES COUNTY  
HONORABLE LAURENCE J. RITTENBAND, JUDGE PRESIDING  
REPORTERS' TRANSCRIPT ON APPEAL

APPEARANCES:

FOR PLAINTIFF-RESPONDENT: JOHN K. VAN DE KAMP  
STATE ATTORNEY GENERAL  
3580 WILSHIRE BOULEVARD  
ROOM 800  
LOS ANGELES, CALIFORNIA 90010

FOR DEFENDANT-APPELLANT: IN PROPRIA PERSONA

VOLUME 101 OF 101  
(PAGES 15391 TO 15418, INCLUSIVE)

COPY

ROSEMARIE GOODBODY, CSR NO. 932  
SALLY YERGER, CSR NO. 2008  
OFFICIAL REPORTERS

1 SANTA MONICA, CALIFORNIA; MONDAY, JUNE 1, 1987; 10:00 A.M.  
2 DEPARTMENT C HON. LAURENCE J. RITTENBAND, JUDGE  
3 (APPEARANCES AS NOTED ON TITLE PAGE.)

4  
5 (THE FOLLOWING PROCEEDINGS WERE HELD  
6 IN CHAMBERS WITH THE DEFENDANT, MR.  
7 BARENS AND MR. CHIER NOT BEING PRESENT:)

8 THE COURT: THE JURY, UNDER DATE OF THE 29TH OF MAY, 1987,  
9 THROUGH ITS FOREMAN, SENT THE COURT A NOTE AS FOLLOWS:

10 "WE, THE JURY IN THE ABOVE-ENTITLED  
11 ACTION REQUEST THE FOLLOWING:

12 "IF THE JURY CANNOT REACH A  
13 UNANIMOUS DECISION, WHAT WILL HAPPEN?"

14 THE COURT COMMUNICATED WITH MR. ARTHUR BARENS,  
15 THE ATTORNEY FOR THE DEFENDANT, AND HE ADVISED THE CLERK  
16 THAT IT WILL BE AGREEABLE TO HIM IF THE COURT WOULD INSTRUCT  
17 THE JURY THAT THEY SHOULD REACH A VERDICT IF THEY POSSIBLY  
18 CAN. IF NOT, THEN THE CASE WOULD HAVE TO BE RETRIED.

19 I THEN CONFERRED -- THE COURT THEN CONFERRED  
20 WITH THE DISTRICT ATTORNEY.

21 AND THE COURT THEN DRAFTED A REPLY TO THE JURY'S  
22 REQUEST AS FOLLOWS:

23 "IF THIS JURY CANNOT UNANIMOUSLY  
24 AGREE UPON A VERDICT, A MISTRIAL WILL BE DECLARED  
25 AND A NEW JURY WILL BE IMPANELED TO TRY THE ISSUES  
26 OF THE PENALTY PHASE WHICH WILL NECESSITATE THE  
27 INCLUSION OF ALL TESTIMONY HEARD DURING THE GUILT  
28 PHASE."

1 THE COURT THEN COMMUNICATED WITH MR. BARENS  
2 AND READ HIM THE COURT'S ANSWER TO THE JURY'S REQUEST AND  
3 MR. BARENS HAS SAID THAT IT WAS AGREEABLE TO HIM TO SO ADVISE  
4 THE JURY.

5 THE DISTRICT ATTORNEY HAS BEEN NOTIFIED OF  
6 THE FOREGOING AND HE HAS RESERVATIONS OF THE FOREGOING  
7 COMMUNICATION, SINCE IT IS HIS BELIEF THAT THE DEFENDANT  
8 SHOULD BE CONSULTED, WHICH IS NOT NECESSARY IN THE COURT'S  
9 OPINION.

10 ALL RIGHT, YOU ARE PROTECTED.

11 NOW I WILL INSTRUCT THE REPORTER TO GO INTO  
12 THE JURY ROOM AND READ THE COMMUNICATION WHICH I HAVE PUT  
13 ON THE RECORD, WHICH IS THE ANSWER TO THE INQUIRY MADE BY  
14 THE JURY, ALL RIGHT?

15 MR. WAPNER: YOUR HONOR, I THINK THAT YOU SHOULD  
16 PROBABLY READ THAT TO THEM IN OPEN COURT.

17 IF THE DEFENDANT AND COUNSEL ARE NOT GOING  
18 TO BE HERE, I WILL NOT BE HERE BUT IT IS BETTER THAT THE  
19 COURT DO IT RATHER THAN THE REPORTER DO IT.

20 THE COURT: ALL RIGHT, GET THE JURORS IN AND I WILL  
21 TELL THE JURY THAT THE COURT COMMUNICATED THE CONTENTS OF  
22 THIS TO DEFENSE COUNSEL AND IT WAS AGREEABLE TO HIM.

23 MR. WAPNER: ALL RIGHT.

24 THE COURT: I WON'T SAY ANYTHING ABOUT YOU.

25 (RECESS.)

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1 (THE FOLLOWING PROCEEDINGS WERE HELD  
2 IN OPEN COURT IN THE PRESENCE AND  
3 HEARING OF THE JURY, WITH THE DEFENDANT,  
4 MR. BARENS AND MR. CHIER NOT BEING PRESENT:)

5 THE COURT: GOOD MORNING, LADIES AND GENTLEMEN. I  
6 HAVE READ YOUR NOTE LAST WEEK FROM DR. JANUS. IT SAYS:

7 "WE THE JURY IN THE ABOVE-ENTITLED  
8 ACTION REQUEST THE FOLLOWING: IF THE JURY CANNOT  
9 REACH A UNANIMOUS DECISION, WHAT WILL HAPPEN?"

10 THIS IS MY REPLY:

11 "IF THIS JURY CANNOT UNANIMOUSLY  
12 AGREE UPON A VERDICT, A MISTRIAL WILL BE DECLARED  
13 AND A NEW JURY WILL BE IMPANELED TO TRY THE ISSUES  
14 OF THE PENALTY PHASE, WHICH WILL NECESSITATE THE  
15 INCLUSION OF ALL OF THE TESTIMONY ALSO HEARD DURING  
16 THE GUILT PHASE."

17 I HAVE READ THIS REPLY TO MR. BARENS, THE ATTORNEY  
18 FOR THE DEFENDANT. HE SAID IT WOULD BE AGREEABLE TO HIM.

19 SO THAT IS MY ANSWER TO YOU. ALL RIGHT?  
20 THANK YOU VERY MUCH.

21 (THE JURY EXITS THE COURTROOM TO RESUME  
22 FURTHER DELIBERATION.)  
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1 SANTA MONICA, CALIFORNIA; TUESDAY, JUNE 2, 1987; A.M. SESSION  
2 DEPARTMENT WEST C HON. LAURENCE J. RITTENBAND, JUDGE  
3 (APPEARANCES AS HERETOFORE NOTED.)

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5 (JURY RESUMES DELIBERATIONS AND  
6 NO PROCEEDINGS WERE REPORTED.)  
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SANTA MONICA, CALIFORNIA; WEDNESDAY, JUNE 3, 1987; A.M. SESSION  
DEPARTMENT WEST C HON. LAURENCE J. RITTENBAND, JUDGE

(APPEARANCES AS HERETOFORE NOTED.)

(JURY RESUMES DELIBERATIONS AND  
NO PROCEEDINGS WERE REPORTED.)

1 SANTA MONICA, CALIFORNIA; THURSDAY, JUNE 4, 1987; 10:30 A.M.

2 DEPARTMENT WEST C HON. LAURENCE J. RITTENBAND, JUDGE

3 (APPEARANCES AS NOTED ON TITLE PAGE

4 EXCEPT MR. CHIER IS NOT PRESENT.)

5  
6 (THE FOLLOWING PROCEEDINGS WERE HELD

7 IN CHAMBERS WITHOUT THE PRESENCE OF

8 THE DEFENDANT:)

9 THE COURT: COPY THIS INTO THE RECORD FROM THE JURY  
10 FOREMAN:

11 "IF THE DEFENDANT IS SENTENCED TO  
12 LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF  
13 PAROLE, CAN THIS EVER BE CHANGED FOR ANY  
14 REASON?

15 "2: IF THE DEFENDANT IS SENTENCED  
16 TO DEATH, CAN THE SENTENCE BE CHANGED AT SOME  
17 FUTURE TIME TO LIFE IMPRISONMENT WITH THE  
18 POSSIBILITY OF PAROLE?"

19 THE COURT: ALL RIGHT, NOW WE CAN GO ON THE RECORD.

20 THE BAILIFF: THE DEFENDANT WANTED TO BE PRESENT, JUDGE.  
21 HE WANTED ME TO ASK THE COURT.

22 THE COURT: WAIT A MINUTE.

23 MR. BARENS: WE CAN RESOLVE THIS WITHOUT THE DEFENDANT,  
24 I BELIEVE.

25 THE COURT: WE DON'T NEED HIM.

26 MR. WAPNER: I DON'T KNOW WHAT HAS BEEN ON THE RECORD.

27 MR. BARENS: NOTHING.

28 THE COURT: NOTHING HAS BEEN ON THE RECORD.

1 THE NOTE HAS BEEN COPIED INTO THE RECORD, THAT  
2 IS ALL.

3 MR. WAPNER: THE JURY APPARENTLY HAS THIS QUESTION AND,  
4 YOUR HONOR, BEFORE I GIVE YOU ANY INPUT IN TO ANSWERING IT,  
5 I WOULD LIKE A CHANCE TO LOOK INTO SOME CASES BECAUSE I KNOW  
6 THERE ARE SOME CASES ON THIS THAT I THINK SAY YOU CAN ANSWER  
7 THESE TYPE OF QUESTIONS IF THEY ARE ASKED.

8 YOU DON'T TELL THEM AHEAD OF TIME BUT IF THEY  
9 ARE ASKED, YOU CAN ANSWER THEM.

10 THE COURT: THAT IS RIGHT.

11 MR. WAPNER: BUT I WOULD LIKE TO BE ABLE TO LOOK AT  
12 SOME OF THOSE CASES --

13 THE COURT: ALL RIGHT.

14 MR. WAPNER: -- BEFORE WE ANSWER THE QUESTION.

15 THE COURT: THAT GOES FOR BOTH QUESTIONS?

16 MR. WAPNER: BOTH QUESTIONS, RIGHT.

17 THE SECOND ONE IS:

18 IF HE IS SENTENCED TO DEATH, CAN HE  
19 SOME TIME LATER GET LIFE IMPRISONMENT WITH THE  
20 POSSIBILITY OF PAROLE?

21 THE COURT: IT HAS HAPPENED.

22 MR. WAPNER: WELL, THAT IS WHEN THEY CHANGE THE LAW.

23 THE COURT: EVEN BEFORE THEY CHANGE THE LAW.

24 MR. BARENS: I THINK WE HAVE TO DEAL WITH THIS IN TERMS  
25 OF THE PRESENT LAW.

26 KNOWING IN TERMS OF THE FIRST QUESTION, I AM SURE  
27 YOUR HONOR IS GOING TO ADVISE THEM THE LEGISLATURE CAN.

28 THE COURT: THEY KNOW THE GOVERNOR, OF COURSE, CAN COMMUTE



1 THE SENTENCE. HE CAN ONLY COMMUTE THE SENTENCE TO LIFE  
2 WITHOUT THE POSSIBILITY OF PAROLE; ISN'T THAT CORRECT?

3 MR. BARENS: THAT IS CORRECT.

4 HE HAS NO DISCRETION TO GIVE PAROLE.

5 THE COURT: THAT IS RIGHT.

6 MR. BARENS: UNDER THAT CIRCUMSTANCE.

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1 THE COURT: WELL THEN, WE CAN TELL THEM THAT THE  
2 GOVERNOR HAS THE POWER TO COMMUTE THE DEATH SENTENCE TO  
3 LIFE WITHOUT POSSIBILITY OF PAROLE.

4 MR. WAPNER: WELL, LET ME DO SOME RESEARCH. MY UNDER-  
5 STANDING IS THAT THE GOVERNOR HAS THE POWER TO COMMUTE  
6 SENTENCES, PERIOD.

7 MR. BARENS: I BELIEVE AFTER PROP 8, HE CAN ONLY  
8 COMMUTE TO LIFE WITHOUT IF THE MAN HAS BEEN SENTENCED TO  
9 DEATH. THAT IS IT.

10 MR. WAPNER: OKAY. WELL, THAT MAY BE TRUE.

11 THE COURT: THAT IS HOW WE CAN ANSWER THAT SECOND ONE,  
12 THEN.

13 MR. WAPNER: IS THAT IN THE STATUTE? IS THAT IN 190  
14 SOMEWHERE?

15 MR. BARENS: LET'S GO OFF THE RECORD.

16 MR. WAPNER: YOUR HONOR, SHOULD WE TAKE SOME TIME TO  
17 LOOK FOR THE ANSWER TO THIS AND RECONVENE LATER?

18 THE COURT: I WILL DO IT RIGHT NOW.

19 MR. WAPNER: WHILE THE COURT IS LOOKING FOR THAT, CAN  
20 I BE EXCUSED? I WILL GO TO MY OFFICE AND GET ONE THING  
21 AND BE RIGHT BACK. I WILL THEN CONVENE WITH YOU IN  
22 CHAMBERS.

23 THE COURT: ALL RIGHT.

24 (MR. WAPNER EXITS CHAMBERS.)

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1 (PAUSE IN PROCEEDINGS.)

2 (UNREPORTED COLLOQUY BETWEEN THE COURT  
3 AND COUNSEL.)

4 THE COURT: WELL, IN 4800 OF THE PENAL CODE, LISTEN  
5 TO THIS, IT PROVIDES THAT:

6 "THE GENERAL AUTHORITY TO GRANT  
7 REPRIEVES, PARDONS AND COMMUTATIONS OF SENTENCE  
8 IS CONFERRED UPON THE GOVERNOR BY SECTION 8 OF  
9 ARTICLE 5 OF THE CONSTITUTION."

10 AND UNDER 4801:

11 "THE BOARD OF PRISON TERMS MAY  
12 REPORT TO THE GOVERNOR FROM TIME TO TIME THE  
13 NAMES OF ANY AND ALL PERSONS IN PRISON OR ANY  
14 STATE PRISON WHO IN HIS JUDGMENT OUGHT TO HAVE  
15 A COMMUTATION OF SENTENCE OR BE PARDONED AND SET  
16 AT LIBERTY ON ACCOUNT OF GOOD CONDUCT OR UNUSUAL  
17 TERM OF SENTENCE OR ANY GOOD CAUSE."

18 MR. WAPNER: I KNOW WHERE THERE IS SOMETHING ON THIS,  
19 I THINK.

20 THE COURT: PARDON ME?

21 MR. WAPNER: CAN I HAVE THE COURT'S COPY OF CALJIC?  
22 IT MAY BE IN THE ANNOTATIONS.

23 THE COURT: IT IS OUTSIDE ON THE BENCH.

24 (MR. WAPNER EXITS CHAMBERS.)

25 (PAUSE IN PROCEEDINGS.)

26 (UNREPORTED COLLOQUY BETWEEN THE COURT  
27 AND MR. BARENS.)

28 (MR. WAPNER REENTERS CHAMBERS.)

1 MR. BARENS: I THINK WE SHOULD GIVE AN ANSWER EXPLAINING  
2 THE QUESTION: ONLY IN THE EVENT THE LEGISLATURE PASSES  
3 A NEW LAW, PERIOD. AND I WOULD JUST SAY THAT, PERIOD.

4 THE COURT: IN OTHER WORDS, THE LEGISLATURE CAN PASS  
5 A NEW LAW.

6 MR. BARENS: OR A REFERENDUM.

7 THE COURT: HOW ABOUT THE GOVERNOR?

8 MR. BARENS: THERE ARE THREE WAYS, JUDGE, IT OCCURS  
9 TO ME: A LEGISLATIVE FIAT, A REFERENDUM BY THE PUBLIC AT  
10 LARGE, A PROPOSITION 8-TYPE THING.

11 THE COURT: I DON'T THINK THAT IT WILL. I THINK THAT  
12 IS UNLIKELY.

13 MR. BARENS: IT HAPPENED BEFORE.

14 THE COURT: ALL RIGHT.

15 MR. BARENS: AND THREE: THE GOVERNOR COULD COMMUTE  
16 THE SENTENCE.

17 BUT THEN YOU HAVE TO SAY, HOWEVER, IN THE EVENT  
18 HE WERE CONVICTED IN SAN FRANCISCO, THE GOVERNOR'S ABILITY  
19 TO COMMUTE THE SENTENCE IS RESTRICTED ONLY THEN IF A MAJORITY  
20 OF THE JUDGES OF THE SUPREME COURT CONCURRED WITH THE  
21 GOVERNOR.

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4- 1 THE COURT: JUSTICES?

2 MR. BARENS: A MAJORITY OF THE JUDGES, IT SAYS IN THE  
3 SUPREME COURT, IS THE LANGUAGE OF THE STATUTE. IT SHOULD  
4 BE JUSTICES BUT THE WORD THEY USE IS "JUDGE", THE "JUDGE"  
5 WORD. THAT IS 4852.16.

6 THE COURT: YES? 48-WHAT?

7 MR. BARENS: 4852.16, YOUR HONOR.

8 THE COURT: 4852.16?

9 MR. BARENS: YES, YOUR HONOR. THAT MIGHT BE IN THE  
10 POCKET PART.

11 THE COURT: IT IS IN THE MAIN PART. WELL, THAT IS JUST  
12 GRANTING A PARDON. THAT ONLY APPLIES TO A PARDON.

13 "THE GOVERNOR SHALL NOT GRANT A PARDON  
14 TO ANY PERSON TRIED AND CONVICTED OF A FELONY  
15 EXCEPT UPON ..."

16 A PARDON HAS NOTHING TO DO WITH COMMUTATION OF  
17 SENTENCE.

18 MR. BARENS: ALL RIGHT, SIR. I SEE THIS ON A REREADING  
19 OF THAT MATTER.

20 THE COURT: YES.

21 MR. BARENS: THANK YOU.

22 MR. WAPNER: I THINK I AM GETTING CLOSER, YOUR HONOR.

23 THE COURT: LET ME FIND OUT WHAT IS HAPPENING OUT HERE.

24 (THE JUDGE EXITS CHAMBERS.)

25 (PAUSE.)

26 (THE JUDGE RE-ENTERS CHAMBERS.)

27 MR. WAPNER: YOUR HONOR, I FOUND PEOPLE V. RAMOS,

28 37 CAL.3D, 136. I HAVE NOT HAD A CHANCE TO READ THE WHOLE

1 CASE BUT --

2 THE COURT: YES. I HAVE READ THE RAMOS CASE.

3 MR. WAPNER: THERE IS A HEADNOTE IN THERE THAT SAYS:

4 "WHEN THE JURY RAISES THE COMMUTATION  
5 ISSUE ITSELF, EITHER DURING VOIR DIRE OR IN A  
6 QUESTION POSED TO THE COURT DURING DELIBERATIONS,  
7 THE MATTER OBVIOUSLY CANNOT BE AVOIDED AND IS  
8 PROBABLY BEST HANDLED BY A SHORT STATEMENT  
9 INDICATING THAT THE GOVERNOR'S COMMUTATION  
10 POWER APPLIES TO BOTH A LIFE AND DEATH SENTENCE  
11 BUT EMPHASIZING THAT IT WOULD BE A VIOLATION OF  
12 THE JURORS' DUTY TO CONSIDER THE POSSIBILITY OF  
13 SUCH COMMUTATION IN DETERMINING THE APPROPRIATE  
14 SENTENCE."

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1 THE COURT: YES. WHY DON'T I TELL THEM THAT?

2 MR. WAPNER: I HAVEN'T READ THE HEADNOTE -- MAYBE I  
3 SHOULD. I HAVEN'T HAD A CHANCE TO READ THE WHOLE CASE.  
4 IT IS HEADNOTE 14, WHICH CITES YOU TO A FOOTNOTE. BUT I  
5 WAS GOING TO HAVE YOU READ THE WHOLE PORTION OF THE CASE  
6 DEALING WITH THE BRIGGS INSTRUCTION.

7 (MR. WAPNER HANDED A BOOK TO THE COURT.)

8 MR. BARENS: JUDGE, THERE IS A CALJIC INSTRUCTION THAT  
9 HAS THAT SAME LANGUAGE IN THERE.

10 MR. WAPNER: IT IS JUST -- THIS IS CALJIC'S INTERPRETATION  
11 OF RAMOS, THAT IS ALL IT IS.

12 THE COURT: WHAT DOES IT SAY?

13 MR. WAPNER: IT JUST SAYS:

14 "THE COURT FURTHER HELD, FOOTNOTE  
15 12" -- WHICH IS WHAT THE COURT IS READING RIGHT  
16 NOW -- "THAT THE COURT SHOULD NEVER ADVISE THE  
17 JURY OF THE GOVERNOR'S POWER OF COMMUTATION  
18 EXCEPT:

19 "1, WHEN A JUROR RAISES THE ISSUE.

20 "OR 2, WHEN REQUESTED TO BY THE  
21 DEFENDANT.

22 "AND THAT IN EITHER EVENT THE  
23 COURT SHOULD INSTRUCT THE JURY IT WOULD BE A  
24 VIOLATION OF THEIR OATHS AS JURORS TO CONSIDER  
25 THE COMMUTATION OF THE SENTENCE IN ASSESSING  
26 PENALTY."

27 THE COURT: WELL, NOW LET'S WRITE OUT EXACTLY WHAT  
28 IT IS I AM GOING TO TELL THE JURY IN RESPONSE TO THEIR

1 INQUIRY.

2 MR. WAPNER: I WAS READING FROM THE CALJIC COMMENT  
3 TO THE 1986 REVISION OF CALJIC INSTRUCTION 8.84.2.

4 THE COURT: OFF THE RECORD.

5 (UNREPORTED COLLOQUY BETWEEN COUNSEL.)

6 THE COURT: NOW, SAY IT AGAIN.

7 MR. BARENS: YOU MIGHT JUST SAY -- WELL, THE FIRST  
8 QUESTION WAS, I THINK, CAN HE EVER GET PAROLED? AND THE  
9 ANSWER WOULD BE, OR I WOULD STRUCTURE THE LANGUAGE TO SAY:

10 "ONLY IF THE LEGISLATURE WERE TO  
11 PASS A NEW LAW PROVIDING FOR SAME AND MAKE IT  
12 RETROACTIVE IN ITS APPLICATION."  
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6- 1 MR. WAPNER: WELL, I DON'T THINK BASED ON THIS  
2 STATEMENT, RAMOS -- AND I HAVE NOT HAD A CHANCE TO READ ALL  
3 OF RAMOS. BUT IT SEEMS TO ME THAT WE SHOULDN'T GET INTO THE  
4 DIFFERENT POSSIBILITIES OF HOW AND WHEN AND WHY THE SENTENCE  
5 COULD BE CHANGED AND THE LEGISLATURE MIGHT CHANGE IT BECAUSE  
6 WE DON'T KNOW ENOUGH ABOUT ALL OF THE POSSIBLE CIRCUMSTANCES.

7 AND IF WE START EXPLAINING THAT, THERE IS NO WAY  
8 THAT WE ARE GOING TO BE ABLE TO COVER ALL OF THE POSSIBLE  
9 CIRCUMSTANCES.

10 MR. BARENS: WHAT IS YOUR SUGGESTION, TO SAY TO THEM  
11 THAT THEY ARE NOT TO CONSIDER THAT?

12 MR. WAPNER: IT SEEMS TO ME THAT THE ANSWER TO BOTH  
13 QUESTIONS HAS TO BE THAT --

14 THE COURT: PARDON ME. RAMOS SAYS IF THEY BRING IT  
15 UP, YOU CAN TELL THEM. DOESN'T IT SAY THAT?

16 MR. WAPNER: RAMOS -- WELL, I HAVE READ ONLY THE  
17 HEADNOTE AND THE CALJIC COMMENT. SO IF YOU --

18 THE COURT: READ IT. IT SAYS:

19 "... CLEARLY SHOULD NOT BE GIVEN,  
20 THERE IS A LEGITIMATE QUESTION WHETHER OR NOT A  
21 TRIAL JUDGE SHOULD INSTRUCT THE JURY SUA SPONTE YOU  
22 SHOULD NOT CONSIDER THE POSSIBILITY OF COMMUTATION  
23 AND WHETHER NO INSTRUCTION ON THE SUBJECT SHOULD  
24 BE GIVEN AT ALL. WHEN THE JURY RAISES THE  
25 COMMUTATION ISSUE ITSELF, EITHER DURING THE  
26 VOIR DIRE OR IN A QUESTION POSED TO THE COURT  
27 DURING DELIBERATIONS, THE MATTER OBVIOUSLY,  
28 CANNOT BE AVOIDED AND IS PROBABLY BEST HANDLED

6- 1 BY A SHORT STATEMENT INDICATING THAT THE GOVERNOR'S  
2 COMMUTATION POWER APPLIES TO BOTH SENTENCES BUT  
3 EMPHASIZING IT WOULD BE A VIOLATION OF THE JURORS'  
4 DUTY TO CONSIDER THE POSSIBILITY OF SUCH  
5 COMMUTATION IN DETERMINING THE APPROPRIATE  
6 SENTENCE."

7 I WILL TELL THEM EXACTLY THAT.

8 MR. BARENS: THAT IS EXACTLY WHAT I WOULD SAY.

9 THE COURT: YES.

10 MR. WAPNER: OKAY.

11 THE COURT: (READING:)

12 "THE GOVERNOR OF THE STATE HAS THE  
13 POWER OF COMMUTATION ..."

14 MR. BARENS: FOR EITHER A --

15 THE COURT: "OF BOTH LIFE WITHOUT POSSIBILITY OF  
16 PAROLE AND OF THE DEATH SENTENCE. HOWEVER, IT  
17 WOULD BE A VIOLATION OF THE ..."

18 MR. BARENS: OF YOUR OATH AS JURORS --

19 THE COURT: "OF YOUR DUTY."

20 IT SAYS "DUTY" HERE.

21 MR. BARENS: SORRY.

22 THE COURT: "TO CONSIDER THE POSSIBILITY OF SUCH  
23 COMMUTATION IN DETERMINING THE APPROPRIATE SENTENCE."

24 IT SAYS, PEOPLE V. MORSE, 62 CAL.2D -- NO, IT  
25 IS 60 CAL.2D, 648.

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1 THE COURT: NOW, THIS HAS MORE TO DO WITH THE LIFE  
2 TERM WITH THE POSSIBILITY OF PAROLE --

3 (FURTHER PAUSE IN PROCEEDINGS.)

4 THE COURT: NO, NO. THAT WAS A DEATH SENTENCE, TOO.  
5 THAT WAS AT THE TIME THAT THEY HAD THIS ADULT AUTHORITY.

6 (FURTHER PAUSE IN PROCEEDINGS.)

7 THE COURT: WELL, IT IS GENERALLY THE SAME THING, THAT  
8 THEY SHOULD NOT BE CONCERNED WITH IT. PRECISELY, THIS  
9 SUPPORTS THE RAMOS CASE.

10 ALL RIGHT, WHAT I WILL TELL THEM AS FOLLOWS:  
11 THE GOVERNOR OF THIS STATE HAS THE POWER TO COMMUTE BOTH A  
12 SENTENCE OF LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF  
13 PAROLE AND DEATH.

14 BUT IT WILL BE A VIOLATION OF THE JUROR'S DUTY  
15 TO CONSIDER THE POSSIBILITY OF SUCH COMMUTATION IN DETERMINING  
16 THE APPROPRIATE SENTENCE.

17 ALL RIGHT?  
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1 MR. BARENS: YES, SIR.

2 MR. WAPNER: THAT'S FINE.

3 THE COURT: THEREFORE, THAT WOULD ANSWER BOTH QUESTIONS,  
4 WOULDN'T IT?

5 MR. BARENS: YES. DO YOU PLAN TO DO THAT FROM THE  
6 BENCH OR SEND THEM A NOTE?

7 MR. WAPNER: NO. I THINK IT SHOULD BE DONE FROM THE  
8 BENCH.

9 THE COURT: SURE. I INTEND TO DO IT THERE. THE  
10 DEFENDANT IS OUT THERE. WE'LL GO OUT THERE.

11 MR. BARENS: ALL RIGHT. I WILL GO OUT TO SPEAK TO  
12 HIM.

13 THE COURT: I TOLD YOU THAT I ALREADY CONTINUED THE  
14 OTHER MATTER.

15 MR. BARENS: THANK YOU.

16 (THE FOLLOWING PROCEEDINGS WERE HELD  
17 IN OPEN COURT IN THE PRESENCE AND  
18 HEARING OF THE JURY:)

19 THE COURT: ALL RIGHT. GOOD MORNING, LADIES AND  
20 GENTLEMEN. I RECEIVED THE FOLLOWING NOTE FROM YOUR FOREMAN,  
21 DR. JANUS:

22 "WE THE JURY IN THE ABOVE-ENTITLED  
23 ACTION REQUEST THE FOLLOWING ANSWER:

24 "1: IF THE DEFENDANT IS SENTENCED  
25 TO LIFE WITHOUT POSSIBILITY OF PAROLE, CAN THIS  
26 EVER BE CHANGED FOR ANY REASON?

27 "2: IF THE DEFENDANT IS SENTENCED  
28 TO DEATH, CAN THIS SENTENCE BE CHANGED AT SOME

1 FUTURE TIME TO LIFE IMPRISONMENT WITH THE  
2 POSSIBILITY OF PAROLE?"

3 THE COURT: THE ANSWER IS FURNISHED BY A CASE OF THE  
4 CALIFORNIA SUPREME COURT AND THIS IS IN ANSWER TO BOTH.

5 AND THAT CASE INDICATES THAT THE JURY SHOULD  
6 BE INSTRUCTED THAT THE GOVERNOR'S COMMUTATION POWER APPLIES  
7 TO BOTH SENTENCES, THAT IS, LIFE WITHOUT POSSIBILITY OF  
8 PAROLE AND THE PENALTY OF DEATH IN THE GAS CHAMBER. BUT  
9 IT IS INDICATED HOWEVER, THEY SHOULD EMPHASIZE THAT IT WOULD  
10 BE A VIOLATION OF THE JURORS' DUTY TO CONSIDER THE POSSIBILITY  
11 OF SUCH COMMUTATION IN DETERMINING THE APPROPRIATE SENTENCE.

12 SO YOU BETTER CONSIDER IT ON THE FACTS AND  
13 NOT BECAUSE THERE MIGHT BE SOME POSSIBILITY ONE OR TWO OF  
14 THE SENTENCES MIGHT BE COMMUTED BY THE GOVERNOR. DOES THAT  
15 ANSWER YOUR QUESTION?

16 (THE JURORS ANSWER IN THE AFFIRMATIVE.)

17 THE COURT: ALL RIGHT. THANK YOU VERY MUCH. YOU MAY  
18 RESUME YOUR DELIBERATIONS.

19 (THE JURY EXITS THE COURTROOM TO RESUME  
20 DELIBERATIONS.)  
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1 SANTA MONICA, CALIFORNIA; THURSDAY, JUNE 4, 1987; 3:55 P.M.

2 DEPARTMENT C

HON. LAURENCE J. RITTENBAND, JUDGE

3 (APPEARANCES AS NOTED ON TITLE PAGE

4 EXCEPT MR. CHIER IS NOT PRESENT.)

5

6 THE COURT: LADIES AND GENTLEMEN OF THE JURY, HAVE

7 YOU REACHED A DECISION IN THIS CASE?

8 THE FOREPERSON: YES, WE HAVE, YOUR HONOR.

9 THE COURT: ALL RIGHT, DOCTOR, WILL YOU PLEASE HAND

10 YOUR DECISION TO THE BAILIFF?

11 (THE FOREPERSON COMPLIES.)

12 THE COURT: ALL RIGHT, WILL YOU READ THE VERDICT, PLEASE?

13 THE CLERK: "TITLE OF COURT AND CAUSE:

14 "WE, THE JURY IN THE ABOVE-ENTITLED

15 ACTION, HAVING FOUND THE DEFENDANT, JOE HUNT,

16 GUILTY OF MURDER AND HAVING CONSIDERED ALL OF THE

17 EVIDENCE ON THE PENALTY PHASE OF THE TRIAL, HEREBY

18 FIX THE PENALTY TO BE IMPOSED ON THE DEFENDANT

19 AS LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF

20 PAROLE.

21 "THIS 4TH DAY OF JUNE, 1987.

22 "JUEL JANIS, FOREMAN."

23 LADIES AND GENTLEMEN OF THE JURY, IS THIS YOUR

24 VERDICT, SO SAY YOU ALL?

25 (THE JURORS ANSWERED AFFIRMATIVELY IN

26 CHORUS.)

27 THE COURT: DO YOU DESIRE TO HAVE THE JURY POLLED?

28 MR. BARENS: YES, YOUR HONOR.

1 THE COURT: ALL RIGHT, WILL YOU POLL THE JURY, PLEASE?

2 THE CLERK: AS I CALL YOUR NAME, WOULD YOU PLEASE TELL  
3 ME IF THIS IS YOUR VERDICT?

4 MRS. KEENAN?

5 JUROR KEENAN: YES.

6 THE CLERK: MS. KING?

7 JUROR KING: YES.

8 THE CLERK: MS. SHELBY?

9 JUROR SHELBY: YES.

10 THE CLERK: MS. ROBLES?

11 JUROR ROBLES: YES.

12 THE CLERK: DR. JANIS?

13 THE FOREPERSON: YES.

14 THE CLERK: MS. OSBORNE?

15 JUROR OSBORNE: YES.

16 THE CLERK: MRS. BURNS?

17 JUROR BURNS: YES.

18 THE CLERK: MS. GHAEMMAGHAMI?

19 JUROR GHAEMMAGHAMI: YES.

20 THE CLERK: MIS MICKELL?

21 JUROR MICKELL: YES.

22 THE CLERK: MS. DEEG?

23 JUROR DEEG: YES.

24 THE CLERK: MS. GRALINSKI?

25 JUROR GRALINSKI: YES.

26 THE CLERK: MR. RUTHERFORD?

27 JUROR RUTHERFORD: YES.

28 THE COURT: THE CLERK IS INSTRUCTED TO RECORD THE VERDICT

1 AS GIVEN.

2 DO YOU WAIVE READING OF THE VERDICT AS RECORDED?

3 MR. WAPNER: SO WAIVED.

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10 1 THE COURT: LADIES AND GENTLEMEN OF THE JURY, I WISH  
2 TO EXPRESS MY DEEP THANKS TO YOU FOR YOUR SERVICES IN THIS  
3 CASE. IN MY 26 YEARS ON THE BENCH, I CAN'T REMEMBER A JURY  
4 WHICH HAS SO INTELLIGENTLY DISCHARGED ITS DUTIES AND EXHIBITED  
5 SUCH DEDICATION TO ITS TASK IN SEARCHING OUT THE TRUTH AND  
6 THE COURAGE IN REACHING A DIFFICULT DECISION AS YOU WERE ALL  
7 CALLED UPON TO MAKE.

8 WHILE SOMETIMES MY FAITH IN THE JURY SYSTEM IS  
9 FAULTY, IT HAS NOW BEEN COMPLETELY RESTORED BY YOU. YOU ARE  
10 DISCHARGED WITH MY THANKS FOR A JOB WELL DONE.

11 IF YOU DESIRE TO BE INTERVIEWED BY THE MEDIA YOU  
12 ARE AT LIBERTY TO DO SO. THANK YOU AGAIN.

13 THE MATTER OF THE PROBATION REPORT WILL BE SET  
14 IN THREE WEEKS FROM TODAY.

15 MR. BARENS: THAT DATE YOUR HONOR IS WHAT?

16 THE COURT: THREE WEEKS FROM TOMORROW. WILL THAT BE  
17 ALL RIGHT?

18 MR. BARENS: THAT WOULD BE WHAT DAY?

19 THE COURT: THE 26TH OF JUNE.

20 MR. BARENS: I HAVE FEDERAL COURT THAT DAY. COULD WE  
21 HAVE A WEEK LATER?

22 THE COURT: WITHIN THREE WEEKS FROM TODAY.

23 MR. BARENS: HOW ABOUT THURSDAY THE 25TH?

24 THE COURT: FINE. ALL RIGHT. THAT WILL BE THURSDAY  
25 THE 25TH OF JUNE.

26 MR. BARENS: IS THAT AT 10:30?

27 THE COURT: NO, 10 O'CLOCK.

28 (AT 4 P.M. AN ADJOURNMENT WAS TAKEN  
UNTIL THURSDAY, JUNE 25, 1987, AT 10 A.M.)

1 SANTA MONICA, CALIFORNIA; MONDAY, JULY 6, 1987;

2 9:45 A.M.

3 DEPARTMENT WEST C HON LAURENCE RITTENBAND, JUDGE  
4 APPEARANCES: (AS HERETOFORE NOTED.)

5  
6  
7 THE COURT: PEOPLE VERSUS HUNT. ALL RIGHT. DO YOU  
8 WAIVE FORMAL ARRAIGNMENT FOR JUDGMENT?

9 MR. BARENS: YES, YOUR HONOR.

10 THE COURT: LET THE RECORD SHOW THE COURT READ AND  
11 CONSIDERED THE REPORT OF THE PROBATION OFFICER.

12 IS THERE ANY LEGAL CAUSE WHY JUDGMENT SHOULD  
13 NOT NOW BE PRONOUNCED?

14 MR. BARENS: NO LEGAL CAUSE.

15 THE COURT: I BELIEVE THERE ARE SOME MEMBERS OF THE  
16 VICTIM'S FAMILY HERE, THAT DESIRE TO BE HEARD. IS THERE?

17 MR. WAPNER: YES.

18 THE COURT: STEP FORWARD PLEASE.

19 MR. WAPNER: DO YOU WANT TO HAVE MR. LEVIN SWORN?

20 THE COURT: NO. HE DOES NOT HAVE TO BE SWORN. BUT  
21 YOU MAY MAKE YOUR STATEMENT.

22  
23 (MARTIN LEVIN STEPS FORWARD AND TAKES THE STAND.)

24  
25 THE COURT: ALL RIGHT, MR. LEVIN.

26 MR. LEVIN: RONALD LEVIN WAS THE OLDEST OF MY THREE  
27 SONS -- OUR THREE SONS. HE WAS A SENSITIVE, LOVING YOUNG  
28 MAN, WHO WAS CUT DOWN IN THE PRIME OF HIS LIFE.

1 IT IS VERY DIFFICULT TO TALK OF ONE OF YOUR  
2 CHILDREN, WHEN ONE OF YOUR CHILDREN HAS BEEN KILLED; NOT  
3 ONLY KILLED, BUT BRUTALLY MURDERED BY A COLD-BLOOD  
4 ASSASSIN.

5 IT IS VERY DIFFICULT, VERY DIFFICULT, NOT  
6 ONLY FOR MYSELF AND MY WIFE BUT FOR MY WHOLE FAMILY. I  
7 LISTENED DURING THE TRIAL, ALL OF THE TIME I WAS HERE, OF  
8 HOW HE WAS BRUTALLY MURDERED, THE TAPE OVER HIS MOUTH, THE  
9 HANDCUFFS, THE PILLOW OVER HIS HEAD.

10 HOW DO YOU -- WHAT DO YOU DO, WHEN YOUR WIFE  
11 WAKES UP IN THE MIDDLE OF THE NIGHT, NIGHT AFTER NIGHT AND  
12 SAYS TO YOU, "DO YOU THINK HE SUFFERED A LOT?"

13 "DO YOU THINK THAT THEY KILLED HIM RIGHT AWAY  
14 OR DO YOU THINK THEY JUST CONSTANTLY TORTURED HIM?" AND I  
15 HAVE TO ANSWER THAT SAME QUESTION, NIGHT AFTER NIGHT.

16 HOW DO I ANSWER? WHAT DO I TELL MY WIFE?  
17 TESTIMONY WAS OVERWHELMING AS TO WHAT ACTUALLY HAPPENED TO  
18 HIM.

19 AND I HAVE NO ANSWER FOR MY WIFE. SHE WILL  
20 SAY TO ME, "DO YOU THINK HE WAS DEAD WHEN THEY BURRIED  
21 HIM? DO YOU THINK HE WAS SMOTHERED TO DEATH? DO YOU  
22 THINK THEY SHOT HIM?"

23 "THEY TALK ABOUT HOW HE WHIMPERED. HOW LONG  
24 DO YOU THINK THEY TORTURED HIM BEFORE THEY SHOT HIM?" I  
25 DON'T HAVE ANY ANSWER FOR MY WIFE. I DON'T KNOW WHAT TO  
26 TELL HER.

27 I JUST HAVE TO TRY TO TALK TO HER AND TELL  
28 HER THAT I THINK HE WAS KILLED INSTANTLY, THAT I JUST

1 DON'T KNOW. I JUST DON'T.  
2 SOMETIMES I TELL HER ONE THING. SOMETIMES I  
3 TELL HER ANOTHER THING. I JUST DON'T HAVE THE ANSWERS.  
4 ALL I KNOW IS, I HAVE ANGER AND CONTEMPT FOR THIS MAN THAT  
5 KILLED MY SON -- OUR SON.

6 AND I JUST HOPE THAT HE JUST STAYS IN PRISON  
7 THE REST OF HIS LIFE AND THAT HE JUST FEELS THE THINGS  
8 THAT WE FEEL.

9 I WANT TO THANK THE COURTS FOR THE FAIRNESS  
10 AND FOR BEING ABLE TO LOOK AT THE EVIDENCE AND COME UP  
11 WITH THE DECISION THAT THEY CAME UP WITH.

12 I JUST DON'T HAVE ANYTHING ELSE TO SAY, SIR.

13 THE COURT: ALL RIGHT. THANK YOU VERY MUCH.

14 PERHAPS AS EXPRESSED BY SEVERAL OF THE JURORS  
15 AFTER THE PENALTY PHASE VERDICT, IT WILL BE A GREATER  
16 PUNISHMENT FOR YOU, MR. HUNT, TO BE CONFINED TO STATE  
17 PRISON FOR THE REST OF YOUR LIFE, RATHER THAN SUFFER THE  
18 DEATH PENALTY, WHICH COULD ALSO HAVE BEEN APPROPRIATELY  
19 IMPOSED.

20 ACCORDING TO THE PROBATION REPORT, YOU  
21 CONTINUE TO PROTEST YOUR INNOCENCE, DESPITE THE FACT THAT  
22 THE JURY HAS FOUND BEYOND A REASONABLE DOUBT THAT YOU  
23 MURDERED RON LEVIN AND PARTICIPATED IN CAUSING THE DEATH  
24 OF HEDAYAT ESLAMINIA.

25 I AM AT A LOSS TO UNDERSTAND ANOTHER  
26 STATEMENT THAT YOU MADE TO THE PROBATION OFFICER. YOU  
27 STATED TO HIM, "I WANTED TO TAKE THE STAND AND EXPLAIN  
28 MYSELF. I HAD PREPARED ONE HUNDRED PAGES OF SINGLE-SPACED

1 TYPEWRITTEN QUESTIONS FOR MY ATTORNEY TO ASK ME."

2 YOUR MEMORY MUST BE A SHORT ONE. PRIOR TO  
3 THE DEFENSE HAVING RESTED, I EXPRESSLY ASKED YOU WHETHER  
4 YOU WANTED TO TESTIFY IN YOUR OWN DEFENSE OR DESIRED TO  
5 WAIVE YOUR RIGHT TO DO SO.

6 YOU THEN CATEGORICALLY DECLINED TO TESTIFY  
7 AND DID EXPRESSLY WAIVE YOUR RIGHT TO DO SO.

8 IT WOULD BE NICE IF YOU HAD TESTIFIED BECAUSE  
9 WE ALL WOULD HAVE BEEN EXTREMELY INTERESTED IN HEARING  
10 YOUR EXPLANATION OF THE SEVEN YELLOW PAGES OF NOTES YOU  
11 MADE, WHICH THE PROSECUTION CHARACTERIZED AS A RECIPE FOR  
12 MURDER AND THE POSSESSION BY PITTMAN AT THE PLAZA HOTEL IN  
13 NEW YORK, OF RON LEVIN'S CREDIT CARDS AND PITTMAN POSING  
14 AS LEVIN TO ESTABLISH AS A FACT, THE FICTION THAT LEVIN  
15 WAS IN NEW YORK, RATHER THAN IN A GRAVE IN SOLEDAD CANYON.

16 IN VIEW OF THE OVERWHELMING EVIDENCE OF YOUR  
17 GUILT AND OF THE AGGRAVATING CIRCUMSTANCES ADDUCED AT THE  
18 PENALTY PHASE OF TRIAL, AND IN ACCORDANCE WITH THE VERDICT  
19 OF THE JURY, I HEREBY SENTENCE YOU TO STATE PRISON FOR  
20 LIFE WITHOUT THE POSSIBILITY OF PAROLE.

21 ANYTHING FURTHER?

22 MR. WAPNER: NOTHING FURTHER FROM THE PEOPLE, YOUR  
23 HONOR.

24 THE COURT: ALL RIGHT. I DON'T THINK IT IS  
25 NECESSARY IN VIEW OF THE SENTENCE, TO INDICATE HOW MANY  
26 DAYS HE IS ENTITLED TO, CREDIT.

27 ALL RIGHT THANK YOU.

28 (AT 10:00 A.M. PROCEEDINGS CONCLUDED.)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT WEST C

HON. LAURENCE J. RITTENBAND, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA, )

PLAINTIFF, )

NO. A-090435

VS. )

REPORTER'S  
CERTIFICATE

JOE HUNT, AKA JOSEPH HUNT,  
AKA JOSEPH HENRY GAMSKY, )

DEFENDANT. )

STATE OF CALIFORNIA )

SS

COUNTY OF LOS ANGELES )

I, ROSEMARIE GOODBODY, OFFICIAL REPORTER OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING PAGES, 1 THROUGH 15412, INCLUSIVE, COMPRISE A FULL, TRUE, AND CORRECT TRANSCRIPT OF THE PROCEEDINGS AND TESTIMONY TAKEN IN THE MATTER OF THE ABOVE-ENTITLED CAUSE ON NOVEMBER 5, 6, 10, 12, 13, 17, 18, 19, 20, 24, 25, 26, 1986, DECEMBER 1, 2, 3, 4, 8, 9, 10, 11, 15, 16, 17, 18, 22, 23, 1986, JANUARY 5, 6, 7, 8, 12, 13, 14, 15, 20, 21, 26, 27, 28, 29, 30, 1987, FEBRUARY 2, 3, 4, 5, 9, 10, 11, 12, 17, 18, 19, 23, 24, 25, 26, 1987, MARCH 2, 3, 4, 5, 9, 10, 11, 12, 16, 17, 18, 19, 23, 26, 30, 31, 1987, APRIL 1, 2, 6, 7, 8, 9, 13, 14, 15, 16, 20, 21, 22, 24, 1987, MAY 6, 8, 11, 12, 13, 14, 18, 19, 20, 21, 26, 27, 28, 29, 1987, JUNE 1, 2, 3, 4, 1987.

DATED THIS 7TH DAY OF OCTOBER, 1987.

ROSEMARIE GOODBODY, CSR NO. 932  
OFFICIAL REPORTER

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT WEST C

HON. LAURENCE J. RITTENBAND, JUDGE

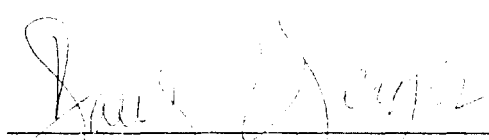
THE PEOPLE OF THE STATE OF CALIFORNIA, )  
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PLAINTIFF, )  
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VS. )  
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JOE HUNT, AKA JOSEPH HUNT, )  
AKA JOSEPH HENRY GAMSKY, )  
)  
DEFENDANT. )

NO. A-090435  
REPORTER'S  
CERTIFICATE

STATE OF CALIFORNIA )  
) SS  
COUNTY OF LOS ANGELES )

I, SALLY YERGER, OFFICIAL REPORTER OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING PAGES, 1 THROUGH 15393 AND 15393-B THROUGH 15416, INCLUSIVE, COMPRISE A FULL, TRUE, AND CORRECT TRANSCRIPT OF THE PROCEEDINGS AND TESTIMONY TAKEN IN THE MATTER OF THE ABOVE-ENTITLED CAUSE ON NOVEMBER 5, 6, 10, 12, 13, 17, 18, 19, 20, 24, 25, 26, 1986, DECEMBER 1, 2, 3, 4, 8, 9, 10, 11, 15, 16, 17, 18, 22, 23, 1986, JANUARY 5, 6, 7, 8, 12, 13, 14, 15, 20, 21, 26, 27, 28, 29, 30, 1987, FEBRUARY 2, 3, 4, 5, 9, 10, 11, 12, 17, 18, 19, 23, 24, 25, 26, 1987, MARCH 2, 3, 4, 5, 9, 10, 11, 12, 16, 17, 18, 19, 23, 26, 30, 31, 1987, APRIL 1, 2, 6, 7, 8, 9, 13, 14, 15, 16, 20, 21, 22, 24, 1987, MAY 6, 8, 11, 12, 13, 14, 18, 19, 20, 21, 26, 27, 28, 29, 1987, JUNE 1, 3, 4, 1987, JULY 6, 1987.

DATED THIS 7TH DAY OF OCTOBER, 1987.

  
SALLY YERGER, CSR NO. 2008  
OFFICIAL REPORTER