



# **TRANSCRIPT STANDARDIZATION**

**GUIDELINES AND POLICY FOR TRANSCRIPT PREPARATION**

**CALIFORNIA CODE OF REGULATIONS:  
TITLE 16, SECTION 2473  
MINIMUM TRANSCRIPT FORMAT STANDARDS**

**COURT OF APPEAL LETTER DATED SEPTEMBER 6, 2006**

**TRANSCRIPT STANDARDIZATION SAMPLES**

**SAMPLE TRANSCRIPT FORMAT**

**CODE OF CIVIL PROCEDURE 269**

## **ORANGE COUNTY SUPERIOR COURT GUIDELINES AND POLICY FOR TRANSCRIPT PREPARATION**

Refer to the Minimum Transcript Format Standards required by Title 16, Section 2473, California Code of Regulations, and see the sample transcript herein for formatting transcript margins and style.

See the Transcript Standardization section of the Court Reporter's Manual for future revisions in transcript standards and formatting.

Appellate hard covers shall be prepared in accordance with the samples herein.

Capital case appellate hard covers shall be prepared in accordance with the samples herein. The Supreme Court no longer accepts title pages glued to card stock for the hard covers.

Appellate transcripts: Pursuant to California Rules of Court, Rule 8.130(e)(1), the reporter must transcribe all designated proceedings for which a certified transcript has not been substituted under (b)(3), and must note in the transcript where any proceedings were omitted and the nature of those proceedings. The reporter must also note where any exhibit was marked for identification and where it was admitted or refused, identifying such exhibit by number or letter.

Appellate transcripts: Pursuant to California Rules of Court, Rule 8.144(b)(2), the reporter's transcript must contain alphabetical and chronological indexes listing the volume and page where each witness's direct, cross, and any other examination begins.

Appellate transcripts: Pursuant to Rule 8.144(b)(3), exhibits shall be listed in the Index referencing the transcript volume number and the page number the exhibit was Marked for identification and where it was Admitted in evidence or Refused to be received in evidence. Each exhibit shall be identified in the Index by its letter or number designation. It is necessary to put in a brief description of each exhibit; e.g., *Diagram of Scene, Photo, Letter* (see DCA letter dated September 6, 2006). If there were no witnesses and/or no exhibits, you must include an index page reflecting (*None*).

For limited jurisdiction appeals, pursuant to Rule 8.758, the reporter shall include at the beginning of each volume of his transcript an alphabetical and a chronological index referring to the page at which the direct examination, the cross-examination, the redirect examination, and the recall of each witness

begins. He shall also indicate in a separate table in the first volume of the reporter's transcript the page at which any exhibit or other document copied therein appears, and the page at which he has noted the omission of any exhibit or other document. The contents of each transcript shall be arranged chronologically.

Soft title pages for all cases shall be prepared in accordance with the samples herein.

Certificates shall be prepared pursuant to the samples herein.

Transcript box shall be used.

Font style shall be size 14, Courier New.

It is the reporter's style choice on whether or not to use a **bold** font for speaker identifications and headings.

To add clarity to a transcript, the use of an *italic* font is preferred. The rules of grammar indicate that the names of case citations are to be italicized but not the letters and numbers that follow (ex. *In re Marriage of La Musga* (2004) 32 Cal.4<sup>th</sup> 1072), and the title of complete works that are published should be italicized (*The Metaphysics of Virtual Reality* by Michael Heim). If an italic font is not available in your software, the underscore font is an acceptable second choice. The use of an italic font in all other instances under the rules of grammar shall be the reporter's style choice.

Transcript pages shall contain double-spaced text, and text pages shall contain numbered lines totaling 26 lines per page.

Transcript page number shall be printed on each page of text and located at the upper right corner of the page, outside the box.

Hard appellate covers and soft title pages and indices are not included in the consecutive pagination and shall not have a page number printed. Your transcript page numbering begins with the first page of text.

Indices shall be placed after the hard cover in appellate transcripts and placed after your soft title page in nonappellate transcripts. The Alphabetical Index placed first, followed by the Chronological Index, followed by the Exhibit Index.

In multiple volume appellate transcripts, the use of cardinal numbers is preferred on the hard covers; i.e., Volume 1 of 2, Volume 2 of 3, Volume 3 of 3.

Do include the total number of pages of title pages, indices, hard covers and certificates in your billing.

California Rules of Court, Rule 8.144(a)(1)(D) states that appellate transcript pages must be consecutively numbered, except as provided in 8.144(e). CRC 8.144(e) references block numbering.

In noncapital criminal cases, opening statements and jury voir dire are excluded from the normal record on appeal and are not transcribed, pursuant to California Rules of Court, Rule 8.320(c)(3). Such proceedings are prepared only when designated in the Notice of Appeal and Notice to Reporter to Prepare Transcript.

Jury voir dire and opening statements are transcribed in capital criminal cases as part of the daily transcript required in capital cases, California Rules of Court, Rule 8.324(b)(2).

Prepare Reporter's Certificate pursuant to the sample. Do not print the page number on the Reporter's Certificate.

Reporter's Certificate is the only certificate required in civil appellate transcripts.

In capital cases, a Reporter's Certificate is the only certificate required. The original and each copy of the last volume **shall** contain original signatures.

In addition to the Reporter's Certificate in criminal appellate transcripts, the reporter is to provide two additional certificates (clerk's certificate and clerk's certificate District Attorney/Attorney General) for the appellate clerk's use. The sample document containing the Appellate Defenders address is always to be included at the end of the appellate transcript. If the defendant has retained counsel at the time of filing the appeal other than the Appellate Defenders office, the reporter needs to put that counsel's name and address in place of the Appellate Defenders address.

Do not print the page number on the clerk's certificates. Place the clerk's certificate as the last page of the appellate transcript.

In civil cases, California Rules of Court, Rule 8.130(a)(4) states that a notice designating a reporter's transcript must state the date the notice of appeal was filed and specify the date of each proceeding to be included in the transcript, and may specify portions of designated proceedings that are not to be included.

California Rules of Court, Rule 8.144(c) specifies that appellate transcript volumes shall contain a maximum of 300 pages. Make sure your total physical number of pages, including the indices and certificates, does not exceed 300 pages. Appellate personnel will physically count the pages within the volumes to make sure they do not exceed 300 pages; and, if so, will reject your filing.

Fourth District Court of Appeal, Division Three, requires card stock for the cover page of the original volumes. When the flat card stock covers are used with ACCO fasteners and/or brads, the fasteners shall be covered and not exposed. Acetate covers are acceptable for copies of appellate transcripts as long as the fasteners are not exposed.

16 CA ADC § 2473

16 CCR § 2473

Cal. Admin. Code Title 16, § 2473

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS  
TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS  
DIVISION 24. CERTIFIED SHORTHAND REPORTERS BOARD  
ARTICLE 8. DENIAL, SUSPENSION AND REVOCATION OF CERTIFICATES  
This database is current through 02/03/2006, Register 2006, No. 5.

**§ 2473. Minimum Transcript Format Standards.**

(a) A reporter licensed under Chapter 13, Division 3 of the Code shall comply with the following transcript format standards when producing a transcript in a legal proceeding. If a reporter is employed by a court, either as an official or pro tem official reporter, the transcript format set forth by state or local rules of court, or adopted by that jurisdiction, if any, will supersede. If there are no transcript format guidelines established within a jurisdiction, the following minimum transcript format standards shall apply:

- (1) No fewer than 25 typed text lines per page;
- (2) A full line of text shall be no less than 56 characters unless timestamping is used, in which case no fewer than 52 characters shall be used on a full line of text;
- (3) Timestamping may only be printed on a transcript under any of the following circumstances:
  - (A) when a deposition is videotaped;
  - (B) when requested by counsel on the record, or
  - (C) when a transcript will have not less than 56 characters per line.
- (4) Left-hand margin is defined as the first character of a line of text;
- (5) Each question and answer is to begin on a separate line;
- (6) Text is to begin no more than 10 spaces from the left margin. "Q" and "A" Symbols shall appear within the first 8 spaces from the left-hand margin;
- (7) Carry-over "Q" and "A" lines to begin at the left-hand margin;
- (8) Colloquy and paragraphed material to begin no more than 10 spaces from the left-hand margin with carry-over colloquy to the left-hand margin;
- (9) Quoted material to begin no more than 14 spaces from the left-hand margin with carry-over lines to begin no more than 10 spaces from the left-hand margin;
- (10) Parenthetical and exhibit markings of two lines or more shall be no less than 35 characters per line; and

(11) In colloquy, text shall begin no more than two spaces after the colon following speaker "ID."

(b) Failure to comply with these minimum standards, as noted above, constitutes grounds for disciplinary action.

Note: Authority cited: Sections 8007, 8008 and 8025, Business and Professions Code. Reference: Sections 8015 and 8025, Business and Professions Code.

#### HISTORY

1. New section filed 1-11-2000; operative 2-10-2000 (Register 2000, No. 2).
  2. New subsections (a)(3)-(a)(3)(C), subsection renumbering and amendment of newly designated subsection (a)(6) filed 7-31-2002; operative 8-30-2002 (Register 2002, No. 31).
- 16 CA ADC § 2473



GLENN R. SALTER  
PRINCIPAL ATTORNEY

COURT OF APPEAL  
FOURTH APPELLATE DISTRICT  
DIVISION THREE

September 6, 2006

Ms. Terri Edwards  
Orange County Superior Court  
Court Services Department  
700 Civic Center Drive West  
Santa Ana, CA 92705

Re: Exhibit indices in reporter's transcripts

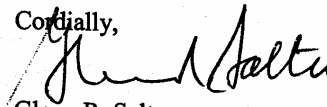
Dear Terri:

California Rules of Court, rule 9(b)(3), states that reporter's transcripts must contain an index listing exhibits. A question has arisen as to whether the exhibit indices must include a brief description of the exhibits listed.

Current practice of this court requires inclusion of a brief description. Transcripts that do not comply are to be returned for correction. I understand, however, that a number of court reporters in the superior court question whether such a brief description is necessary.

In response to this concern, inquiries were made statewide. While I will not bother you with the details, the bottom line is that the Supreme Court requires it and the Administrative Presiding Justice of the Fourth Appellate District (Justice Judith McConnell) agrees it is required. Given those above us require it, Justice Sills and I do not think our court is in a position to relieve the reporter's of this requirement.

Cordially,

  
Glenn R. Salter  
Managing Appellate Court Attorney



**SAMPLE SUPREME COURT HARD COVER (no box)**

CRIMINAL NUMBER S.O. 34800  
O.C. C-77640

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

---

THE PEOPLE OF THE STATE OF CALIFORNIA,

PLAINTIFF AND RESPONDENT,

VS.

NAME OF DEFENDANT,

DEFENDANT AND APPELLANT.

---

APPEAL FROM THE SUPERIOR COURT OF ORANGE COUNTY

HONORABLE NAME OF JUDGE, JUDGE PRESIDING

---

NOVEMBER 29, 2005; NOVEMBER 30, 2005;  
JANUARY 3, 2006; FEBRUARY 1, 2006

---

A P P E A R A N C E S

FOR PLAINTIFF AND RESPONDENT:  
OFFICE OF THE ATTORNEY GENERAL  
110 WEST "A" STREET, SUITE 1100  
SAN DIEGO, CA 92101

FOR DEFENDANT AND APPELLANT:  
NAME OF LAW FIRM  
ADDRESS  
CITY, STATE ZIP

REPORTER NAME, CSR 1234, RPR  
OFFICIAL COURT REPORTER/REPORTER PRO TEMPORE  
VOLUME 1 OF 10 (PAGES 1 THROUGH 275, INCLUSIVE)

ORIGINAL/COPY STAMP GOES HERE

**SAMPLE NONCAPITAL CRIMINAL APPELLATE HARD COVER  
(requires box)**

GO12345

COURT OF APPEAL - STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT, DIVISION III

---

THE PEOPLE OF THE STATE OF CALIFORNIA,

PLAINTIFF/APPELLANT/RESPONDENT, (USE APPROPRIATE TITLE)

VS.

NAME OF DEFENDANT,

DEFENDANT/APPELLANT/RESPONDENT. (USE APPROPRIATE TITLE)

---

REPORTER'S TRANSCRIPT ON APPEAL FROM THE  
SUPERIOR COURT OF ORANGE COUNTY  
CASE NO. 00NF00000  
HONORABLE NAME OF JUDGE, JUDGE PRESIDING

---

NOVEMBER 29, 2005; NOVEMBER 30, 2005;  
JANUARY 3, 2006; FEBRUARY 1, 2006

---

A P P E A R A N C E S

FOR PLAINTIFF/APPELLANT/RESPONDENT: (USE APPROPRIATE TITLE)  
OFFICE OF THE ATTORNEY GENERAL  
110 WEST "A" STREET, SUITE 1100  
SAN DIEGO, CA 92101

FOR DEFENDANT/APPELLANT/RESPONDENT: (USE APPROPRIATE TITLE)  
NAME OF LAW FIRM OR APPELLATE DEFENDER'S OFFICE  
ADDRESS  
CITY, STATE ZIP

REPORTER NAME, CSR 1234, RPR  
OFFICIAL COURT REPORTER/REPORTER PRO TEMPORE  
VOLUME 1 OF 10 (PAGES 1 THROUGH 275, INCLUSIVE)

ORIGINAL/COPY STAMP GOES HERE

**SAMPLE CIVIL SOFT TITLE PAGE (requires box)**

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE, INSERTNAME JUSTICE CENTER

DEPARTMENT NUMBER

NAME OF PLAINTIFF,	)	
	)	
PLAINTIFF,	)	
	)	
VS.	)	NO. 00CC12345
	)	
NAME OF DEFENDANT(S),	)	
	)	
DEFENDANT(S).	)	
_____	)	

HONORABLE NAME OF JUDGE, JUDGE PRESIDING

REPORTER'S TRANSCRIPT

DATE OF PROCEEDINGS

APPEARANCES OF COUNSEL:

FOR THE PLAINTIFF:

NAME OF LAW FIRM  
BY: NAME OF COUNSEL APPEARING

FOR THE DEFENDANT(S):

NAME OF LAW FIRM  
BY: NAME OF COUNSEL APPEARING

NAME OF REPORTER, CSR 1234, RPR  
OFFICIAL COURT REPORTER/REPORTER PRO TEMPORE

ORIGINAL/COPY STAMP GOES HERE

**SAMPLE CRIMINAL SOFT TITLE PAGE (requires box)**

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE, INSERTNAME JUSTICE CENTER

DEPARTMENT NUMBER

THE PEOPLE OF THE STATE OF CALIFORNIA, )  
 )  
 PLAINTIFF, )  
 )  
 VS. ) CASENUMBER  
 )  
 NAME OF DEFENDANT(S), )  
 )  
 DEFENDANT(S) . )  
 \_\_\_\_\_ )

HONORABLE NAME OF JUDGE, JUDGE PRESIDING

REPORTER'S TRANSCRIPT

DATE OF PROCEEDINGS

APPEARANCES OF COUNSEL:

FOR THE PEOPLE:

TONY RACKAUCKAS, DISTRICT ATTORNEY  
BY: NAME OF DEPUTY DISTRICT ATTORNEY APPEARING

FOR THE DEFENDANT(S) :

NAME OF PUBLIC DEFENDER/ALTERNATE DEFENDER/LAW FIRM  
BY: NAME OF DEPUTY PUBLIC DEFENDER/DEPUTY  
ALTERNATE DEFENDER/COUNSEL APPEARING

NAME OF REPORTER, CSR 1234, RPR  
OFFICIAL COURT REPORTER/REPORTER PRO TEMPORE

ORIGINAL/COPY STAMP GOES HERE

**SAMPLE JUVENILE SOFT TITLE PAGE (requires box)**

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE, INSERTNAME JUSTICE CENTER

DEPARTMENT NUMBER

IN RE THE MATTER OF: )  
 )  
FIRST NAME, LAST INITIAL OF MINOR ) NO. DP001234  
 )  
PERSONS COMING UNDER THE )  
JUVENILE COURT LAW )  
\_\_\_\_\_ )

HONORABLE (NAME), JUDGE PRESIDING/REFEREE

REPORTER'S TRANSCRIPT

DATE OF PROCEEDINGS

APPEARANCES OF COUNSEL:

FOR O.C. SOCIAL SERVICES AGENCY:  
BENJAMIN P. DE MAYO, COUNTY COUNSEL  
BY: NAME OF DEPUTY COUNTY COUNSEL APPEARING

FOR THE MINOR:  
LAW OFFICES OF HAROLD LA FLAMME  
BY: NAME OF COUNSEL APPEARING

FOR MINOR'S(S') MOTHER/FATHER:  
DEBORAH A. KWAST, PUBLIC DEFENDER  
BY: NAME OF DEPUTY PUBLIC DEFENDER APPEARING

FOR MINOR'S(S') MOTHER/FATHER:  
JUVENILE DEFENDERS  
BY: NAME OF COUNSEL APPEARING

NAME OF REPORTER, CSR 1234, RPR  
OFFICIAL COURT REPORTER/REPORTER PRO TEMPORE

ORIGINAL/COPY STAMP GOES HERE

**SAMPLE FAMILY LAW SOFT TITLE PAGE (requires box)**

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE, INSERTNAME JUSTICE CENTER

DEPARTMENT NUMBER

IN RE THE MATTER OF: )  
 )  
NAME OF PETITIONER )  
 )  
PETITIONER, )  
 )  
AND ) NO. 00D001234  
 )  
NAME OF RESPONDENT, )  
 )  
RESPONDENT. )  
\_\_\_\_\_ )

HONORABLE (NAME), JUDGE PRESIDING/COMMISSIONER

REPORTER'S TRANSCRIPT

DATE OF PROCEEDINGS

APPEARANCES OF COUNSEL:

FOR THE PETITIONER:  
NAME OF LAW FIRM  
BY: NAME OF COUNSEL APPEARING

FOR THE RESPONDENT:  
NAME OF LAW FIRM  
BY: NAME OF COUNSEL APPEARING

FOR THE CHILD/CHILDREN:  
NAME OF LAW FIRM  
BY: NAME OF COUNSEL APPEARING

NAME OF REPORTER, CSR 1234, RPR  
OFFICIAL COURT REPORTER/REPORTER PRO TEMPORE

ORIGINAL/COPY STAMP GOES HERE



**SAMPLE CIVIL LIMITED APPELLATE SOFT COVER  
(requires box)**

00CC001234

SUPERIOR COURT - STATE OF CALIFORNIA  
COUNTY OF ORANGE

---

NAME OF PLAINTIFF,

PLAINTIFF/APPELLANT/RESPONDENT, (USE APPROPRIATE TITLE)

VS.

NAME OF DEFENDANT,

DEFENDANT/APPELLANT/RESPONDENT. (USE APPROPRIATE TITLE)

(JOHN DOE, REAL PARTY IN INTEREST)

---

REPORTER'S TRANSCRIPT ON APPEAL FROM

LIMITED JURISDICTION RULING

APPELLATE JUDGES (LIST ALL NAMES)

JANUARY 26, 2006

---

FOR PLAINTIFF/APPELLANT/RESPONDENT: (USE APPROPRIATE TITLE)

FOR DEFENDANT/APPELLANT/RESPONDENT: (USE APPROPRIATE TITLE)

REPORTER NAME, CSR 1234, RPR  
OFFICIAL COURT REPORTER/REPORTER PRO TEMPORE

ORIGINAL/COPY STAMP GOES HERE



**SAMPLE CLERK'S CERTIFICATE**  
**FOR ALL CRIMINAL NONCAPITAL APPELLATE TRANSCRIPTS**  
**(no box)**

CASE NO. \_\_\_\_\_  
APPELLATE CASE NO. GO \_\_\_\_\_

THE PEOPLE OF THE STATE OF CALIFORNIA

VS.

NAME OF DEFENDANT(S)  
\_\_\_\_\_

I, Alan Carlson, Executive Officer/Clerk, in and for the County of Orange, State of California, hereby certify: that I am not a party to the within action or proceedings; that on \_\_\_\_\_, I served the within Reporter's Transcript on Appeal on Defendant in said action or proceeding by depositing a true copy thereof, enclosed in a sealed envelope, with fees thereon fully prepaid, with Federal Express Service at Santa Ana, California, addressed as follows:

Appellate Defenders, Inc.  
555 W. Beech Street, Suite 300  
San Diego, CA 92101

ALAN CARLSON, Executive Officer/Clerk

By: \_\_\_\_\_  
Deputy

Received of Alan Carlson, Chief Executive Officer/Clerk, a copy of the Reporter's Transcript on Appeal consisting of \_\_\_\_\_ Volumes in the above-entitled matter, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Signature of recipient)

**SAMPLE CLERK'S CERTIFICATE  
FOR ALL CRIMINAL NONCAPITAL APPELLATE TRANSCRIPTS  
DISTRICT ATTORNEY/ATTORNEY GENERAL  
(no box)**

Received of Alan Carlson, Clerk of the Superior Court, a copy of the reporter's transcript on appeal in the above-entitled matter this \_\_\_\_\_ day of \_\_\_\_\_, 20--.

\_\_\_\_\_  
Signature of recipient

I hereby certify that the Attorney General's copy was transmitted to the District Attorney for review on \_\_\_\_\_, 20--.

ALAN CARLSON, Executive Officer/Clerk

By: \_\_\_\_\_  
Deputy

I hereby certify that a copy of the within Reporter's Transcript on Appeal was transmitted to the Attorney General of the State of California on \_\_\_\_\_, 20--.

ALAN CARLSON, Executive Officer/Clerk

By: \_\_\_\_\_  
Deputy

**SAMPLE TRANSCRIPT MASTER INDEX (requires box)**

M A S T E R   I N D E X

(ALPHABETICAL)

<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RE CROSS</u>	<u>VOIR DIRE</u>	<u>VOL</u>
JANE DOE	89	189	233	250	9	1
JOHN MILLER	323	419				2
BILL SMITH	253	279				1

**SAMPLE TRANSCRIPT MASTER INDEX (requires box)**

M A S T E R I N D E X

(CHRONOLOGICAL)

<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RE CROSS</u>	<u>VOIR DIRE</u>	<u>VOL</u>
JANE DOE	89	189	233	250	9	1
BILL SMITH	253	279				1
JOHN MILLER	323	419				2





**SAMPLE  
TRANSCRIPT  
FORMAT  
FOLLOWS**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF ORANGE, CENTRAL JUSTICE CENTER  
DEPARTMENT C99

JOHN DOE, )  
 )  
 ) PLAINTIFF, )  
 )  
VS. ) NO. 00CC12345  
 )  
JANE SMITH, )  
 )  
 ) DEFENDANT. )  
\_\_\_\_\_ )

HONORABLE TOM JONES, JUDGE PRESIDING

REPORTER'S TRANSCRIPT

OCTOBER 23, 2006

APPEARANCES OF COUNSEL:

FOR THE PLAINTIFF:

MARTIN & MARTIN  
BY: MARY MARTIN

FOR THE DEFENDANT:

SMITH, JONES & WHITE  
BY: JOAN JOHNSON

SUE REPORTER, CSR 1234, RPR  
OFFICIAL COURT REPORTER

**ORIGINAL**



WITNESS INDEX

<u>PLAINTIFF'S:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR</u> <u>DIRE</u>
(NONE)					

<u>DEFENDANT'S:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR</u> <u>DIRE</u>
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**JANE SMITH**

BY MS. JOHNSON                      1

BY MS. MARTIN                                      3

EXHIBITS

PLAINTIFF'S EXHIBITS

FOR ID RECEIVED REFUSED

(NONE)

DEFENDANT'S EXHIBITS

FOR ID RECEIVED REFUSED

1 DOCUMENT

2

3

1           **SANTA ANA, CALIFORNIA - MONDAY, OCTOBER 23, 2006**

2                           **AFTERNOON SESSION**

3                           **(PROCEEDINGS IN OPEN COURT:)**

4           **THE BAILIFF:**   REMAIN SEATED AND COME TO ORDER.  
5           ORANGE COUNTY SUPERIOR COURT IS NOW IN SESSION.

6           **THE COURT:**   ALL RIGHT.

7                           AT THIS TIME, I'LL ASK JANE SMITH TO RAISE  
8           YOUR RIGHT HAND AND FACE MY COURTROOM CLERK.  
9           RAISE YOUR RIGHT HAND AND BE SWORN.

10                           **JANE SMITH,**

11           CALLED AS A WITNESS BY THE DEFENDANT, HAVING BEEN  
12           FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED AS  
13           FOLLOWS:

14           **THE CLERK:**   STATE YOUR NAME AND SPELL IT FOR  
15           THE RECORD.

16           **THE WITNESS:**   JANE SMITH.   DO I SPELL IT ALL?

17           **THE COURT:**   JUST THE LAST NAME.

18           **THE WITNESS:**   S-M-I-T-H.

19           **THE COURT:**   MS. SMITH, HAVE A SEAT.

20                           MS. JOHNSON, YOU MAY INQUIRE.

21           **MS. JOHNSON:**   THANK YOU.

22                           **DIRECT EXAMINATION**

23           **BY MS. JOHNSON:**

24           Q.   MS. SMITH, YOU'RE IN SCHOOL RIGHT NOW?

25           A.   UM-HMM.

26           **THE COURT:**   IS THAT "YES"?

1           **THE WITNESS:**  YES.

2           **BY MS. JOHNSON:**

3           Q.  MS. SMITH, WHEN WAS THE LAST TIME YOU  
4 ATTENDED CLASS?

5           A.  I THINK, LIKE, MAYBE -- LIKE, I ACTUALLY  
6 DON'T KNOW.  I THINK IT WAS, LIKE, TWO DAYS AGO  
7 PROBABLY.  NOT TWO DAYS AGO, THAT WAS THE WEEKEND.  
8 I THINK IT WAS ON FRIDAY OR SOMETHING PROBABLY.

9           Q.  DID YOU ATTEND CLASS ON FRIDAY?

10          A.  UM-HMM.

11          **THE COURT:**  IS THAT "YES"?

12          **THE WITNESS:**  ALL MY CLASSES.

13          **BY MS. JOHNSON:**

14          Q.  HOW ABOUT ON THURSDAY LAST WEEK?

15          A.  I DON'T KNOW REALLY.  I DON'T REMEMBER.  I  
16 THINK I ONLY WENT, LIKE, ONE DAY THOUGH  
17 TRUTHFULLY.

18          **MS. JOHNSON:**  YOUR HONOR, I'D LIKE THIS MARKED  
19 AS DEFENDANT'S 1 FOR IDENTIFICATION.  IT'S A  
20 SCHOOL ATTENDANCE RECORD FOR THE MONTH OF  
21 SEPTEMBER/OCTOBER 2006.

22          **THE COURT:**  IT WILL BE SO MARKED.

23                               (EXHIBIT 1 MARKED)

24          **BY MS. JOHNSON:**

25          Q.  YOU WENT TO SCHOOL ONE DAY IN SEPTEMBER?

26          A.  I THINK I ONLY WENT ONCE OUT OF TWO

1 MONTHS.

2 Q. SO YOU HAVEN'T BEEN TO SCHOOL EXCEPT FOR  
3 THE LAST FRIDAY FOR THE LAST TWO MONTHS?

4 A. YES.

5 **MS. JOHNSON:** YOUR HONOR, I'D LIKE EXHIBIT 1  
6 RECEIVED INTO EVIDENCE.

7 **THE COURT:** EXHIBIT 1 WILL BE RECEIVED, THANK  
8 YOU.

9 (EXHIBIT 1 RECEIVED)

10 **MS. JOHNSON:** NO FURTHER QUESTIONS.

11 **THE COURT:** THANK YOU.

12 MS. MARTIN, ANY QUESTIONS?

13 **MS. MARTIN:** YES, YOUR HONOR.

14 **CROSS-EXAMINATION**

15 **BY MS. MARTIN:**

16 Q. ARE YOU ENROLLED AT SCHOOL?

17 A. YEAH, OVER AT SMITH TECHNICAL COLLEGE.

18 Q. LET ME READ THE PARAGRAPH AT THE BOTTOM OF  
19 EXHIBIT 1.

20 "EVERYTHING CONTAINED IN THIS  
21 DOCUMENT IS TRUE AND CORRECT TO THE BEST  
22 OF MY ABILITY."

23 AND IT LOOKS LIKE IT'S SIGNED BY A T.  
24 STRONG, ATTENDANCE.

25 DO YOU KNOW WHO T. STRONG IS?

26 A. YES.

1 Q. WHO IS THAT?

2 A. THE ATTENDANCE LADY IN THE OFFICE.

3 Q. DO YOU KNOW WHO T. STRONG IS MARRIED TO?

4 **MS. JOHNSON:** OBJECTION. IRRELEVANT.

5 **THE COURT:** SUSTAINED.

6 **MS. MARTIN:** THANK YOU.

7 NO FURTHER QUESTIONS.

8 **THE COURT:** WHY DON'T WE TAKE A 10-MINUTE  
9 BREAK AT THIS TIME. RETURN AT 11:10.

10 (RECESS)

11 **THE COURT:** BACK ON THE RECORD.

12 COUNSEL HAS AN EMERGENCY. WE WILL  
13 RECONVENE AGAIN TOMORROW AT 1:30.

14 **(PROCEEDINGS CONCLUDED)**

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