

1 THE COURT: Thank you very much, SMAK, you are
2 excused:

3 Defense may call its next witness walk walk Your
4 Honor, the defense -- can we approach?

5 THE COURT: You may.

6 (A bench conference is had, and the following is
7 had outside the hearing of the jury.) Walk walk our next
8 witness is scheduled at 1030 we anticipated going quicker.

9 THE COURT: That is unacceptable I told you to have
10 witnesses here. We are not going to recess again until
11 1030, that is 40 minutes away. I told you you be prepared
12 they need to be here, your witness are not taking long we
13 are going to go the 8 you named still have time so you
14 better get them ahead. So call your next witness walk
15 walk yes, Your Honor.

16 (The following is had in the hearing of the jury.)
17 Walk walk Your Honor we would like to heck to see if
18 please is in the witness room.

19 THE COURT: You may. Walk walk Your Honor defense
20 calls Ken Barnes.

21 COURTROOM DEPUTY: Your attention, please.

22 **THE WITNESS**

23 having been first duly sworn, testified as follows:

24

25

DARLENE M. MARTINEZ, RMR, CRR
United States District Court
For the District of Colorado

