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IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS,

Plaintiff,

FILED

VS.

OCT 16 2000

#99-CF-2226

VALDEZ JORDAN,

CLERK OF CIRCUIT COURT #34
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

Defendant.

REPORT OF PROCEEDINGS

Report of Proceedings held the 5th day of July, 2000,
before the Honorable Charles Romani, Jr., at the Courthouse,
in the City of Edwardsville, Madison County, Illinois.

APPEARANCES:

MR. KEITH JENSEN, Assistant State's Attorney,
Appearing on behalf of the People of the State of Illinois.

MR. NEIL HAWKINS, Assistant Public Defender,
Appearing on behalf of the Defendant.

MR. MICHAEL STEWART, Assistant Public Defender,
Appearing on behalf of the Defendant.

Katrina Rotsch, C.S.R.
Official Court Reporter
License #084-002763

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1 BE IT REMEMBERED AND CERTIFIED, that heretofore on
2 to-wit: The 5th day of July, 2000, said cause entitled as
3 hereinabove set forth, came on for hearing before the
4 Honorable Charles Romani, Jr., at the Courthouse, in the City
5 of Edwardsville, Madison County, Illinois.

6 WHEREUPON the following proceedings were held of
7 record, to-wit:

8 COURT CONVENEED: July 5th, 2000.

9 *****

10 THE COURT: This cause before the Court, People of
11 the State of Illinois Vs. Valdez Jordan, #99-CF-2226.

12 People present by Assistant State's Attorney Keith
13 Jensen. Mr. Jordan is present with Assistant Public
14 Defender Mike Stewart, and Assistant Public Defender Neil
15 Hawkins.

16 This matter is called today, Mr. Jordan was found
17 guilty by a jury on May 18th of two counts of First Degree
18 Murder, one count of Armed Robbery.

19 The matter is called today on a Post-Trial Motion and
20 Sentencing. The first matter we will take up will be the
21 Post-Trial Motion filed by Mr. Hawkins.

22 Mr. Hawkins?

23 MR. HAWKINS: Thank you, Your Honor. At this time,
24 Your Honor, we had filed a Post-Trial Motion in this matter

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1 raising what we believe to be errors committed in the trial
2 of this matter.

3 First, in the oral motion, we believe the evidence
4 was insufficient to prove Mr. Jordan guilty beyond a
5 reasonable doubt. That the evidence was insufficient for the
6 jury to find him guilty. That he was not the person that
7 committed this offense.

8 The other grounds of error we raise, one is
9 concerning a Motion in Limine, Motion in Limine #15, which
10 had to do with the testimony of DeMond Spruill. We feel that
11 in refusing to allow that Motion in Limine, as to allow
12 Demond Spruill as to, quote, snitch or informant, that the
13 motion violated the defendant's right to counsel, his right
14 to remain silent.

15 DeMond was placed in the same area with Mr. Jordan,
16 testified as to conversation he had with Mr. Jordan.

17 Further feel that Mr. Jordan was prejudiced by the
18 State introducing testimony of Ramando Alexander,
19 specifically Mr. Alexander had a deal with the State. We
20 were provided and submitted in evidence a copy of the alleged
21 plea agreement with Mr. Alexander. And after he testified,
22 we were advised that was not the plea agreement.

23 The Court then allowed Mr. Schattnik to testify as to
24 what he believed the plea agreement was. And we believe that

1 also was error.

2 Further we believe that there was error in that one
3 of the State's witnesses, Tamala Hamilton, was allowed to
4 testify. She testified in exchange for her testimony, wasn't
5 looking to get anything in exchange for her testimony.

6 No sooner was the trial, or her testimony
7 accomplished that day, then she was released on her own
8 recognizance, on the motion of her attorney, Mr. Anderson.
9 And it was agreed to by Mr. Buckley through the State's
10 Attorney, who was sitting with Mr. Jensen throughout the
11 trial.

12 Further we believe that the defendant was prejudiced
13 by the failure to show the jury any person named as Jasper.
14 We had testimony that Frank Holliday saw a person named
15 Jasper, or Purvis, not Jasper, at or near the scene of the
16 crime with a handgun. And that was given to the, information
17 was given to the Alton Police, but never investigated by
18 them.

19 Further, we believe the Court erred in refusing
20 Defendant's Instructions #3 and #4, one of those instructions
21 having to do with the informant testimony, and testimony of
22 accomplice.

23 We believe that all these matters would allow the
24 defendant a new trial, and we would ask the Court to set

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1 aside the verdict and give Mr. Jordan a new trial in this
2 matter.

3 THE COURT: Mr. Jensen?

4 MR. JENSEN: Your Honor, I have reviewed the
5 Post-Trial Motion.

6 With regard to Demond Spruill, I think the Court
7 ruled ahead of time regarding his testimony and his right to
8 testify. He was not placed in a cell, he happened to be in
9 a location of the jail with the defendant and they spoke at
10 that time.

11 With regards to Ramando Alexander, Mr. Buckley
12 provided the defense with the sentencing agreement on Mr.
13 Alexander, and his testimony, and further, prior to his
14 testimony, the defense was given an oral supplement regarding
15 his testimony and the fact that he was pleading guilty to
16 another offense and was sentenced to the penitentiary for
17 that offense.

18 They were allowed to go over the fact that he is
19 being released early regarding that offense. They even went
20 over the fact that his participation in that crime, and they
21 made an issue of it, so that necessitated Mr. Schattnik's
22 testimony, and certainly opened the door for it.

23 With regards to Tamala Hamilton, her testimony was
24 viewed by the jury and could be interpreted and the proper

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1 weight based upon that by the jury as the tryer of fact.

2 None of those circumstances deprive the defendant to
3 a fair trial, and we would ask the Court to deny the
4 defendant's Post-Trial Motion.

5 THE COURT: Anything else, Mr. Hawkins?

6 MR. HAWKINS: No, Your Honor.

7 THE COURT: The Court has reviewed the Post-Trial
8 Motion that was on file. Just a few remarks.

9 The defendant's Motion in Limine #15 was a Motion to
10 Bar DeMond Spruill from testifying at all in this case.

11 There was no evidence presented to show that DeMond
12 Spruill was an agent of the State. Therefore, that Motion
13 in Limine was denied, because of that fact. There was no
14 ground to deny DeMond Spruill from testifying. The Court
15 did not limit the defense in cross examining Mr. Spruill, as
16 to his having testified for the State in other matters.

17 On Ramando Alexander, there was a conflict between
18 the document that was presented and the testimony. The
19 Court allowed the document to be sent to the jury for them to
20 examine what was in writing, to make their own determination
21 as to what they felt any dealings had been made with Mr.
22 Alexander.

23 Defendant's Instructions #3 and #4, Defendant's
24 Instruction #3 deals with an accomplice. Someone involved