

1 BE IT REMEMBERED AND CERTIFIED, that heretofore on
2 to-wit: The 16th day of May, 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 CONVENED: May 16th, 2000.

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10 THE COURT: On the record, this case, People of the
11 State of Illinois Vs. Valdez Jordan, #99-CF-2226. People
12 present by Keith Jensen. Mr. Jordan is present with
13 Assistant Public Defender Neil Hawkins and Mike Stewart.

14 This matter is called for jury trial today. Mr.
15 Hawkins?

16 MR. HAWKINS: Your Honor, at this time, Mr. Stewart
17 has talked to Mr. Jordan prior to jury selection. Mr. Jordan
18 has indicated that he himself is not ready to go to trial,
19 doesn't have a, Mr. Stewart and my position is we have this
20 case prepared for trial, we are ready to go and wish to
21 proceed today. But that is his wish, that he doesn't feel
22 he is ready to go.

23 THE COURT: Mr. Jordan, is there anything you wish to
24 say?

1 DEFENDANT JORDAN: I feel that I am not ready for
2 trial, Your Honor. The reason why is, one of the reasons
3 that, I mean I, I don't have no motion of discovery of my
4 own. I haven't had, I mean, I read through some of them,
5 but I ain't got no understanding of what is really going
6 on.

7 The second reason is, it is witnesses that need to be
8 subpoenaed on my behalf, haven't been subpoenaed, that can
9 testify for me.

10 And third reason, I believe there has been a conflict
11 of interest between me and counsel that is representing me.

12 THE COURT: What is the conflict of interest, Mr.
13 Jordan?

14 DEFENDANT JORDAN: February 29th, me and Neil Hawkins
15 had a physical confrontation over in the jail.

16 THE COURT: About what?

17 DEFENDANT JORDAN: Huh?

18 THE COURT: About what?

19 DEFENDANT JORDAN: About I was touched in the wrong
20 way, and I reacted.

21 MR. HAWKINS: To clarify this point, there is no
22 truth to what, Mr. Jordan, about I touched him. Mr. Jordan
23 took a swing at me and was subsequently pushed down to the
24 floor and jerked out of the room. I did not touch him in any

1 way. I shook his hand upon leaving. I decided not to pursue
2 charges.

3 Our office will not withdraw because a client took a
4 swing at any Assistant Public Defender. Further, whether it,
5 whether or not it is the right of the counsel whether to
6 supply, there is a case in point whether to serve, given
7 copies are the right of counsel, not of the defendant.

8 THE COURT: Okay. And you have received all the
9 discovery?

10 MR. HAWKINS: Yes, I have, Your Honor. And Mr.
11 Stewart went over it with Mr. Jordan at the jail.

12 THE COURT: Which witnesses, Mr. Jordan, are you
13 referring to?

14 DEFENDANT JORDAN: I have been informed that it was a
15 confidential informant in the block with me, and he gave
16 statements saying that I incriminated myself to him, which is
17 not true. And people who was in the block that can testify
18 to that.

19 That is pretty much one of the main reasons.

20 THE COURT: Mr. Hawkins, are you aware of the
21 statement, supposed --

22 MR. HAWKINS: Supposed statements from DeMond Spruill,
23 and we are well aware that Mr. Spruill is a snitch. And that
24 will be brought out on both direct and cross examination, I

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1 am sure. And if necessary, we will call people from the
2 cellblock, we will do that. But those witnesses are
3 available at any time.

4 THE COURT: Okay, and you are prepared to go to
5 trial?

6 MR.HAWKINS: Yes, we are, Your Honor.

7 THE COURT: Okay, this matter, Mr. Jordan, you have
8 been in custody two hundred twenty-five days on this case.
9 This case is getting rather old.

10 Your counsel is ready to go to trial. We are aware
11 of DeMond Spruill, as is probably everyone in this courtroom,
12 including myself. I am sure it will be brought out in his
13 testimony about some of the things he has done.

14 So this matter will proceed today to trial.
15 Anything else, Mr. Hawkins?

16 MR.HAWKINS: No, Your Honor.

17 THE COURT: Mr. Jensen?

18 MR. JENSEN: No, Your Honor.

19 THE COURT: Okay. Get the jurors up here.

20 (Short pause in proceedings.)

21 *****

22 (Proceedings continue in the
23 presence of the jury.)

24 THE COURT: Good morning, ladies and gentlemen. I am

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1 THE COURT: They will be admitted into evidence.

2 Alright, ladies and gentlemen, you have heard all the
3 evidence to be presented in this case. At this time there
4 are just a few more matters that counsel and myself have to
5 get straightened out before we have closing argument.

6 I am going to give you a break until 11:30, we are
7 going to come back and do closing argument. At the end of
8 the case you will hear the jury instructions at that time.

9 So you have got about thirty minutes, take a break
10 and assemble down in the jury assembly room, in that area.
11 We will bring you back up at 11:30 and do the closing
12 argument.

13 (Jury excused.)

14 *****

15 THE COURT: Okay, the first thing I am going to put
16 on the record, show this is out of the presence of the jury,
17 Motions in Limine #15, #16, #17 and #18, which were discussed
18 at the Bench before DeMond Spruill testified.

19 #15 dealt with him testifying at all. Okay, just for
20 the record, he had invoked his right, he had invoked his
21 right to remain silent, and this was an attempt to circumvent
22 by putting an informant to try to get him to talk, in
23 violation of both the law and the case law.

24 MR. JENSEN: There is absolutely no testimony,

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1 evidence or anything to insinuate that he was sent in or was
2 an agent of the State at that time. He simply had a
3 conversation with an additional person in the jail.

4 Therefore, what he had to say is not a violation of
5 the 5th Amendment.

6 THE COURT: That Motion in Limine is denied.

7 #16 dealt with DeMond Spruill testifying about the
8 defendant's attorney told him about working on an alibi.

9 MR. STEWART: That was allowed.

10 THE COURT: That is allowed. And it was not brought
11 out.

12 #17 dealt with what happened to the gun.

13 MR. HAWKINS: That was allowed.

14 THE COURT: He said what happened with the gun, but
15 he didn't mention, I don't remember --

16 MR. STEWART: He just said he got rid of the
17 evidence.

18 THE COURT: And then Motion in Limine #18 was
19 allowed, that was concerning potential witnesses in the case,
20 and nothing came out in that.

21 Before we, for the record, Mr. Hawkins, your motion?

22 MR. STEWART: Directed verdict.

23 THE COURT: Mr. Stewart?

24 MR. STEWART: Yes, sir, that the State has the

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