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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,)	
)	
Plaintiff,)	CR 10-00400-PHX-DGC
)	
vs.)	Phoenix, Arizona
)	April 28, 2011
Janice Sue Taylor,)	
)	
Defendant.)	
)	

BEFORE: THE HONORABLE DAVID G. CAMPBELL, JUDGE

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TRIAL DAY 6 - VERDICT (Pages 1214 - 1223)

Official Court Reporter:
Patricia Lyons, RMR, CRR
Sandra Day O'Connor U.S. Courthouse, Suite 312
401 West Washington Street, SPC 41
Phoenix, Arizona 85003-2150
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Proceedings Reported by Stenographic Court Reporter
Transcript Prepared with Computer-Aided Transcription

A P P E A R A N C E S

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For the Government:

U.S. Attorney's Office
By: **FRANK T. GALATI**, ESQ.
By: **JAMES R. KNAPP**, ESQ.
40 North Central Ave., Ste 1200
Phoenix, AZ 85004

For the Defendant:

In Propria Persona
By: **JANICE SUE TAYLOR**, ESQ.
3341 Arianna Court
Gilbert, AZ 85298

Advisory Counsel for the Defendant:

Federal Public Defender's Office
By: **SUSAN E. ANDERSON**, ESQ.
850 W. Adams St., Ste 201
Phoenix, AZ 85007

08:31:58 1 P R O C E E D I N G S

2 (The following proceedings took place in open court
3 outside the presence of the jury.)
4

14:25:20 5 THE COURT: Please be seated.

6 All right. We have been notified -- the staff has
7 been notified that the jury has reached a verdict, and so I'm
8 going to have Lisa bring the jury in at this time.

9 (The jury entered the courtroom at 2:43 p.m.)

14:43:24 10 THE COURT: Please be seated.

11 Welcome back, members of the jury.

12 Juror 13, you've got the red folder. Does that mean
13 you're the foreperson?

14 JUROR: Yes, it does.

14:43:32 15 THE COURT: Would you please hand the verdict to Lisa.

16 I'm going to have Lisa read the verdict.

17 THE COURTROOM DEPUTY: We the jury find the defendant,
18 Janice Sue Taylor, guilty as charged in Count 1 of the
19 indictment of evasion of assessment for 2003.

14:44:10 20 Guilty as charged in Count 2 of the indictment of
21 evasion of assessment for 2004.

22 Guilty as charged in Count 3 of the indictment of
23 evasion of assessment for 2005.

24 Guilty as charged in Count 4 of the indictment of
14:44:27 25 evasion of assessment for 2006.

14:44:30 1 Guilty as charged in Count 5 of the indictment of
2 willful failure to file return for 2003.

3 Guilty as charged in Count 6 of the indictment of
4 willful failure to file return for 2004.

14:44:45 5 Guilty as charged in Count 7 of the indictment of
6 willful failure to file return for 2005.

7 Guilty as charged in Count 8 of the indictment of
8 willful failure to file return for 2006.

9 Dated April 28, 2011, signed by the foreperson.

14:45:05 10 THE COURT: Lisa, will you please poll the jury.

11 THE COURTROOM DEPUTY: Is this your true and correct
12 verdict and verdict of the jury, Juror Number 1?

13 JUROR: Yes.

14 THE COURTROOM DEPUTY: Juror Number 3?

14:45:12 15 JUROR: Yes.

16 THE COURTROOM DEPUTY: Juror Number 4?

17 JUROR: Yes.

18 THE COURTROOM DEPUTY: Juror Number 5?

19 JUROR: Yes.

14:45:17 20 THE COURTROOM DEPUTY: Juror Number 6?

21 JUROR: Yes.

22 THE COURTROOM DEPUTY: Juror Number 7?

23 JUROR: Yes.

24 THE COURTROOM DEPUTY: Juror Number 8?

14:45:23 25 JUROR: Yes.

14:45:24 1 THE COURTROOM DEPUTY: Juror Number 9?
2 JUROR: Yes.
3 THE COURTROOM DEPUTY: Juror Number 10?
4 JUROR: Yes.
14:45:28 5 THE COURTROOM DEPUTY: Juror Number 11?
6 JUROR: Yes.
7 THE COURTROOM DEPUTY: Juror Number 12?
8 JUROR: Yes.
9 THE COURTROOM DEPUTY: Juror Number 13?
14:45:34 10 JUROR: Yes.
11 THE COURT: All right. The polling has confirmed that
12 the jury verdict is unanimous.
13 Ladies and gentlemen of the jury, we want to thank
14 you for your service in this case, for the time and attention
14:45:49 15 you devoted to it, and for your careful deliberations. We are
16 going to excuse you at this time.
17 You are released from the admonition you've been
18 under not to talk to people about the case. If you choose to,
19 you can discuss it with other people.
14:46:06 20 If you're interested in remaining afterward to speak
21 with the lawyers or parties, you can do that. We can have you
22 come back into the courtroom if you want to, but you certainly
23 have no obligation. If you wish to just depart from the
24 courthouse, that is fine as well.
14:46:21 25 But let me thank you again for your time and efforts

14:46:28 1 in this case. We very much appreciate the service you have
2 rendered.

3 Counsel or Ms. Taylor, are there other matters we
4 need to address before we excuse the jurors?

14:46:37 5 MR. GALATI: Not before we excuse the jurors, Your
6 Honor.

7 THE COURT: Anything from you, Ms. Taylor?

8 MS. TAYLOR: I would just like to thank the jurors for
9 coming and doing their duty.

14:46:47 10 THE COURT: All right. Thank you, Ms. Taylor.

11 We're going to excuse you to the jury room. If you
12 could wait for just a minute, I'd like to come back and thank
13 you as well. But we'll go ahead and excuse you to the jury
14 room at this time.

14:47:01 15 (The jury exited the courtroom at 2:47. Proceedings
16 resumed in open court outside the presence of the jury.)

17 THE COURT: All right. Please be seated.

18 We are going to set a sentencing date in this case of
19 August 1st, 2011 at 4:30 p.m. The probation department will
14:47:45 20 prepare a presentence report in the meantime.

21 Ms. Taylor, you certainly can confer with
22 Ms. Anderson about steps that you may want to take in
23 preparation for sentencing. There are things you can file,
24 things you can ask me to consider, and Ms. Anderson can
14:48:02 25 certainly help you understand what those are.

14:48:09 1 I am going to continue Ms. Taylor's release
2 conditions. So, Ms. Taylor, you'll continue under release
3 under the same conditions that existed prior to trial. I
4 don't think there's any need to change those conditions.

14:48:29 5 Counsel for the Government, do you have matters that
6 you wish to raise?

7 MR. GALATI: No, Your Honor.

8 With regard to release conditions, we have no problem
9 with what you just said. We checked before you came in to see
14:48:42 10 if Ms. Taylor had surrendered her passport. She told me she
11 had, and I believe Mr. Knapp checked with Ms. Richter and she
12 has. So that was the only condition we wanted to ask for, and
13 that has been accomplished, so we have nothing else.

14 THE COURT: Apparently Mr. Knapp didn't check with
14:49:05 15 Lisa.

16 MR. KNAPP: Your Honor, I checked with your judicial
17 assistant.

18 THE COURT: Okay. That's fine.

19 Ms. Taylor, do you have any matters you want to raise
14:49:16 20 at this time?

21 MS. TAYLOR: No, Your Honor.

22 THE COURT: Okay. We will stand in recess. Thank
23 you.

24 (Recess taken from 2:49 to 3:01. Proceedings resumed
14:49:34 25 in open court outside the presence of the jury.)

15:01:52 1

THE COURT: Please be seated.

2

Ms. Taylor, Lisa said that you reminded her about the question of transcripts; is that correct?

3

MS. TAYLOR: Yes.

15:02:03 5

THE COURT: What I think I'd like to do is this.

6

Since I was not the judge at the beginning of the case who was involved in the determination that you were a pro se -- not a pro se, that you were entitled to the appointment of counsel because you didn't have funds, and in light of the fact that there was a lawyer almost hired and there were financial

15:02:24 10

11

information presented during the trial, what I'd like you to do is update and resubmit the affidavit that you filled out at the beginning of the case to establish your indigency if you believe you're indigent.

15:02:45 15

16

That affidavit now is, I don't know, a year or a year and a half old. If you could please update that and submit it again. Ms. Anderson can get you the form and help you do that and submit it to me in the next week or two. I will review it. And assuming I conclude that you're entitled to be

15:03:07 20

21

treated as an indigent defendant, then I'll just authorize the production of the transcripts and they'll get produced over the normal course.

23

As Ms. Anderson may have told you, it takes a while because Tricia has to go back through and clean up every line and every sentence and make sure it's completely accurate, and

15:03:21 25

15:03:25 1 that just takes usually several weeks to complete. But it
2 will get done so that you'll have it for purposes of an appeal
3 or for purposes of anything else you want to do with the
4 transcript.

15:03:41 5 MS. TAYLOR: All right.

6 THE COURT: So if you'll just take that step, I'll
7 review the affidavit. And assuming it looks fine, I'll
8 authorize the transcripts. If it raises questions in my mind,
9 I'll call you and we can talk about it.

15:03:52 10 MS. TAYLOR: All right.

11 THE COURT: Okay. Thanks.

12 One other question. Let me ask one other question.
13 Ms. Taylor, did you give to Lisa a copy of this big, thick
14 Exhibit 516? It was the one that I think was provided near
15 the end of trial. Did we get that marked?

16 MS. ANDERSON: Yes.

17 THE COURT: I just wanted to make sure so it's in the
18 record. Because I knew I had a copy but it was sort of handed
19 to me that morning, and I wanted to make sure it's in the
20 exhibits so you'll have it for purposes of appeal.

21 MS. ANDERSON: Yes.

22 MS. TAYLOR: Yes.

23 THE COURT: Okay. Good. Thanks.

24 (End of transcript.)

15:04:44 25 * * * * *

C E R T I F I C A T E

15:04:44 1
2
3 I, PATRICIA LYONS, do hereby certify that I am duly
4 appointed and qualified to act as Official Court Reporter for
15:04:44 5 the United States District Court for the District of Arizona.
6

7 I FURTHER CERTIFY that the foregoing pages constitute
8 a full, true, and accurate transcript of all of that portion
9 of the proceedings contained herein, had in the above-entitled
15:04:44 10 cause on the date specified therein, and that said transcript
11 was prepared under my direction and control, and to the best
12 of my ability.
13

14 DATED at Phoenix, Arizona, this 24th day of July,
15:04:44 15 2011.
16
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15:04:44 20 s/ Patricia Lyons, RMR, CRR
21 Official Court Reporter
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