

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
CRIMINAL TRIAL MINUTES**

Phoenix Division

CR-17-585-1-PHX-GMS DATE: 3/22/18
Case Number

HON: G. Murray Snow

USA v. Thomas Mario Costanzo

DEFENDANT: Present Not Present Released Custody-Restraint level 0 (for trial only) Writ

Deputy Clerk: Kathleen Zoratti Crt Rptr: Charlotte Powers

U.S.Atty: Gary Restaino, Matthew Binford, and Carolina Escalante

Defense: Maria Weidner and Zachary Cain, AFPD

PROCEEDINGS: **Jury Trial** **Court Trial** **Voir Dire** **Jury Sworn**

Trial Day # 3

9:07 a.m. Trial convenes with counsel and defendant present. Government's case continues. Thomas Klepper resumes the stand and testifies further. Exhibits 103, 38 and 37 admitted. Witness excused. Nolan Sperling is sworn and testifies. Witness makes an in-court identification of defendant. 10:30 a.m. Jury leaves the courtroom. Discussion held. 10:31 a.m. Recess.

10:47 a.m. Reconvene. Nolan Sperling resumes the stand and testifies further. 11:58 a.m. Recess.

1:19 p.m. Reconvene. Nolan Sperling resumes the stand and testifies further. Exhibits 320 and 321 admitted. Witness excused. Aric Manore is sworn and testifies. Witness makes an in-court identification of defendant. Exhibit 362 admitted. Witness excused. Schuyler Kenney is sworn and testifies. Witness makes an in-court identification of defendant. Exhibits 21, 22 and 23 admitted. 2:58 p.m. Recess.

3:14 p.m. Reconvene. Jury not present. Discussion held. 3:21 p.m. Jury enters the courtroom. Schuyler Kenney resumes the stand and testifies further. Exhibits 363 and 364 admitted. Witness excused. Chad Martin is sworn and testifies. Exhibits 24, 74, 28, 73 and 43 admitted. Witness makes an in-court identification of defendant. Exhibits 41 and 105 admitted. 4:56 p.m. Jury excused. Discussion held.

4:59 p.m. Court stands at recess until 3/27/2018 at 9:00 a.m.

Time in Court: 5 hr. 59 min.