

VIRGINIA: CIRCUIT COURT OF CITY OF VIRGINIA BEACH

COMMONWEALTH OF VIRGINIA	)	
	)	RECORD
v	)	
	)	CR95-4061
DUSTIN ALLEN TURNER,	)	
Defendant.	)	

Before Hon. John K. Moore, judge; and jury  
 Virginia Beach, Virginia  
 September 5, 1996

-----o0o-----

APPEARANCES: Mr. Robert J. Humphreys,  
 Commonwealth's Attorney; and  
 Mr. Albert D. Alberi, Chief  
 Deputy Commonwealth's Attorney.

Brydges, Mahan and O'Brien  
 (Mr. Richard G. Brydges and  
 Mr. Stephen C. Mahan), attorneys  
 for the defendant.

<b>-1-</b>			<b>asking</b> [1] 1764:19	<b>contrary</b> [2] 1764:14	<b>fact</b> [1] 1762:9	
<b>11:55</b> [1] 1756:3			<b>assume</b> [1] 1757:15	1765:1	<b>far</b> [1] 1764:15	
<b>12:02</b> [1] 1759:15			<b>Attorney</b> [1] 1758:10	<b>could</b> [2] 1764:17 1765:22	<b>few</b> [3] 1763:21 1764:17	
<b>12:03</b> [1] 1760:4			<b>awaiting</b> [1] 1759:22	<b>counsel</b> [2] 1763:21	1764:20	
<b>-3-</b>			<b>-B-</b>			
<b>3:32</b> [1] 1760:5			<b>back</b> [6] 1756:17 1756:23	<b>course</b> [1] 1764:13	<b>filed</b> [1] 1759:18	
<b>3:46</b> [1] 1766:6			1757:7 1759:13 1760:12	<b>court's</b> [4] 1756:8 1757:17	<b>find</b> [3] 1761:22 1761:25	
<b>3:59</b> [1] 1766:7			1763:18	1766:3 1768:3	1765:18	
<b>-4-</b>			<b>bailiff</b> [7] 1756:6 1758:21	<b>courtroom</b> [15] 1756:17	<b>fine</b> [1] 1765:24	
<b>-9-</b>			1760:3 1760:8 1760:10	1756:21 1757:7 1758:17	<b>first-degree</b> [2] 1762:1	
<b>4:03</b> [1] 1768:25			1766:5 1766:8	1760:13 1760:16 1760:20	1765:19	
<b>-A-</b>			<b>bailiffs</b> [1] 1760:22	1760:21 1760:23 1760:24	<b>follow</b> [1] 1768:9	
<b>9:30</b> [2] 1756:1 1767:4			<b>before</b> [1] 1761:3	1761:3 1761:7 1763:24	<b>following</b> [6] 1756:4	
<b>-A-</b>			<b>begin</b> [1] 1768:13	1767:17 1768:18	1758:17 1760:6 1761:7	
<b>a.m.</b> [2] 1756:1 1756:3			<b>being</b> [3] 1757:2 1758:9	<b>cover</b> [1] 1758:7	1763:24 1767:17	
<b>abduction</b> [2] 1761:23			1765:1	<b>criminal</b> [2] 1767:8	<b>follows</b> [1] 1766:7	
1765:18			<b>best</b> [1] 1766:23	1767:9	<b>foreman</b> [4] 1761:12	
<b>able</b> [1] 1757:25			<b>beyond</b> [1] 1757:21	<b>-D-</b>		
<b>accordance</b> [1] 1765:17			<b>Bickley</b> [2] 1762:10	<b>David</b> [1] 1763:8	<b>forms</b> [1] 1760:13	
<b>accused</b> [1] 1767:25			1762:14	<b>Davis</b> [2] 1762:21 1762:22	<b>forth</b> [1] 1756:23	
<b>action</b> [3] 1756:14 1756:15			<b>Bowden</b> [2] 1762:15	<b>Deborah</b> [1] 1762:17	<b>forthcoming</b> [1] 1757:17	
1759:5			1762:16	<b>decide</b> [1] 1764:21	<b>forward</b> [1] 1764:2	
<b>addition</b> [1] 1760:22			<b>Brandt</b> [2] 1762:17 1762:18	<b>decision</b> [1] 1758:5	<b>four</b> [1] 1767:2	
<b>admonishment</b> [2] 1768:3			<b>bring</b> [7] 1756:16 1757:7	<b>defer</b> [2] 1763:19 1765:25	<b>further</b> [4] 1756:2 1757:16	
1768:10			1757:24 1760:12 1761:5	<b>defile</b> [2] 1761:24 1765:19	1759:7 1759:16	
<b>advise</b> [2] 1765:23 1767:9			1767:15 1768:20	<b>define</b> [1] 1756:14	<b>-G-</b>	
<b>advised</b> [3] 1756:8			<b>brought</b> [1] 1760:23	<b>deliberation</b> [1] 1761:2	<b>gentlemen</b> [7] 1758:20	
1760:10 1767:6			<b>Brown</b> [2] 1762:19 1762:20	<b>deliberations</b> [1] 1759:13	1759:6 1761:10 1763:13	
<b>afternoon</b> [1] 1765:24			<b>-C-</b>			1763:16 1767:20 1768:15
<b>again</b> [4] 1756:20 1768:2			<b>call</b> [4] 1758:13 1759:25	<b>depending</b> [1] 1767:10	<b>get</b> [2] 1764:9 1766:14	
1768:4 1768:8			1762:8 1764:21	<b>didn't</b> [1] 1767:7	<b>give</b> [3] 1757:25 1759:7	
<b>ahead</b> [2] 1767:3 1767:21			<b>Carol</b> [1] 1762:15	<b>difficult</b> [1] 1766:14	1766:17	
<b>Alan</b> [1] 1763:2			<b>case</b> [7] 1758:4 1759:11	<b>difficulty</b> [1] 1768:14	<b>guilty</b> [5] 1761:23 1762:1	
<b>allow</b> [1] 1768:5			1759:19 1761:11 1765:10	<b>directed</b> [1] 1761:1	1762:16 1765:18 1765:19	
<b>allowed</b> [1] 1760:24			1768:4 1768:10	<b>discharged</b> [1] 1760:25	<b>-H-</b>	
<b>along</b> [1] 1759:4			<b>certainly</b> [1] 1768:6	<b>discuss</b> [3] 1763:20 1768:4	<b>handed</b> [3] 1758:22 1758:24	
<b>already</b> [3] 1757:22 1758:12			<b>charged</b> [3] 1761:24	1768:5	1759:4	
1759:24			1762:1 1765:20	<b>disrupts</b> [1] 1760:20	<b>happy</b> [1] 1768:22	
<b>Also</b> [1] 1756:12			<b>checked</b> [1] 1756:24	<b>downstairs</b> [1] 1764:9	<b>hear</b> [1] 1767:23	
<b>although</b> [1] 1764:8			<b>clerk</b> [14] 1761:20 1761:22	<b>-E-</b>		
<b>Amant</b> [2] 1763:8 1763:9			1762:7 1762:15 1762:17	<b>either</b> [2] 1760:25 1767:24	<b>Helen</b> [1] 1762:19	
<b>amount</b> [1] 1764:20			1762:19 1762:21 1762:23	<b>evening</b> [2] 1767:21	<b>Helga</b> [1] 1762:23	
<b>amplify</b> [1] 1757:21			1762:25 1763:2 1763:4	1768:2	<b>here</b> [2] 1757:2 1766:15	
<b>Angela</b> [1] 1763:6			1763:6 1763:8 1763:10	<b>everybody</b> [1] 1760:15	<b>Honor</b> [11] 1757:12 1758:13	
<b>another</b> [1] 1767:13			<b>come</b> [4] 1756:6 1756:23	<b>everyone</b> [1] 1760:16	1759:25 1761:12 1764:5	
<b>anticipate</b> [1] 1767:12			1760:8 1766:9	<b>evidence</b> [11] 1758:4	1765:12 1765:15 1766:2	
<b>anybody</b> [1] 1761:2			<b>comes</b> [1] 1757:2	1759:10 1764:2 1764:6	1766:11 1766:21 1767:5	
<b>anyone</b> [4] 1760:19 1764:21			<b>Commonwealth</b> [2] 1764:1	1764:15 1765:2 1766:19	<b>-I-</b>	
1768:4 1768:5			1767:25	1767:7 1767:10 1767:11	<b>idea</b> [1] 1766:17	
<b>anything</b> [4] 1756:18			<b>Commonwealth's</b> [1] 1758:10	1767:24	<b>Ihlenfeld</b> [2] 1762:23	
1757:9 1765:7 1768:7			<b>complied</b> [3] 1761:19	<b>exception</b> [1] 1758:14	1762:24	
<b>appropriate</b> [1] 1767:2			1763:15 1765:5	<b>excluded</b> [1] 1763:23	<b>immediately</b> [1] 1760:22	
<b>arrange</b> [1] 1759:23			<b>concert</b> [3] 1756:14 1756:15	<b>excused</b> [1] 1768:16	<b>important</b> [1] 1768:9	
<b>arrived</b> [1] 1760:5			1759:5	<b>exhibit</b> [1] 1756:21	<b>indicated</b> [3] 1756:3	
<b>arriving</b> [1] 1758:4			<b>concluded</b> [4] 1768:11	<b>expects</b> [1] 1760:16	1758:21 1760:5	
<b>aside</b> [2] 1764:13 1764:23			1768:11 1768:12 1768:14	<b>explanation</b> [5] 1756:11	<b>indictment</b> [3] 1761:24	
			<b>consider</b> [3] 1756:2	1757:16 1758:1 1759:1	1762:2 1765:20	
			1757:14 1759:16	1759:8	<b>instruction</b> [7] 1756:11	
			<b>continue</b> [4] 1759:12	<b>extremely</b> [1] 1768:8	1756:12 1756:13 1756:16	
			1759:21 1763:19 1768:9	<b>-F-</b>		
			<b>continued</b> [1] 1766:7		1757:24 1759:1 1759:7	
					<b>instructions</b> [10] 1756:14	
					1757:15 1757:22 1758:2	



<b>took</b> [6]	1756:4	1758:17
	1760:6	1761:7
	1763:24	
	1767:17	
<b>trial</b> [6]	1760:4	1764:15
	1766:6	1766:7
	1768:1	
	1768:25	
<b>Turner</b> [3]	1765:3	1765:6
	1765:16	
<b>TV</b> [1]	1768:7	
<b>two</b> [1]	1759:3	

---

-U-

---

<b>until</b> [7]	1760:24	1760:25
	1763:19	1765:25
	1768:10	
	1768:11	1768:16
<b>upon</b> [3]	1758:3	1759:9
	1765:9	

---

-V-

---

<b>value</b> [1]	1766:15	
<b>vast</b> [1]	1764:19	
<b>verdict</b> [16]		1756:2
	1759:11	1759:16
	1759:22	
	1760:6	1760:11
	1760:13	
	1760:14	1760:15
	1761:10	
	1761:21	1762:9
	1762:13	
	1764:14	1764:24
	1765:17	
<b>very</b> [4]	1760:2	1763:12
	1763:22	1768:24

---

-W-

---

<b>want</b> [2]	1757:9	1765:24
<b>way</b> [4]	1757:9	1758:6
	1760:19	1767:8
<b>we'll</b> [2]	1764:21	1768:19
<b>whatever</b> [2]		1757:17
	1767:23	
<b>white</b> [1]	1758:25	
<b>whom</b> [1]	1764:21	
<b>wish</b> [1]	1765:7	
<b>without</b> [1]		1768:14
<b>witnesses</b> [1]		1766:18
<b>wouldn't</b> [1]		1767:12
<b>written</b> [2]	1756:10	1758:23

1                   (At 9:30 a.m. the jury retired to  
2 further consider their verdict.)

3                   (At 11:55 a.m. the jury indicated they  
4 had a question, and the following took place  
5 out of the presence of the jury:)

6                   THE BAILIFF:    This court will come to  
7 order.   Please remain seated.

8                   THE COURT:    The court's been advised  
9 that the jury has asked a question.   They  
10 have written it out on this sheet of paper.  
11 Says more explanation of instruction Number 7  
12 and 8.   Also sent out instruction Number 7  
13 and instruction Number 8.   Those are the  
14 instructions that define concert of action  
15 and -- the standard concert of action  
16 instruction.   I think I need to bring the  
17 jury back into the courtroom.   Is there  
18 anything --

19                   MR. BRYDGES:    For the record, once  
20 again I'm going to object to the remaining in  
21 the courtroom of this -- not an exhibit.  
22 It's a mockup and it's just a reminder to the  
23 jury as they come back and forth as they did  
24 this morning when they checked in.   This is  
25 the murder scene, and I think it's

1 prejudicial, and I'm going to object to it  
2 being here at any time that the jury comes  
3 out.

4 THE COURT: I will have them take it  
5 out, but they don't need to take it out right  
6 this moment, but I'll have them take it out.

7 Bring the jury back in the courtroom.  
8 My question is whether or not you have  
9 anything you want to offer in the way of  
10 suggestion about how to respond to that  
11 question.

12 MR. BRYDGES: Well, Your Honor, I  
13 think that the standard response would be  
14 that they should consider all of the jury  
15 instructions, and I assume you are going to  
16 tell them no further explanation is going to  
17 be forthcoming. That's whatever the court's  
18 pleasure is on that.

19 THE COURT: Okay.

20 MR. HUMPHREYS: I don't really think  
21 we can amplify beyond what the court has  
22 already ruled the instructions to be.

23 THE COURT: My intent then would be  
24 to bring them in, read the instruction, tell  
25 them the court is not able to give them any

1 more explanation of those particular  
2 instructions, and the court -- and they will  
3 have to rely upon all of the instructions and  
4 the evidence in the case in arriving at their  
5 decision. Okay?

6 MR. MAHAN: Judge, is there any way  
7 we can at least cover it up?

8 THE COURT: No. I am going to leave  
9 it just like it is for the time being. I  
10 will tell the Commonwealth's Attorney to  
11 remove it after --

12 MR. HUMPHREYS: We have already made  
13 the call, Your Honor.

14 MR. BRYDGES: Note our exception.

15 THE COURT: Sure.

16 (The jury was recalled to the  
17 courtroom, and the following took place in  
18 the presence of the jury:)

19 THE COURT: Okay. Ladies and  
20 gentlemen, I've asked you to step into the  
21 court because the bailiff has indicated that  
22 you have a question and you have handed him a  
23 written question, which I'm going to read so  
24 it will be on the record. I was handed a  
25 white sheet of paper with the question, More

1 explanation of instruction Number 7 and  
2 Number 8.

3 Those are the two instructions that  
4 were handed out along with the question, and  
5 they involve the concert of action.

6 Ladies and gentlemen, I'm not at  
7 liberty to give you any further instruction  
8 or explanation about those instructions.  
9 You will have to rely upon all of the  
10 instructions and your memory of the evidence  
11 in this case in reaching your verdict; so  
12 with that, I'd like you to continue your  
13 deliberations. You can step back in the  
14 jury room.

15 (At 12:02 p.m. the jury retired to  
16 further consider their verdict.)

17 THE COURT: I will mark the question  
18 filed and make it a part of the record in  
19 this case.

20 MR. MAHAN: Thank you, sir.

21 THE COURT: And we will continue to  
22 be in recess awaiting the jury's verdict.

23 Will you arrange to have this removed?

24 MR. HUMPHREYS: We have already made  
25 the call, Your Honor. Yes, sir.

1 THE COURT: All right. Thank you  
2 very much.

3 THE BAILIFF: Court is in recess.

4 (The trial recessed at 12:03 p.m. At  
5 3:32 p.m. the jury indicated they had arrived  
6 at a verdict, and the following took place  
7 out of the presence of the jury:)

8 THE BAILIFF: Court will now come to  
9 order. Please remain seated.

10 THE COURT: The bailiff has advised  
11 me that the jury has reached a verdict. The  
12 court intends to bring the jury back into the  
13 courtroom, review the verdict forms, and read  
14 the verdict. I would like to remind  
15 everybody that after the verdict is read, the  
16 court expects that everyone in the courtroom  
17 will remain seated. There will be no  
18 talking. There will be no outbursts of any  
19 kind tolerated. Anyone who in any way  
20 disrupts the courtroom or makes an outburst  
21 will be removed from the courtroom by the  
22 bailiffs immediately. In addition, once the  
23 jury is brought into the courtroom, no one  
24 will be allowed to leave the courtroom until  
25 either the jury has been discharged or until

1 the jury is directed to return to the jury  
2 deliberation room; so if anybody would like  
3 to leave the courtroom before that time, now  
4 is the time to do it.

5 Okay? Will you bring the jury in.

6 (The jury was recalled to the  
7 courtroom, and the following took place in  
8 the presence of the jury:)

9 THE COURT: Okay. Ladies and  
10 gentlemen, have you reached a verdict in this  
11 case?

12 THE FOREMAN: Yes, Your Honor, we  
13 have.

14 THE COURT: Mr. Reed, the foreman of  
15 the jury?

16 THE FOREMAN: Yes, sir.

17 THE COURT: All right. The  
18 defendant will please stand.

19 (The defendant complied.)

20 THE COURT: The clerk will read the  
21 verdict.

22 THE CLERK: We, the jury, find the  
23 defendant guilty of abduction with intent to  
24 defile as charged in the indictment.

25 We, the jury, find the defendant

1 guilty of first-degree murder as charged in  
2 the indictment.

3 So say you all?

4 JURORS: Yes.

5 THE COURT: Would you poll the jury,  
6 please.

7 THE CLERK: Yes, sir.

8 When I call your name, please say if  
9 this in fact is your verdict.

10 John Bickley.

11 (Pause)

12 THE COURT: Say yes or no if this is  
13 your verdict.

14 MR. BICKLEY: Yes.

15 THE CLERK: Carol Bowden.

16 MISS BOWDEN: Guilty.

17 THE CLERK: Deborah Brandt.

18 MRS. BRANDT: Yes.

19 THE CLERK: Helen Brown.

20 MRS. BROWN: Yes.

21 THE CLERK: Russell Davis.

22 MR. DAVIS: Yes, sir.

23 THE CLERK: Helga Ihlenfeld.

24 MISS IHLENFELD: Yes.

25 THE CLERK: John Pipkin.

1 MR. PIPKIN: Yes.

2 THE CLERK: Alan Reed.

3 THE FOREMAN: Yes.

4 THE CLERK: Ramona Riggs.

5 MRS. RIGGS: Yes.

6 THE CLERK: Angela Shearer.

7 MRS. SHEARER: Yes.

8 THE CLERK: David St. Amant.

9 MR. ST. AMANT: Yes.

10 THE CLERK: Tilford Williams.

11 MR. WILLIAMS: Yes.

12 THE COURT: Okay. Thank you very  
13 much, ladies and gentlemen.

14 The defendant can be seated.

15 (The defendant complied.)

16 THE COURT: Ladies and gentlemen, at  
17 this point the court is going to ask you to  
18 step back in the jury room. I don't know  
19 whether we will continue today or defer until  
20 tomorrow morning. I will discuss that with  
21 counsel and let you know in a few minutes.  
22 Thank you very much.

23 (The jury was excluded from the  
24 courtroom, and the following took place out  
25 of the presence of the jury:)

1 THE COURT: Is the Commonwealth  
2 prepared to go forward with any evidence in  
3 the sentencing phase?

4 MR. HUMPHREYS: We are prepared, Your  
5 Honor. I will represent to the court that  
6 we have no evidence to offer in the  
7 sentencing phase. We do have the jury  
8 instructions prepared, although I left them  
9 downstairs. I need to get those.

10 THE COURT: Mr. Brydges, how about  
11 the defendant?

12 MR. BRYDGES: We would have a motion,  
13 of course, at this time to set aside the  
14 verdict as contrary to the law and the  
15 evidence and order up a new trial; and so far  
16 as the proceeding today, we would like just a  
17 few moments if we could to talk about that.

18 THE COURT: All right.

19 MR. BRYDGES: Not asking for any vast  
20 amount of time but just a few moments to  
21 decide whom if anyone we'll call.

22 THE COURT: Okay. Mr. Brydges, I'm  
23 going to overrule your motion to set aside  
24 the verdict of the jury --

25 MR. BRYDGES: All right, sir.

1 THE COURT: -- as being contrary to  
2 the law and the evidence; and I will ask  
3 Mr. Turner at this time to please stand.

4 MR. BRYDGES: All right.

5 (The defendant complied.)

6 THE COURT: Mr. Turner, do you have  
7 anything you wish to say to the court at this  
8 time? Do you know of any reason why the  
9 court should not pronounce judgment upon you  
10 in this case?

11 THE DEFENDANT: Not at this time.  
12 No, Your Honor.

13 THE COURT: Did you say yes?

14 MR. BRYDGES: He said, Not at this  
15 time, Your Honor.

16 THE COURT: Okay. Mr. Turner, in  
17 accordance with the jury's verdict, the court  
18 is going to find you guilty of abduction with  
19 intent to defile, guilty of first-degree  
20 murder as charged in the indictment.

21 At this time the court will take about  
22 a ten-minute recess; and if counsel could  
23 advise me if they are ready to proceed this  
24 afternoon, that will be fine. If you want  
25 to defer until the morning, that's no

1 problem.

2 MR. BRYDGES: All right, Your Honor.

3 THE COURT: Okay. Court's in  
4 recess.

5 THE BAILIFF: Court is in recess.

6 (The trial recessed at 3:46 p.m. At  
7 3:59 p.m. the trial continued as follows:)

8 THE BAILIFF: This court will now  
9 come to order. Please remain seated.

10 THE COURT: Okay.

11 MR. BRYDGES: If Your Honor please,  
12 we would like to request the court  
13 respectfully that because it's a little  
14 difficult for us to get our people together  
15 here now and make any value judgment and  
16 all --

17 THE COURT: Can you give me some idea  
18 of how many witnesses you might have or how  
19 long it might take to put on the evidence?

20 MR. BRYDGES: I would say no more  
21 than thirty minutes, Your Honor.

22 THE COURT: Okay.

23 MR. BRYDGES: That's my best shot,  
24 and that's probably overestimating.

25 THE COURT: Okay. I don't have any

1 problem with that. I think it's now after  
2 four o'clock. It might be an appropriate  
3 time to go ahead and recess and start in the  
4 morning at 9:30.

5 MR. BRYDGES: All right, Your Honor.

6 MR. HUMPHREYS: I advised Mr. Brydges  
7 that we didn't have any evidence to offer in  
8 the way of criminal record. The defendant  
9 has no criminal record. I did advise him  
10 that we may have rebuttal evidence depending  
11 on whether he presents evidence; and if so, I  
12 wouldn't anticipate it would be more than  
13 another thirty minutes if that.

14 THE COURT: Okay. Okay. All  
15 right. Bring the jury in.

16 (The jury was recalled to the  
17 courtroom, and the following took place in  
18 the presence of the jury:)

19 THE COURT: Okay. Ladies and  
20 gentlemen, at this time the court is going to  
21 go ahead and recess for the evening. You  
22 will have to return tomorrow morning at nine  
23 o'clock at which time we will hear whatever  
24 evidence is to be presented either by the  
25 Commonwealth as well as the accused in the

1 sentencing phase of this trial.

2 Again, during the evening recess  
3 please remember the court's admonishment not  
4 to discuss the case with anyone, again not to  
5 allow anyone to discuss it with you, and  
6 certainly not to look at any news reports or  
7 TV or listen to any on radio or read anything  
8 in the paper. Again, it's extremely  
9 important that you continue to follow this  
10 admonishment throughout this case until it's  
11 concluded; and it is not concluded until we  
12 have concluded the sentencing phase, which  
13 will begin tomorrow morning and I think can  
14 be concluded without any difficulty.

15 Okay, ladies and gentlemen. I thank  
16 you, and you are excused until tomorrow  
17 morning at nine o'clock.

18 (The jury left the courtroom.)

19 THE COURT: Okay. We'll be in  
20 recess, and would you bring up any  
21 instructions that you prepared on sentencing

22 MR. HUMPHREYS: Yes. Be happy to.

23 THE COURT: Okay. All right. Thank  
24 you very much.

25 (The trial recessed at 4:03 p.m.,

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

September 6, 1996, until 9:30 a.m., September 6, 1996.)

-----ooo-----

CLERK'S CERTIFICATE

I, J. Curtis Fruit, Clerk of the Circuit Court of the City of Virginia Beach, State of Virginia, do hereby certify that the foregoing is a true and correct copy of all of the proceedings in the trial of the case of Commonwealth of Virginia versus Dustin Allen Turner, defendant, and that the same were lodged and filed with me as clerk of said court on the \_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
Clerk of the Circuit Court of the City of Virginia Beach, Virginia.

By: \_\_\_\_\_  
Deputy Clerk

## 1 REPORTER'S CERTIFICATE

2

3 STATE OF VIRGINIA,

4 CITY OF VIRGINIA BEACH, to-wit:

5

6 I, Ronald Graham, court reporter, certify  
7 that the foregoing is a correct transcript of the  
8 proceedings had before the said court on the date  
9 aforementioned.

10 Given under my hand this 27th day of March,  
11 1997.

12

13

*Ronald Graham*  
Court Reporter

14

15

16

-----o0o-----

17

18

19

20

21

22

23

24

25