

1 prosecution has made their opening statement to you,
2 and Mr. Lukens has emphatically given you what he
3 says the State plans on showing you through the
4 evidence. What I ask you to do as you listen to the
5 State's evidence, because as has been explained to
6 you, the State gets to put on their evidence first
7 because they have the burden of proof.

8 So they bring their witnesses in first,
9 everything that their witnesses have to say go
10 first. But then the defense has a chance to present
11 any witnesses if we choose to do so. Don't only
12 listen to what -- I mean, listen to the questions
13 that are asked. Listen the responses that are
14 given.

15 This is a crime that happened two and a
16 half with years ago, and we know what happened at
17 this incident, and the reason we know what happened
18 is because people wrote it down. They wrote down
19 what happened two and a half years ago. You will
20 hear testimony that Kristie Chiles was assaulted by a
21 light-skinned, fair-skinned, not-that-dark-skinned
22 male with a Hispanic accent which could have been
23 legitimate.

24 And that she got a good look at this
25 person through his ski mask, and when she looked at

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1 that person she noticed something right off, and that
2 was he had a droopy right eye. She thought maybe he
3 had a sty in it or that it was significantly smaller
4 than the other one, but there was something about
5 that eye.

6 I ask you to remember that as Curtis sits
7 here before you today he is still an innocent man and
8 that no evidence has been presented. Please wait
9 until all the evidence has been presented before you
10 make your decision.

11 Thank you.

12 THE COURT: You may call your first
13 witness, Mr. Lukens.

14 MR. LUKENS: Your Honor, I had advised the
15 Court because of the schedule my first witness is not
16 scheduled until 1:30 this afternoon.

17 THE COURT: I guess we just have to
18 recess.

19 During this recess, it is your duty not to
20 converse among yourselves or with anyone else on any
21 subject connected with the trial or to read, watch or
22 listen to any report of or commentary on the trial by
23 any person connected with the trial or by any medium
24 of information, including, without limitation to
25 newspaper, television and radio.