

LINCOLN COUNTY FELONY DOCKET
LINDA SILER, COURT CLERK

| Case No. | TITLE OF CAUSE | NATURE OF CHA |
|---------------|---|--------------------------------|
| CF-1995-00104 | STATE OF OKLAHOMA VS JOSHUA DANIEL STUMP | MURDER IN THE SECOND DEGREE |
| Date | All Moneys Received | |
| 10-01-1996 | BY CASH \$20.00, CURTIS LEON BARRETT | |
| Date | Total Costs and Disburs. | |
| 11-10-1996 | | |
| Judge: | VASSAR, PAUL M. | Case Information: Comments: |
| Date | Entries | |
| 07/17/95 | FILE INFORMATION COSTS VCA CLEET OSBI | |
| 07/17/95 | WARRANT NOTICE OF RIGHTS ISSUED & FILED: 5C | |
| 07/17/95 | CM: STATE -VS- STUMP - JUDGE PAUL M. VASSAR CAUSE CALLED FOR PRELIMINARY ARRAIGNMENT; STATE PRESENT BY BARNEY K. BARNETT, ASSISTANT DISTRICT ATTORNEY; DEFENDANT PRESENT IN PERSON; RECORD TAKEN BY JANE MCCLAIN; DEFENDANT ADVISED OF CONSTITUTIONAL RIGHTS; UPON THE COURTS OWN MOTION, O.I.D.S. APPOINTED AS ATTORNEY; STATE PRESENTS EVIDENCE; 1 WITNESS SWORN; TESTIMONY INTRODUCED; STATE REST; BASED UPON TESTIMONY PRESENTED, IT IS THE ORDER OF THE COURT THAT THE DEFENDANT REMAIN IN THE CUSTODY OF THE LINCOLN COUNTY SHERIFF TO BE HELD WITH NO BAIL ALLOWED; FURTHER HEARING TO BE HELD JULY 21, 1995, AT 10:00 A.M. BEFORE JUDGE DAVID WELCH IN COURT ROOM #2: (MINUTE ON PAGE 2) | |
| 07/21/95 | CM: STATE -VS- STUMP JUDGE WELCH | |
| 07/21/95 | STATE PRESENT BY BARNEY BARNETT, ASST. D.A.: DEFENDANT PRESENT AND BY O.I.D.S. ATTY., DAVID BALL: RECORD TAKEN: PRELIMINARY HEARING SET FOR SEPT. 8, 1995 AT 10:00: DEFENDANT REMANDED TO THE SHERIFF: (OK.CO.SHERIFF DEPT.) | |
| 08/30/95 | SUBPOENA: ISSUED (LINCOLN CO) | |
| 08/30/95 | SUBPOENA: ISSUED (LINCOLN CO) | |
| 09/01/95 | MOTION TO ENDORSE ADDITIONAL WITNESSES AND ORDER: FILED | |
| 09/08/95 | MOTION TO CERTIFY DEFENDANT AS A JUVENILE: FILED | |
| 09/08/95 | CM: STATE -VS- STUMP JUDGE WELCH | |

O.I.D.S. ATTY. PATRICK THOMPSON APPOINTED FOR THE
 JUVENILE WITNESS NIKI CULLAM:
 CM: STATE -VS- STUMP JUDGE WELCH
 09/08/95 CAUSE CALLED FOR PRELIMINARY HEARING: STATE PRESENT BY
 BARNEY BARNETT, ASST. D.A.: DEFENDANT PRESENT AND BY
 O.I.D.S. ATTY., DAVID BALL: O.I.D.S. ATTY., PATRICK
 THOMPSON PRESENT FOR WITNESS, NIKI CULLAM: RECORD
 TAKEN: STATE MOVES FOR CONTINUANCE: SUSTAINED:
 PRELIMINARY HEARING CONTINUED TO NOV. 17, 1995 AT 9:00
 A.M.: ALL SUBPOENAED WITNESSES TO TAKE NOTICE OF DATE:
 09/12/95 DEFENDANT REMANDED TO THE SHERIFF:
 SUBPOENA RTD ATTD SERVED MIKE COLLINS, OSBI AGENT,
 LATENT PRINTS, BALLISTIC TEH, FORENSIC TECHNICIAN BY
 T. WOOD, OKLAHOMA COUNTY SHERIFF DEPT.: FILED
 09/13/95 WARRANT NOTICE OF RIGHTS RTD. ATTD. SERVED JOSHUA D.
 STUMP ON 1-17-95 IN PESON AT CHANDLER COURTHOUSE BY
 DAUNE MATHIS AND RETURN OF WARRANT NOTICE OF RIGHTS BY
 SERVING DEPARTMENT OF HUMAN SERVICES JULY 17, 1995 BY
 DUANE MATHES: FILED
 10/20/95 SUBPOENA RTD. ATTD SERVED CLIFFORD ANDERSON, DAVID
 ARMITAGE AND MIKE MADDEN: BY ARLOE BOWERMAN AND MISTY
 VASQUEZ AND NIKI CULLAM NOT FOUND BY ARLOE BOWERMAN,
 LCSO: FILED
 10/23/95 SUBPOENA: ISSUED (OKLAHOMA COUNTY)
 10/23/95 SUBPOENA: ISSUED (TO LINCOLN COUNTY)
 10/27/95 SUBPOENA RTD ATTD SERVED JACKI JOHNSON, MIKE COLLINS,
 RON JONES 10-25-95 BY D.R. WILLIAM, OKLAHOMA COUNTY
 SHERIFF OFFICE: FILED
 11/15/95 SUBPOENA: ISSUED (TO ATTY)
 11/15/95 SUBPOENA RTD ATTD SERVED JUDY CULLUM NIKKI L. CULLUM BY
 DAUNE MATHES, LCSO 11-15-95, RICK CULLUM NOT FOUND BY
 DAUNE MATHES, LCSO: FILED
 11/15/95 CERTIFICATION TO COURT CLERK (WITNESS FEE)
 JUDY CULLUM
 11/15/95 CM: STATE -VS- STUMP JUDGE VASSAR
 CAUSE CALLED FOR HEARING ON CONDITIONAL IMMUNITY
 HEARING; STATE PRESENT BY BARNEY K. BARNETT, ASSISTANT
 DISTRICT ATTORNEY; WITNESS PRESENT IN PERSON AND BY
 HER ATTORNEY, PATRICK A. THOMPSON; ATTORNEY FOR THE
 DEFENDANT, DAVID T. BALL PRESENT IN THE COURT ROOM;
 RECORD TAKEN BY TRISH WIBLE; THE ATTORNEY FOR THE
 DEFENDANT REQUEST THE DEFENDANT TO BE PRESENT IN THE
 COURT ROOM; REQUEST DENIED; 2 WITNESSES SWORN;
 TESTIMONY INTRODUCED; THE COURT FINDS THAT THE
 CONDITIONAL IMMUNITY SHOULD BE APPROVED AND GRANTED AS
 SET FORTH IN THE AGREEMENT; IT IS THEREFORE ORDERED,
 ADJUDGED AND DECREED THAT THE GRANT OF CONDITIONAL
 IMMUNITY IS APPROVED AND GRANTED; IT IS FURTHER
 ORDERED THAT THE AGREEMENT BE FILED UNDER SEAL IN THIS
 CASE SUBJECT TO THE GUIDELINES SET FORTH IN HARRIS V.
 HARRIS, 841 P.2D 597 (OKLA. CR. 1992). ALL AS PER
 ORDER:
 11/15/95 AGREEMENT FILED: (SEALED)
 11/15/95 ORDER FILED:
 11/16/95 SUBPOENA RETURNED; MIKE MADDEN, DUANE MATHES, MIGUIL
 MENDOZA, HUBERT MOUCHA, MISTY D. VASQUY, NIKKI LYNN
 CULLUM, CLIFFORD ANDERSON SERVED 11-15-95; FILED:
 11/17/95 MOTION TO ENDORSE ADDITIONAL WITNESSES AND ORDER: FILED
 RESTS: ARGMENT BY COUNSEL: MOTION OVERRULED: STATE
 CONTINUES EVIDENCE: PRELIMINARY HEARING CONTINUED TO
 DEC. 4, 1995 AT 1:30 P.M.: DEFENDANT REMANDED TO THE
 SHERIFF:
 11/28/95 SUBPOENA DUCES TECUM RTD ATTD SERVED ROSE VAUGHN
 11-28-95 BY DAVID BRATIEM BURKS, AMERICAN
 INVESTIGATIVE, OKC OK: FILED
 12/01/95 SUBPOENA: ISSUED (TO ATTY)
 12/04/95 CM: JUDGE WELCH
 PRELIMINARY HEARING CONTINUED TO PREVIOUS DATE: STATE
 PRESENT BY MILES ZIMMERMAN, D.A.: DEFENDANT PRESENT AND
 BY OIDS, ATTY., DAVID BALL: RECORD CONTINUED: STATE

RESTS: DEFENDANT'S MOTION TO CERTIFY AS A JUVENILE:
 SWEAR 6 WITNESSES: TEST. INTRO.: DEFENDANT PRESENTS
 EVIDENCE ON MOTION AND RESTS: STATE MOVES THAT THE
 EVIDENCE TAKEN ON THE PRELIMINARY HEARING TO
 INCORPORATED AND CONSIDERED EVIDENCE PRESENTED AND
 RESTS: ARGUMENT BY COUNSEL: MOTION DENIED: DEFENDANT
 PRESENT EVIDENCE: STIPLATIONS ENTERED: DEFENDANT RESTS:
 ARGUMENT BY COUNSEL: COURT FINDS THAT THE CRIME OF
 MURDER, FIRST DECREE HAS BEEN COMMITTED IN
 LINCOLN COUNTY, OKLAHOMA AND THAT THERE IS PROBABLE
 CAUSE TO BELIEVE THE DEFENDANT GUILTY THEREOF AND
 ORDERED HELD FOR TRIAL NEXT TERM OF DISTRICT COURT:
 FURTHER ARRAIGNMENT ON WED., DEC. 13, 1995 AT 1:30 P.M.
 IN COURT ROOM NO. 1: DEFENDANT REMANDED TO THE SHERIFF
 TILL BOND IS MADE AND APPROVED:
 AMENDED FELONY INFORMATION: FILED
 ENTRY OF APPEARANCE AND MOTION TO CONTINUE ARRAIGNMENT:
 FILED
 12/05/95
 12/11/95
 12/13/95
 CM: STATE -VS- STUMP JUDGE VASSAR
 CAUSE CALLED FOR ARRAIGNMENT; STATE PRESENT BY BARNEY
 K. BARNETT, ASSISTANT DISTRICT ATTORNEY; UPON THE
 MOTION OF O.I.D.S. ATTORNEY ROWANS AND THE STATE,
 ARRAIGNMENT PASSED TO DECEMBER 20, 1995, AT 1:30 P.M.:
 12/14/95
 12/20/95
 MOTION TO ENDORSE ADDITIONAL WITNESS AND ORDER: FILED
 BILL OF PARTICULARS REQUEST FOR IMPOSITION OF THE DEATH
 PENALTY: FILED
 12/20/95
 CM: MOTION DOCKET JUDGE VASSAR
 CAUSE CALLED FOR ARRAIGNMENT; STATE PRESENT BY BARNEY
 K. BARNETT, ASSISTANT DISTRICT ATTORNEY; DEFENDANT
 PRESENT IN PERSON AND BY O.I.D.S. ATTORNEY, DAVID T.
 BALL AND JAMES T. ROWAN; RECORD TAKEN BY TRISH WIBLE;
 THE DEFENDANT ADVISED OF CONSTITUTIONAL RIGHTS;
 DEFENDANT ENTERS A PLEA OF NOT GUILTY; DEFENDANT
 ORDERED TO REAPPEAR ON JANUARY 23, 1995 AT 9:30 A.M.
 FOR FELONY DISPOSITION DOCKET; JURY TRIAL SET FOR
 FEBRUARY 5, 1995, AT 9:00 A.M.: THE DEFENDANT REMANDED
 TO THE CUSTODY OF THE SHERIFF:
 12/27/95
 CM: STATE -VS- STUMP JUDGE PAUL VASAR
 STATE PRESENT BY BARNEY K. BARNETT, ASST. D.A.:
 DEFENDANT BY AND THROUGH OIDS ATTORNEY, DAVID BALL:
 RECORD TAKEN BY TRISH WIBLE: DEFENDANT REQUESTS
 TRANSCRIPT OF PRELIMINARY HEARING AT STATE'S EXPENSE:
 TRANSCRIPT ORDERED PREPARED AT STATE'S EXPENSE
 WITH DEFENDANT'S ATTORNEY TO PREPARE AND SUBMIT WRITTEN
 MOTION AND ORDER:
 12/27/95
 MOTION FOR TRANSCRIPTION OF PRELIMINARY HEAR & ORDER:
 FILED
 12/29/95
 DEFENDANT'S MOTION FOR DISCOVERY: FILED
 01/03/96
 MOTION TO PRODUCE: FILED
 01/03/96
 CM: JUDGE VASSAR
 CAUSE CONTINUED TO JANUARY 24, 1996 AT 1:30 P.M.:
 01/05/96
 SETTING OF FELONY DISPOSITION DOCKET: FILED
 01/12/96
 MOTION IN LIMINE RE: PURPORTED QAUALIFICATIONS OF TOM
 BEVEL: FILED
 01/12/96
 MOTION TO STRIKE DUPLICITOUS AGGRAVATING
 CIRCUMSTANCE: FILED
 01/12/96
 DEFENDANT'S LIST OF PRETRIAL MOTIONS FILED JANUARY 12
 1996: FILED
 01/12/96
 DEMURRER & MOTION TO QUASH INFORMATION: FILED
 01/12/96
 NOTICE OF INTENT TO OFFER EVIDENCE OF PRIOR GOVERNMENT
 ADMISSION: FILED
 01/12/96
 MOTION IN LIMINE RE: PHYSICAL & FORENSIC EVIDENCE: FILE
 01/12/96
 MOTION TO PROHIBIT JURY DISPERSAL & TO PROHIBIT JURY'S
 EXPOSURE TO VICTIM'S FAMILY OR FRIENDS: FILED
 01/12/96
 DEFENDANT'S OBJECTION TO VERDICT FORM RE: "CONTINUING
 TREAT": FILED
 01/12/96
 MOTION TO STRIKE UNADJUDICATED OFFENSES ALLEGED IN
 SUPPORT OF "CONTINUING THREAT" AGGRAVATING
 CIRCUMSTANCE: FILED
 01/12/96
 MOTION IN LIMINE REGARDING INTRODUCTION OF AUTOPSY

01/12/96 PHOTOGRAPHS: FILED
 01/12/96 MOTION IN LIMINE RE: CALDWELL: FILED
 01/12/96 MOTION TO ALLOW VOIR DIRE ON TH COST-EFFECTIVENESS OF
 THE DEATH PENALTY: FILED
 01/12/96 MOTION TO ENJOIN VICTIM'S FAMILY AND/OR VICTIM'S RIGHTS
 ADVOCATES FROM SHOWING EMOTION IN THE COURTROOM WHILE
 SETTING AS SPECTATORS AND BRIEF IN SUPPORT
 THEREOF: FILED
 01/12/96 MOTION TO ENDORSE ALL "JAIL HOUSE" INFORMANTS AND
 SNITCHES: FILED
 01/12/96 MOTION TO INVOKE RULE PRIOR TO VOIR DIRE, PROHIBIT
 WITNESSES FORM CONVCRSING, AND TO ENJOIN THE DISTRICT
 ATTORNEY FROM ADVISING OF PREVIOUS TESTIMONY: FILED
 01/12/96 MOTION FOR PRODUCTION OF JUROR LIST: FILED
 01/12/96 MOTION FOR VOIR DIRE ON THE DEATH PENALTY: FILED
 01/12/96 MOTION TO ALLOW EVVIDENCE RE: LIFE WITHOUT THE
 POSSIBILITY OF PAROLE: FILED
 01/12/96 MOTION TO PRECLUDE PROSECUTION FORM USING PEREMPTORY
 CHALLENGES TO EXCLUDE MINORITY RACES OR POOR JUROURS:
 FILED
 01/12/96 MOTION FOR HEARING ON RELIABILITY OF "JAIL HOUSE"
 INFORMANTS: FILED
 01/12/96 OBJECTION TO STANDARDS OF COUNSEL IMPOSED BY UNITED
 STATES SUPREME COURT AND NOTICE OF NON-WAIVER OF
 ISSUES AND OBJECTIONS: FILED
 01/12/96 DEFENDANT'S OBJECTION TO STANDARY JURY INTRUSCTIONS RE:
 EVALUATION OF MITIGATING EVIDENCE: FILED
 01/12/96 DEFENDANT'S OBJECTION TO UNIFORM JURY INSTRUCTIONS RE:
 FINDING OF UNANIMITY WITH RESPECT TO MITIGATING
 01/12/96 MOTION FOR ADDITIONAL PEREMPTORY CHALLENGES AND BRIEF
 IN SUPPORT THEREOF: FILED
 01/12/96 MOTION TO PRECLUDE PRETRIAL EXEMPTION, PRETRIAL EXCUSAL
 OR PEREMPTORY EXCUSAL OF POOR JURORS, OR IN THE
 ALTERNATIVE, QUASH TH ARRAY: FILED
 01/12/96 MOTION FOR DISCOVERY OF PRIOR JURY SERVICE: FILED
 01/12/96 MOTION FOR JURY QUESTIONNAIRE: FILED
 01/12/96 BRIEF IN SUPPORT OF MOTION TO SUBMIT QUESTIONNAIRE TO
 PROSPECTIVE JURORS: FILED
 01/12/96 MOTION IN LIMINE RE: REMORSE: FILED
 01/12/96 MOTION TO PROHIBIT PROSECUTION FROM EXCLUDING POTENTIAL
 JURORS WHO EXPRESS RESERVATIONS REGARDING THE DEATH
 PENALTY AND BRIEF IN SUPPORT THEREOF: FILED
 01/12/96 MOTION TO REQUIRE THE STATE TO PROVIDE VICTIM IMPACT
 STATEMENTS PRIOR TO TRIAL AND REQUEST FOR EVIDENTIARY
 HEARING AND BRIEF IN SUPORT THEREOF: FILED
 01/12/96 MOTION FOR INDIVIDUAL SEQUESTERED VOIR DIRE OF JURORS
 AS FAR AS DEATH PENALTY IN CONCERNED: FILED
 01/12/96 BRIEF IN SUPPORT OF MOTION FOR INDIVIDUAL SEQUESTERED
 VOIR DIRE: FILED
 01/19/96 MOTION FOR CONTINUANCE: FILED
 01/19/96 CM: JUDGE VASSAR
 CAUSE CALLED FOR HEARING ON THE DEFENDANT'S MOTION FOR
 CONTINUANCE; STATE PRESENT BY MILES C. ZIMMERMAN,
 DISTRICT ATTORNEY; DEFENDANT PRESENT IN PERSON AND BY
 OIDS ATTORNEY, JAMES T. ROWAN; RECORD TAKEN BY TRISH
 WIBLE; ARGUMENTS PRESENTED ON MOTION FOR CONTINUANCE;
 MOTION FOR CONTINUANCE GRANTED; JURY TRIAL CONTINUED
 TO MARCH 25, 1996 AT 9:00 A.M.; IT IS FURTHER ORDERED
 THAT THE SAME JURY POOL CALLED FOR FEBRUARY WILL BE
 CALLED FOR THIS CASE; BOTH PARTIES GRANTED UNTIL
 JANUARY 24, 1996 TO FILE MOTIONS BEING HEARING ON
 JANUARY 31, 1996; IT IS FURTHER ORDERED THAT ANY
 OUTSTANDING MOTIONS WILL BE HEARD FEBRUARY 23, 1996 AT
 2:30 P.M.; BOTH PARTIES GRANTED LEAVE TO FILE MOTIONS
 BEYOND THE JANUARY 24, 1996 DATE; ANY OUTSTANDING
 MOTIONS WILL BE HEARD FEBRUARY 23, 1996 AT 2:30 P.M.;
 ALL MOTIONS MUST BE ON FILE ON/OR BEFORE FEBRUARY 14,
 1996 BY 4:00 P.M.; THE DEFENDANT REMANDED TO THE
 CUSTODY OF THE SHERIEF TO AWAIT TRIAL:
 01/24/96 BURKS' NOTICE OF INTENT TO INTRODUCE EVIDENCE OF

01/24/96 SEPARATE CRIMES AT TRAIL: FILED
CM: JUDGE VASSAR
STRICKEN FROM MOTION DOCKET:
01/31/96 CM: JUDGE VASSAR
CAUSE STRICKEN FROM MOTION DOCKET:
02/09/96 THE DEFENDANT'S MOTION TO STRIKE "CONTINUING THREAT"
AGGRAVATING CIRCUMSTANCE AS UNCONSTITUTIONAL AND ON
GROUNDS OF INSUFFICIENT EVIDENCE AND BRIEF IN SUPPORT:
FILED
02/09/96 TRANSCRIPT OF PRELIMINARY HEARING: FILED
02/09/96 DISTRICT ATTORNEY'S OFFICE CHECK OUT PRELIMINARY
HEARING
02/14/96 OIDS CHECKS OUT PRELIMINARY HEARING TRANSCRIPT:
02/22/96 APPLICATION FOR HEARING ON MATERIAL WITNESS WARRANT:
FILED
02/22/96 ORDER SETTING CAUSE FOR HEARING: FILED
02/23/96 STATE'S RESPONSE TO DEFENDANT'S MOTIONS: FILED
02/23/96 STATE'S SECOND RESPONSE TO DEFENDANT'S MOTIONS: FILED
02/23/96 CM: JUDGE VASSAR
CAUSE CALLED FOR HEARING ON MOTIONS; STATE PRESENT BY
BARNEY K. BARNETT, ASSISTANT DISTRICT ATTORNEY;
DEFENDANT PRESENT IN PERSON AND BY O.I.D.S. ATTORNEYS,
JAMES T. ROWAN AND CO-COUNSEL; RECORD TAKEN BY TRISH
WIBLE; ARGUMENTS PRESENTED ON MOTIONS; DEFENDANT'S
MOTION FOR DISCOVERY PREVIOUSLY CONFERRED; STATE'S
MOTION FOR PRODUCTION PREVIOUSLY CONFERRED;
DEFENDANT'S MOTION TO DISCOVERY SUSTAINED; THE STATE'S
PHYSICAL EVIDENCE IS AVAILABLE FOR THE DEFENSE TO
EXAMINE; THE DEFENDANT'S MOTION IN LIMINE IN RE, THE
QUALIFICATIONS OF PAUL BEVEL; OVERULED; THE
DEFENDANT'S MOTION TO STRIKE "CONTINUING THREAT"
AGGRAVATING CIRCUMSTANCE AS UNCONSTITUTIONAL AND ON
GROUNDS OF INSUFFICIENT EVIDENCE FILED JANUARY 12, 1996;
OVERULED; THE DEFENDANT GIVEN LEAVE TO RAISE ISSUE AT
LATER DATE; THE DEFENDANT'S MOTION TO STRIKE
"CONTINUING THREAT" AGGRAVATING CIRCUMSTANCE AS
UNCONSTITUTIONAL AND ON GROUNDS OF INSUFFICIENT
EVIDENCE FILED 2-9-96; OVERULED; THE STATE ASK LEAVE
TO ENDORSE ALL WITNESSES PRIOR TO THE PRELIMINARY
HEARING WHICH WERE OMITTED FROM THE AMENDED
INFORMATION; THE COURT ORDERS THE STATE TO PROVIDE
ANADDENDUM TO THE AMENDED INFORMATION AS PERTAINS TO
WITNESSES ENDORSED FILED ON/OR BEFORE 5:00 P.M.
FEBRUARY 27, 1996; THE DEFENDANT IS TO FILE A BRIEF AS
TO WHY THE INFORMATION IS DEFECTIVE BEFORE FRIDAY,
MARCH 1, 1996; ARGUMENTS PRESENTED ON THE DEFENDANT'S
LIST OF PRETRIAL MOTIONS FILED JANUARY 12, 1996; 1. THE
DEMUR AND MOTION TO QUASH INFORMATION; OVERULED; THE
DEFENDANT TO FILE BRIEF BY WEDNESDAY, FEBRUARY 28,
1996; THE STATE TO RESPOND BY FRIDAY, MARCH 1, 1996, IN
REGARDS TO DEFECTIVE INFORMATION; 2. THE DEFENDANT'S
NOTICE OF INTENT TO OFFER EVIDENCE OF PRIOR GOVERNMENT
ADMISSION, SUSTAINED, WITH THE QUALIFICATION THAT THE
DISTRICT ATTORNEY WILL NOT BE ALLOWED TO TAKE THE
STAND; THE DEFENDANT IS ORDERED TO SHEPARDIZE AND
ADVISE THE COURT OF HIS FINDINGS; 3. THE DEFENDANT'S
MOTION IN LIMINE IN REGARDS TO PHYSICAL AND FORENSIC
EVIDENCE IS TAKEN UNDER ADVISEMENT; 4. THE DEFENDANT'S
MOTION TO PROHIBIT JURY DISPERSAL AND TO PROHIBIT JURY'S
EXPOSURE TO THE VICTIM'S FAMILY OR FRIENDS; SUSTAINED;
THE COURT PRESENTS RULES AS TO THE EXITS AND ENTRIES OF
THE JURORS AFTER IMPANELED; 5. THE DEFENDANT'S
OBJECTION TO THE VERDICT FORM IN REGARDS TO "CONTINUING
THREAT"; OVERULED; THE DEFENDANT IS GIVEN LEAVE TO
REASURT MOTION; 6. THE DEFENDANT'S MOTION TO STRIKE
UNADJUDICATED OFFENSES ALLEDGED IN SUPPORT OF
"CONTINUING THREAT" AGGRAVATING CIRCUMSTANCE; OVERULED;
7. THE DEFENDANT'S MOTION IN LIMINE REGARDING INTRO-
DUCTION OF AUTOPSY PHOTOGRAPHS; SUSTAINED; 8. THE
DEFENDANT'S MOTION IN LIMINE IN REGARDS TO CALDWELL;

SUSTAINED; 9. THE DEFENDANT'S MOTION TO ALLOW VOIR DIRE ON THE COST-EFFECTIVENESS OF THE DEATH PENALTY; OVERULED; 10. THE DEFENDANT'S MOTION TO ENJOIN VICTIM'S FAMILY AND/OR VICTIM'S RIGHTS ADVOCATED FROM SHOWING EMOTION IN THE COURT ROOM WHILE SITTING AS SPECTATORS AND BRIEF IN SUPPORT THEREOF; SUSTAINED; 11. THE DEFENDANT'S MOTION TO ENDORSE ALL "JAIL HOUSE" INFORMANTS; SUSTAINED; 12. THE MOTION TO INVOKE RULE PRIOR TO VOIR DIRE, PROHIBIT WITNESSES FROM CONVERSING, AND TO ENJOIN THE DISTRICT ATTORNEY FROM ADVISING OF PREVIOUS TESTIMONY; SUSTAINED, BUT THE STATE IS NOT PROHIBITED FROM TALKING TO WITNESSES; 13. MOTION FOR PRODUCTION OF JUROR LIST; SUSTAINED AS TO VOIR DIRE WITNESS; THE DISTRICT ATTORNEY DOES NOT MAINTAIN A SEPARATE LIST; 14. THE DEFENDANT'S MOTION FOR VOIR DIRE ON THE DEATH PENALTY; TAKEN UNDERADVICE; 15. MOTION TO ALLOW EVIDENCE IN REGARDS TO LIKE WITHOUT THE POSSIBILITY OF PAROLE; DENIED; 16. THE DEFENDANT'S MOTION TO PRECLUDE PROSECUTION FROM USING PEREMPTORY CHALLENGES TO EXCLUDE MINORITY RACES OR POOR JURORS; IT IS THE ORDER OF THE COURT THAT "BATSON" SHALL BE FOLLOWED; SUSTAINED; POOR PEOPLE DO NOT QUALIFY FOR "BATSON" CHALLENGES; 17. MOTION FOR HEARING ON RELIABILITY OF "JAIL HOUSE" INFORMANTS, SUSTAINED; 18. THE DEFENDANT'S OBJECTION TO STANDARDS OF COUNSEL IMPOSED BY THE UNITED STATE SUPREME COURT AND NOTICE OF NON-WAIVER OF ISSUES AND OBJECTIONS; OVERULED; 19. THE DEFENDANT'S OBJECTION TO STANDARD JURY INSTRUCTIONS IN REGARDS TO EVALUATION OF MITIGATING EVIDENCE; OVERULED; 20. THE DEFENDANT'S OBJECTION TO THE UNIFORM JURY INSTRUCTIONS IN REGARDS TO THE FINDING OF UNANIMITY WITH RESPECT TO MITIGATING CIRCUMSTANCES; OVERULED; 21. MOTION FOR ADDITIONAL PEREMPTORY CHALLENGES AND BRIEF IN SUPPORT THEREOF; OVERULED; 22. MOTION TO PRECLUDE PRETRIAL EXEMPTION, PRETRIAL EXCUSAL OR PEREMPTORY EXCUSAL OF POOR JURORS, OR IN THE ALTERNATIVE, QUASH THE ARRAY; OVERULED AS MOOT; LIST OF JURORS SERVICE THIS TERM IS AVAILABLE IN THE COURT CLERK'S OFFICE; 24. MOTION FOR JURY QUESTIONNAIRE (WITH ATTACHED SAMPLE); SUSTAINED; A QUESTIONNAIRE OF 8-10 PAGES TO BE SUBMITTED BY AGREEMENT WITH THE COURT TO RESOLVE DISPUTES; 25. BRIEF IN SUPPORT OF MOTION TO SUBMIT QUESTIONNAIRE TO PROSPECTIVE JURORS; SUSTAINED; 26. MOTION IN LIMINE IN REGARDS TO REMORSE; RULING RESERVED; 27. THE DEFENDANT'S MOTION TO PROHIBIT PROSECUTION FROM EXCLUDING POTENTIAL JURORS WHO EXPRESS RESERVATIONS REGARDING THE DEATH PENALTY AND BRIEF IN SUPPORT THEREOF; OVERULED; 28. THE DEFENDANT'S MOTION TO REQUIRE THE STATE TO PROVIDE VICTIM IMPACT STATEMENTS PRIOR TO TRIAL AND REQUEST FOR EVIDENTIARY HEARING AND BRIEF IN SUPPORT THEREOF; SUSTAINED; WRITTEN IMPACT STATEMENT TO BE FILED WITHIN 10 DAYS PRIOR TO TRIAL; IN CAMERA HEARING RESERVED; 29. MOTION FOR INDIVIDUAL VOIR DIRE OF JURORS AS FAR AS THE DEATH PENALTY IS CONCERNED; MOTION EXPANDED TO INCLUDE THE NEWS MEDIA; MOTION DENIED; 30. BRIEF IN SUPPORT OF INDIVIDUAL, SEQUESTERED VOIR DIRE; OVERULED; COUNSEL FOR THE DEFENDANT PRESENT; THE DEFENDANT IS ADVISED OF A MATERIAL WITNESS WARRANT FROM THE STATE OF ARKANSAS TO COMPEL HIS ATTENDANCE AS A WITNESS IN CASE #CF-95-32; THE DEFENDANT IS TO BE RETURNED WITHIN 48 HOURS AFTER HIS RELEASE FROM THAT TRIAL; THE STATE OF ARKANSAS TO PROVIDE WRITTEN ASSURANCE OF ADEQUATE SECURITY UNTIL THE DEFENDANT'S RETURN TO OKLAHOMA; THE DEFENDANT'S ORAL MOTION TO LIMIT THE FILING OF NEW MOTIONS SUSTAINED IN PART; FURTHER MOTIONS TO BE HEARD MARCH 13, 1996 AT 1:30 P.M.; THE MOTION TO STRIKE "CONTINUING THREAT" TO BE RULED ON BY BRIEF WITHOUT FURTHER ARGUMENTS PRESENTED;

LIST OF WITNESSES PURSUANT TO CONSTITUTION OF OKLAHOMA

02/27/96

02/27/96 ART. 2 S 20 FIRST STAGE: FILED
LIST OF WITNESSES PURSUANT TO CONSTITUTION TO
CONSTITUTION OF OKLAHOMA ART. 2 S 20 SECOND STAGE:
FILED

02/28/96 NOTICE OF ANTICIPATED TESTIMONY: ISSUED AND FILED
02/28/96 MOTION TO ENDORSE ADDITIONAL WITNESSES: FILED
02/28/96 MOTION TO ENDORSE ADDITIONAL WITNESSES: FILED
02/29/96 DEFENDANT'S BRIEF IN SUPPORT OF DEMURRER AND MOTION TO
QUASH THE INFORMATION: FILED

02/29/96 APPLICATION AND AFFIDAVIT: FILED
02/29/96 APPLICATION AND AFFIDAVIT: FILED
02/29/96 SUBPOENA: ISSUED
02/29/96 SUBPOENA: ISSUED
02/29/96 SUBPOENA: ISSUED
02/29/96 SUBPOENA: ISSUED
02/29/96 SUBPOENA: ISSUED
02/29/96 SUBPOENA RTD ATTD DAVID ARMITAGE, MIKE MADDEN, DUANE
MATHES, COSBY CLARK, BECKY KEPITART, DONALD WHEELER,
GARY GREGSON 2-29-96 BY LEEMAN STORY, D.A.

03/05/96 INVESTIGATOR: FILED
SUBPOENA RTD: ATTD SERVED JACKIE JOHNSON, MIKE
COLLINS, RONALD JONES LATENT FINGERPRINT EXPERT OSBI,
FORENSIC TECHNICIAN, BOB TEHUNE, MARK MCCOY, LARRY
MULLINS, TOM JORDAN, CHARLES CURTISS, KEITH FERRELL,
DOUG PERKINS & JOANNE KAHEGA 3-1-96 BY LEE STORY, DA
INVESTIGATOR: FILED

03/07/96 APPROVAL: FILED
03/07/96 RESPONSE TO DEFENDANT'S MOTION TO QUASH THE
INFORMATION: FILED

03/07/96 ORDER: FILED
03/07/96 THE DEFENDANT'S MOTION TO STRIKE HEINOUS, ATROCIOUS,
AND CRUEL AGGRAVATING CIRCUMSTANCE AND BRIEF IN
SUPPORT: FILED

03/07/96 MOTION FOR CONTINUANCE: FILED
03/07/96 NOTICE OF EVIDENCE IN AGGRAVATION TO E OFFERED IN
SUPPORT OF DEATH PENALTY: FILED

03/07/96 SUPPLEMENTAL BURK'S NOTICE OF INTENT TO INTRODUCE
EVIDENCE OF SEPARATE CRIMES AT TRIAL: FILED

03/11/96 FAMILY HISTORY (JURY QUESTIONERS)
03/11/96 LETTER: FILED
03/13/96 DISCOVERY FROM DEFENSE FILED:
03/13/96 CM: JUDGE PAUL VASSAR

03/18/96 CAUSED CALLED FOR HEARING ON MOTIONS: STATE PRESENT BY
03/20/96 BARNEY K. BARNETT: DEFENDANT PRESENT AND BY CAPITOL
03/28/96 TRIAL DIVISION ATTORNEY JAMES T. ROWAN: RECORD TAKEN
04/11/96 BY TRISH WIBLE: ARGUMENTS BY COUNSEL: MOTION FOR
04/25/96 CONTINUANCE: SUSTAINED: DEFENDANT ADVISED OF RIGHTS TO
04/25/96 SPEEDY TRIAL: DEFENDANT WAIVES RIGHTS TO SPEEDY TRIAL:
MOTION TO QUASH INFORMATION, MOTION TO STRIKE HEINOUS,
ATROCIOUS AND CRUEL AGGRAVATING CIRCUMSTANCE AND BRIEF
IN SUPPORT AND ANY OTHER MOTIONS THAT NEED TO BE
ADDRESSED SET FOR JULY 10TH AT 9:30 A.M.: CAUSE SET
FOR JURY TRIAL JULY 22, 1996: DEFENDANT REMANDED TO
CUSTODY OF THE LINCOLN COUNTY SHERIFF:
AFFIDAVIT IN SUPPORT OF MOTION FOR CONTINUANCE: FILED
LETTER (RELEASING JUVENIEL FILES TO OIDS): FILED
APPLICATION FOR ORDER FILED:

ORDER: FILED
SECOND AMENDED FELONY INFORMATION: FILED
CM: STATE -VS- STUMP JUDGE VASSAR
CAUSE CALLED FOR SENTENCING; STATE PRESENT BY MILES C.
ZIMMERMAN, DISTRICT ATTORNEY; DEFENDANT PRESENT AND BY
ATTORNEYS JIM ROWAN & RAND EDDY, O.I.D.S. CAPITAL TRIAL
DIVISION; RECORD TAKEN; DEFENDANT ADVISED OF HIS
CONSTITUTIONAL RIGHTS; DEFENDANT WAIVES RIGHT TO
ADDITIONAL PRELIMINARY HEARING; DEFENDANT SWORN AS TO
THE PETITION TO ENTER A PLEA OF GUILTY; PURSUANT TO
PLEA NEGOTIATIONS THE DEFENDANT ENTERS A PLEA OF GUILTY
TO THE SECOND AMENDED FELONY INFORMATION OF MURDER IN
THE SECOND DEGREE; PLEA ACCEPTED; IT IS THE JUDGMENT

| | |
|----------|---|
| | AND SENTENCE OF THE COURT THAT THE DEFENDANT IS GUILTY AS CHARGED AND SENTENCED TO A TERM OF 75 YEARS WITH THE DEPARTMENT OF CORRECTIONS, PLUS PAY THE COSTS; |
| | DEFENDANT WAIVES PRE-SENTENCE INVESTIGATION; DEFENDANT WAIVES THE 10 DAY WAITING PERIOD BEFORE TRANSPORTATION; |
| | DEFENDANT REMANDED TO THE CUSTODY OF THE LINCOLN COUNTY SHERIFF TO BE TRANSPORTED; |
| 04/25/96 | PLEA OF GUILTY SUMMARY OF FACTS: FILED |
| 05/07/96 | STATEMENT OF JAIL TIME 298 DAYS: FILED |
| 05/08/96 | AMENDED STATEMENT OF JAIL TIME 306 DAYS: FILE |
| 05/10/96 | JUDGMENT AND SENTENCE: FILED |
| 05/16/96 | OKLAHOMA DEPARTMENT OF CORRECTION RECEIPT FOR PRISONER/DOCUMENTS/DETAINER RTD ATTD TRANSPORTED JOSHUA STUMP TO LARC BY JACK BULLARD, LCSO: FILED |
| 07/10/96 | CM: JUDGE VASSAR STRICKEN; MOOT: |
| 07/30/96 | LETTER, DOC: FILED |