

{Discussion of Catherine Boe's testimony}

THE COURT: MR. DARDEN, WHAT IS ABOUT TO COME OUT HERE?

MR. DARDEN: I DON'T KNOW.

MR. SHAPIRO: WELL, THEN, YOUR HONOR, HE HAS MADE AN OFFER OF PROOF AS AN OFFICER OF THE COURT AND NOW HE SAYS HE DOESN'T KNOW WHAT THE WITNESS IS GOING TO TESTIFY TO.

I THINK HE SHOULD HAVE NO FURTHER QUESTIONS AND SIT DOWN.

MR. DARDEN: I HAVE QUESTIONS ABOUT OTHER THINGS, BUT AS FAR AS THIS PARTICULAR SITUATION --

MR. SHAPIRO: OF WHICH YOU KNOW THE ANSWERS TO? OF WHICH YOU HAVE INTERVIEWED THE WITNESS?

MR. DARDEN: I WANT TO KNOW WHAT THEY WERE ARGUING ABOUT. I MEAN, THE RELATIONSHIP IS AT ISSUE HERE.

THE COURT: ISN'T THE VALUE OF THIS WITNESS TO SAY WHAT THE DEFENDANT TOLD HER ABOUT THE NATURE OF THEIR RELATIONSHIP?

MR. DARDEN: OKAY.

THE COURT: OTHER OBSERVATIONS ARE INTERESTING, BUT HOW DO WE GET AROUND THE HEARSAY PROBLEM.

MR. DARDEN: I WILL ASK HER WHAT DID THE DEFENDANT TELL YOU ABOUT THE NATURE OF THE RELATIONSHIP. I WILL ASK HER THAT QUESTION.

MR. SHAPIRO: YOUR HONOR, WOULD YOU ADMONISH THE JURY AND ADMONISH THE WITNESS THAT THESE AREAS ARE INAPPROPRIATE TO GET INTO AND THAT THERE ARE CERTAIN AREAS AND JUST OUTLINE WHAT THEY ARE SO SHE GETS THE CLUE.

MR. DARDEN: COME ON.

MS. CLARK: MAYBE THE COURT WILL DO THAT FOR DEFENSE COUNSEL, TOO, WHEN THEY GO INTO INAPPROPRIATE AREAS ON CROSS AND TELL THE JURY THAT THEY ARE DOING INAPPROPRIATE THINGS.

MR. DARDEN: IS CARL GOING TO CROSS-EXAMINE THIS WITNESS?

THE COURT: MR. SHAPIRO IS, APPARENTLY. FOLKS, LET'S GO BACK. THANK YOU.