

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

IN THE UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

- - - -

THE ~~HONORABLE~~ A. HOWARD MATZ, JUDGE PRESIDING

- - - -

UNITED STATES OF AMERICA,)	
PLAINTIFF,)	
-v-)	CASE NO. CR 02-350-AHM
STEVEN WILLIAM SUTCLIFFE,)	
DEFENDANT.)	

COPY

REPORTER'S TRANSCRIPT OF PROCEEDINGS
LOS ANGELES, CALIFORNIA
APRIL 16, 2002

LYNNE SMITH
OFFICIAL COURT REPORTER
UNITED STATES DISTRICT COURT
312 NORTH SPRING STREET
LOS ANGELES, CALIFORNIA 90012

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

APPEARANCES:

ON BEHALF OF PLAINTIFF:
OFFICE OF THE UNITED STATES ATTORNEY
BY: ELENA DUARTE
JASON GONZALEZ
ASSISTANT UNITED STATES ATTORNEY
312 NORTH SPRING STREET
LOS ANGELES, CALIFORNIA 90012

ON BEHALF OF DEFENDANT:
FEDERAL PUBLIC DEFENDERS OFFICE
BY: HILLARY POTASHNER
DEPUTY FEDERAL PUBLIC DEFENDER
321 NORTH SECOND STREET
LOS ANGELES, CALIFORNIA 90012

1 already?

2 MS. POTASHNER: The preliminary hearing transcript
3 that was considered but I'm not sure if Your Honor has a
4 copy.

5 THE COURT: I don't have a copy. I saw there was
6 a 171 page transcript that Judge Woehrle allowed each of
7 you, I'm not sure who was at the hearing before her, allowed
8 both sides to present a proffer of their effort to summarize
9 what that transcript reflected. Is that correct?

10 MS. DUARTE: That's correct.

11 THE COURT: Do you either of you think that would
12 be helpful to me?

13 MS. POTASHNER: I do think that would be helpful.

14 MS. DUARTE: The proffer or the transcript?

15 THE COURT: The proffer. I don't have time to
16 read a 171 page transcript.

17 MS. DUARTE: Your Honor, the government set forth
18 its proffer in its memorandum which the court indicates it's
19 read. To the extent -- I tried to set forth the defense
20 proffer.

21 THE COURT: I saw that footnote where you
22 apologized in advance. I doubt if there is anything to
23 apologize for. You have right to be heard about your
24 proffer. Let's start with that. Why don't you address me
25 from the lectern, please.

1 was not prosecuted.

2 THE COURT: Where is the information about the
3 investigation of that, where in the record is that?

4 MS. POTASHNER: I don't have a cite for where it
5 is.

6 MS. DUARTE: Your Honor, you mean in the
7 preliminary hearing?

8 THE COURT: Before me.

9 MS. DUARTE: In the complaint about the
10 KillerCop.com investigation.

11 THE COURT: Where?

12 MS. DUARTE: Toward the end, Page 20 of the
13 complaint, Paragraph 28, previous threatening activity.

14 THE COURT: And KILLERCOP.com is on Page 21. Top
15 of page 21.

16 MS. DUARTE: Yes, Your Honor. Begins on Page 21.

17 THE COURT: It's consistent with what you say,
18 Ms. Potashner because it looks like the LAPD was successful
19 in having the KILLERCOP website removed from the host site.
20 Is that correct?

21 MS. POTASHNER: I believe so, yes.

22 MS. DUARTE: I believe that's correct, Your Honor.
23 I don't know details about if and why the case was reviewed
24 or declined by the DA'S office.

25 THE COURT: Anything further, Ms. Potashner?