

1 THE COURT: Defense's opening?

2 MR. WOODALL: Thank you. May it please the
3 Court, prosecutors, ladies and gentlemen. First off,
4 congratulations on making the jury. We'll be with
5 y'all for several days now.

6 As a defense attorney, it's my practice,
7 I'm not going to talk to you a whole lot here in the
8 opening other than to say this: The evidence in this
9 case, like Mr. Waldrop says, is going to be days and
10 days of talk and talk and talk and talk. And you'll
11 probably just get tired of hearing the talk. There's
12 plenty of it.

13 I expect, folks, that the evidence will
14 show that there is lots of talk of money, talk of
15 money from conversation one to conversation two, all
16 the way to the end. Money this, money that. You pay
17 this, I'll do this. You pay this, I'll do this.
18 You'll see it. You'll see it from the start. You'll
19 see it to the finish. We get to the end of the day,
20 we get to the end of the case, the evidence shows,
21 guess what, no money.

22 Every conversation will show: If you pay,
23 I will do this. If you pay, this will happen. At
24 the end of the day he didn't show up to the meeting,
25 didn't pay any money.

1 The evidence will show that Mr. Phelps, low
2 and behold, was arrested. He was searched. The
3 place he was at was searched. He was brought over to
4 the jail. All his belongings were inventoried.
5 Guess what? No money on him. No money in his place.
6 No maps, no instructions, no nothing.

7 I'll talk to you a lot more at the end of
8 the case dealing with how that factors into this
9 charge and how that works out at the end of the day.
10 But now is not the time to do it. And I just
11 appreciate you all listening to the evidence. And
12 when it comes time I'll appreciate you all reading
13 the law and applying it. And thank you.

14 THE COURT: Does that conclude the opening
15 for the defense?

16 MR. WOODALL: Yes, sir.

17 THE COURT: Ladies and gentlemen of the
18 jury, tomorrow morning we're going to start back at
19 9:00 o'clock, back, right back where you started here
20 in this jury room. Please don't talk to anyone
21 tonight about the case. Don't let anyone speak with
22 you about it. Please don't listen to any news
23 reports about it, TV, radio or read a paper. Let's
24 just wait and learn about the case together, okay.
25 So as you learn about it, I'll learn about it, too.

1 There'll be certain procedure that we're going to do.
2 Some things that -- a lot of it you'll be in the
3 courtroom. Sometimes I'll handle certain legal
4 proceedings that have to be out of your presence.
5 And it's not that you're not important. You're the
6 most important people here, and we're trying to make
7 sure that we just handle the case properly. So at
8 times you'll come and go from the jury room.

9 The bailiffs are both here. Mr. Thomas
10 came in a little later when I was introducing people.
11 He'll be working with us some this week as a bailiff,
12 and Mr. Nolle over here. If you have any needs or
13 have a problem, if you'll get a message to them they
14 will promptly get that back to me, so I'll know in
15 just a few minutes if you have some sort of issue.

16 We want to make sure you're comfortable. I
17 know it's hot and it's hot in here, hot up on this
18 bench sometimes. But as we work through this
19 together, we'll learn about this. Please let that be
20 the only place we're going to learn about this, in
21 the courtroom.

22 So if you will, go with Mr. Nolle into the
23 jury room for a few minutes and we'll see if we're
24 finished for the day. If we are, see you tomorrow
25 morning at 9:00 o'clock.