ADDITIONAL PRACTICE SCRIPTS FOR SIMULTANEOUS AND CONSECUTIVE INTERPRETATION AND SIGHT TRANSLATION

(NOTE: this script is from a federal court.)

IN THE UNITED STATES DISTRICT
COURT FOR THE EASTERN
DISTRICT OF VIRGINIA
Richmond Division

UNITED STATES OF AMERICA v. LUIS VALDEZ Criminal No. 3:98CR24

JOINT MOTION TO EXTEND TIME
PERIOD FOR INDICTMENT

COMES NOW the defendant, LUIS VALDEZ, and the defendant's undersigned counsel Michael Morchower, Esq., and the United States of America, through its counsel, Helen F. Fahey, United States Attorney, and M. Hannah Lauck, Assistant United States Attorney, and respectfully move this Honorable Court to extend the time period given the United States to indict this case to and including March 1, 1998, and in support thereof states as follows:

The defendant was arrested December 22, 1997 on charges of conspiracy to posses with intent to distribute fifty grams or more of cocaine base, commonly known as "crack" cocaine in violation of Title 21, United States Code, Sections 841 and 846. On December 23, 1997, the defendant appeared before United States Magistrate David G. Lowe, who set a preliminary hearing for December 29, 1997 upon motion of the United States As no official interpreter was available, Roberto Duran, a Spanish-speaking officer with the Richmond Police Department served as translator. On December 29, 1997, a preliminary hearing was held before the Hon. David G. Lowe, United States Magistrate Judge.: At this hearing, probable cause was found to charge the defendant and the defendant waived a bond hearing. Under the Speedy Trial Act the United States would be required to indict this defendant on or before January 21, 1998.

The parties have been engaged in plea discussions and the defendant is interested in

entering a plea and cooperating with the United States in order to attempt to qualify for a reduction of sentence. The parties request additional time prior to indictment to allow the negotiation and drafting of plea documents and the entry of the defendant's plea. The parties therefore jointly request a continuance of the time to indict until March 1, 1998. The parties certify to this Court that because a plea has already been agreed upon, this continuance is sought in good faith and is in the interests of justice within the meaning of Title 18, United States Code, Section 3161 (h)(8).

By the signature of his counsel below, the defendant represents to this Honorable Court that he has discussed the Speedy Trial Act with his attorney, and that the defendant hereby knowingly. intelligently, and voluntarily waives his right to indictment within seven (7) days insofar as he requests the aforementioned extension. Counsel further certifies that this continuance is in the best interests of his client.

(NOTE: this script is from a federal court.)

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT Of VIRGINIA
Richmond Division

UNITED STATES OF AMERICA v.
EDWIN MISAEL MARTINEZ-REYNOSO a/k/a “Bobo”

UNDER SEAL
CRIMINAL NO. 3:CR97-355-:03

STATEMENT OF FACTS

Had the matter proceeded to trial, the defendant EDWIN MISAEL MARTINEZ REYNOSO and the

defendant's counsel Brad Johnson, Esq., and the United States by and through its attorneys. hereby stipulate and agree that the following facts are true and would have been proven by the United States beyond a reasonable doubt:

1. Sometime in or about August or September of 1997, the defendant EDWIN MISAEL MARTINEZ-REYNOSO (“EDWIN MARTINEZ") and his wife, Laura Martinez, began to purchase cocaine and cocaine base from Gerardo Rosario and Jose Santos-Remijio in New York City. Gerardo Rosario was the supplier of the cocaine and cocaine base. Jose Santos-Remijio acted as a courier and brought the cocaine to Richmond, Virginia by bus or Amtrak train, Santos-Remijio would remain in Richmond at the residence of the defendant EDWIN MARTINEZ and his wife Laura Martinez at 112A Vintage Drive, Richmond, Virginia to collect the money from the sale of cocaine and cocaine base in Richmond and return the money to Gerardo Rosario in New York. From August or September, 1997 until his arrest on November 12, 1997, Santos-Remijio made approximately ten (10) trips to Richmond, Virginia to deliver cocaine and cocaine base to EDWIN MARTINEZ and Laura Martinez. Yosvani Daniel-Fuentes was a knowing member of the conspiracy. He acted as driver for EDWIN MARTINEZ and was paid by EDWIN MARTINEZ for picking up couriers at the train station and driving EDWIN MARTINEZ to the scene of cocaine sales.

2. On October 15, 1997, EDWIN MARTINEZ and Jose Santos-Remijio met with a confidential informant to discuss the sale of cocaine and cocaine base at a Bennigan 's

Restaurant in Richmond, Virginia. On that occasion, EDWIN MARTINEZ displayed approximately nine (9) ounces of cocaine base to the confidential informant.

3. On November 5. 1997, EDWIN MARTINEZ distributed approximately 111 grams of cocaine base to the same confidential informant at an Arby's Restaurant in Richmond, Virginia for blank in U.S. Currency. Laura Martinez and Jose Santos-Remijio accompanied EDWIN MARTINEZ during this drug transaction. The cocaine base EDWIN MARTINEZ sold to the confidential informant on November *5,* 1997 was supplied to him by Gerardo Rosario and Jose, Santos-Remijio.

4. On or about November 9, 1997, Jose Santos-Remijio arrived from New York City in Richmond by Amtrak train. He was picked up at the train station by Yosvani Daniel-Fuentes and taken to the home of EDWIN MARTINEZ. Santos-Remijio was carrying approximately one kilogram of cocaine and cocaine base, EDWIN MARTINEZ, Jose Santos-Remijio, and Yosvani Daniel-Fuentes buried the cocaine and cocaine base in areas around the defendant's apartment at 112A Vintage Drive, Richmond, Virginia. On or about November 11, 1997, Gerardo Rosario arrived in Richmond, Virginia to collect money from the sale of cocaine and cocaine base he had provided to EDWIN MARTINEZ.

5. On or about November 12, 1997, EDWIN MARTINEZ and Yosvani Daniel-Fuentes drove from 112A Vintage Drive to the Arby's on Quiocasin Road in Richmond, Virginia to deliver 9 ounces of cocaine base to the confidential informant. Jose Santos-Remijio and Gerardo Rosario waited at EDWIN MARTINEZ apartment for him to return with the money from the sale which they intended to take to New York that night. EDWIN MARTINEZ was arrested with approximately 25l grams of cocaine base in his possession in an Arby's food bag.

6. EDWIN MARTINEZ subsequently led law enforcement officers to approximately 236 grams of cocaine hydrochloride that were buried in a wooded area behind his apartment. This was a portion of the cocaine and cocaine base delivered to him by Gerardo Rosario and Santos-Remijio.

7. The defendant EDWIN MISAEL MARTJNEZ-REYNOSO agrees that he knowingly, intentionally and unlawfully combined, conspired, confederated and agreed with Laura

Martinez, Gerardo Rosario. Jose Santos-Remijio, Yosvani Daniel-Fuentes, and with others both known and unknown to the government to possess with intent to distribute and to distribute fifty (50) grams or more of cocaine base, commonly known as "crack" cocaine, The defendant agrees that his actions were deliberate and were not the product of any accident or mistake of law or fact. The defendant takes full responsibility for his criminal actions.

I am EDWIN MISAEL MARTINEZ-REYNOSO the defendant in this case, I have reviewed this statement of facts with my attorney and hereby agree that its contents are true and correct. I agree to provide additional facts concerning my involvement with this conspiracy and to identify my other co-conspirators in further interviews with law enforcement officers.

JURY INSTRUCTIONS

Good morning ladies and gentlemen of the jury.

Five days-ago I promised you that, at the end of the presentation of evidence, you would see clearly that Mr. Martinez-Berrio did not shoot the victim, Mr. Jaramillo, in self defense during the evening hours of May 15, 1998.

The Judge will instruct you on the elements required for an act.to be considered self defense. I beg of you to pay close attention to His Honor's instructions as they will confirm the points that I am about to make.

Mr. Jaramillo approached Mr. Martinez-Berrio on a clear night, with a full moon, on the corner of Southern Avenue and Beach Road. There is a K-Mart store in that corner and the lights in that store's parking lot further illuminates the street.

Mr. Jaramillo called Mr. Martinez-Berrio by his proper and complete name - a circumstance that caste a shadow on the accused argument that he thought that he was going to be held up at gun point. Furthermore, even if the accused believed that he was going to be held up, this did not mean that his life was in imminent danger; Mr. Jaramillo was unarmed and showed no instrument that could have been confused with-a weapon or that could have been used as a weapon.

Ladies and gentlemen of the jury:

We have reached the stage in the trial where I have to explained the law that applies to this case. This- is known as Jury Instructions or Charge to the Jury. My instructions are binding, and you must follow them “in toto.” That means in their totality. You may not disregard part of them, and you must keep them in mind as you deliberate and try to reach a verdict.

In reaching your decision you must consider all the evidence in this case.

a) The testimony of witnesses.

b) The physical evidence or exhibits that have been admitted into evidence.

c) Stipulations. I will explain later, in detail, the stipulations in this case.

You must evaluate all the evidence carefully, and you are the only judges of it. You must determine the weight that each item deserves, and to reach that determination; you can consider all the aspects surrounding the evidence, including the demeanor of the-witness and the opportunity that the witness had to see or hear what he or she stated on the witness stand. Your experience and common sense will be important to determine the weight that you will give the evidence.

Ladies and gentlemen of the jury:

As His Honor told you, the first part of this proceeding is an opening statement.

My name is Roger McKenzie and I represent the Commonwealth of Virginia. I am also known as the lawyer for the Government or the Lawyer for the People. What I will tell you in the next few minutes will be a short and very general description of what I hope the evidence that I, representing the Government, will prove.

The Government has the burden of proof beyond a reasonable doubt. Please do not forget that. This is one of the protections enjoyed by any defendant in this great country of ours. Nobody can be convicted of any crimes unless proven guilty beyond a reasonable doubt. It is a heavy burden but one that I am prepared to meet.

The government will prove to you, beyond a reasonable doubt, that Mr. Martinez had a motive, an opportunity, the means, and indeed committed the crime of homicide against his wife, Laura Martinez, on Monday, July 16th of 1998.

The Police Department received a phone call from Mrs. Martinez at 9:00 on the evening of the events that occupy us here today. You will listen to the recording of said call, and you will hear the panic in Mrs. Martinez' voice.