

EIGHTH JUDICIAL DISTRICT COURT

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CLARK COUNTY, NEVADA

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BEFORE THE GRAND JURY IMPANELED BY THE AFORESAID CLERK OF THE COURT

DISTRICT COURT

THE STATE OF NEVADA,

Plaintiff,

-vs-

RAVEN NAVAJO, aka

Michael Scott Harman,

Defendant.

Case No. 06AGJ115X

C230025

Taken at Las Vegas, Nevada

Tuesday, January 30, 2007

1:21 p.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Reported by: Danette L. Antonacci, C.C.R. No. 222

1 GRAND JURORS PRESENT ON JANUARY 30, 2007:

2
3 MARY JANE BURKHALTER, Foreman

4 DAREL BLUM, Deputy Foreman

5 KERRY DICESARE, Secretary

6 CATHY ASKEW

7 GARY BUTCHER

8 MARY EVERBACK

9 PHILLIP FISCHBEIN

10 ERNEST GOLLIHER

11 GLENN KENNARD

12 JOHN KREMER

13 PAUL KURZNOWSKI

14 KAY LONG

15 SHARRON NORTINGTON

16 ANNETTE TSOULOGIANNIS

17 TYRONE YOUNG

18
19 Also present at the request of the Grand Jury:
20 David Stanton,
21 Deputy District Attorney

22 Craig Hendricks,
23 Chief Deputy District Attorney
24
25

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KARI KRUTE	9
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MARI ROSENBERGER	64
STEPHEN POPP	78
JEFF ROSGEN	105

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1 LAS VEGAS, NEVADA, TUESDAY, JANUARY 30, 2007

2 * * * * *

3
4 DANETTE L. ANTONACCI,

5 having been first duly sworn to faithfully
6 and accurately transcribe the following
7 proceedings to the best of her ability.
8

9 MR. STANTON: Good afternoon ladies and
10 gentlemen. My name is David Stanton. I'm a deputy
11 district attorney here in the Clark County District
12 Attorney's Office. In the back of the room is Craig
13 Hendricks. He is a chief deputy district attorney here for
14 the Clark County District Attorney's Office as well. Mr.
15 Hendricks and myself will be presenting a case to you this
16 afternoon. Indicate for the record all the members of the
17 Grand Jury have a proposed Indictment in front of them.
18 Ladies and gentlemen, there are two counts set forth in
19 this proposed Indictment. I'd like to go over with you the
20 elements of each of the offenses set forth in the
21 Indictment. The first one, Count 1, is murder. The
22 elements of this are as follows: That the defendant, Raven
23 Navajo, also known as Michael Scott Harman, did then and
24 there willfully and feloniously, on or about the 13th day
25 of January 2007, without authority of law and with

1 premeditation and deliberation and/or during the
2 perpetration or attempted perpetration of robbery, and with
3 malice aforethought, kill Brenda Schmalfeld, a human being,
4 by striking the said Brenda Schmalfeld about the head and
5 body with his hands and/or feet.

6 Ladies and gentlemen, I'd like to
7 indicate to you as you can tell from the elements I just
8 read that this is pled as alternate theories of murder,
9 that you can and should consider the evidence today as to
10 both theories. The first theory is a premeditated and
11 deliberate murder and the second is through what's called
12 the Felony Murder Rule, that is the murder and the death
13 occurred during the course of a robbery or attempted
14 robbery.

15 Ladies and gentlemen, as to Count 2,
16 charge is robbery. The elements of that offense are as
17 follows: That the defendant then and there willfully and
18 unlawfully and feloniously take personal property, to-wit:
19 lawful money of the United States, from the person of
20 Brenda Schmalfeld, or in her presence, by means of force or
21 violence or fear of injury to, and without the consent and
22 against the will of the said Brenda Schmalfeld.

23 Those are the elements of the crime of
24 murder and the crime of robbery. Does any member of the
25 Grand Jury have any questions as to the elements of either

1 of those offenses or any questions as to the theories set
2 forth by the State in Count 1, that is murder by
3 premeditation and/or felony murder?

4 There being no questions, ladies and
5 gentlemen, there are a series of witnesses that are going
6 to be called. I would ask you at the beginning to also pay
7 attention to the following instruction of law. There is a
8 doctrine called the corpus delicti doctrine. That doctrine
9 means as it relates to this case the following: If there
10 is evidence of an individual's confession and/or admission
11 to a crime, that confession or admission must be
12 corroborated by independent evidence outside of the
13 confession itself. That's number one. The second aspect
14 of the corpus delecti and a rule of law to apply to you in
15 your consideration today is that the State is burdened to
16 show by the evidence required at a Grand Jury presentation
17 that indeed a death was caused and that the death was
18 caused by what the law refers to as criminal agency,
19 meaning that the death was caused, number one, at the hand
20 of another, and number two, that that person took the life
21 with a criminal intent to do so.

22 With that are there any questions
23 regarding that instruction of law?

24 For the record there being no questions
25 I'm prepared to call my first witness.

1 During the course of this presentation
2 there will be a large number of photographic exhibits and
3 for the record they will be displayed and published to the
4 Grand Jury on the overhead system that exists in this room
5 as well as individually published to each member of the
6 Grand Jury.

7 For the record I've also provided to
8 each member of the Grand Jury a copy of a calendar of
9 January 2007 and it will also be made part of the record as
10 Grand Jury Exhibit No. 2. Does each member of the Grand
11 Jury have a copy of the calendar month January 2007?

12 A JUROR: Yes.

13 MR. STANTON: For the record indicating all
14 members do.

15 I'm prepared to call my first witness.

16 THE FOREPERSON: Please remain standing and
17 raise your right hand.

18 Do you solemnly swear that the testimony
19 you are about to give upon the investigation now pending
20 before this Grand Jury shall be the truth, the whole truth,
21 and nothing but the truth, so help you God?

22 MS. KRUTE: I swear.

23 THE FOREPERSON: Please be seated.

24 You are advised that you are here today
25 to give testimony in an investigation pertaining to the

2 1 offenses of murder and robbery involving Raven Navajo. Do
2 you understand this advisement?

3 MS. KRUTE: Yes, ma'am.

4 THE FOREPERSON: Would you please state your
5 first and last name and spell both for the record.

6 MS. KRUTE: My name is Kari Krute. K-a-r-i,
7 K-r-u-t-e.

8 THE FOREPERSON: Thank you.

9
10 KARI KRUTE,
11 having been first duly sworn by the Foreperson of the Grand
12 Jury to tell the truth, the whole truth, and nothing but
13 the truth, testified as follows:

14
15 EXAMINATION

16
17 BY MR. STANTON:

18 Q Miss Krute, how old are you?

19 A Thirty-six.

20 Q I apologize for asking that question.

21 How long have you lived in Las Vegas?

22 A This time seven years.

23 Q And I want to direct your attention to Grand
24 Jury Exhibit No. 3. Do you recognize who is depicted in
25 that photograph?

2

1 A Yes.

2 Q Who is that person?

3 A That's Brenda Kay Schmalfeld.

4 Q You've known her for some period of time?

5 A About almost seven years.

6 Q Now Miss Schmalfeld in this photograph is
7 dressed in a uniform and is standing in front of a slot
8 machine. Are you familiar with the uniform?

9 A Yes.

10 Q And those slot machines?

11 A Yes. Well, I don't know which slot machine it
12 is but --

13 Q How do you know Miss Schmalfeld from that
14 uniform and the location generally that is depicted in the
15 background?

16 A Because I wear the same uniform. Not that
17 particular one but the basic same uniform, different size.

18 Q Where do you work?

19 A We worked at New York New York together.

20 Q How long have you worked at New York New York?

21 A Six and a half years.

22 Q And what is your specific job responsibilities
23 at New York New York?

24 A Beverage server.

25 Q What shift do you work?

2

1 A Graveyard.

2 Q When does that shift begin and end?

3 A Certain shifts start at one a.m. to nine a.m.
4 Other shifts are two a.m. to ten a.m. on the graveyard.

5 Q And is that commonly referred to as the
6 graveyard shift?

7 A Yes.

8 Q How many other people besides yourself would
9 work a typical graveyard shift at New York New York?

10 A Between five and six.

11 Q And do you know Brenda Schmalfeld from working
12 that shift?

13 A Yes.

14 Q How long have you worked that shift along with
15 Miss Schmalfeld?

16 A I've been on that shift for six and a half
17 years minus nine months for the pool season, I went out for
18 the pool. When I was out at the pool she was day shift for
19 about a year, year and a half at the most, but the rest of
20 the time it was graveyard. She started out on graveyard,
21 went to days for a little bit and then came back to
22 graveyard.

23 Q How long say in the year 2006 had you been
24 working the graveyard shift?

25 A A full year.

2 1 Q Did Brenda work that full year as graveyard?

2 A Yes.

3 Q Could you describe to the Grand Jury kind of
4 how the graveyard shift employees communicated during the
5 week outside of work?

6 A During the week outside of work?

7 Q Yes.

8 A We all communicate together, we ask what's
9 going on, what are you doing for your weekend. We've been
10 a family on graveyard for the last six years. It's been
11 pretty much all of us have worked there for years on our
12 shift, we're all very close.

13 Q And the particular shift of graveyard that
14 you've described is one that on certain days of the week
15 would be more money generating for you as waitresses
16 compared to others; is that correct?

17 A Uh-huh. Uh-huh.

18 Q You have to answer yes or no.

19 A Yes.

20 Q Can you describe what Brenda's schedule was?

21 A Brenda worked, she started her shift Tuesday
22 morning at two a.m. in the morning. She had her main pit
23 3 -- everybody generally has a main pit day and then
24 subsequent pits throughout the week and slot stations also.
25 So Tuesday she would start her main pit 3, two to ten,

2

1 generally she didn't stay until ten, none of us prefer to
2 stay till ten, we leave with the rest of our crew at nine
3 o'clock and let the day shift take the nine to ten shift.
4 We had Thursday, Friday and Saturday morning she would work
5 slot 10, slot 11 and the dice pit. Generally she wouldn't
6 pickup her dice pit during the week until two o'clock.
7 Friday and Saturday morning she would pick her dice pit up
8 between three and four.

9 Q And when you refer to it as the dice pit, is
10 that a pit where there is games usually involving dice like
11 a craps table?

12 A Yeah, it's your craps pit.

13 Q And are you familiar with working that same
14 type of shift?

15 A I do, I work that shift, I work, it's called
16 slot 1 on our graveyard where you're picking up slot 10 and
17 slot 11 on swing shift, but on graveyard it's called slot
18 1, you pickup dice. I work that shift on Tuesdays.

3

19 Q And how long have you and Brenda Schmalfeld
20 been working that particular day from Tuesday until
21 Saturday?

22 A She's had that shift since I believe January
23 last year when Michelle Reklesaudo (phonetic) went to DOC,
24 she's Department of Corrections. Brenda took over
25 Michelle's shift January of last year.

3 1 Q Going back, what would be Brenda's Friday? Or
2 the last day of her week would actually be Saturday
3 morning, correct?

4 A Uh-huh.

5 Q And once again what time would she begin that
6 shift and what time would she get off that shift?

7 A One a.m. to nine a.m. Generally on our
8 Fridays most of us like to leave early on our Fridays so
9 she might have, she would have to finish breaking all the
10 other girls on her side of the casino, she might have left
11 as early as seven o'clock. I didn't work that day so I
12 don't know for sure if she, we call it EO'd early out. But
13 generally, you know --

14 Q That's generally what would occur on Saturday?

15 A Right. Everybody usually leaves early on
16 their Friday.

17 Q Now showing you a calendar for the month of
18 January of 2007, you see that calendar?

19 A Yes.

20 Q Now let me ask you, on January the 13th of
21 2007, that is a Saturday, correct?

22 A Yes.

23 Q Now that would have been Brenda's last workday
24 until Tuesday?

25 A Technically, yes.

3

1 Q Now her shift would have as you just described
2 ended in Saturday morning approximately from, any time from
3 seven till ten. Is that day as far as earning money
4 generally different from the other shifts that you work
5 graveyard at New York New York?

6 A On the weekend, Thursday night, Friday night,
7 Saturday night, Sunday night, are your money shifts.
8 Friday night is a very good, profitable evening, as well as
9 Saturday night.

10 Q And when you say Friday night, that would be
11 Friday --

12 A Would be Saturday morning.

13 Q Friday evening into Saturday morning graveyard
14 shift?

15 A Uh-huh. Yes.

16 Q Could you please describe to this Grand Jury
17 based upon your experience both with Brenda as well as with
18 yourself the approximate earnings cash wise that you would
19 make as an individual working that shift at New York New
20 York on the Saturday morning from the early a.m. hours
21 until you got off shift Saturday morning?

22 A I can't say what Brenda made that day. I do
23 know what I made the following morning and what also the
24 girl that works dice Saturday evening Sunday morning, the
25 next day that Brenda worked it. The girl that worked it,

3

1 Melissa Redisberger (phonetic), she made \$700 that Sunday
2 morning, because I walked out with her, I made like \$590,
3 and this is before tipping out our bartender so you add an
4 extra hundred, a hundred fifty dollars on top of that, we
5 had CES that evening, there was quite a few conventions in
6 town that weekend, it was a good, profitable weekend for
7 all of us in beverage.

8 Q And that would have been as you indicated the
9 most profitable evening compared to the rest of the shift?

10 A Right.

11 Q So it would not be unusual for Brenda to have
12 off that shift based upon your experience in the
13 neighborhood of five to \$600 cash on her person?

14 A No. And especially being that it was her
15 Friday, she would save all her chips throughout the week in
16 a little purple bag and cash them in on her Friday. So she
17 probably had a lot more money than \$600 with her.

18 Q And when you say chips, can you explain to the
19 Grand Jury how you would get tips both by, obviously cash
20 is self-explanatory, but could you give a brief explanation
21 about how you receive tips in chip form?

22 A When you're working the tables, whether it be
23 a twenty-one table, a dice table, baccarat table, any of
24 your tables, your clients generally have one dollar, two
25 dollar and fifty cent, five dollars, ten, twenty-five and

3

1 hundreds, rarely do we see more than a hundred dollar tip
2 in there, but they place their bets with their chips, so
3 also in return when you're serving a cocktail they
4 generally at the table games tip you in tokens or chips.

5 Q Now based upon your years of experience with
6 Brenda, did she have a pattern of behavior about how she
7 would handle her chip tokens?

8 A There was a few patterns, yeah.

9 Q Could you explain those?

10 A If she got a hundred dollar tip she kept it to
11 herself or would tell me and keep your mouth quiet, don't
12 tell the bartender, because we generally tip them twenty
13 percent of what we make, so if she made a hundred dollars
4 off one tip she wasn't telling the bartender.
15 Generally you keep your, you have your tray, you have your
16 tip jar at either the left or the right side upper part of
17 your tray and you put your tips throughout the night in
18 there. Generally every hour we dump it, count it, put it
19 in our lockers, end of the evening or morning go cash them
20 in. I myself cash my tips in every day. She would take
21 her cash and wait until the end of the week to cash her
22 chips in.

23 Q And that's something that she did for the
24 years that you have known her?

25 A For the years I knew her she would have her

4

1 purple Crown Royal bag and drag this huge, heavy bag of
2 silver coins and plastic tokens, and it weighed a ton,
3 every Friday.

4 Q And she would do it, when you say every
5 Friday, or actually her Saturday shift when she got off?

6 A Right.

7 Q Now is there a policy at New York New York
8 regarding calling in if you're not going to make it to
9 work?

10 A Yes.

11 Q Could you describe that?

12 A We work what's called on a point system. If
13 we call out four hours before our shift you get one point.
14 At the end of the year if you have more than ten points
15 you're gone. After six months of no call-ins, no lates, no
16 points, you'll get whatever previous points you have taken
17 out. So if you call in four hours before your shift saying
18 that you're not able to go to work, you have to call a
19 manager and you have to call our sick line, so there is two
20 different variations of who you have to call. You'll get a
21 point four hours beforehand, if you're late within two
22 hours you get a half a point, if you call, if you call
23 before -- no. After four hours before your shift, say if
24 your scheduled for one o'clock and you call at 12:30,
25 you're getting a full point.

4

1 Q And in addition, besides the formal policy at
2 New York New York that you just testified to, is there an
3 informal kind of way of life that you within the graveyard
4 shift operate if you're not going to be able to work?

5 A Right. Generally all of us, we have
6 everybody's phone number that works on our shift, one girl
7 will call another girl to let them know, hey, I'm not
8 coming in, because a lot of times the manager does not
9 check the sick line so they don't know we're not coming in
10 so we call each other to say you make sure someone covers
11 my slot until everything is handled.

12 Q Because if someone called in sick does that
13 add additional responsibilities to the people that are
14 working that shift?

15 A Yes.

16 Q And that's going to cover the physical area on
17 the floor that the sick person would actually cover?

18 A Right.

19 Q Now you by your testimony have indicated, Miss
20 Krute, that you have worked with Brenda for five to six
21 years at the New York New York; is that correct?

22 A Yes.

23 Q Based upon that length of time that you worked
24 with Brenda, do you feel that you have a good idea about
25 what her habit and practice was about showing up and

4 1 calling in if she wasn't going to make it?

2 A Yes.

3 Q Could you tell the Grand Jury -- I'm going to
4 ask you a couple questions about her work performance based
5 upon your knowledge and experience with Brenda.

6 What was Brenda's habit as far as not
7 being able to make it into work and how often that would
8 occur?

9 A Uhm, a few times a year she would call in.
10 Generally we schedule the days off that we want off unless
11 there is some sort of occurrence.

12 Q And approximately how many times in a year if
13 you can approximate would Brenda call in or call you and
14 the other shift members to say I can't make it in for one
15 day's work?

16 A Maybe six in a year.

17 Q Was there any time that Brenda would call in
18 once again based upon your experience where she would say I
19 can't make it in for more than one day and sent, you know,
20 a formal leave request?

21 A Yes, we've all done that.

22 Q And how many times would you say that's
23 occurred?

24 A Just a handful, not many.

25 Q And this is over the five to six year period,

4 1 not on an annual basis?

2 A Right. She would always take vacation or
3 generally take the day off.

4 Q Would there ever be a time that she would call
5 in and say I will not be able to make it for three, four,
6 five days?

7 A No.

8 Q If she wasn't taking vacation time?

9 A No.

5 10 Q And on the occasions that she would not appear
11 to work because of whatever reason, once again absent
12 vacation time, would you get a phone call from Brenda?

13 A Yes.

14 Q Has that ever not occurred?

15 A Yes.

16 Q Where she's not called you?

17 A Yes.

18 Q How many times has that occurred?

19 A Just once.

20 Q And is that recently?

21 A Yes.

22 Q Absent the recent incident had it ever
23 occurred before?

24 A No.

25 Q Now relative to her appearance at work, her

5

1 timeliness upon appearing for shift and getting off, are
2 you familiar with Brenda's habit and custom over the five
3 to six year period that you worked with her?

4 A Yes.

5 Q Could you describe what her pattern was
6 regarding being to work on time and how she appeared at
7 work?

8 A She was, she always had her hair done, whether
9 it be a hair piece, she has a drawer, a closet full of hair
10 pieces so her hair was always neatly done, always colored
11 regularly, make-up always to a T, always had dark lipstick
12 on and this God awful perfume that she would wear every
13 day, we all hated, but she was always put together well
14 every day. She was always there minimum half hour early
15 because we would go to the smoke room and have a smoke and
16 she'd have her black coffee and we'd sit and chat about how
17 the day went the day before.

18 Q And what about her habit and custom about
19 being to work on time and working a full shift?

20 A Always on time. Very rarely -- well, we
21 would, on the full shift sometimes somebody wants to leave
22 if we're not making any money and our as being there for a
23 few years we have better shifts, Brenda and I did, and
24 there are some girls that haven't been there long on
25 graveyard that has the crummy shifts, we would leave or she

5 1 would leave and we've left many times together to go do
2 2 things, go shopping at Wal-Mart at four o'clock in the
3 3 morning. If you're not making any money it's not rare that
4 4 we would want to leave and let somebody else take us out.

5 Q As far as coming onto shift on time, what was
6 6 her habit and custom about being there when the shift
7 7 began?

8 A Always about a half hour early so we would sit
9 9 in the smoker's lounge and have our, well, she had would
10 10 have coffee, I would have juice.

11 Q Kari, let me transition to a series of
12 12 questions from a professional environment of Brenda and you
13 13 to the personal environment. Do you have a relationship
14 14 with Brenda outside of work?

15 A Yes.

16 Q Can you describe it?

17 A She's my, she's been my best friend for five
18 18 years. Her family has come over to my house for holidays
19 19 and barbecues and she was my pal.

20 Q And you came down to court today with Mildred
21 21 Schmalfeld; is that correct?

22 A Yes, her mother.

23 Q Brenda's mother?

24 A Yes.

25 Q Would you socialize with Brenda outside of

5

1 work?

2 A Yes.

3 Q And would that occur, doing things throughout
4 the valley as well as going out, on your days off?

5 A Yes.

6 Q Throughout the five to six years that you've
7 known her?

8 A Yes.

9 Q Directing your attention to the photograph
10 that is up on the screen of Brenda at work that you've
11 previously seen. Do you notice the necklace that she's
12 wearing in that photograph?

13 A Yes.

14 Q Have you seen that before?

15 A Many times on her.

16 Q And you know that to be a necklace that she's
17 worn to work as well as out socially?18 A Yes. With the matching earrings. And the
19 bracelet, but you can't see it.20 Q Let me show you another photograph. For the
21 record these are marked as a series of photographs, Grand
22 Jury 5Q and 5R. Could you just take a look at those before
23 I put them on the overview.

24 Do you recognize them?

25 A Yes.

5

1 Q Is that the same necklace that we see Brenda
2 wearing in Grand Jury Exhibit No. 3?

3 A Yes.

4 Q And you're familiar with that necklace?

5 A Uh-huh.

6 Q Let me just briefly put that up on the board.

7 And 5R.

8 A I do believe she had the same necklace in red
9 too because it matched our uniforms, like a burgundy stone,
10 so she'd alternate wearing them.

11 Q In your social interaction with Brenda can you
12 tell the ladies and gentlemen of the Grand Jury some
13 questions of a personal nature about Brenda. First of all
14 do you have, based upon your experience with her, an
15 opinion as to whether or not Brenda gambled?

16 A She, all the years that I've known her she
17 would never gamble. I think she had gambled when her dad
18 would visit with her dad's money.

19 Q Did she ever make a statement to you that you
20 mentioned to me prior to the, when we met last week, about
21 a quote that she had about working and the money that she
22 made and why she didn't gamble?

23 A Yeah. She used to say she worked too hard to
24 piss her money away, she wouldn't throw it out, she works
25 too hard all night long.

6

6

1 Q As far as the financial condition of Brenda
2 during the time period that you knew her, do you have
3 enough experience and interaction with her to formulate an
4 opinion about Brenda's financial condition?

5 A Yeah. She was stable. She always had money.

6 Q Let me just ask you a couple questions. Did
7 she own her own home?

8 A Yes.

9 Q Did she live there alone?

10 A Yes.

11 Q Did she ever ask to borrow money from you at
12 any time?

13 A Never. Cigarettes, not money.

14 Q She always had money on her is what I believe
15 you just testified to; is that correct?

16 A Always. Always.

17 Q When you indicated that she lived at home, she
18 had some pets, didn't she?

19 A Yes.

20 Q And could you describe the pets that she had,
21 just how many and what type of pets they were?

22 A When I first met Brenda she had a duck named
23 Sammy, she bought this duck at a swap meet, that was this
24 big, a little chick, and after about a year of having Sammy
25 she got her dog Baby which is a little Bichon Frise. About

6 1 another six, seven months she got another dog she called
2 2 Sassy, that was her Pomeranian. Baby used to pick on the
3 3 duck Sammy so we took her duck out by Floyd Lamb State Park
4 4 to a bird sanctuary, she gave the bird a good home, so the
5 5 dogs wouldn't pick on her. She was adamant about getting
6 6 her dogs groomed, she dressed them even with shoes on, so
7 7 they had little coats and shoes, and those dogs were her
8 8 kids.

9 Q She cared very much about her dogs?

10 A She did.

11 Q And she had three?

12 A She had three. The last one was Tinker who
13 passed away at the pound not too long ago.

14 Q So at the time of January 2007 she had two
15 dogs that were living with her in her home?

16 A She had three.

17 Q Three. I'm sorry. All living in her home?

18 A Yes.

19 Q Are you familiar with her habit and custom
20 about caring for the dogs when she was out of town?

21 A Mom would take them.

22 Q Would anybody else take them besides her
23 mother?

24 A No one.

25 Q She never put the dogs up at a --

6

1 A Never.

2 Q -- boarding veterinarian?

3 A Never at a kennel. Mom would always come over
4 and check on the dogs. Always.

5 Q Now her mother Mildred, do you have an opinion
6 based upon your experience with both Mildred as well as
7 Brenda their relationship?

8 A Yes.

9 Q Could you describe that as you observed it to
10 be over those years?

11 A They are closer than my mother and I and my
12 mother and I are very close. Milly, Brenda took care of
13 Milly. She, Brenda was Milly's rock.

14 Q When you say Milly, that would be short for
15 Mildred?

16 A Yes.

17 Q And do you have an opinion as to how often
18 from your observations Brenda would have contact with
19 Mildred during a day?

20 A Numerous.

21 Q So it was daily?

22 A Numerous, daily, numerous times throughout the
23 day. She would even call her at work hours to make sure
24 she made it to work okay. Mom worked graveyard too over at
25 Wal-Mart for awhile so she would call her in the middle of

6 1 the night to make sure she made it to work okay.

2 Q Kari, let me ask you a couple final questions.
3 Since January 13th of 2007 have you had any contact with
4 Brenda?

5 A No.

6 Q Is that unusual?

7 A Yes.

8 Q How often would you have contact with Brenda?

9 A Daily.

10 Q And you have not heard or seen Brenda since
11 January 13, 2007?

12 A No.

13 Q Is it unusual for Brenda not to show up at
14 work?

15 A Yes.

16 Q If she did not show up or wasn't able to she
17 would call you the other shift members at work; is that
18 correct?

19 A Yes.

20 Q Has Brenda shown up at work since January 13,
21 2007?

22 A No.

23 Q And would it be unusual based upon your
24 experience for Brenda not to care for her dogs?

25 A Very unusual.

6
7
1 MR. STANTON: Thank you.

2 At this time I have no further questions
3 of this witness and ask if any member of the Grand Jury has
4 any questions.

5 THE FOREPERSON: Phil.

6 BY A JUROR:

7 Q If she accumulated her chips and cashed them
8 in at one time, she could have had several thousand
9 dollars.

10 A I wouldn't say several. We don't make that
11 kind of money during the week. She would cash it in on the
12 end of her Friday so she could have easily several hundred
13 dollars in chips. Not several thousands or a few thousand.

14 Q Okay. Thank you.

15 THE FOREPERSON: Any other questions?

16 By law these proceedings are secret and
17 you are prohibited from disclosing to anyone anything that
18 has transpired before us, including evidence and statements
19 presented to the Grand Jury, any event occurring or
20 statement made in the presence of the Grand Jury, and
21 information obtained by the Grand Jury.

22 Failure to comply with this admonition
23 is a gross misdemeanor punishable by a year in the Clark
24 County Detention Center and a \$2,000 fine. In addition,
25 you may be held in contempt of court punishable by an

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1 additional \$500 fine and 25 days in the Clark County
2 Detention Center.

3 Do you understand this admonition?

4 THE WITNESS: Yes. That means I can't speak
5 of this other than this room?

6 THE FOREPERSON: Right.

7 THE WITNESS: Okay.

8 THE FOREPERSON: Thank you. You are excused.

9 THE WITNESS: Thank you.

10 THE FOREPERSON: Please raise your right hand.

11 Do you solemnly swear that the testimony
12 you are about to give upon the investigation now pending
13 before this Grand Jury shall be the truth, the whole truth,
14 and nothing but the truth, so help you God?

15 MS. KNOWLES: I do.

16 THE FOREPERSON: Please be seated.

17 You are advised that you are here today
18 to give testimony in an investigation pertaining to the
19 offenses of murder and robbery involving Raven Navajo. Do
20 you understand this advisement?

21 MS. KNOWLES: Yes, I do.

22 THE FOREPERSON: Would you please state your
23 first and last name and spell both for the record.

24 MS. KNOWLES: Mildred Knowles. M-i-l-d-r-e-d,
25 Knowles, K-n-o-w-l-e-s.

7 1 THE FOREPERSON: Thank you.

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MILDRED KNOWLES,

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EXAMINATION

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10 BY MR. STANTON:

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Q Miss Knowles, I'd like to ask you a series of questions and show you a photograph. I would like to show you Grand Jury Exhibit No. 3. Do you recognize who is depicted in that photograph?

You have to answer out loud. I'm sorry.

A Yes, I do.

Q Who is that?

A That's my daughter, Brenda Schmalfeld.

Q How old is Brenda?

A Forty-five.

Q And do you recognize the necklace that she's wearing?

A Yes, I do.

Q And have you seen Brenda wear that necklace on more than one occasion?

7 1 A Yes, I have.

2 Q And I'd like to show you Grand Jury Exhibits
3 5R and 5Q. Is that Brenda's necklace that we see in that
4 photograph?

5 A Yes, it is.

6 Q Mildred, do you also go by the name of Milly?

7 A Yes, I do.

8 Q Mildred, during the course of your interaction
9 with your daughter Brenda, can you describe to this Grand
10 Jury during the past five years what your relationship was
11 with your daughter on a day-to-day basis?

12 A There wasn't a day that went by that we didn't
13 talk to each other on the phone. Sometimes we would talk
14 eight, nine, ten times a day. If there was something on TV
15 she'd call me and say mom, there is something on TV you
16 might want to see. If she went anywhere she told me where
17 she was going. And she called me mommy most of the time
18 and she and I had a unique relationship. She lived more or
19 less to take care of me. Everything she did was for me.
20 And one day she came home and she said mom, I've got you a
21 birthday present, and I said oh my gosh, what is it, and
22 she said I've got you a big bedroom, and I said what, and
23 she said yeah, and she had gone out and bought a house and
24 it had a huge bedroom in it and she took me over and that
25 was my birthday present. She bought that house mainly for

7 1 me.

2 Q And is that the home that she was living in in
3 January of 2007?

4 A That's correct.

5 Q Now up until January of 2007, she was living
6 alone at that home with her three dogs?

7 A That's correct.

8 Q And at some point prior to January of this
9 year did you live with your daughter?

10 A I was over there a lot. I had moved out about
11 two years ago because I felt like she needed her space.
12 She had just bought a house and she -- I felt like maybe if
13 I was gone she could have more of her friends over and
14 enjoy her home, you know, and stuff like that. She did not
15 want me to move but she said well, if that's what, if you
16 feel like that's what you want to do, mom, you go, but I
17 want to see the place you're living in and so I had to take
18 her and show her where I was going to move, and she helped
19 me get the stuff to move in. And she, the day, the very
20 day that she came up missing she had called me that
21 morning.

22 Q Let me just stop you there, Mildred. I have a
23 couple other questions and then we'll get to that day.

24 A Sure.

25 Q So prior to two years ago I believe you

8 1 testified that indeed you lived with your daughter?

2 A Oh, yes.

3 Q And how long had you lived with your daughter
4 prior to her --

5 A About three years.

6 Q So on a daily basis you would interact because
7 you were in essence roommates during that time period?

8 A Oh, definitely. And she wouldn't accept a
9 penny from me. I worked but she wouldn't take a penny, she
10 didn't want me to spend anything.

11 Q Now she had in January 2007 three dogs?

12 A That's correct.

13 Q How important were her dogs to your daughter?

14 A Those were her children. She never had any
15 children and those were her babies. She's got drawers and
16 closets filled with clothes for those dogs.

17 Q Are you familiar with times when your daughter
18 would take vacations or be out of the Las Vegas valley area
19 and not take the dogs, are you familiar with those
20 occasions when your daughter would do that?

21 A No, she -- when she was gone or if she was
22 going to be gone for any length of time at all I was the
23 one that went over and took care of her dogs for her. She
24 made sure.

25 Q That was my next question. So there have been

8 1 times on occasion when your daughter would leave and not
2 2 take the dogs with her, be it on vacation or some other
3 3 activity; is that correct?

4 A That's correct.

5 Q And when she did leave did she leave the care
6 6 of her three dogs to you?

7 A That's correct.

8 Q Was there any time that you know of where that
9 9 didn't happen, where your daughter would leave the dogs in
10 10 the care of some other person, be it a kennel a
11 11 veterinarian or some other facility?

12 A No.

13 Q Never happen that way?

14 A No.

15 Q You always took care of the dogs if she wasn't
16 16 there?

17 A Yes. Yes.

18 Q And she never left her dogs unattended other
19 19 than when she was at work; is that true?

20 A That's correct. And she had little cages for
21 21 them and playpens just like they were her children.

22 Q Based upon your interaction and your
23 23 relationship with your daughter Brenda, do you feel that
24 24 you have sufficient knowledge to know her overall financial
25 25 condition, that is Brenda's?

8

1 A Well, I know she made good money. I never
2 really delved into her money.

3 Q I apologize, Mildred. I'm not asking you if
4 you know the exact dollar amount that she made, but her
5 overall condition about her payments and bills.

6 A Oh, she made good money. Her credit is a
7 hundred percent. She has no problem with money.

8 Q Let me ask you a series of kind of specific
9 questions regarding her financial condition. Since the
10 last time you saw your daughter Brenda on the 13th of
11 January have you and your sons been involved in managing
12 your daughter's affairs?

13 A Well, as well as we can.

14 Q I understand that. But has that kind of role
15 been taken over by yourself and your sons to manage her
16 affairs?

17 A Right.

18 Q And based upon what you knew prior to January
19 13th and what you've known since then, has there been any
20 indication that your daughter has been unable to pay her
21 bills?

22 A Oh, no. No.

23 Q Has there ever been an indication that your
24 daughter was unable to pay her mortgage?

25 A Oh, definitely not. She always made an extra

8 1 hundred dollar payment on it.

2 Q And was there any indication by Brenda to you
3 or by any evidence that you've been able to ascertain based
4 upon your relationship with your daughter and what's
5 occurred since January 13th to indicate that your daughter
6 was in financial hardship in any way?

7 A Oh, no, no.

8 Q Based upon your knowledge of your daughter did
9 your daughter gamble at all on a regular basis?

10 A Not at all.

11 Q And are you familiar with your daughter's
12 habit and routine as it existed when she came off shift
13 either during her week or her weekend, what she would do on
14 a daily basis?

15 A Yes, I am.

16 Q Could you describe what your daughter would
17 do?

18 A She always made it to work. If she didn't
19 make it to work she always called in. She was very
20 responsible. She would normally leave work about 6:30 in
21 the morning -- no, I'm sorry, that's when she took a break.
22 Nine -- ten o'clock is when she would leave, between nine
23 and ten. I usually got a telephone call from her on her
24 break at eight o'clock and then she'd call me when she got
25 home which would be probably about around ten, she would

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1 call me, let me know she got home, and then if she was
2 going to stop with any friends or with anyone to have a
3 drink anywhere she would always call me and say mommy, I'm
4 okay, don't worry about me. That's, that was about her
5 routine.

6 Q And would she always on a daily basis care for
7 her dogs?

8 A Oh, definitely. And if they had the sniffles
9 I mean they went right to the vet.

10 Q Has there ever been occasion where your
11 daughter would leave her three dogs unattended for an
12 extended period of time outside of that where she went to
13 work?

14 A No, not that I know of.

15 Q And if she did leave her dogs any length of
16 period of time outside of work you would have been the
17 person that she would have asked to care for them?

18 A Oh, yes, uh-huh. And even if she hadn't have
19 called me, on my way to work I go right by her house all
20 the time and I always checked, I always went in and checked
21 in the house.

22 Q Miss Knowles, before you is a calendar of the
23 month of January 2007. Do you see that document in front
24 of you?

25 A Uh-huh.

9

1 Q I'd like you to look at the day of January 13,
2 2007, that would have been a Saturday. Do you recall
3 talking to your daughter on that day?

4 A Yes, I do.

5 Q And what time of day was it that you talked to
6 your daughter?

7 A Between 8:30 and nine.

8 Q And would that have been in the morning?

9 A Yes, sir.

10 Q And how would you have talked to your
11 daughter? Was that over the phone or in person?

12 A Over the phone.

13 Q And did your daughter indicate to you where
14 she was?

15 A Yes, she did.

16 Q Where did she say she was?

17 A She was at Zodie's.

18 Q And is that a bar here in town?

19 A Yes, sir.

20 Q And did she appear by what she said to you,
21 and I don't want to get into the details of what she said,
22 but based upon the conversation that you had with her,
23 Brenda, did she seem to be okay?

24 A Oh, definitely.

25 Q And how long do you think you had a

9 1 conversation with her on that Saturday morning?

2 A I would say a good five minutes.

3 Q And I apologize in advance for the
4 insensitivity of my next series of questions to you, but
5 have you talked to your daughter since that morning,
6 January 13, 2007?

7 A No, sir.

8 Q Is that unusual?

9 A Very unusual.

10 Q Have you seen your daughter Brenda since
11 sometime prior to January 13, 2007?

12 A Prior?

13 Q Have you seen her since that day?

14 A Oh, no.

15 Q Has your daughter appeared at her home or
16 taken care of her dogs in any way since January 13, 2007?

17 A No, sir.

18 Q Who is caring for her dogs since that day?

19 A When the detectives came out to the house to
20 take pictures they had the dogs put in the pound and since
21 then a girlfriend of hers has taken them and taken care of
22 them.

23 Q Is that unusual that your daughter has not
24 cared for her dogs on a daily basis since January 13th?

25 A Oh, yes.

9

1 Q And is it unusual for your daughter not to
2 contact you or any member of your immediate family?

3 A She would always contact us.

4 MR. STANTON: I have no further questions of
5 this witness at this time and ask if any member of the
6 Grand Jury has any questions.

7 THE FOREPERSON: By law these proceedings are
8 secret and you are prohibited from disclosing to anyone
9 anything that has transpired before us, including evidence
10 and statements presented to the Grand Jury, any event
11 occurring or statement made in the presence of the Grand
12 Jury, and information obtained by the Grand Jury.

13 Failure to comply with this admonition
14 is a gross misdemeanor punishable by a year in the Clark
15 County Detention Center and a \$2,000 fine. In addition,
16 you may be held in contempt of court punishable by an
17 additional \$500 fine and 25 days in the Clark County
18 Detention Center.

19 Do you understand this admonition?

20 THE WITNESS: Yes, I do.

21 THE FOREPERSON: Thank you. You are excused.

22 MR. STANTON: Ladies and gentlemen, while
23 we're waiting for our next witness, if we could just take a
24 five minute quick recess I'd appreciate it.

25 Thank you.

(Recess.)

MR. HENDRICKS: State's next witness is
Barbara Casey.

THE FOREPERSON: Do you solemnly swear that
the testimony you are about to give upon the investigation
now pending before this Grand Jury shall be the truth, the
whole truth, and nothing but the truth, so help you God?

MS. CASEY: I do.

THE FOREPERSON: Please be seated.

You are advised that you are here today
to give testimony in an investigation pertaining to the
offenses of murder and robbery involving Raven Navajo. Do
you understand this advisement?

MS. CASEY: Yes.

THE FOREPERSON: Would you please state your
first and last name and spell both for the record.

MS. CASEY: It's Barbara, B-a-r-b-a-r-a,
Casey, C-a-s-e-y.

THE FOREPERSON: Thank you.

BARBARA CASEY,
having been first duly sworn by the Foreperson of the Grand
Jury to tell the truth, the whole truth, and nothing but
the truth, testified as follows:

EXAMINATION

BY MR. HENDRICKS:

Q Miss Casey, let me ask you do you know an individual by the name of Raven Navajo?

A Yes.

Q Let me show you real quick here, this has been marked as Grand Jury Exhibit 4A, if you could, Miss Casey, go ahead and look at that. Do you recognize the individual depicted in that photo?

A Yes.

Q Who is that?

A That's Raven Navajo.

Q How long have you known Raven Navajo?

A About three years. Two and a half, three years.

Q Do you recall where you met Miss Navajo?

A I met Raven at the Las Vegas Lounge.

Q About three years ago?

A Yes.

Q At some point did you become roommates with Raven?

A Yes, we did.

Q Do you recall when that took place?

A It was about two years ago I would guess, two

10 1 years, something like that.

2 Q Now in regards to that living situation, did
3 you reside with Raven at 3373 Milenko here in Las Vegas,
4 Clark County, Nevada?

5 A Yes.

6 Q How do you spell Milenko?

7 A M-i-l-e-n-k-o.

8 Q Now in regards to that particular address,
9 were you living at that location on or about January 13th
10 of this same year, 2007?

11 A Yes.

12 Q And was Raven living with you at that time?

13 A Yes.

14 Q Did you have any other roommates?

15 A Yes, one other.

16 Q Who is that?

17 A Mari Rosenberg (sic).

18 Q How long had Miss Rosenberg been a roommate of
19 yours?

20 A I would guess about a year and a half.

21 Q How long had Raven been a roommate of yours
22 did you say?

23 A About two years.

24 Q Was there anyone else that lived in that
25 residence?

10

1 A No, not prior to that.

2 Q When did you meet Mari?

3 A I would guess I met Mari probably two years
4 ago, two and a half years ago.

5 Q At some point were you all employed at the
6 same location?

7 A Yes.

8 Q Where was that and when was that?

9 A It was Zingers, it's a bar on 1000 East
10 Sahara.

11 Q Did all of you work there?

12 A Yes, I was the manager and they both worked
13 for me.

14 Q At some point did that bar close?

15 A Yes, it is closed now.

16 Q Now in regards to that residence, could you
17 describe that for these folks please, what the house looked
18 like; one story, two story, how many bedrooms?

19 A Oh, yeah. It's a townhouse and it's two
20 stories, it has three bedrooms upstairs and a kitchen and a
21 living room downstairs and a bathroom and a garage.

22 Q Did you have your own bedroom?

23 A Yes.

24 Q What about Raven?

25 A Yes, she did.

10

1 Q What about Mari?

2 A Yes, we all had separate rooms.

3 Q What about the bathroom situation?

4 A I had my, I have my own bathroom, but they
5 share, both Mari and Raven share a bathroom.

6 Q So you had the master bedroom?

7 A Yes.

8 Q Any bedrooms downstairs?

9 A No.

10 Q Is that a common area for all of you?

11 A Pretty much, yes.

12 Q Now did you own that townhouse?

13 A No, I do not.

14 Q Who owns it?

15 A A person named Lonnie Turner.

16 Q Would you describe yourself as being the
17 person responsible --

18 A Yes.

19 Q -- at that townhouse?

20 A Absolutely.

21 Q Now was there a garage attached to that home?

22 A Yes.

23 Q What size is it?

24 A It's a two-car garage. It fits two cars. I
25 don't know the exact dimensions.

10 1 Q Going back to January 13th, did you own a car
2 on that date?

3 A Yes.

4 Q What type of car?

5 A It's a '98 Chrysler LXI, Concord LXI.

6 Q What color?

7 A Gold.

8 Q Did you drive that car during that time
9 period?

10 A No.

11 Q Was the car inside the garage or outside of
12 the garage?

13 A Inside the garage.

14 Q And was it parked inside of the garage during
15 that time period in the first couple weeks of January?

16 A Yes.

17 Q Now do you know if Mari had a car?

18 A Yes, Mari has a car.

19 Q What kind?

20 A It's a Ford Tempo I think. I don't know what
21 year it is. 1995 I would guess. I'm just guessing.

22 Q I'll ask her about that.

23 Where does Mari park her car?

24 A Outside in the garage, or in the parking lot
25 kind of adjacent to our townhouse.

10

1 Q So not inside the garage?

2 A No.

3 Q What about Raven?

4 A Raven parks her car in the garage.

5 Q What type of car?

6 A It was a, it's a black Sebring. It's a 1999 I
7 think, black Dodge Sebring.

8 Q And did she own that car and was that car
9 parked in that garage during those first couple weeks in
10 January?

11 A Well, yeah, she owns the car. She doesn't
12 have title to it, another person in San Francisco has title
13 to that car, but she was given the car to drive.

14 Q And was she using it up until that date?

11

15 A Yes. She essentially used it all the time.
16 The car --

17 Q Let me stop you for a second, Miss Casey.

18 I'm going to ask you to go ahead and
19 describe what is depicted in these particular Grand Jury
20 exhibits. That's going to be Grand Jury Exhibit 7A. If
21 you could for these folks, describe what is depicted in
22 that exhibit.

23 A That's the downstairs of the house.

24 Q Can you describe what is depicted in there?

25 A Okay. There is a long couch to the left and

11

1 about in the center of the picture it's a love seat, and
2 the person walking out, that's the doorway out of the
3 house, and then to the right of that the stairs that go up
4 to the upstairs bedrooms.

5 Q Okay. There is some individuals walking out
6 of your residence.

7 A Yes.

8 Q Is there a door that leads from the garage
9 into your home?

10 A Yes. It's actually, if you, if that gentleman
11 walked back a little ways it would be that first door, as
12 you turn the corner to go out it would be the first door to
13 the right.

14 Q Now you said that your car was parked out in
15 the garage, right?

16 A Yes.

17 Q Did you use your car?

18 A No.

19 Q Do you drive it?

20 A No.

21 Q Okay. Did you go out in the garage often?

22 A No, not at all.

23 Q Okay. Was there any purpose for you to go out
24 there?

25 A Not unless I was getting a ride with Raven