

1 to my house for the voting, I wasn't home. My  
2 father-in-law was home, and the person that went up to  
3 the door to sign the voting registration went ahead and  
4 filled them in for him and they signed my name. I  
5 didn't fill them in.

6 Q. Okay. When you say you didn't fill them in --

7 A. And I didn't sign for it either.

8 Q. Are you referring to this form here?

9 A. I guess the first form. I haven't -- you know,  
10 somebody came to the house and I had to pack all my  
11 stuff -- I'd been looking for it, I couldn't find it.  
12 And then a second time, another man came to the door, I  
13 was home, and he wanted to know that he had gotten a  
14 complaint that -- because I did call and I told him that  
15 why were they signing my name and filling the papers in,  
16 and they said they will send somebody out and that they  
17 would send me some forms.

18 Then when that man came, he came and signed  
19 the paper and everything, and I didn't sign them, but he  
20 went ahead and said he would mail me the papers, which I  
21 never got them. Then the lady came by trying to take --  
22 check later, maybe like -- maybe two, three weeks later  
23 or maybe a month later -- trying to check and see if I  
24 had gotten my papers and I told them, I said, I think  
25 they came because my father said they came, but see,

1 he's senile and he doesn't remember things. That's why  
2 I told him, why did you sign? You're not even able to  
3 sign, you don't know what you're reading -- you can't  
4 read right, so --

5 Q. Let me stop you, if I can, Ms. Mejia. Part of  
6 the problem I'm having is, I wasn't there, I didn't live  
7 the experience kind of like you did.

8 A. Uh-huh.

9 Q. And when anyone in your position is saying they  
10 or --

11 A. He.

12 Q. -- he or she --

13 A. Uh-huh.

14 Q. -- it becomes confusing --

15 A. Uh-huh.

16 Q. -- for folks that weren't there. So if I  
17 could, I'm going to try to take this in just one little  
18 step at a time.

19 A. Okay.

20 Q. Generally, in order to get one of these green  
21 envelopes that would include election papers so someone  
22 like yourself could vote by mail and avoid any  
23 inconveniences or what have you, they could then send it  
24 back in, and that way, they don't have to get out if the  
25 weather's bad or stand in line, okay?

1 A. I understand.

2 Q. Yes, ma'am.

3 A. For the last four years, I have not voted,  
4 okay?

5 Q. Yes, ma'am.

6 A. And reason was because I had a felony on it and  
7 they told me I couldn't vote, so -- but I've always gone  
8 out and vote. So I made sure I got my card, and I was  
9 going to go vote at the station.

10 Q. Uh-huh. Yep.

11 A. But I did not vote, okay?

12 Q. Okay. So is this your signature down here on  
13 the right?

14 A. No.

15 Q. That's not?

16 A. No, it's not.

17 Q. Yes, ma'am. And can you explain, with what  
18 appears to me to be a similar signature, is that your  
19 signature?

20 A. No, it's not.

21 Q. So if I understand what you're saying, because  
22 we want to balance sometimes the time it takes to do  
23 these things with giving you your stay.

24 A. That's right.

25 Q. Or at least I'm trying to.

1 A. Yeah.

2 Q. Okay. May I ask you -- Ms. Mejia, I sense that  
3 you do want to tell us what kind of happened because I  
4 suspect you're not happy; is that correct?

5 A. Well, no, because it actually looks like I  
6 didn't even vote this year. That's the way it looks to  
7 me.

8 Q. And you take that seriously?

9 A. Yes, I do.

10 Q. Okay.

11 A. I sure do.

12 Q. Yes, ma'am. And no one's here to ask you --  
13 I'm not going to ask you how you voted or any of  
14 that kind of -- that's not what this is really about.  
15 This is about the procedure about what happens.

16 A. I know.

17 Q. Yes, ma'am. May I ask you lastly, if you will,  
18 you said your father was not in his complete faculties?

19 A. No.

20 Q. Okay. And did someone come to the house, as I  
21 understand what you're saying, and convince him to let  
22 that person who came to have your ballot?

23 A. Well, I don't know whether they convinced him  
24 or not, but I know that they filled out the papers and  
25 he signed it and he signed my paper. I think that's

1 what happened. And that's why I got on to him about  
2 people coming to the door and signing things.

3 Q. And do you have any idea who it is that took  
4 that ballot?

5 A. No.

6 Q. Okay. Is that those -- the signatures I showed  
7 you just a second ago?

8 A. No, that's not my signatures.

9 Q. Yes, ma'am.

10 (Contestant's Exhibit No. 132 marked.)

11 MR. WYDE: We'll offer to Mr. Wood, since  
12 Mr. Rich stepped out, Exhibit 132.

13 MR. WOOD: I'm not going to object to it,  
14 but I do have some questions for the witness.

15 THE COURT: Okay. You may proceed.

16 CROSS-EXAMINATION

17 BY MR. WOOD:

18 Q. Ms. Mejia, you testified that you think your  
19 father signed the --

20 A. He signed, but he wouldn't have -- he didn't  
21 check nothing. The gentleman that came to the door  
22 checked them for him.

23 Q. I understand.

24 A. Maybe he asked him. I'm -- like I said, I  
25 don't know. I wasn't there.

1 Q. Okay. And if he signed, is that his signature?

2 A. No. I don't recognize his signature. He  
3 scribbles a lot, so I mean, I don't know.

4 Q. Okay. Well, that's not scribble, is it, that's  
5 pretty clear?

6 A. Yeah, uh-huh. He put -- his signature, like I  
7 said, I'm not too familiar with it because I sign all  
8 his papers and all his documents.

9 Q. Okay.

10 MR. WOOD: Your Honor, I have no objection  
11 to Contestant's 132.

12 THE COURT: Admitted.

13 MR. WOOD: I have no further questions.

14 THE COURT: Thank you. Thank you for  
15 coming down. You're finally excused.

16 THE WITNESS: Thank you, sir.

17 MR. RICH: Your Honor, may I address the  
18 bailiff for a moment?

19 THE COURT: Yes.

20 MR. RICH: There's a -- there's water --

21 THE COURT: You're free to go. Thank you.

22 MR. RICH: -- on the floor right outside  
23 the door, just brought to my attention. Someone might  
24 fall. Is there someone we can call?

25 THE BAILIFF: I'll see.

1 MR. RICH: Okay. Thank you.

2 THE WITNESS: Excuse me, Your Honor.

3 THE COURT: Yes.

4 THE WITNESS: I left my purse.

5 THE COURT: Oh. Glad you remembered.

6 MS. SEPULVEDA: This is Modesta Rodriguez.

7 THE COURT: If you'll raise your right  
8 hand, please.

9 (Interpreter translating)

10 (Witness sworn)

11 THE COURT: Thank you. You may be seated.  
12 Page and number?

13 MS. SEPULVEDA: Yes, Your Honor.

14 THE COURT: Thanks. Would you state your  
15 name, please?

16 THE WITNESS: Modesta Rodriguez.

17 THE COURT: And how do you spell your first  
18 name?

19 THE INTERPRETER: M-O-D-E-S-T-A, Your  
20 Honor.

21 THE COURT: Modesta.

22 MS. SEPULVEDA: It's page 14 --

23 THE COURT: Thank you.

24 MS. SEPULVEDA: -- number 8.

25 THE COURT: Thank you. You may proceed.

1 MR. WYDE: Yes, Your Honor.

2 MODESTA RODRIGUEZ,

3 having been first duly sworn, testified through the duly  
4 sworn interpreter as follows:

5 DIRECT EXAMINATION

6 BY MR. WYDE:

7 Q. Good morning, Ms. Rodriguez.

8 A. Good morning.

9 Q. Ms. Rodriguez, I see that you brought with you  
10 a green envelope?

11 A. This is the one where I vote.

12 Q. Did -- are there any papers left in the  
13 envelope, if you know?

14 A. Yes, they're there.

15 Q. Would you take them out of the envelope and  
16 show us, please, ma'am?

17 MR. WYDE: Let the record reflect that  
18 she's actually opening the green envelope.

19 A. Here it is.

20 Q. Okay. Did you think, Ms. Rodriguez, that you  
21 had voted in that election when those -- that those  
22 papers go with?

23 A. Yes, I voted.

24 Q. Did you vote --

25 A. Well, I only vote when it's for the

1 President -- for the President. I go over there where  
2 they give us the papers.

3 Q. Yes, ma'am.

4 MR. WYDE: May I approach the witness?

5 THE COURT: You may.

6 Q. (BY MR. WYDE) May I see those, please?

7 MR. WYDE: I'd ask the record to reflect  
8 that I'm opening box 206. It's marked 30043015ABD. May  
9 Mr. Woertendyke approach?

10 THE COURT: He may.

11 Q. (BY MR. WYDE) Ms. Rodriguez, do you remember  
12 going to the school on March -- it would have been  
13 March 2nd this year or wherever it is they have the  
14 election papers -- so you could vote in person?

15 A. Yes, I did go. I went for President Obama.

16 Q. That -- I believe Ms. Rodriguez, that was in  
17 2008. Is that what you remember?

18 A. Yes, it was when President Obama got in.

19 Q. I'm trying to jog your memory about February  
20 and March of this year, 2010.

21 A. 2010? Well, yes, there was a guy that went by  
22 and it was for him -- for me to vote for -- well, let me  
23 see, it was for Medrano.

24 Q. Okay. When you say he came by, was that -- can  
25 you tell us more about that?

1           A. No, he just went by and asked me if I would  
2 vote for Medrano.

3           Q. And then did you -- or did you give him any  
4 papers?

5           A. No, he just brought them so that I could sign  
6 them.

7           Q. And that was this past February or -- if you  
8 will?

9           A. Yes, I believe so.

10          Q. Okay.

11          A. That's the only time I've signed. Not any more  
12 than that.

13                   MR. WYDE: May I have just a moment?

14                   THE COURT: Certainly.

15                   MR. WYDE: Judge, I apologize. Apparently,  
16 I picked out the wrong box. May I -- let -- I ask the  
17 record to reflect I'm opening box 3 of 6 which indicates  
18 3200-3519.

19                   THE COURT: And why don't we just take time  
20 to make sure that we find that and -- because if there's  
21 not a vote, I guess it makes no difference.

22                   MR. WYDE: I'm just trying to --

23                   THE COURT: I understand.

24                   MR. WYDE: -- yeah, get to the truth of the  
25 matter one way or the other.

1 Q. (BY MR. WYDE) Will you give us one moment,  
2 ma'am?

3 A. Uh-huh.

4 MR. WOERTENDYKE: One of the boxes is out  
5 of order. It may take some time.

6 THE COURT: We're waiting. Just keep  
7 going.

8 MR. WOERTENDYKE: I'm sorry, Your Honor?

9 THE COURT: We're waiting. Just keep  
10 going.

11 MR. WOERTENDYKE: Okay.

12 THE COURT: Is that it?

13 MR. WOERTENDYKE: This dropped off a little  
14 bit, sir. Dan --

15 MR. WYDE: Yes, sir.

16 MR. WOERTENDYKE: -- it's way out of order.

17 MR. WYDE: May I have just a second?

18 THE COURT: You may.

19 MR. WYDE: Judge, I think one of my  
20 witnesses came in, I'm not sure. This gentleman --

21 MS. SEPULVEDA: I think he's related to one  
22 of our witnesses because every time I go out, he's  
23 speaking with one of our witnesses and then coming back  
24 in, but he's telling me he's not related. I don't know  
25 if that's an issue or not.

1 THE COURT: Would you identify yourself,  
2 sir?

3 UNIDENTIFIED PERSON: You talking to me?

4 THE COURT: Yes.

5 MS. SEPULVEDA: No, no, he's coming in and  
6 out, Your Honor.

7 THE COURT: Oh, he's --

8 MS. SEPULVEDA: He's coming in.

9 MR. VERA: This gentleman back here.

10 THE COURT: Yes, sir.

11 MR. VERA: Yeah, she asked me if I was  
12 related to one of the witnesses out there. I'm not  
13 related to them. She asked me if I got subpoenaed or  
14 any of my family got subpoenaed. None of my family got  
15 subpoenaed.

16 THE COURT: Well, the Rule is in effect.  
17 What it means is that no one that's a witness can  
18 discuss with anybody anything about the case, and no one  
19 can discuss with them anything about any testimony  
20 that's going on in the case.

21 MR. VERA: Okay.

22 THE COURT: So you know, you're welcome to  
23 sit in here, but you are -- cannot -- you'll be in  
24 violation of the Rules if you talk to a witness about  
25 anything that -- about the case or anything that's going

1 on or any testimony, okay?

2 MR. VERA: Okay.

3 MR. WYDE: Could we get a name?

4 THE COURT: Yes, sir. Would you state your  
5 name, please?

6 MR. VERA: Daniel.

7 THE COURT: Last name?

8 MR. VERA: Oh, Vera.

9 THE COURT: Okay.

10 MR. WYDE: And I just needed to know if  
11 Mr. Vera transported the witnesses here or not. I was  
12 just trying to determine -- you know, because these are  
13 younger witnesses.

14 THE COURT: Okay.

15 MR. VERA: No. I came here by myself.

16 When y'all were looking for the box or something, I went  
17 out there to go to the restroom. I seen somebody that I  
18 knew, and she walked up on me.

19 THE COURT: Okay.

20 MS. SEPULVEDA: Thank you.

21 MR. VERA: No problem.

22 THE COURT: We're just trying to be careful  
23 that we don't --

24 MR. VERA: No problem.

25 MS. SEPULVEDA: Thank you, Your Honor.

1 Q. (BY MR. WYDE) Ms. Rodriguez, the papers I'm  
2 handing you at this time, they came to you in the mail  
3 this past March; is that correct?

4 A. I think so.

5 Q. The papers I'm showing you at this time,  
6 Ms. Rodriguez, is this your signature down here in the  
7 right?

8 A. No. This is my signature. Look at it. This  
9 is -- mine is always like this.

10 Q. The signature on this brown envelope, is that  
11 your signature?

12 A. That is my signature. That one is mine.

13 (Contestant's Exhibit No. 133 marked.)

14 Q. (BY MR. WYDE) Ms. Rodriguez, if you'll look at  
15 the screen, did I understand you to say that this is not  
16 your signature?

17 A. No, that's not. I can't do it like that. I  
18 can't do it that way.

19 Q. Okay. Ms. Rodriguez, does this appear to be  
20 your signature?

21 A. That one does.

22 Q. And is this your signature?

23 A. That one that is there, yes.

24 Q. May I ask you, ma'am, had you ever voted by  
25 mail before this year?

1 A. No.

2 Q. And did someone come by the house and ask you  
3 to help -- help you vote?

4 A. Well, that guy that went by.

5 Q. And do you know his name?

6 A. No, I don't know -- I don't know what his name  
7 is. Perhaps he did tell me his name, but I don't  
8 remember.

9 Q. Would you recognize a picture of the person, if  
10 you saw them?

11 A. He was a young guy, but I don't remember.

12 Q. Is the young man's picture in this stack, by  
13 any chance?

14 A. I don't remember what his face looked like.

15 Q. Well --

16 A. (Looking through photos) I don't remember what  
17 the face looked like.

18 Q. So --

19 A. I just don't remember what the guy's face  
20 looked like.

21 MR. WYDE: Your Honor, all these papers I  
22 think we're going to offer as Contestant's 133, and  
23 eventually -- but before I put them all together,  
24 obviously I want to point out for the record that we're  
25 looking at two different applications for a mail -- a

1 ballot by mail as well as a carrier envelope, and I  
2 wanted to point out to the Court what might be obvious,  
3 but on the application for ballot by mail, Ms. Rodriguez  
4 has identified her signature here in the middle one. Of  
5 course, I'd like to point out to the Court it doesn't  
6 have any of the party or election information that's --  
7 accompanies on the far left-hand side of the ballot.

8 On the other hand, the one where she  
9 identified -- said that this is not her signature as far  
10 as the mail-in ballot goes, we do have the date and the  
11 type of the election. If that's inaccurate in any way,  
12 I'll stand corrected.

13 Q. (BY MR. WYDE) Now, Ms. Rodriguez, when you  
14 completed this envelope or signed that, do you remember  
15 what you did with it?

16 A. No, I don't know. I have it here, and I don't  
17 know where I may have that.

18 Q. No, ma'am. My -- what I meant to try to ask  
19 you is, did you give this envelope with the papers to  
20 someone, or did you put it in the mail? Do you remember  
21 what you did with this brown envelope that has your  
22 signature?

23 A. Well, when I signed the paper, that guy took  
24 it. He didn't leave it with me. He didn't leave it  
25 with me. He took it.

1 Q. When --

2 A. He did not leave the envelope with me.

3 Q. Do you remember, Ms. Rodriguez --

4 MR. WYDE: I apologize, Your Honor.

5 Q. (BY MR. WYDE) May I show you that brown  
6 envelope with your signature? Can you tell back here  
7 right above your signature where the envelope has kind  
8 of been ruffled?

9 A. Yes, I see it, but he did not leave an envelope  
10 with me.

11 MR. WYDE: I'm sorry, could you repeat her  
12 comment?

13  
14 THE INTERPRETER: He did not leave an  
15 envelope with me.

16 Q. (BY MR. WYDE) Right. But do you remember when  
17 you signed that, was the envelope damaged like that?

18 A. I don't remember.

19 Q. Yes, ma'am.

20 MR. WYDE: We'll offer what's been marked  
21 as Contestant's 133.

22 MR. WOOD: No objection, Your Honor.

23 THE COURT: Admitted.

24 MR. WYDE: No further questions.

25 MR. WOOD: I have no questions of this

1 witness, Your Honor.

2 THE COURT: Thank you, Ms. Rodriguez. You  
3 may be finally excused.

4 MS. SEPULVEDA: Juan Carrillo Chavez, and  
5 we're locating it for you, Judge.

6 THE INTERPRETER: She's apologizing, Your  
7 Honor, that she doesn't write very well.

8 THE COURT: Well, she prints a lot better  
9 than I do.

10 MS. SEPULVEDA: It's on page 9, number 13  
11 down. Page 9, 13 down.

12 THE COURT: None of our witnesses have been  
13 sworn yet, so --

14 (Interpreter translating)

15 (Witness sworn)

16 THE COURT: Thank you. You may be seated.

17 JUAN CHAVEZ,

18 having been first duly sworn, testified through the duly  
19 sworn interpreter as follows:

20 DIRECT EXAMINATION

21 BY MR. WYDE:

22 Q. Good morning.

23 A. Good morning.

24 Q. Are you Mr. Chavez?

25 A. Juan Carrillo Chavez.

1 Q. And Mr. Chavez, let me show you some copies of  
2 some papers. Does that appear to be your signature on  
3 one of the papers?

4 A. I don't know. This one isn't. This one is,  
5 but this one, I don't know it.

6 Q. Okay. May I see those so --

7 A. That Chavez, I don't recognize it very well,  
8 but Juan is somewhat. I can't sign very well because of  
9 the problem with this hand.

10 MR. WYDE: Excuse me, Judge, I was just  
11 trying to get it to a point where everybody can kind of  
12 see it as large as possible.

13 Q. (BY MR. WYDE) Mr. Chavez --

14 A. Yes.

15 Q. -- which signature did you say looked like  
16 yours, the top one or the bottom one or both?

17 A. It seems like the one on top.

18 Q. Why is it that you don't think the one on the  
19 bottom is yours?

20 A. Because the Chavez is -- has some -- a bit of a  
21 difference.

22 Q. Okay. Now, Mr. Chavez, do you remember getting  
23 papers like these in a green envelope earlier this year?

24 A. I don't remember.

25 Q. Okay.

1           A. My memory fails me a lot. I get dizzy very  
2 often. I've already told my doctor that my neck and my  
3 head fail me.

4           Q. Do you know a Tony Hernandez?

5           A. Tony Hernandez, yes.

6           Q. Does Tony Hernandez help you with your voting?

7           A. He would take me before to the place where you  
8 would go vote over there at Parker or Parkland. That's  
9 where he would take me.

10          Q. Well, are you aware -- are you aware,  
11 Mr. Chavez, that you -- by signing the papers I showed  
12 you, you voted by mail this year?

13          A. Yes. Yes. Yes, I was told that I could vote  
14 by mail, that I could take out the papers, I could sign  
15 them, and I could give them to the mailman.

16          Q. Okay. Did you give them to the mailman, or did  
17 you give them to Mr. Hernandez for him to mail?

18          A. No, he would tell me -- we would take them out,  
19 I would fill them out, and then I would sign it and we  
20 would seal it, and then once the -- what do you call  
21 them -- the mailman would come by, I would give it to  
22 him.

23          Q. Okay. Did Mr. Hernandez talk to you when you  
24 were making your choices?

25          A. No. No, no, I would get the propaganda by mail

1 of the different candidates and I would look at them,  
2 and then I would make them and I would make the little  
3 marks.

4 Q. So what did Mr. Hernandez do for you?

5 A. No, he was just there with me. Almost when he  
6 just got there, that's when I would sign.

7 Q. Okay. As --

8 A. Sometimes he would come over another day, but I  
9 had already sent it off.

10 Q. Has Mr. Hernandez been doing this very long?

11 A. Oh, yeah, for a long time he would help me and  
12 my wife. He would take us over there to that place to  
13 vote. Once she passed away, I no longer went over  
14 there, so he would come by my house and I would just  
15 make sure that I signed my envelope and that was it.  
16 What did I do wrong?

17 Q. Mr. Chavez, you've done nothing wrong.

18 A. Because if I did something wrong, I will no  
19 longer vote. I will no longer vote.

20 Q. Mr. Chavez -- Mr. Chavez --

21 A. If every time I vote, the same thing's going to  
22 happen, then it's better not to.

23 Q. Mr. Chavez, when you vote at the school or the  
24 church or the center, when you vote at those places in  
25 person, does anyone sit there and tell you -- or look

1 over your shoulder when you make your choices?

2 A. When I would go over there, you would go into  
3 there by yourself and I was there by myself marking it.

4 Q. Right. And when you're at home, as long as you  
5 do that by yourself at home, that's okay. Do you  
6 understand?

7 A. I don't know that I've done anything wrong. I  
8 would be there, I would be making my different  
9 selections, and then when Mr. Rodriguez would come by, I  
10 -- would say, sign the envelope, I would sign the  
11 envelope, and I would give it to the mailman and that's  
12 all. I myself would close it. He would tell me, close  
13 it, seal it, and sign it right here.

14 Q. Did -- was it Mr. Rodriguez or Mr. Hernandez  
15 that would be there when you closed your envelope?

16 A. It's Mr. Hernandez.

17 MR. WYDE: Did you not say Rodriguez, too?

18 THE INTERPRETER: The witness said  
19 Hernandez.

20 A. No, it was Mr. Hernandez.

21 (Contestant's Exhibit No. 134 marked.)

22 MR. WYDE: No further questions.

23 MR. WOOD: Your Honor, I certainly don't  
24 have any objections to this Exhibit 134, and I have no  
25 questions for the voter.

1 THE COURT: Thank you. You may be finally  
2 excused. 134 is admitted.

3 THE WITNESS: This is not mine. I hope you  
4 all don't bother me again. It's very hard for me to  
5 walk. My back's been hurt for a long time.

6 THE COURT: Thank you for coming down.

7 THE WITNESS: The City owes me this because  
8 I got hurt in the City.

9 THE COURT: Take that up another day.

10 THE WITNESS: I'm no longer going to vote  
11 anymore.

12 MR. RICH: Please vote.

13 MS. SEPULVEDA: Next is Alfredo Hernandez.

14 THE COURT: If you'll raise your right  
15 hand, please.

16 (Interpreter translating)

17 (Witness sworn)

18 THE COURT: Thank you. You may be seated.

19 MS. SEPULVEDA: I'm still looking, Your  
20 Honor.

21 MR. WOOD: I found it. It's on page 13.

22 MS. SEPULVEDA: Thank you.

23 MR. WOOD: About halfway down.

24 THE COURT: You may proceed.

25 ALFREDO HERNANDEZ,

1 having been first duly sworn, testified through the duly  
2 sworn interpreter as follows:

3 DIRECT EXAMINATION

4 BY MR. WYDE:

5 Q. Good morning, Mr. Hernandez.

6 A. Good morning.

7 Q. Mr. Hernandez, do you remember receiving a  
8 green envelope with some election materials in it  
9 earlier this year?

10 A. Yes. This one, I do remember.

11 Q. Okay. And Mr. Hernandez, does this appear to  
12 be your signature, sir, that I'm showing you up here on  
13 the screen?

14 A. That's my signature.

15 Q. Okay. And is this your signature,  
16 Mr. Hernandez?

17 A. That's my signature.

18 Q. Mr. Hernandez, do you remember anybody coming  
19 by your home and offering to mail your election papers  
20 for you?

21 A. No, I don't remember.

22 Q. Have you -- do you recall a young man coming to  
23 your house back in April and asking you some of these  
24 same questions?

25 A. It seems that I -- it seems that I do remember

1 that -- I'm not real sure, but yes.

2 Q. Is that your signature, Mr. Hernandez?

3 A. No.

4 Q. Up here.

5 A. Oh, on top, yes.

6 Q. And did a young man named Raul come by your  
7 home on April -- in April of this year and ask you if  
8 you were assisted with your mail-in ballot?

9 A. It does seem like I do remember a young guy  
10 going by. I'm not real sure, but yes.

11 Q. And this young man that I'm referring to came  
12 after the election; is that what you remember?

13 A. It seems so, yes. It seems so.

14 Q. Have you voted by mail in the past,  
15 Mr. Hernandez?

16 A. No, just when the papers are brought to me.

17 Q. Are you referring to the papers that usually  
18 come in the green envelope?

19 A. Yes, these. Yes.

20 Q. What do you mean when they're brought to you?

21 A. Well, the gentleman brings them by for me and  
22 he tells me that I could sign right here for me and the  
23 lady and then he leaves.

24 Q. And did that happen this past February, if you  
25 remember?

1 A. Yes.

2 Q. And did the person take the papers from you?

3 A. Yes, he took the papers.

4 Q. You mentioned a lady that was with him. Are  
5 you -- I should -- excuse me. You mentioned a lady. Is  
6 that someone related to you, or was the lady with the  
7 person who took the papers?

8 A. No, the person that came by was just a man, not  
9 a lady, and I would sign the papers and he took them,  
10 and that's it.

11 Q. Would that man ever discuss with you, sir, some  
12 of the choices of the people that were running for the  
13 different offices?

14 A. No, I don't remember that. He just asked me to  
15 sign there, that it was a good person, and that's it.

16 Q. Who was a good person?

17 A. For the one that I was voting for is what he  
18 said, but I don't know.

19 Q. Well, are you telling us that you and he talked  
20 about some of the different people that were running?

21 A. Well, we spoke but very little. He would say,  
22 look, this is a good person and just sign, and I would  
23 sign.

24 Q. Okay. Well, if you had already sealed the  
25 envelope, then why were you talking about the different

1 people?

2 A. Well, he would ask me questions, but I really  
3 didn't know who he was talking about.

4 Q. And the questions he would ask you or the  
5 people he was talking about, were those some of the  
6 people that were running for the different jobs?

7 A. Yes. Yes.

8 Q. And the reason he was mentioning some of those  
9 people was he was trying to inform you that those would  
10 be good people to vote for?

11 A. Exactly, yes.

12 MR. WYDE: I'm sorry, can you repeat that  
13 answer?

14 THE INTERPRETER: Exactly, yes.

15 Q. (BY MR. WYDE) Okay. And there wouldn't be any  
16 reason to talk about those people if you had already  
17 made your choices and sealed the envelope, correct?

18 A. Correct, yes.

19 Q. Okay. So this would be before you had finished  
20 marking the papers; is that correct?

21 A. Yes, uh-huh.

22 Q. And then after speaking with this person who  
23 was -- basically you were -- they were just trying to  
24 make recommendations and educate you about the people,  
25 right?

1 A. Yes.

2 Q. And you trusted them?

3 A. Yes. I trusted that person, yes.

4 Q. They're being helpful to you?

5 A. Yes.

6 Q. And then you would take their advice and maybe  
7 make some of those choices?

8 A. Yes, uh-huh.

9 Q. Then you would finish with the papers and put  
10 them in the envelope?

11 A. Yes, uh-huh.

12 Q. And you felt like you had done your duty to  
13 vote?

14 A. Yes, uh-huh.

15 Q. Is that kind of what happened this past  
16 February with the papers that came in the green  
17 envelope?

18 A. Exactly right. Yes.

19 (Contestant's Exhibit No. 135 marked.)

20 MR. WYDE: No further questions.

21 MR. WOOD: I have no objections to  
22 Exhibit 135, and I have no questions.

23 THE COURT: Thank you. Admitted.

24 Mr. Hernandez, you're free to go. Thank you, sir, for  
25 coming down.

1 THE WITNESS: Thank you very much.

2 MR. RICH: Thank you, sir.

3 MS. SEPULVEDA: The next is Antonio Campos.  
4 It's the last civilian witness, Your Honor. It's on  
5 page 9, about 5 down.

6 THE COURT: Would you raise your right  
7 hand, please?

8 (Interpreter translating)

9 (Witness sworn)

10 THE COURT: Thank you. You may be seated.

11 ANTONIO CAMPOS,  
12 having been first duly sworn, testified through the duly  
13 sworn interpreter as follows:

14 DIRECT EXAMINATION

15 BY MR. WYDE:

16 Q. Good morning, Mr. Campos.

17 A. (In English) Good morning.

18 Q. Mr. Campos, the papers I'm putting on this  
19 overhead projector, do they appear to be -- have your --  
20 copies of your signature?

21 A. Yes, that is my signature.

22 Q. Do you remember, Mr. Campos, receiving in the  
23 mail some election papers in a green envelope earlier  
24 this year?

25 (Contestant's Exhibit No. 136 marked.)

1 A. Yes. Can I take these out?

2 Q. Those are just an example. They wouldn't be  
3 your papers. Did you --

4 A. Yes, I did receive an envelope like this.

5 Q. Do you still want to look at them, or did you  
6 think that those were your papers?

7 A. If I could look at them, I can look at them.

8 MR. WYDE: Judge, do you mind?

9 THE COURT: Certainly.

10 MR. WYDE: Yeah.

11 Q. (BY MR. WYDE) You're welcome to look inside of  
12 them, sir.

13 A. That's fine. Very well.

14 Q. Okay. Mr. Campos, do you -- did someone come  
15 by your home after you received those papers in the  
16 green envelope and offer to help you in voting?

17 A. Yes.

18 Q. Do you remember which -- excuse me, do you  
19 remember their name?

20 A. No.

21 Q. Would you recognize a picture of them?

22 A. Is this the only picture that there is?

23 Q. No, sir, there's probably about seven or eight  
24 in your hand.

25 A. (Looking through photos) It seems like it was

1 this person. The one that -- that one, it seems more  
2 like an old --

3 Q. Are you referring to this piece of paper I'm  
4 handing you?

5 A. Yes.

6 (Contestant's Exhibit No. 137 marked.)

7 MR. WYDE: Let the record reflect that this  
8 witness has identified Exhibit 137. We'll request it be  
9 admitted.

10 MR. WOOD: No objection.

11 THE COURT: Admitted.

12 Q. (BY MR. WYDE) Do you remember that person's  
13 name, their first name or last name or any part of their  
14 name?

15 A. No.

16 Q. Okay. This year when the -- when someone came  
17 by to help you or offer to help you vote, do you  
18 remember if they were supporting a certain -- or a  
19 particular candidate?

20 A. No.

21 Q. Do you remember, Mr. Campos, talking to this  
22 lady right here behind me to the left after the election  
23 in late March?

24 A. Yes.

25 Q. Do you recall telling her that someone from the

1 Medrano campaign helped you with your ballot?

2 A. Yes.

3 Q. Were you telling her the truth when you told  
4 her that?

5 A. Yes.

6 Q. Okay. And does that help you in remembering  
7 what happened back in February when the election was  
8 going on?

9 A. Yes.

10 Q. Can you tell me more about the person that came  
11 by saying that they were helping the -- Medrano?

12 A. No. He just came over. He said hello to me  
13 and he told me that he was going to help me with voting.

14 Q. Okay. And how did he do that?

15 A. Well, what happened is he came over there, he  
16 introduced himself, and I told him that this is only the  
17 second time that I'm going to vote and I'm not real sure  
18 what to do, and he says, don't worry about it, I'm going  
19 to help you.

20 Q. And how did he help you?

21 A. And he told me, don't worry about it, you just  
22 sign right here and I will sign right -- and I signed it  
23 right there, and I'm going to help you.

24 Q. And how were the choices made for the different  
25 people? Did he make those choices or suggest who you

1 should vote for, or did you make those choices?

2 A. Possibly he did, so -- because all he told me  
3 to do was to sign.

4 Q. So if I understand correctly, Mr. Campos,  
5 because I don't want to put any words in your mouth, you  
6 signed the back of the envelope?

7 A. Yes.

8 Q. But he made the choices?

9 A. Yes.

10 MR. WYDE: No further questions. We'll  
11 offer 136 to Mr. Wood.

12 MR. WOOD: No objections to 136, and I have  
13 no questions of the witness.

14 THE COURT: Admitted. Mr. Campos, you're  
15 finally excused. Thank you, sir.

16 THE WITNESS: Okay. Thank you.

17 MR. RICH: Gracias, senor.

18 MS. SEPULVEDA: Thank you.

19 MR. WYDE: I think we're ready for the  
20 court demonstration.

21 THE COURT: Okay. You may proceed.

22 MR. WYDE: Okay. Your Honor, it's our  
23 intent to attempt to demonstrate here in court, if you  
24 will, that these carrier envelopes can be basically just  
25 steamed open with a tea kettle filled with hot water,

1 and I think the Court's aware that the -- I've already  
2 submitted two envelopes to the Court, one I believe  
3 from, oh, I want to say Monday, the 12th, and one from  
4 Tuesday, the 13th, of this week, but I'd also like to  
5 submit another one right now. And the purpose of that  
6 was to --

7 THE COURT: We can -- you're welcome -- you  
8 have to keep in the --

9 UNIDENTIFIED PERSON: This will take about  
10 seven or eight minutes.

11 THE COURT: I think you're needed, and  
12 we're going to recess while you go take care of  
13 something else, and then we'll come back and do your  
14 demonstration.

15 UNIDENTIFIED PERSON: If this is a good  
16 time.

17 THE COURT: This is just fine.

18 MR. WYDE: May I finish my comment and then  
19 -- because --

20 UNIDENTIFIED PERSON: If you'll come down  
21 to my conference room.

22 MR. WYDE: Yes, ma'am.

23 UNIDENTIFIED PERSON: Thank you.

24 MR. WYDE: Judge, what I need to do -- or  
25 what I'd like to do is go ahead and I'm going to mark

1 this carrier envelope. Mr. Wood, you weren't here on  
2 Monday and Tuesday, but what I did is I just simply had  
3 a blank envelope marked, and you can -- you'll note that  
4 all three of the ones that I've done this with are  
5 sealed, and I'm just going to basically lick the flap  
6 and seal it, if you will. And the purpose is to  
7 determine to some extent whether or not these envelopes  
8 are easier to be opened if they'd been sealed longer or  
9 not, just that simple.

10 THE COURT: That'd be fine.

11 (Contestant's Exhibit No. 138 marked.)

12 MR. WYDE: So we'll offer 138 for purposes  
13 of the demonstration.

14 MR. WOOD: No objection, Your Honor.

15 THE COURT: Admitted.

16 MR. WYDE: May I be excused?

17 THE COURT: We'll be in recess. Thank you.

18 MR. WYDE: I apologize. I didn't even know  
19 I had it on the calendar. I would have had somebody  
20 cover for me.

21 THE COURT: That's fine.

22 (Recess taken from 10:43 to 11:28 a.m.)

23 THE COURT: All right. At this time, you  
24 may proceed.

25 MR. WYDE: Okay. Judge, what we wanted to

1 do is call Ms. Woertendyke to help us conduct a  
2 hearing -- excuse me, a demonstration, and then after  
3 that, I was going to use -- call Ms. Woertendyke about  
4 proving up some of the predicates on some of the  
5 affidavits.

6 MR. WOOD: If I could put my witness on  
7 before you put her on about that.

8 MR. WYDE: Okay.

9 MR. WOOD: I want to put my witness on.

10 MR. WYDE: Do you want to put him on now?

11 MR. WOOD: No, go ahead and do your  
12 demonstration. He's just got to be back at the hospital  
13 by 1:30. So we can do it --

14 MR. WYDE: Okay. Whatever -- you know,  
15 however we can cooperate, I'm happy to do that.

16 THE COURT: Well, go ahead with your  
17 demonstration, then we'll call the --

18 MR. WYDE: Okay.

19 MS. WOERTENDYKE: I think it's going to be  
20 easier if we step in the back room, though, because  
21 everything's set up back there. Is that going to be --

22 THE COURT: All right. Can you move your  
23 stuff? I guess we can move back there. Everybody else  
24 has to stand. I've got an easy chair.

25 (Moving to back room for demonstration)

1 MR. WYDE: Judge, what I am going to do is  
2 I'm just going to take a picture, and then I'm going to  
3 have that printed off and probably offer it tomorrow as  
4 part of the record just to show, if you will, kind of  
5 what the deal is.

6 MS. WOERTENDYKE: This is Exhibit 108.  
7 This is the first one we did.

8 MR. WYDE: Stand over there by  
9 Mr. Woertendyke.

10 MS. WOERTENDYKE: This is 108. This is the  
11 one we did on Monday.

12 MR. WYDE: Let me take one more. Do you  
13 want to swear her?

14 THE COURT: Not for demonstration purposes,  
15 I don't think I need to.

16 MR. WYDE: Okay.

17 MS. WOERTENDYKE: Okay.

18 MR. WYDE: For the record, you're Nancy  
19 Woertendyke.

20 MS. WOERTENDYKE: I'm Nancy Woertendyke.

21 MR. WYDE: Okay. And --

22 MS. WOERTENDYKE: I'm just going to do  
23 this.

24 MR. WYDE: And you say you're going to do  
25 this --