

1 **THE DEFENDANT:** It was --

2 **THE COURT:** I didn't know what you looked like. I
3 didn't know if that was you or someone else.

4 **THE DEFENDANT:** I understand, sir. And also with
5 my hearing problem, I couldn't quite understand you.
6 You weren't understanding me and there was so much
7 chaos in the courtroom, it was just confusion.

8 **THE COURT:** Okay. Well, let me express one
9 concern. If I grant you a bond, I don't want you to
10 take that as an indication that you don't need to move
11 forward obtaining counsel. You need to get an attorney
12 to represent you and you need to get him on board
13 promptly. I was hoping that that would happen between
14 our last court proceeding and this court proceeding,
15 and then things could proceed a lot more -- in a more
16 orderly fashion.

17 On the other hand, if you get out there and you
18 change your mind and you wish to represent yourself, we
19 need to have further court proceedings over that. I
20 don't want to show up February 9th to find out you've
21 decided you're going to represent yourself, and then
22 after I make an inquiry, we determine that's not going
23 to be feasible. So that -- those are my concerns.

24 Let me just explain to you what will happen if you
25 don't --

1 **THE DEFENDANT:** Sir --

2 **THE COURT:** Let me finish and then I'll let you be
3 heard.

4 If you don't have an attorney representing you and
5 I cannot qualify you to represent yourself under the
6 legal requirements of that, then we're going to have a
7 very one-sided trial, because you will not be heard in
8 any fashion if one of those two things has not
9 occurred. It's going to be all up to the State to
10 present their case and you're going to be a mere
11 spectator. That's not going to be a very fair way for
12 this to proceed, but that's the way it's going to have
13 to proceed. So those are my concerns. I'll let you
14 address that.

15 **THE DEFENDANT:** Well, sir, it's my understanding
16 that an attorney has received a retainer. Now, we have
17 worked very hard to try to find an attorney, a
18 competent representative, and it's been very, very
19 difficult.

20 **THE COURT:** Okay. All right.

21 **THE DEFENDANT:** I'm doing everything I can from
22 that end.

23 **THE COURT:** Okay.

24 **THE DEFENDANT:** I don't consider myself competent
25 to represent myself. I fully intend to have

1 representation. I thought I had it.

2 **THE COURT:** Okay. All right. I'm going to set
3 aside the no bond previously issued. I'm going to set
4 a new bond on each of the 14 counts at \$1,000. There
5 will be a total bond of \$14,000. It will be up to the
6 bondsman whether he wishes to honor what you've already
7 put towards the previous bond I set or not. But I
8 think given the circumstances, it's appropriate to set
9 a bond, but I am increasing it somewhat from what I
10 previously set.

11 So you will have a total bond -- am I correct,
12 Madam Clerk, there are 14 counts?

13 **THE CLERK:** Yes, sir.

14 **THE COURT:** It will be 1,000 as to each count, for
15 a total of \$14,000. Previous provisions that I put in
16 place as to not to be in the courthouse or make contact
17 with the individuals as listed in the previous order,
18 except for scheduled court proceedings, will remain as
19 previously ordered.

20 Mr. Meggs, I don't -- from what the clerk tells
21 me, electronic monitoring is not a feasible option
22 here. Are there any other special requests you would
23 make?

24 **MR. MEGGS:** Your Honor, prior to making that
25 request about electronic monitoring, I did speak with

1 the one of the court -- sheriff personnel. I believe
2 it is available, it's just not available in this
3 community. Another -- other companies come into this
4 community and do monitoring. So I think it could be
5 available.

6 **THE COURT:** I'm not going to order electronic
7 monitoring at this point. Anything else that you would
8 request?

9 **MR. MEGGS:** No, no, sir.

10 **THE COURT:** Further, Mr. Trussell?

11 **THE DEFENDANT:** Now, if I understand clearly, you
12 are saying that I have a bond now of 14,000 instead of
13 5,000.

14 **THE COURT:** Correct.

15 **THE DEFENDANT:** Okay. Where does that leave me
16 with the failure to appear?

17 **THE COURT:** I have withdrawn the no bond on the
18 failure to appear.

19 **THE DEFENDANT:** Ah, okay.

20 **THE COURT:** Do you want an intervening court date
21 set, Mr. Meggs, before our trial date?

22 **MR. MEGGS:** Your Honor, not really. I don't
23 anticipate this case being resolved short of a trial.
24 But if an attorney does get involved, I'm sure there
25 will be some depositions and things that have to be