

James Holmes – Colorado Theater Shooting Trial Outline – 2015 Trial
Prepared by Beth Karas

Jury selection

Jan. 22 – April 14, 2015
12 jurors, 12 alternates are seated
19 women, 5 men

Week 1

Day 1, Mon., April 27, 2015

Opening statement by DA George Brauchler
Opening statements by Daniel King and Katherine Spangler

STATE'S CASE

Day 2, Tues., April 28, 2015

1. Katie Medley, in theater, husband shot
2. Caleb Medley, shot in head
3. Munirah Gravelly, in theater
4. Derick Spruel, in theater
5. ChiChi Spruel, in theater
6. Prodeo Patria, in theater
7. Angiatt Mora (Indonesian interpreter is standing by)
8. Rita Paulina (uses Indonesian interpreter)
9. Michael Hawkins, PO, Aurora PD, first responder
10. Kaylan Marie Bailey, 16 years old (was 13) babysat for Veronica Moser-Sullivan

Day 3, Wed., April 29, 2015

11. Gerald Jonsgaard, Sgt, Aurora PD, first responder
12. Annette Brook, P.O., Aurora PD, first responder
13. Joshua Robert Nowlan, victim (count 50)
14. Thomas Campagna, P.O., Aurora PD
15. Christina Blache, victim, shot in legs
16. Bert Herrera, paramedic, Aurora Fire Dept.
17. Chris Neiman, P.O., Aurora PD, made 3 trips to hospitals with 5 victims
18. Marcus Weaver, at theater, friend of Rebecca Wingo
19. Natasha Cabouet, P.O., Aurora PD
20. Bernd Hoefler, Lt, Aurora Fire Dept.

Day 4, Thurs., April 30, 2015

21. Jason Oviatt, P.O., Aurora PD, apprehended Holmes in parking lot
22. Aaron Blue, P.O., Aurora PD, helped apprehend Holmes
23. Justin Grizzle, P.O., Aurora PD, helped apprehend Holmes
24. Stephen Redfearn, Sgt., Aurora PD, first responder
25. Jason Sweeney, P.O., Aurora PD, helped apprehend Holmes
26. Matthew Ingui, Det., Aurora PD, homicide detective/Major Crimes Unit

Week 2

Day 5, Mon., May 4, 2015

27. Daniel Reed, Verizon Wireless Analyst
28. Kelly O'Connor, University Hospital
29. Theodore Maples
30. Glenn Allen Rotkovich, firearms instructor, owns Lead Valley Range
31. Donald Ransom, P.O., Fraser Winter Park PD
32. Scott Eicher, Special Agent, FBI
33. Jennifer Kristine Avila-Arredondo
34. Adan Avila-Arredondo
35. Matthew Fyles, Sgt., Aurora PD
36. Thomas Welton, P.O., Aurora PD
37. Chuck Mehl, Det., Aurora PD
38. John Gonzales, P.O., Aurora PD, first on the scene

Day 6, Tues., May 5, 2015

39. Denise Axelrod, shot in butt
40. Brandon Axelrod, minor injuries, not shot, married to Denise
41. Craig Appel, lead detective in the case, Aurora PD
42. Garrett Gumbinner, FBI Special Agent, bomb technician
43. Maria Angela Carbonell, in theater
44. Sukumar Vigayaraghavan, PhD, CU, admissions cmte when def applied

Day 7, Wed., May 6, 2015

45. Achim Klug, assistant professor at CU neuroscience program, def's 1st lab
46. Mark dell'Acqua, professor, CU School of Medicine, def's 2nd lab
47. Alex Espinoza, at the theater
48. Rich Anselmi, Sgt., Arapahoe County Sheriff's Office, heads bomb squad
49. Jonathan Vaala, Investigator, Arapahoe County Sheriff, bomb squad
50. Caitlin Peddicord, in theater, friend killed—Alex Teves
51. Craig Clark, Investigator, Arapahoe County Sheriff, bomb squad
52. Troy Waller, Investigator, Arapahoe County Sheriff, bomb squad
53. Robert Wong, P.O., Aurora PD, responded

Day 8, Thurs., May 7, 2015

- 41. Craig Appel, recalled to give court measurements
- 54. Toni Payne, FBI, Intelligence Analyst, ERT--crime scene photographer
- 55. Nick Vanicelli, Special Agent, FBI, Evidence Response Team (ERT)
- 56. Kyle Burdette, Executive w/ Law Enforcement Targets (sold paper targets to def)
- 57. Amanda Teves, in theater (Alex Teves's girlfriend; took his name after shooting)
- 58. Craig Enlund, in theater, was with Alex Teves and Amanda
- 59. Janette Guscott, Sr. Criminalist, Aurora PD (collected GSR kit)
- 60. Carol Crowe, forensic scientist at CBI, tested GSR
- 61. Emily Sullivan Gibson, senior professional research asst for dell'Acqua/lab asst

Day 9, Fri., May 8, 2015

- 62. Kaitlyn Fonzi, def's downstairs neighbor, called 911 with noise complaint
- 63. Michael Holm, Sgt., Aurora PD, SWAT supervisor
- 64. James Gerdeman, Sgt., Adams County Sheriffs Office, bomb squad
- 65. Casey Overton, Adams County Sheriffs Office, bomb technician
- 66. Paul Capolungo, P.O., City & County of Denver, bomb squad
- 67. David Williams, at the theater, shot in left hand
- 68. Shane Heiter, Sgt., Adams County Sheriffs Office, bomb technician
- 69. Christopher Dean Rigopoulos, FBI, Supervisory SA, explosives examiner

Week 3

Day 10, Mon., May 11, 2015

- 69. Christopher Dean Rigopoulos, FBI, Supervisory SA, explosives examiner
- 70. Daniel Tollin, CU Professor in Neuroscience Program
- 71. Justin Leveck, co-owner of Blue Defense, sells body armor
- 72. Robert Lee Higginbotham, General Mgr., Approved Gas Masks
- 73. Curt Richard Freed, Professor of Medicine at CU
- 74. Jessica Elizabeth Cumiskey, PhD, doing post-doc research, was in lab with def
- 75. Carey Rottman, was at theater; victim

Day 11, Tues., May 12, 2015

- 76. Dylan Thomas Bieniulis, sales assoc at the Science Company, lab equipment
- 77. Nicholas Carroll, CSI, Aurora PD, photographed victims at hospitals
- 78. Brian Platt, owner of keepshooting.com
- 79. Christopher Russell, owner Bulletproof Body Armor HQ
- 80. Charles DeFrance, FBI Agent, Evidence Response Team
- 81. Jennifer Ann Jostes, FBI Agent, Evidence Response Team
- 82. Corbin Lavon Dates, in theater, victim, shell casing burned leg
- 83. Victor Edgar Nava Hernandez, in theater, was with Alex Sullivan

- 84. Sandra Kay Fisher, Criminalist, Aurora PD, fingerprint examiner
- 85. Peter Hunkar, former FBI Agent, ERT, evidence at dumpster at def's

Day 12, Wed., May 13, 2015

- 85. Peter Hunkar, former FBI Agent, ERT, evidence at dumpster at def's
- 86. William Sather, PhD, CU School of Medicine, researcher/teacher
- 87. Jamie Rusty Rohrs, at the theater, sprained ankle, wife shot
- 88. Amanda Hernandez-Menije, at the theater
- 89. Gage Hankins, at the theater 8—shot in forearm (thru the wall)
- 90. Bradford Benjamin Zborowski, Sgt., Arapahoe County Sheriff, dumpster
- 91. Maria Cathleen Pettolina, CSI, Aurora PD, helped remove victims, collect evid.

Day 13, Thurs., May 14, 2015

- 91. Maria Cathleen Pettolina, CSI, Aurora PD, collect evid., documented bullet marks
- 92. Despina Papageorge, Google official
- 93. Joel Jaffe, Shomer-Tec, sold handcuffs and road stars to def 1st week of June 2012
- 94. Carli Richards, at the theater, tear gas canister landed at her feet
- 95. Heather Snyder, at the theater w/a group incl Alex Sullivan, 2 fingers amputated
- 96. Sarah Burnett, ATF&E Agent, collected S&W .223 cal rifle
- 97. Dion Rosborough, in the theater, survivor

Week 4

Day 14, Mon., May 18, 2015

- 91. Maria Cathleen Pettolina, CSI, Aurora PD, collect evid., documented bullet marks
- 98. Louis Xavier Duran, was at the theater, shot in arm, shrapnel all over body
- 99. Ryan Lumba, at the theater with Duran
- 100. Thomas Sheridan, Kroger—loss prevention program; King Supers; records
- 101. Kelly Bowen, at the theater
- 102. Hans "Kelly" Eliassen, foundational questions (stipulation; no need for him)
- 102. Adam Levy, owner Motorcycle Depot
- 103. Roger Erikson, retired, was owner of Iron Buffalo Motorcycle Training
- 104. Catherine Elaine Streib, in theater, shot through buttocks
- 105. Daniel Michael Jensen, former floor manager at Cinemark/Century 16

Day 15, Tues., May 19, 2015

- 106. Todd Fredericksen, Det., Aurora PD, at hospital when Axelrod had surgery
- 107. Benjamin Holston, P.O., Aurora PD, fragment near ticket booth/ATM
- 108. Mark Magruder, Motorcycle rider coach/instructor; instructed def.
- 109. Hailee Hensley, survivor, was with Veronica, Ashley, Jamison
- 110. Faye S. Borquez, CSI, Aurora PD crime lab, 6 autopsies, def's car

111. Angela Benford, CSI Supervisor, Aurora PD, assisted Borquez
112. Evan Morrison, survivor
113. Daybra Thomas-Kizzar, survivor
114. Marcus Kizzar, survivor
115. Patricia Hopkins, chemist/criminalist, Aurora PD; autopsies
116. Brian Miller, BATFE, Special Agent, def's car behind theater
117. Jared Steiger, Target store video
118. David Roberts, BATFE Special Agent, def's car behind theater
119. Lisa Pavlovich, Home Depot, Asst Mgt; 2012 – Best Buy
120. Kimberly Milka, FBI Agent, Evidence Response Team, at apartment
121. David Gallegos, P.O., Aurora PD with BATFE, def's bedroom search
122. Jeremy Phelps, FBI Agent, identified def's unemployment application

Day 16, Wed., May 20, 2015

123. Otto Albrecht, PhD, post-doc at CU, former classmate of def
124. Jason Tregellas, teaches at CU neuroscience program; somewhat recalcitrant
125. Brenton David Lowak, survivor, shot in buttocks, was with Jessica Ghawi
126. Scott Swanson, owns Security Pro USA online company, sold helmet to def
127. Brett Mills, FBI examiner, firearms & toolmarks
128. Jeffrey Holmes, FBI Agent, ERT, collected digital evidence from def's apt
129. Joan Leslie Holley, building owner, def's landlady
130. Maryalice Arre, works for Joan Holley, manager, rented apt #10 to def.
131. Kevin Campbell, survivor, was with Micayla Medek
132. Kimber Avra, survivor, was with Micayla Medek and Kevin Campbell
133. Tarra Bahl, survivor, was with prior two witnesses

Day 17, Thurs., May 21, 2015

134. Shirley Clark, survivor, not shot (minor injuries)
135. Lauren Shuler, survivor, shrapnel in her shoulder
136. Thomas Wilson, Det, Aurora PD
137. Evan Farris, survivor, tore tendon, hairline fracture, scrapes
138. Richelle Hill, survivor,
139. Fabio Serafini, Fandango records custodian, def bought 3 tickets for that night
140. Joshua Goering, records cust at Brownells, sold def holster, laser sight, mags
141. Holly Akers, survivor
142. Ricardo Rosa, sold diesel oil, sun shade, window tint to def on 7/11/12
143. Kelly Lear-Kaul, MD, performed 6 of the autopsies
144. Kevin Quinonez, survivor, uninjured, 911 call played—can hear shots fired

Week 5

Day 18, Tues., May 26, 2015

145. Antoinette Muniz, CU medical campus mail room, looked for def's notebook

146. James Myrsiades, CU police, searched for the package to Dr. Fenton
147. Brooke Cowden, at the theater, her father Gordon was killed
148. Denzel Lukens, Deputy Sheriff, Adams County, bomb squad, examined package
149. William J. Davitch, FBI Agent, ERT, searched apartment kitchen
150. Alton Reed, Det., Aurora PD, responded to CU to collect package def sent Fenton
151. Jacqueline Fry, at the theater, fr of Alex Sullivan, she was shot in face, arm, legs
152. Cary Rue, FBI microbiologist
35. Matthew Fyles, Sgt., Aurora PD, examined the package sent by def to Fenton
153. Robert Hatch, Asset Prot. Investigator, eBay/PayPal, Holmes's PayPal records
154. Zackary Golditch, survivor from theater 8, was shot
155. Lasamoa Natagofie Lucille Kathryn Cross, survivor, girlfriend of AJ Boik

Day 19, Wed., May 27, 2015

156. Nathan Juranek, survivor, shot/ricochet in leg
157. Donnie Chavis, USPS supervisor
158. Stephanie Benitez, FBI Agent, ERT, collected evidence from def's living room
159. Greg McGahey, US Postal Inspector, searched for def's pkg mailed to Dr. Fenton
160. Jansen Young, survivor, went with boyfriend Jonathan Blunk
161. Chelsea Corser-Jensen, neuroscience graduate student
162. Toni Billapando, survivor
163. David Bloom, General Counsel for company that operates Adult FriendFinder
164. Laurie D. Latshaw, Custodian of Records, Match.com
165. Stefan Moton, survivor, quadraplegic now
166. Young Mook Lee, PhD, taught def, said he was a normal guy albeit shy
167. Nickelas Gallup, survivor, shrapnel in left temple

Day 20, Thurs., May 28, 2015

168. Lucas Smith, survivor, 8 buckshots to right thigh
169. Michael White, survivor
170. Tony Evans, cannonfuse.com, sold pyrotechnic supplies (remotes, fuses, etc.)
122. Jeremy Phelps, FBI
171. William Reid, MD, court-appointed psychiatrist, evaluated def after arrest

Day 21, Fri., May 29, 2015

171. William Reid, MD continues his direct examination, videotaped evaluation

Week 6

Day 22, Mon., June 1, 2015

171. William Reid, MD continues his direct examination, videotaped evaluation

Day 23, Tues., June 2, 2015

171. William Reid, MD continues his direct examination, videotaped evaluation

Day 24, Wed., June 3, 2015

171. William Reid, MD continues his direct examination, videotaped evaluation

Day 25, Thurs., June 4, 2015

171. William Reid, MD continues his cross examination

Day 26, Fri., June 5, 2015

171. William Reid, MD continues his cross examination; completes his testimony

Week 7

Day 27, Mon., June 8, 2015

172. Jeffrey Metzner, MD, first state-appointed psychiatrist to evaluate Holmes

Day 28, Tues., June 9, 2015

The morning was spent examining several jurors after one juror alerted the judge that another had discussed an attorney's tweet and a mistrial motion. Ultimately, 3 jurors were excused—all women—making the jury composition 16 women and 5 men. Excused were jurors 872, 412, and 495.

172. Jeffrey Metzner, MD, first state-appointed psychiatrist to evaluate Holmes

173. Dale Higashi, CBI, Laboratory Agent, firearms and toolmarks

Day 29, Weds., June 10, 2015

173. Dale Higashi, CBI, Laboratory Agent, firearms and toolmarks

174. Christopher Moore, FedEx, def picked up 6 heavy packages on 7/3/12

175. Patricia Rohrs, survivor

176. Gordon Madonna, Detective, Aurora P.D., computer forensic examiner

177. Michael Doberson, MD, forensic pathologist, former coroner in Arapahoe Cty

178. Gargi Datta, ex-girlfriend of Holmes (at CU); broke up in mid-Feb. 2012

Day 30, Thurs., June 11, 2015

178. Gargi Datta, def's ex-girlfriend, broke up in mid-Feb; stayed friends until April

179. Kelly Lewis, survivor

180. Yousef Gharbi, survivor, shot; woke up 8 days later, frontal lobe damaged

181. Jasmine Kennedy, survivor, shot in the leg, 4 surgeries

182. Farrah Soudani, survivor, shot, had to hold her organs in, leg severely injured
183. Christopher Rapoza, survivor, injured by shrapnel in the leg
184. Alejandra Cardona Lamas, survivor, injured by shrapnel in the leg
185. Oliver Dawson Adams, attorney, records custodian for online ammo company
186. Amanda Kelsey, CSI, Aurora PD, photographed/videotaped the scene at theater
187. Stacy Furman, fingerprint examiner
188. Kirstin Han, survivor, shrapnel in lower back and buttocks
189. Eugene Han, survivor, shot in the hip and knee
190. Julia Vojtsek, survivor, friend of John Larimer
191. Bear Rivers Omundson, survivor, friend of John Larimer

Week 8

Day 31, Mon., June 15, 2015

Juror 901 excused. Brother in law was shot in a robbery. Originally told court he was in an accident.

192. Pierce O'Farrill, survivor
193. Jarell Brooks, survivor
194. Joseph Skwira, The Sportsman's Guide, online sales, custodian of records
195. Christine Kalaveshi, Microsoft, identified g-chats of def & his urge to kill
196. Carla Rodriguez, Gander Mountain store manager
197. Andrew Barborak, loss prevention, Gander Mountain
198. Lee McGinley, Gander Mountain employee in 2012
199. Angela Pella, Bass Pro Shop, operations manager, Glock handgun
200. Brian Pennington, Bass Pro Shop, video regarding sale of Glock

Day 32, Tues., June 16, 2015

201. Jamison Toews, survivor, girlfriend is Ashley Moser
202. Stephen Barton, survivor
69. Christopher Rigopoulos, FBI
203. Deborah Foley, custodian of records for Point Loma Credit Union
204. Lynne Fenton, MD, def's psychiatrist at CU
203. Deborah Foley, custodian of records for Point Loma Credit Union

Day 33, Wed., June 17, 2015

Juror 267 excused. She works at a school; two students from school were at theater. Jury is now 14 women and 5 men (12 jurors and 7 alternates).

205. Bonnie Kate Pourciau-Zoghbi, survivor, shot in leg, walks with 2 crutches
206. Alleen Elizabeth Young, survivor, shot in the neck and lung
207. Diane Lee Mathis, USAA Savings Bank, cust. of records, MasterCard def used
208. Cary Ihme, CU records custodian, identified emails from def's account

- 209. McKayla Hicks, survivor, was in Theater 8
- 210. Thomas Finger, professor at CU School of Medicine, taught class to def
- 211. Ben Garcia, classmate of def, spent time with him, g-chats
- 208. Cary Ihme recalled briefly
- 212. Robert Feinstein, MD, CU psychiatrist who sat in on Fenton sessions with def.

Day 34, Thurs., June 18, 2015

- 213. Samantha Yowler, survivor, boyfriend was Matt McQuinn, SY shot in kneecap
- 214. Frances Osterberg, asst. dean, CU graduate program
- 215. Tom Triska, Arapahoe County sheriff's office, transferred def on 9/20/12, video
- 212. Robert Feinstein, MD, continued from previous day
 - 41. Craig Appel, lead detective in the case, Aurora PD
- 216. Jose Lopez, Gander Mountain, surveillance video