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MR. BURKE: Judge, may I see  
you at the side bar please?

BENCH CONFERENCE as follows;

MR. BURKE: Life never goes  
the way you expect it to. Charlene  
Bullerwell is outside and she says, "I'm  
not going to testify. I'm not even coming  
in the courtroom." She wants to talk to  
the Judge.

THE COURT: Yes?

MR. BURKE: I'm in a little bit  
of a quandary. First of all, I don't know  
what I can ask her even if she was or could  
get into the courtroom; and secondly, I  
don't know how I'm going to get her in the  
courtroom.

MR. RAPPAPORT: And I'm  
interested in his answer, also, because I  
don't know how --

THE COURT: Is her testimony  
contained in that transcript I have? Is  
that her entire testimony?

MR. BURKE: Yes, it is, your

LOBBY CONFERENCE:

(PRESENT: The Court, both counsel, and Charlene Bullerwell).

THE COURT: The District Attorney informs me that he summonsed you in as a witness, that you have some reluctance about testifying, and that's the reason I had you come in, to have you tell me about it.

MS. BULLERWELL: Since the last time I was here, I've had several seizures because of all of this.

THE COURT: You mean physical seizures?

MS. BULLERWELL: Yes. And I'm on medication. I have had major brain surgery. I've been under a doctor's care since 1978.

THE COURT: I realize there's a lot of stress and strain to coming into Court, and I've informed counsel that if you want me to direct the cameramen -- see, I don't have any discretion to keep cameras out of the courtroom. It's a rule from the

1  
2 highest Court in this Commonwealth which  
3 says, "The Trial Judge shall allow the  
4 TV cameras in the courtroom", with certain  
5 exceptions, but I can direct the cameramen  
6 not to show your face. Do you follow me?  
7 Keep the cameras off your face. Would that  
8 help you out at all?

9 MS. BULLERWELL: I don't remember  
10 anything anyway. I don't even remember what  
11 I said the last time I was here.

12 THE COURT: Well in any case,  
13 we have a number of witnesses who are  
14 scheduled for this afternoon, and it doesn't  
15 look as if we're going to be able to reach  
16 you for your testimony...Do you understand...  
17 today.

18 MS. BULLERWELL: I don't have  
19 any testimony. I don't remember anything.

20 THE COURT: I'm just talking  
21 about the summons, which you have to answer.  
22 So it may be that you'll receive a summons  
23 to come back here sometime next week..do  
24 you follow me..and I've got no control over

1  
2 summonses. If a person doesn't come in  
3 who has been served with a summons, I can  
4 issue a capias to have them brought in,  
5 but whether either side wants to issue  
6 summonses for witnesses, I don't control  
7 it. I don't control the order of witnesses,  
8 nor do I control the witnesses that come in.  
9 That's purely up to the attorney. I cannot  
10 direct them in any way to bring a witness in  
11 or not bring a witness in.

12 So what I'm saying is, you  
13 may receive a summons to come back here  
14 sometime next week. If you have no memory  
15 of these events, you can say that on the  
16 witness stand.

17 MS. BULLERWELL: Why do I have  
18 to get on the witness stand? Why do I have  
19 to be subject to what I've already been  
20 subject to, which is basically why I am so  
21 ill now. I have an eleven year old son home  
22 that I have to take care of, and I'm having  
23 all I can do. They promised me that they  
24 would move me, they would pack my things. I



1  
2 got none of this. I got a check for  
3 two hundred dollars, and I moved myself.  
4 They told me my name wasn't going to get  
5 out; it was plastered all over the tele-  
6 vision, all over the front page of the papers.

7 THE COURT: I think you  
8 testified before me in March at a preliminary  
9 hearing?

10 MS. BULLERWELL: I was in here  
11 and testified once up on the stand, yes.

12 THE COURT: All I am saying is,  
13 we're not going to be able to use you today  
14 as a witness, as I understand it from counsel,  
15 but if you receive a summons to come back in  
16 here, you are going --

17 MS. BULLERWELL: I will come  
18 back, but I will not go in that courtroom.

19 THE COURT: You answer the  
20 summons the next time, and if you come back  
21 and decide not to go in the courtroom, we'll  
22 sit down in my lobby and you can tell me why.  
23 All right. Are there any other areas I should  
24 cover?

1  
2 MR. BURKE: I don't think so,  
3 your Honor.

4 THE COURT: All I'm saying to  
5 you is, if you are summonsed again, you should  
6 come back.

7 MS. BULLERWELL: I will come  
8 back.

9 THE COURT: If you do not want  
10 to testify, we will have the same setup in  
11 my lobby, with the court reporter, and you  
12 can tell me why you don't want to testify.  
13 All right?

14 MS. BULLERWELL: I don't  
15 remember anything.

16 THE COURT: Thank you very  
17 much.

18  
19 END OF LOBBY CONFERENCE.  
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