

SUPERIOR COURT OF NEW JERSEY
CRIMINAL DIVISION-HUDSON COUNTY
INDICTMENT NO: 0435-03-07
APP. DIV. NO. A-3348-11T3

STATE OF NEW JERSEY

COMPLAINANT

-VS-

ELMO M. RIVADENEIRA

DEFENDANT

TRANSCRIPT
OF
PROCEEDINGS
(TRIAL)

Place: Hudson County Courthouse
595 Newark Avenue
Jersey City, NJ 07306
Date: October 4, 2011

BEFORE:

THE HONORABLE PAUL M. DE PASCALE, J.S.C.

And a Jury

TRANSCRIPT ORDERED BY:

HELEN C. GODBY, ESQ.
(OFFICE OF THE PUBLIC DEFENDER)

APPEARANCES:

JOHN R. MULKEEN, ESQ.
(ASSISTANT PROSECUTOR, HUDSON COUNTY)
FOR THE STATE

JOHN ZUNIC, ESQ.
(JOHN ZUNIC, ESQ.)
FOR THE DEFENDANT

PATTIE JOHNSON, C.C.R.
OFFICIAL COURT REPORTER
HUDSON COUNTY COURTHOUSE
595 NEWARK AVENUE
JERSEY CITY, NEW JERSEY 07306

I N D E X

	WITNESSES	DIRECT	CROSS	REDIRECT	RECROSS
1	LT. EFRAIN DIAZ				
2	BY MR. MULKEEN	3		52	
3	BY MR. ZUNIC		37		55
4	INV. RAQUEL KRAUSE				
5	BY MR. MULKEEN	56		63	
6	BY MR. ZUNIC		59		63
7	ALEX CANCINOS				
8	BY MR. MULKEEN	68		100, 101	
9	BY MR. ZUNIC		83		101
10	P.O. JOHNS FLORIANI				
11	BY MR. ZUNIC	119			
12	BY MR. MULKEEN		125		
13	RIVADENEIRA				
14	BY MR. ZUNIC	126			
15	BY MR. MULKEEN		131		

INDEX TO EXHIBITS

	NUMBER	DESCRIPTION	IDENT.	EVD.
16	S-82	supp report xt 002	3	
17	S-83	supp report xt 006	3	
18	S-84	supp report xt 005	3	
19	D-9	accident report	3	
20	D-10	e-mail from insurance co.	3	
21	D-11	letter from insurance co.	3	
22	D-12	secure movement report	3	
23	S-21	report 10-2-06	3	
24	S-28B	report		
25	S-19	report buccal swabs		
26	S-20	from Defendant	3	
27	S-31	photo of vehicle		15
28	S-30	photo of vehicle		16
29	S-12	photo of International Body Lot		18
30	S-17	photo of car in lot		20
31	S-10	photo of stocking		23
32	S-11	photo of stocking		25
33	S-23	photo		26
34	D-13	report xt 37	61	

1 A I was confused, yes.

2 THE COURT: Do you have anything further, sir?

3 MR. ZUNIC: I do, Judge. Just one moment.

4 Q Sir, on the charges currently pending against
5 you, the first degree charge, in fact, you said many
6 years but, in fact, it is potentially 20 years in
7 State's Prison, correct?

8 A Yes.

9 Q And now you're hoping or it is likely you
10 will obtain a dismissal, correct?

11 A Correct.

12 Q And that dismissal likelihood only came into
13 place after you agreed to testify here, correct?

14 A Yes.

15 MR. ZUNIC: If I could just have a moment,
16 Judge. I just need to find something. It should be
17 quick.

18 Q Going back to the receipts at the auto shop
19 that you would see --

20 A Okay.

21 Q -- do you recall two weeks ago when I asked
22 you whether the only handwriting you would see on those
23 receipts was his signature, you told me yes, correct?

24 A Yes.

25 Q But now, today, you are telling us that

CERTIFICATION

I, PATTIE JOHNSON, License Number XI01125,
an Official Court Reporter in and for the State of New
Jersey, do hereby certify the foregoing to be prepared
in full compliance with the current Transcript Format
for Judicial Proceedings and is a true and accurate
non-compressed transcript to the best of my knowledge
and ability.

Pattie Johnson, CCR August 12, 2014
Official Court Reporter Date:

HUDSON COUNTY COURTHOUSE