

1 IN THE UNITED STATES DISTRICT COURT  
 2 FOR THE DISTRICT OF WYOMING

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 4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 vs.

7 NATHANIEL SOLON,

8 Defendant.  
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Case No. 07-CR-032-B  
 Volume VI of VI (PARTIAL)  
 (Pages 1-8)  
 Cheyenne, Wyoming  
 November 10, 2008  
 9:55 a.m.

10 TRANSCRIPT OF TRIAL PROCEEDINGS  
 11 RENDITION OF VERDICT

12 BEFORE THE HONORABLE CLARENCE A. BRIMMER  
 13 UNITED STATES DISTRICT JUDGE  
 and a jury of twelve

14 APPEARANCES:

15 For the Plaintiff:

MR. JAMES C. ANDERSON  
 Assistant United States Attorney  
 UNITED STATES ATTORNEY'S OFFICE  
 District of Wyoming  
 2120 Capitol Avenue, Suite 4000  
 P.O. Box 668  
 Cheyenne, Wyoming 82003

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 19 For the Defendant:

MR. THOMAS R. SMITH  
 Attorney at Law  
 CHAPMAN VALDEZ  
 125 West Second Street  
 P.O. Box 2710  
 Casper, Wyoming 82602

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 23 Court Reporter:

MRS. JANET DAVIS, RMR, FCRR  
 Federal Official Court Reporter  
 2120 Capitol Avenue, Room 2228  
 Cheyenne, Wyoming 82001  
 jan\_davis@wyd.uscourts.gov

## P R O C E E D I N G S

(Trial proceedings reconvened

9:50 a.m., November 10, 2008.)

(Closing arguments, jury instructions transcribed  
and contained in separate volume.)

THE COURT: Members of the jury, have you reached a  
verdict?

THE FOREPERSON: We have.

THE COURT: The bailiff will please present the  
verdict.

THE COURT: Members of the jury, you will harken unto  
your verdict.

1. We, the jury, duly impaneled in the above-entitled  
case, as to the charge contained in Count 1 of the superseding  
Indictment (possession of child pornography), against the  
defendant herein, Nathaniel Solon, unanimously find as follows:  
Guilty.

2. We, the jury, duly impaneled in the above-entitled  
case, as to the charge contained in Count 2 of the superseding  
Indictment (attempted receipt of child pornography), against  
the defendant herein, Nathaniel Solon, unanimously find as  
follows: Guilty.

Dated this 10th day of November, 2008. Let me have  
the thing -- -- and it is signed Harold Guile. I couldn't  
think of your first name.

1 Members of the jury, was this and is this your  
2 verdict?

3 THE JURY: Yes.

4 THE COURT: The clerk will please poll the jury.

5 THE CLERK: Linda Robbins, was this and is this your  
6 verdict?

7 MS. ROBBINS: Yes.

8 THE CLERK: Harold Guile, was this and is this your  
9 verdict?

10 MR. GUILLE: Yes.

11 THE CLERK: Lisa Donner, was this and is this your  
12 verdict?

13 MS. DONNER: Yes.

14 THE CLERK: Felicia Raimondi, was this and is this  
15 your verdict?

16 MS. RAIMONDI: Yes.

17 THE CLERK: Kevin Waldo, was this and is this your  
18 verdict?

19 MR. WALDO: Yes.

20 THE CLERK: Kevin Marschner, was this and is this your  
21 verdict?

22 MR. MARSCHNER: Yes.

23 THE CLERK: Kim Furman, was this and is this your  
24 verdict?

25 MS. FURMAN: Yes.

1 THE CLERK: Drew Nichols, was this and is this your  
2 verdict?

3 MR. NICHOLS: Yes.

4 THE CLERK: Christopher Massey, was this and is this  
5 your verdict?

6 MR. MASSEY: Yes.

7 THE CLERK: Meryle Derald, was this and is this your  
8 verdict.

9 MR. DERDALL: Yes.

10 THE CLERK: Lauren Furtney, was this and is this your  
11 verdict?

12 MS. FURTNEY: Yes.

13 THE CLERK: Gregory Cunningham, was this and is this  
14 your verdict?

15 MR. CUNNINGHAM: Yes.

16 THE COURT: Judgment may be entered on the verdict.

17 Mr. Solon, you've been tried and found guilty by a  
18 jury of your peers. It is my duty to advise you that you have  
19 a right to appeal. The appeal will be exercised by filing a  
20 Notice of Appeal from this court to the Court of Appeals of the  
21 Tenth Circuit in Denver. The appeal must -- notice must be  
22 filed within ten days of this date or else you will not avail  
23 yourself of the right of appeal.

24 And it is now my duty to advise you that you must be  
25 interviewed by a member of our probation office. They aren't

1 in their office at this time of night. It is a little after  
2 5:00, and, like all good feds, they've gone home. But one of  
3 the members of the probation office will seek to interview you,  
4 I presume, on Wednesday.

5 And we may have to arrange for that, Marshals, so that  
6 he's available for the interview. I think maybe the Marshals  
7 better exercise the laboring oar and see when they want him for  
8 the interview and then have him here for that.

9 Now, the Presentence Report, Ned, will be probably 20  
10 pages long, if it is a page. I would guess that would be about  
11 a minimum. It is single spaced, too, and when I get done  
12 reading it, I will certainly know everything about you. You  
13 and Mr. Smith have the opportunity to read it and review it to  
14 be sure that it is correct, and the Government also has that  
15 same opportunity. If there are things that are not correct,  
16 you have a right to file an objection thereto, and so does the  
17 Government.

18 Now, what happens is that because this report is so  
19 extensive and everything in it is double-checked, that it takes  
20 at least 30 days to prepare it. And then this process of  
21 handing it back and forth is going to be a difficult problem  
22 too, and that is going to take another month. So I doubt I  
23 will be seeing you anytime sooner than, say, ten weeks from now  
24 would be my guess. And until then you're remanded to the  
25 custody of the Marshal.

1           And, ladies and gentlemen of the jury, I now dismiss  
2 you from your jury service. And I can tell by the expressions  
3 on your faces that this wasn't easy. And it never is. Never  
4 yet have I seen a jury that found it that way. But you've been  
5 great. You have done your duty. And you have performed it  
6 with goodwill and you have, I'm sure, considered everything  
7 about the case that you possibly could, and we appreciate that.

8           It is my duty to read you a portion of the local rules  
9 of this court. And this is regarding conduct of communications  
10 with trial jurors after trial.

11           No juror has any obligation to speak to any person  
12 about any case and may refuse all interviews and comments. No  
13 person may make repeated requests for interviews or comments  
14 after a juror has expressed a desire not to be interviewed or  
15 questioned.

16           Voluntary interviews: If any juror consents to be  
17 interviewed after trial, under no circumstances shall such  
18 juror disclose or be asked to disclose any information with  
19 respect to the specific vote of any juror other than the juror  
20 being interviewed or with respect to the deliberations of the  
21 jury.

22           And sub (D), conduct of counsel following the  
23 rendition of the verdict by a jury: Counsel in the case shall  
24 not thank the jury for their verdict.

25           And (E), Court's advice to jurors at the time that a

1 jury is discharged from further consideration on return of a  
2 verdict or the declaration of a mistrial or otherwise and when  
3 the jurors are excused or discharged: The Court shall advise  
4 all jurors so discharged or excused of the provisions of this  
5 rule, which I have hereby done.

6 And since Counsel can't thank you, I'm sure that I am  
7 at liberty on their behalf to thank you. You have been very,  
8 very attentive. I don't think there's one of you that missed a  
9 word. And your serious demeanor makes me think that this was a  
10 task that you approached with very serious demeanor and you've  
11 done your duty. And thank you very, very much for it.

12 We will stand in recess.

13 (Trial proceedings concluded

14 5:40 p.m., November 10, 2008.)

C E R T I F I C A T E

I, JANET DAVIS, Federal Official Court Reporter for the United States District Court for the District of Wyoming, a Registered Merit Reporter and Federal Certified Realtime Reporter, do hereby certify that I reported by machine shorthand the foregoing proceedings contained herein on the aforementioned subject on the date herein set forth, and that the foregoing pages constitute a full, true and correct transcript.

Dated this 21st day of March, 2009.



A handwritten signature in black ink that reads "Janet Davis". The signature is fluid and cursive.

JANET DAVIS  
 Federal Official Court Reporter  
 Registered Merit Reporter  
 Federal Certified Realtime Reporter