

ORIGINAL

IN THE
SUPREME COURT OF OHIO

STATE OF OHIO : NO. 2010-1406
Plaintiff-Appellee :
vs. :
MARK PICKENS :
Defendant-Appellant :

JOINT CERTIFICATION OF SUPPLEMENTAL TRANSCRIPT TO VOLUME 19

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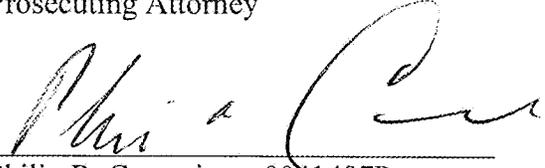
FILED
MAR 28 2014
CLERK OF COURT
SUPREME COURT OF OHIO

RECEIVED
MAR 28 2014
CLERK OF COURT
SUPREME COURT OF OHIO

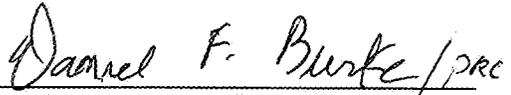
Pursuant to and in compliance with this Court's order dated February 27, 2014, the parties hereby jointly file the attached supplemental transcript to Volume 19 of the Transcript of Proceedings. As this Court correctly noted, pages 2036 through 2054 of Volume 19 do not contain an accurate transcription of State's Exhibit 39. Attached is an accurate 10 page transcription of Cynthia Evans' 9-1-1 call to police – State's Exhibit Number 39.

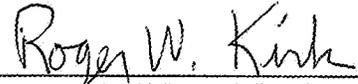
Respectfully,

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COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO
CRIMINAL DIVISION

- - - -

STATE OF OHIO,)
)
Plaintiff,)
)
MARK PICKENS,)
)
Defendant.)

CASE NO: B0905085

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911 CALLS

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JUNE 2, 2009

UNIDENTIFIED FEMALE: Could you send the police to 421 East 13th Street? There's some people in this house that's dead.

OPERATOR: Okay, what happened?

UNIDENTIFIED FEMALE: I don't know, some girl went to the door, came out screaming. She's screaming saying, she won't wake up, saying the baby is bleeding.

OPERATOR: And there's a child and a female inside?

UNIDENTIFIED FEMALE: Yes, or three bodies or something inside. The girl is screaming. I just went to the house, in the house with the guy. He ran back out saying, no, no, no.

OPERATOR: You are going to talk to our medical call taker. I'm going to go ahead and get him started, okay?

UNIDENTIFIED FEMALE: Okay, but --

MEDICAL OPERATOR: Hello?

UNIDENTIFIED FEMALE: I'm on the phone with the police.

1 MEDICAL OPERATOR: Hi, medical;
2 what's your emergency?

3 UNIDENTIFIED FEMALE: 421 East 13th
4 Street.

5 MEDICAL OPERATOR: Apartment
6 number?

7 UNIDENTIFIED FEMALE: First floor.

8 MEDICAL OPERATOR: What's the
9 problem there?

10 UNIDENTIFIED FEMALE: Is she shot?

11 UNIDENTIFIED MALE: I don't know,
12 she ain't -- ain't nobody moving.

13 UNIDENTIFIED FEMALE: Ain't nobody
14 moving, won't get out of -- oh, God.

15 MEDICAL OPERATOR: How many people
16 are there?

17 UNIDENTIFIED FEMALE: I think it's
18 three. I went in but I had to turn
19 around because he started screaming.

20 MEDICAL OPERATOR: Okay, I have
21 someone started.

22 UNIDENTIFIED FEMALE: Someone's
23 been shot.

24 MEDICAL OPERATOR: Do you see
25 anyone bleeding?

1 UNIDENTIFIED FEMALE: We can't get
2 back in the house. We ran out of the
3 house and the door locked on us.

4 MEDICAL OPERATOR: Are they --

5 UNIDENTIFIED FEMALE: Huh?

6 MEDICAL OPERATOR: Are they in the
7 hallway?

8 UNIDENTIFIED FEMALE: They are in
9 the house. In the house is a girl. I
10 think it's a baby laying on her. And he
11 walked to the side, and there's got to be
12 another body right there.

13 MEDICAL OPERATOR: Okay. What
14 apartment are they in?

15 UNIDENTIFIED FEMALE: I'm at 421
16 East 13th, on the first floor. I don't
17 know the apartment. We just locked
18 ourself out.

19 MEDICAL OPERATOR: You can't get
20 back in to them?

21 UNIDENTIFIED FEMALE: No.

22 MEDICAL OPERATOR: What's the phone
23 number?

24 UNIDENTIFIED FEMALE: My cell phone
25 is 225-3950.

1 MEDICAL OPERATOR: Okay, we have
2 help on the way, okay?

3 UNIDENTIFIED FEMALE: (Inaudible.)

4 MEDICAL OPERATOR: Ma'am?

5 UNIDENTIFIED FEMALE: We heard
6 about how many, about six shots. We
7 thought it was firecrackers. Yeah, yeah.
8 Pow, pow, pow, pow.

9 MEDICAL OPERATOR: Was the front
10 door open to the apartment?

11 UNIDENTIFIED FEMALE: It was
12 cracked. The girl -- where did she go?
13 I don't even know these people. She went
14 around the corner. She just came out
15 screaming like ah, ah. And we were
16 sitting on the church steps. And I was
17 like, what's the matter? She ain't
18 getting up. She ain't getting up. So
19 this guy out there, he was like, ma'am,
20 will you walk in there with me? So I go
21 back and say, hey, hey, anybody here?
22 Some girl on the couch, and it looked
23 like she was holding a baby, but the room
24 was dark. So we were walking around the
25 corner. And he's looking like no, no,

1 somebody else is in there, and we heard
2 the shots. We thought it was
3 firecrackers.

4 MEDICAL OPERATOR: You didn't see
5 who was shooting?

6 UNIDENTIFIED FEMALE: No, we
7 thought it was firecrackers out behind
8 the building. We were sitting on the
9 church steps.

10 MEDICAL OPERATOR: All right.
11 Where is the lady who ran out screaming?

12 UNIDENTIFIED FEMALE: One of the
13 ladies who was screaming, I don't know,
14 she ran off.

15 MEDICAL OPERATOR: Okay. The
16 police and fire are on the way. If you
17 can get back in to check on them, call me
18 back. They are on the way.

19 UNIDENTIFIED FEMALE: Somebody
20 needs to get in there. The police are
21 going to get in through the window.

22 MEDICAL OPERATOR: They'll get in.
23 Fire is coming, and we can force entry;
24 that's not a problem. But if you can get
25 back in before they get there, you let me

1 know so we can check on them.

2 UNIDENTIFIED FEMALE: Do you want
3 me to break in the window?

4 MEDICAL OPERATOR: If you don't
5 feel comfortable, the firemen can do that
6 when they get there, okay?

7 UNIDENTIFIED FEMALE: Okay. We
8 heard shots. Yeah, we'll kick the door
9 in. We heard shots. Okay, okay, we are
10 back in.

11 MEDICAL OPERATOR: Ma'am?

12 UNIDENTIFIED FEMALE: Yeah?

13 MEDICAL OPERATOR: Are you in
14 there?

15 UNIDENTIFIED FEMALE: The baby,
16 there's two babies and a girl --

17 MEDICAL OPERATOR: The baby --

18 UNIDENTIFIED FEMALE: They ain't
19 moving.

20 MEDICAL OPERATOR: Do you see any
21 blood, ma'am?

22 UNIDENTIFIED FEMALE: I see some
23 blood. Everybody is screaming. How many
24 people are over there now? We see three.
25 They ain't moving.

1 MEDICAL OPERATOR: Listen. Are
2 they breathing?

3 UNIDENTIFIED FEMALE: They shot in
4 the head.

5 MEDICAL OPERATOR: They are shot?

6 UNIDENTIFIED FEMALE: I guess.
7 Some guy just went to look and the room
8 is dark.

9 MEDICAL OPERATOR: would you go and
10 check if they are breathing? I know it's
11 hard.

12 UNIDENTIFIED FEMALE: There's two
13 babies and a girl.

14 MEDICAL OPERATOR: Okay, listen to
15 me. I understand, ma'am.

16 UNIDENTIFIED FEMALE: The police
17 are here.

18 MEDICAL OPERATOR: Okay, you better
19 talk to them.

20 UNIDENTIFIED FEMALE: Uh-huh.

21 MEDICAL OPERATOR: All right.

22 (End of call.)

23 - - -

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1 (Next tape.)

2 UNIDENTIFIED FEMALE: Hello?

3 MEDICAL OPERATOR: Yes, ma'am.

4 This is Cincinnati Police Communications.
5 We got a 911 call.

6 UNIDENTIFIED FEMALE: They already
7 out there, though. Somebody's baby got
8 killed or something.

9 MEDICAL OPERATOR: Okay.

10 UNIDENTIFIED FEMALE: All right.

11 MEDICAL OPERATOR: All right,
12 ma'am.

13 UNIDENTIFIED FEMALE: Thank you.

14 MEDICAL OPERATOR: Uh-huh.

15 (End of call.)

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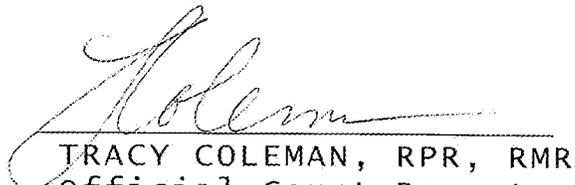
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CERTIFICATE

I, TRACY COLEMAN, the undersigned, an Official Court Reporter for the Hamilton County Municipal Court, do hereby certify that I recorded in stenotype from a Compact CD and thereafter transcribed the within nine pages, and that the foregoing Transcript of Proceedings is a true, complete, and accurate transcript of my said stenotype notes of the taped call.

IN WITNESS WHEREOF, I hereunto set my hand this 19th day of January , 2010.


TRACY COLEMAN, RPR, RMR
Official Court Reporter
Municipal Court
Hamilton County, Ohio