

**IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI**  
**19<sup>TH</sup> JUDICIAL CIRCUIT COURT**

Now on this 22nd day of December, 2011, comes the above-entitled cause for the purpose of entering a pre-trial order concerning the trial of State of Missouri v. Alyssa Bustamante.

**LOCATION OF THE TRIAL AND GENERAL CONSIDERATIONS**

Due to the heightened interest in this case, the necessity of protecting the litigants and the jurors, and to ensure the integrity of the court process, the Court will hear the case in the United States Courthouse for the Western District of Missouri, Central Division, 80 Lafayette Street, Jefferson City, Mo., commencing January 30, 2012, through special arrangement with the Western District federal chief judge, judges en banc and most especially federal Judge Nanette K. Laughrey.

In deciding to try the case in the Western District Courthouse, this Court:

- Examined the physical layout of the Cole County Courthouse with consultants representing security and media interests, as well as the caseloads of the other three divisions of the Cole County Circuit Court, for the two-week trial.
- For the case to be tried in the Cole County Courthouse, security considerations would require the other three divisions of the Court to cancel their case events and reschedule for other dates. It is estimated that more than 1,000 cases would need to be rescheduled for appearance or trial, causing undue delay for those litigants. Additional burdens would be placed on the public to access needed courthouse services – including those of other county officials – at another location.
- The Court is especially grateful to the Western District Court in allowing us access to the federal courthouse facilities for the trial of this case. Those facilities are a much more appropriate location to ensure the integrity of the court process and security of the participants.

The Western District is allowing us the use of two courtrooms – one in which to conduct the trial and another in which we will be allowed to provide simultaneous closed-circuit coverage of the trial from which additional members of the public and media will be able to view the proceedings. This closed-circuit feed of audio and video from the main courtroom is only for the use of allowing the trial to be watched live from the auxiliary courtroom and may not be used for media coverage or any other use. The same rules of procedure and decorum will apply in both courtrooms.

The trial of this case is scheduled to begin Monday, January 30, 2012. The parties have indicated it may take up to two weeks to present the case. The Court has no way to know, however, how long the trial actually will take.

## GENERAL RULES OF COURT

Pursuant to the rules of the U.S. District Court for the Western District of Missouri, and as guests of that federal district court, the following rules will be observed:

1. No cell phones, smart phones, computers, laptops, tablets, or any other electronic devices capable of recording, photographing or video-recording will be allowed in either courtroom or in the courthouse itself.
2. No food or drink will be allowed in either courtroom.
3. All persons will be subject to search.
4. Any person violating those rules will be removed from the courtroom and not allowed re-entry for the duration of the trial.
5. No member of the media or public who needs to leave the courtroom during court proceedings will be allowed re-entrance without permission of the Court or until the Court takes a recess.

## MEDIA COVERAGE

1. Notwithstanding rules prohibiting cameras in federal courtrooms during court proceedings, even had this case been tried in a state courtroom, requests for cameras or other media recording devices would have been denied in light of issues raised by the parties.
2. The media will be allocated a total of eight seats in the courtroom in which the case will be tried. Four of those seats will be designated for use by members from the local Jefferson City-Columbia media market, and the other four seats will be designated for use by members from other media.
3. An additional eight seats will be reserved for members of the media in the auxiliary courtroom. Up to four of those seats shall be reserved for members from the Jefferson City-Columbia media market, with the remaining seats reserved for use by members from other media. Any remaining members from the media interested in coverage will be treated as a member of the general public for the public seating available in the auxiliary courtroom and must follow the procedure described below for obtaining gallery passes. The Court reserves the right to reserve, in its discretion, additional seats in either courtroom for members of the media.
4. Although no electronic coverage is permissible from the courthouse or its courtrooms, all media outlets interested in attending proceedings nonetheless shall make their requests to the media coordinator as soon as possible pursuant to the provisions of Supreme Court Operating Rule 16 but absolutely no later than 4 p.m. Friday,

January 20, 2012. The determination of which media representatives will occupy the designated media seats in each courtroom shall be determined by the media coordinator – Bob Watson of the Jefferson City News-Tribune, [bwatson@newstribune.com](mailto:bwatson@newstribune.com) – pursuant to the provisions of COR 16.02 and its relevant commentary, including the commentary to COR 16.02(a). A list of the names of which media representatives are designated to occupy which of the 16 seats for each of the 10 business days reserved for the trial shall be provided to the Court and the appropriate security personnel no later than 5 p.m. the previous business day. The Court has no way to know, however, how long the trial actually will take. Media designations remain valid only so long as the case continues to be tried; once it is submitted to the jury, designations for any future days become invalid.

5. It is incumbent on all members of the media, however, to ensure that the media coordinator has a valid cell phone number for them. Whenever the jury indicates to the Court that it has arrived at a verdict, the Court – through the media coordinator, Bob Watson of the Jefferson City News-Tribune – will give up to 30 minutes' notice to those members of the media that the jury has reached a verdict. All members of the media pool displaying proper photographic credentials, as discussed below, will then be granted entrance into the courtroom for the reading of the verdict.
6. Members of the media attending the trial in either courtroom will be expected to display photographic credentials (Photo ID/Driver's License) identifying the person and the media organization for which the person works. These credentials will be checked against the list of names provided for each day by the media coordinator.
7. The media may provide one sketch artist to sit in the main courtroom to provide sketches to the entire media pool. This artist will be given a seat in the main courtroom in addition to the eight seats in that courtroom otherwise reserved for members of the media.
8. There will be no cell phones, smart phones, computers, laptops, tablets, or any other electronic devices capable of recording, photographing or video-recording allowed in the federal courthouse. Any transmissions from such devices will be allowed outside the federal courthouse.
9. No member of the media or public who needs to leave the courtroom during court proceedings will be allowed re-entrance without permission of the Court or until the Court takes a recess.

#### GALLERY PASSES FOR MEMBERS OF THE PUBLIC

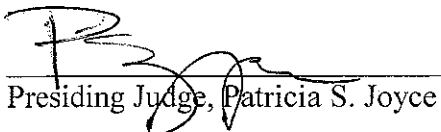
To provide for the orderly entrance of members of the public who wish to observe the trial, the following procedures shall apply.

1. There will be a total of 34 seats available for members of the public. Of these, 14 seats are available in the main courtroom, with the other 20 seats in the auxiliary

courtroom. Any remaining seats are reserved for members of the families, the media, and court and other legal staff as assigned by the Court. No member of the public will be provided admittance to either courtroom without a valid gallery pass and a photographic identification.

2. Any member of the public who wishes to obtain a gallery pass must complete certain requirements – bring a photographic identification (Photo ID/Driver’s License) and fill out a form – in Room 305, Cole County Courthouse, 301 E. High, Jefferson City, Mo., no later than 4 p.m. Friday, January 20, 2012. A person must indicate the date(s) for which the person is seeking a gallery pass.
3. The gallery applications for each of the 10 business days reserved for the trial will be drawn at random. The Court has no way to know, however, how long the trial actually will take. Gallery passes remain valid only so long as the case continues to be tried; once it is submitted to the jury, passes for any future days become invalid.
4. Persons will be notified by telephone no later than 10 a.m. Wednesday, January 25, 2012, whether they are eligible to obtain a gallery pass for a particular day’s trial. Messages will not be left; persons must provide to the Court a valid and working telephone number the person will be able to answer. Please wait for a telephone call; do not call the Court, as this will prevent the Court from being able to notify those members of the public who are to receive gallery passes.
5. Persons notified they are receiving passes must pick up their gallery passes no later than 4 p.m. Friday, January 28, 2012, in Room 305 of the Cole County Courthouse, 301 E. High St., Jefferson City, Mo. Each person must pick up his or her own gallery pass. Each pass will designate the courtroom into which the person has been granted access.
6. To gain access to the designated courtroom, the person must present his or her gallery pass and a photographic identification by 8:15 a.m. at the designated courtroom in the U.S. District Courthouse, 80 Lafayette Street, Jefferson City, Mo.
7. Members of the gallery shall obey all courtroom requirements and shall not be allowed access to cell phones, smart phones, computers, laptops, tablets, or any other electronic devices capable of recording, photographing or video-recording.
8. No member of the media or public who needs to leave the courtroom during court proceedings will be allowed re-entrance without permission of the Court or until the Court takes a recess.

SO ORDERED this 22nd day of December, 2011.

  
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Presiding Judge, Patricia S. Joyce