

Audio File 3HO-23-00295CR_08-01-2024_10-05-31.mp3

Transcript

00:21:41 Speaker 3

The instructions that I received, the evidence that was presented to the grand jury, the questions that the grand jurors had in the course of the proceedings are all accurately reflected in the record that has been submitted to the.

00:21:51 Speaker 3

Court further my arguments as outlined in my opposition. I won't repeat them. I believe that this time is best used to address Mr. Petunia's arguments.

00:22:01 Speaker 3

And also to address sort of the intent that led the intent of the grand jurors, as I understood it and my intent as it led to the indictment.

00:22:11 Speaker 3

It's actually, there's very little I disagree with Mr. Petunias. I think he accurately reflected what happened in terms of the facts, but I think it's important for the Court to consider, particularly in light of the the the record of the grand jury that that the grand jurors were not intending to set up Judge Murphy.

00:22:30 Speaker 3

For perjury or for any crime.

00:22:32 Speaker 3

That at the time that Judge Murphy testified on November 3rd, 2022, the grand jury wasn't viewing her as a target of its investigation. It was not viewing her necessarily as someone that they expected would be evasive or would not be truthful in her testimony. I think the record is clear that when she testified on November 3rd.

00:22:52 Speaker 3

She and the grand jurors understood she was testifying about what happened during Mr. Haeg's trial in 2004 and 2005.

00:23:01 Speaker 3

And very clearly, the grand jury was not planning to indict Judge Murphy or anyone else in in November 2022. It wasn't until January 2023 when the grand jury received some correspondence between Judge Murphy and the Alaska Commission for Judicial Conduct that.

00:23:20 Speaker 3

There appeared to be a discrepancy between her testimony and what she had written to the Commission, and that's what led to the further discussion of potential perjury charges, including the instruction that I provided.