

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL PART
PASSAIC COUNTY
INDICTMENT NO. 14-02-0094-I
A.D. #A-001915-15-T2

STATE OF NEW JERSEY,
vs.
ARCADIO J. NOVA,
Defendant.

TRANSCRIPT
OF
TRIAL

Place: Passaic County Courthouse
77 Hamilton Street
Paterson, NJ 07505

Date: July 24, 2015
Volume 1 of 2, pages 1 to 200

B E F O R E:

HONORABLE MARILYN C. CLARK, J.S.C. AND JURY

TRANSCRIPT ORDERED BY:

DEBORAH C. COLLINS, ESQ.,
(Office of the Public Defender, Appellate Section)

A P P E A R A N C E S:

KELLY M. WALSH, ESQ.,
(Assistant County Prosecutor),
Attorney for the Plaintiff.

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Audio Recorded
Recording Opr: Alma Gomez

1 blue a Direct -- Direct TV shirt, and a little thin,
2 kind of like a blue, like a --

3 MS. HENRIQUEZ: Okay. So it was the Direct
4 TV shirt, and what color was the -- the shirt was blue?

5 SCARLET: Uh-huh.

6 MS. HENRIQUEZ: Okay. And how about the
7 pants. What kind of pants?

8 SCARLET: The pants were kind of khaki.

9 MS. HENRIQUEZ: Khaki. Okay. Now, Scarlet,
10 when you said it said Direct TV on his shirt, where on
11 his shirt was it? Just on one -- the one side?

12 SCARLET: Uh-huh.

13 MS. HENRIQUEZ: Okay. All right. It wasn't
14 like in big letters or anything like that? Now,
15 Scarlet, was he wearing, like, something else, like a
16 jacket or maybe a belt or something like that? No?

17 Now, Scarlet, I know you said you don't know
18 the guy's name. Did you see the guy -- did you see his
19 face? Now what does he look like?

20 SCARLET: He doesn't have, like, hair.

21 MS. HENRIQUEZ: Okay.

22 SCARLET: Because he has like a little bit.

23 MS. HENRIQUEZ: Of hair.

24 SCARLET: Like the part didn't show.

25 MS. HENRIQUEZ: Okay. So he had a little bit

1 of hair.

2 SCARLET: And --

3 MS. HENRIQUEZ: All over or just on, like,
4 the sides, or --

5 SCARLET: All over.

6 MS. HENRIQUEZ: Okay.

7 SCARLET: His hair was kind of your color.

8 MS. HENRIQUEZ: Like my color. How about
9 hair on his face? Did he have, like, a moustache or
10 beard, or something like that? No? Okay. How about
11 the color of his skin?

12 SCARLET: He was just like your color skin.

13 MS. HENRIQUEZ: Like my color?

14 SCARLET: Yes. But without the dots.

15 MS. HENRIQUEZ: Yes. Okay. Scarlet, I know
16 that you -- you -- eyes like -- you notice that I have
17 -- I have freckles on my -- my skin. Now was there
18 something about the guy's skin that was different, like
19 maybe he had, like -- like a mark or a mole or
20 something on his skin that was different? No?

21 SCARLET: I don't think he --

22 MS. HENRIQUEZ: Okay. That's okay. If you
23 don't know something, that's okay. Just let me know
24 that. Okay? Scarlet, did he have, like, I know you
25 said he had a little bit of hair on his head, how about

1 on the rest of his face? Like, does he have eyebrows,
2 like --

3 SCARLET: His eyebrows were your color too.

4 MS. HENRIQUEZ: His eyebrows were like my
5 color. Okay. Were they like -- like, I know I have a
6 little bit of hair on my eyebrows. Were they like
7 mine, or were they -- was there something different?

8 SCARLET: His eyes (sic) were like a little
9 bit -- a little bit pale.

10 MS. HENRIQUEZ: Okay. All right. Now --
11 okay. Scarlet, you said this happened at your house.
12 And it happened --

13 SCARLET: On the first floor.

14 MS. HENRIQUEZ: On the first floor. Okay.
15 And you said you live on the third floor. All right.
16 Now how did you know to go to the first floor? Like
17 how did you end up on the first floor?

18 SCARLET: He told me to hold the door which
19 was on the first floor.

20 MS. HENRIQUEZ: Okay. Now what did you have
21 to hold the door for?

22 SCARLET: Because the door closes, and it has
23 a lock.

24 MS. HENRIQUEZ: Okay. So, Scarlet, when you
25 went to hold the door for this guy, was he outside of

CERTIFICATION

I, Cathy E. Betz, the undersigned
transcriber, do hereby certify that the following
transcript of the proceedings in the Passaic County
Superior Court, Law Division, on July 24, 2015, CD No.
7/24/15, Index Nos. 9:10:17 to 10:44:49, 11:12:00 to
12:30:24, 1:42:48 to 2:55:37, and 4:12:48 to 4:40:24,
is prepared in full compliance with the Transcript
Format for the Judicial proceedings, and is a true and
accurate non-compressed transcript of the proceeding.

Cathy Betz Date: 4/8/16

Cathy Betz, AD/T 540
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