

## DIV 4 - McCabria, James

---

**From:** DA - Valdez, Suzanne  
**Sent:** Thursday, March 4, 2021 12:10 PM  
**To:** DIV 4 - McCabria, James; DIV 1 - Hanley, Amy  
**Cc:** DA - Melton, David; DA - Seiden, Joshua; DA - Kliem, Dorothy; SH ext - Flory, Dale  
**Subject:** RE: Meeting regarding keeping jury trials at LEC

Thank you both for agreeing to meet. The sooner the better for us so let's plan on tomorrow at 9:30. Glad to meet in person if this arrangement works for you. Shall we meet in Judge McCabria's courtroom? I've included Dale Flory on this email so he can attend as well.



**Suzanne Valdez | District Attorney**  
**Douglas County District Attorney's Office**  
111 East 11<sup>th</sup> Street | Lawrence, KS 66044  
(785) 841-0211 | [svaldez@douglascountyks.org](mailto:svaldez@douglascountyks.org)



**Important Notice for Email Recipients:** This communication and any attachments contain information intended for the sole use of the individual(s) to whom it is addressed and may be privileged or confidential. If the reader of this communication is not the intended recipient, or an agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication and/or attachments is strictly prohibited. If this communication was received in error, please notify the sender by reply email or contact the Office of the District Attorney - 7th Judicial District of Kansas, at (785) 841-0211 to report this error, and completely delete the message and any attachments from your computer system.

**From:** DIV 4 - McCabria, James <[jmccabria@douglascountyks.org](mailto:jmccabria@douglascountyks.org)>  
**Sent:** Thursday, March 4, 2021 11:35 AM  
**To:** DA - Valdez, Suzanne <[svaldez@douglascountyks.org](mailto:svaldez@douglascountyks.org)>; DIV 1 - Hanley, Amy <[ahanley@douglascountyks.org](mailto:ahanley@douglascountyks.org)>  
**Cc:** DA - Melton, David <[dmelton@douglascountyks.org](mailto:dmelton@douglascountyks.org)>; DA - Seiden, Joshua <[jseiden@douglascountyks.org](mailto:jseiden@douglascountyks.org)>; DA - Kliem, Dorothy <[dkliem@douglascountyks.org](mailto:dkliem@douglascountyks.org)>  
**Subject:** RE: Meeting regarding keeping jury trials at LEC

Ms. Valdez - Sorry for the delay in responding to your request to meet and discuss trial venues. We agree, these are important issues.

Judge Hanley and I have availability tomorrow to meet with you and your staff, Friday, March 5 at 9:30 a.m. If that time works for you, let me know whether you prefer in-person or Zoom. If Zoom, I will have Ms. Wade send the invite. If that won't work, let's have Dorothy coordinate with Ms. Wade and Mr. Knowles for a date early next week.

Respectfully,

Jim McCabria  
Chief District Court Judge  
Division 4  
Douglas County Kansas

**From:** DA - Valdez, Suzanne <svaldez@douglascountyks.org>  
**Sent:** Wednesday, March 3, 2021 2:13 PM  
**To:** DIV 4 - McCabria, James <jmccabria@douglascountyks.org>; DIV 1 - Hanley, Amy <ahanley@douglascountyks.org>  
**Cc:** DA - Melton, David <dmelton@douglascountyks.org>; DA - Seiden, Joshua <jseiden@douglascountyks.org>; SH ext - Armbrister, Jay <jarmbrister@dgso.org>; SH ext - Flory, Dale <dflory@dgso.org>; DA - Kliem, Dorothy <dkliem@douglascountyks.org>  
**Subject:** Meeting regarding keeping jury trials at LEC

Judges,

I'd like to set up a meeting with you to discuss concerns about conducting jury trials at the Fairgrounds. Our first trial in April (in Division 1) involves Michael Hormell, a defendant with a violent criminal past, who is charged with Attempted Second Degree Murder, Agg Robbery, and Conspiracy to Commit Agg Robbery. Mr. Hormell has a B criminal history and has been disruptive in jail while he awaits trial.

The State is not at all comfortable with trying these serious cases at a make-shift courthouse where there is co-mingling of the attorneys, the defendant, and the jurors. Also, our staff is not comfortable driving to and parking at the Fairgrounds. I've heard great concern from my staff and from law enforcement about this plan to conduct trials in a venue that is not properly secured. There are also a questions about firearms and where law enforcement will store their firearms when they are testifying.

For these reasons and many more, I am asking that the jury trials now set for April (which we will assume will go if the defendant is in custody) be held at the LEC.

Please let us know when we can speak about this very important matter.

Respectfully, Suzanne



**Suzanne Valdez** | *District Attorney*  
**Douglas County District Attorney's Office**  
111 East 11<sup>th</sup> Street | Lawrence, KS 66044  
(785) 841-0211 | [svaldez@douglascountyks.org](mailto:svaldez@douglascountyks.org)



**Important Notice for Email Recipients:** This communication and any attachments contain information intended for the sole use of the individual(s) to whom it is addressed and may be privileged or confidential. If the reader of this communication is not the intended recipient, or an agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication and/or attachments is strictly prohibited. If this communication was received in error, please notify the sender by reply email or contact the Office of the District Attorney - 7th Judicial District of Kansas, at (785) 841-0211 to report this error, and completely delete the message and any attachments from your computer system.

## DIV 4 - Wade, Tiffany

---

**From:** DIV 4 - McCabria, James  
**Sent:** Wednesday, February 24, 2021 3:48 PM  
**To:** DA - Valdez, Suzanne  
**Cc:** DA - Seiden, Joshua; DA - Melton, David; DA - Kliem, Dorothy; DIV 4 - Wade, Tiffany  
**Subject:** RE: Jury Trial Schedule

I will be ready to receive you. I have to say, the strong consensus is that the judges will make the decision on a case-by-case basis. That said, I certainly want to hear your concerns and argument.

---

**From:** DA - Valdez, Suzanne  
**Sent:** Wednesday, February 24, 2021 3:42 PM  
**To:** DIV 4 - McCabria, James  
**Cc:** DA - Seiden, Joshua ; DA - Melton, David ; DA - Kliem, Dorothy ; DIV 4 - Wade, Tiffany  
**Subject:** RE: Jury Trial Schedule

How's 4:30 today?



**Suzanne Valdez | District Attorney**  
**Douglas County District Attorney's Office**  
111 East 11<sup>th</sup> Street | Lawrence, KS 66044  
(785) 841-0211 | [svaldez@douglascountyks.org](mailto:svaldez@douglascountyks.org)



**Important Notice for Email Recipients:** This communication and any attachments contain information intended for the sole use of the individual(s) to whom it is addressed and may be privileged or confidential. If the reader of this communication is not the intended recipient, or an agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication and/or attachments is strictly prohibited. If this communication was received in error, please notify the sender by reply email or contact the Office of the District Attorney - 7th Judicial District of Kansas, at (785) 841-0211 to report this error, and completely delete the message and any attachments from your computer system.

---

**From:** DIV 4 - McCabria, James <[jmccabria@douglascountyks.org](mailto:jmccabria@douglascountyks.org)>  
**Sent:** Wednesday, February 24, 2021 2:42 PM  
**To:** DA - Valdez, Suzanne <[svaldez@douglascountyks.org](mailto:svaldez@douglascountyks.org)>  
**Cc:** DA - Seiden, Joshua <[jseiden@douglascountyks.org](mailto:jseiden@douglascountyks.org)>; DA - Melton, David <[dmelton@douglascountyks.org](mailto:dmelton@douglascountyks.org)>; DA - Kliem, Dorothy <[dkliem@douglascountyks.org](mailto:dkliem@douglascountyks.org)>; DIV 4 - Wade, Tiffany <[twade@douglascountyks.org](mailto:twade@douglascountyks.org)>  
**Subject:** RE: Jury Trial Schedule

Good afternoon, counsel - Perfect timing. Let's meet ASAP as it is a current topic with the judges for decision today and I was planning to reach out to you anyway.

Just let me know what works.

---

**From:** DA - Valdez, Suzanne <[svaldez@douglascountyks.org](mailto:svaldez@douglascountyks.org)>  
**Sent:** Wednesday, February 24, 2021 2:24 PM

**To:** DIV 4 - McCabria, James <[jmccabria@douglascountyks.org](mailto:jmccabria@douglascountyks.org)>  
**Cc:** DA - Seiden, Joshua <[jseiden@douglascountyks.org](mailto:jseiden@douglascountyks.org)>; DA - Melton, David <[dmelton@douglascountyks.org](mailto:dmelton@douglascountyks.org)>; DA - Kliem, Dorothy <[dkliem@douglascountyks.org](mailto:dkliem@douglascountyks.org)>  
**Subject:** Jury Trial Schedule

Hello, Judge.

We would like to meet with you regarding the jury trial schedule.

Our office is down 5 attorneys, and we continue preparing for jury trials scheduled to occur in March and April. In an effort to allocate our resources most effectively, we need to know whether these trials are actually going to remain on the calendar.

Additionally, it is especially difficult to serve lay witnesses with subpoenas given the current climate. Many witnesses have concerns and/or reservations about appearing during Covid, so we would at least like to be able to give them reasonable notice if they have made arrangements to appear.

When can we anticipate the Court making a decision as to whether March trials will proceed?

I'll reach out to Ms. Wade to get on your schedule so that we can talk with you about expectations moving forward.

Thank you,

Suzanne



**Suzanne Valdez** | *District Attorney*  
**Douglas County District Attorney's Office**  
111 East 11<sup>th</sup> Street | Lawrence, KS 66044  
(785) 841-0211 | [svaldez@douglascountyks.org](mailto:svaldez@douglascountyks.org)



**Important Notice for Email Recipients:** This communication and any attachments contain information intended for the sole use of the individual(s) to whom it is addressed and may be privileged or confidential. If the reader of this communication is not the intended recipient, or an agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication and/or attachments is strictly prohibited. If this communication was received in error, please notify the sender by reply email or contact the Office of the District Attorney - 7th Judicial District of Kansas, at (785) 841-0211 to report this error, and completely delete the message and any attachments from your computer system.