

IN THE IOWA DISTRICT COURT FOR DALLAS COUNTY

STATE OF IOWA : CRIMINAL NO. FECR039874; FECR039875;
Plaintiff, : FECR039906, FECR039907; and FECR039905
v. :
 : APPLICATION FOR MINOR WITNESSES'
MISTY JO BOUSMAN-RAY, : TESTIMONY OUTSIDE THE DEFENDANTS'
MARC ALAN RAY, : PRESENCE PURSUANT TO IOWA CODE
JUSTIN DALE RAY, : §915.38
JOSIE RAYE BOUSMAN,
and CARLA RAYE BOUSMAN
Defendant.

COMES NOW the State, by Assistant Dallas County Attorney Stacy Ritchie, and hereby respectfully requests the Court order any testimony by the three child victims/witnesses in these matters (HR, MR, and JR), including deposition and trial testimony, be taken outside the Defendants' physical presence.

In support of this request, the State offers the following:

1. That HR, MR, and JR are children, as defined by Iowa Code § 702.5.
2. That testifying in the Defendants' physical presence would cause trauma to HR, MR, and JR, as contemplated under Iowa Code § 915.38.
3. That testifying in the Defendants' physical presence would impair the ability of HR, MR, and JR to communicate, as contemplated under Iowa Code § 915.38.
4. That testifying outside the Defendants' physical presence is necessary to protect HR, MR, and JR from further trauma, as contemplated under Iowa Code § 915.38.
5. That a Scheduling Conference is set for October 13, 2017 to discuss possible deposition dates in these matters.
6. That a Scheduling Conference is set for October 13, 2017 to discuss possible trial dates in these matters.

WHEREFORE, the State respectfully requests that the Court grant this application and order the testimony of the three child victims/witnesses, HR, MR, and JR, be taken outside the physical presence of the Defendants, or, if the Defendants resist such motion, set the matter for hearing.

Respectfully Submitted,

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