

Forensics expert shows cell phone evidence

Videos and voice mails among contents of phone

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An expert in cell phone forensics brought in records of text messages, photographs and short videos taken from the phone of Raul Manuel Magallanez Jr., who is on trial in Lyon County District Court. The trial entered its third week today.

Magallanez has been charged with raping a 13-year-old girl, as well as about 60 counts of indecent liberties with minors, sodomizing minors, furnishing alcohol with illicit intent to minors, and one charge of aggravated intimidation of a witness

Kevin Ripa was brought in, out of traditional order, as a witness for the defense. The prosecution has not yet rested. Judge Lee Fowler said that because Ripa had come in from out of town, parties had agreed to let him testify in an effort to save time and money.

Ripa is director of computer forensics for Advanced Surveillance Group Inc. in Mount Clemens, Mich., president of Computer Evidence Recovery Co., in Calgary, Alberta, Canada, and regularly presents seminars internationally about cell phone and computer forensics.

Ripa had recovered general records from the Subscriber Identity Module (SIM) card within the phone, and was able to find a number of text messages, photographs and two videos.

One of the videos showed a long-haired blond girl apparently acting out instructions from an audible voice: "Give me a sexy look, like, 'you're going to do it look.'"

Several voice mails also were recovered, including some with a man's voice asking a young female to "absolutely promise" not to make up anything about him and her.

"You know we never had sex, right?" the male's voice asked.

The female responded, "Yes."

The male told the female, "That can get me in a lot of trouble."

Ripa was to continue testifying this afternoon.

Early in the morning, the defense cross-examined a 17-year-old boy who had begun testifying on Friday.

The name of the young man will not be used, in order to protect the identities of the young people with whom he associated during his friendship with the accused. The young man was 15 and 16 years old when the alleged crimes were committed.

Kip Elliot, one of two attorneys for the defense, spent much of the cross-examination asking the young man to reiterate testimony given on Friday about events witnessed involving alcohol, drugs, and sexual intercourse with under-aged girls.

In the course of testifying, the young man talked about his own alcohol and drug use and having sexual intercourse with underaged girls, all while he associated with Magallanez.

Elliot asked the witness about the “derivative use immunity” that was granted him to testify in the case.

“You will not be prosecuted for any of your acts?” Elliot asked.

The witness said that he would not.