

1           Free exercise clause is intended to protect  
2 religious --

3           THE COURT: You are making legal argument. You  
4 are not testifying now. You can make a legal argument  
5 in your closing argument, but this is not testimony.  
6 What you are doing now is arguing.

7           MR. COBB: So, I need to wait?

8           THE COURT: Right. To argue you need to wait.

9           MR. COBB: Okay.

10           So, the items that presented I will be able to  
11 possibly draw upon for the next phase?

12           THE COURT: Possibly, yes. So, you otherwise  
13 rest?

14           MR. COBB: Okay. Yes.

15           THE COURT: Evidence for the defendant?

16           MR. ROUSE: Yes, Your Honor.

17           We would like take up a couple of -- since he  
18 is on the record stating that he has rested his case, we  
19 really would like to do a couple of housekeeping  
20 measures.

21           What I am getting at is a directed verdict. We  
22 don't see how any additional evidence -- we don't have  
23 anything to contradict what he has presented. And we  
24 want to make sure on the record that he has had full and  
25 fair opportunity to list for purposes of res judicata  
26 and claims so we don't come back six months from now for